

The price of belonging: negotiating Anabaptist inclusion and exclusion  
in the northwestern Holy Roman Empire, 1535-1744

By

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## **Dedication**

In memory of my mother, Kathy

and

With gratitude to my husband, Jake

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## Abbreviations

<i>GAMEO</i>	<i>Global Anabaptist Mennonite Encyclopedia Online</i>
<i>GSPK</i>	<i>Geheimes Staatsarchiv Preußischer Kulturbesitz</i>
<i>KRP</i>	<i>Die Kirchenratsprotokolle der reformierten Gemeinde Emden 1557-1620</i>
<i>LNW-Rheinland</i>	<i>Landesarchiv Nordrhein-Westfalen Abteilung Rheinland (Duisberg)</i>
<i>LNW-Westfalen</i>	<i>Landesarchiv Nordrhein-Westfalen Abteilung Westfalen (Münster)</i>
<i>LW</i>	<i>Luther's Works</i>
<i>MB</i>	<i>Mennonitische Blätter</i>
<i>MennLex</i>	<i>Mennonitisches Lexikon</i>
<i>MQR</i>	<i>Mennonite Quarterly Review</i>
<i>NLA Aurich</i>	<i>Niedersächsisches Landesarchiv Aurich</i>
<i>QGT</i>	<i>Quellen zur Geschichte der Täufer</i>
<i>QGTS</i>	<i>Quellen zur Geschichte der Täufer in der Schweiz</i>
<i>SSA</i>	<i>The Sources of Swiss Anabaptism: The Grebel Letters and related documents</i>
<i>StA</i>	<i>Stadtarchiv</i>
<i>WZ</i>	<i>Westfälische Zeitschrift</i>



## Introduction

### Anabaptist identity

Who were the Anabaptists? Both religious opponents and secular authorities repeatedly asked themselves this question in the early modern Holy Roman Empire, and their preoccupation with Anabaptist identity pointed to two distinct but related realities. First, the tumultuous landscape of the early Reformation had made questions of classification newly challenging. Even as Martin Luther, Huldrych Zwingli, and other reformers found some secular authorities willing to accommodate religious change, policing the boundaries of belief, and thus policing believers, became an increasingly urgent project. Who were the Anabaptists – and what did it mean to be one? Second, secular authorities wielded the power of the state to hunt down those, like Anabaptists, whom they regarded as heretical. Anabaptists had been linked to the fourth-century Donatist heresy since their genesis in 1525 and were ruled extralegal by the empire in 1528. Detecting and driving out Anabaptists was an ongoing fixation and reflected the shared certainty that religious deviants who lurked in the shadowy margins endangered the whole Christian community. Who were the Anabaptists – and how do we rid ourselves of them?

The perceived threat of Anabaptism followed from the theological implications of an adult believer's baptism. Though the term "Anabaptist," literally "re-baptizer," was an inexact pejorative, often used erroneously, it clearly spelled out the offense implied: if one agreed to be baptized again as a believing adult, then one regarded the sacrament of infant baptism as ineffective.<sup>1</sup> The fearful anger that this premise engendered was existential as well as spiritual,

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<sup>1</sup> Though the term "Anabaptist" remains standard in English-language scholarship, its corresponding German term, "*Wiedertäufer*," is regarded as too derogatory for scholarly use. It is used consistently in sources from the period, but never in secondary literature. German scholarship employs the term "*Täufer*" to refer to the same group.

and motivated a number of persecutory policies: execution, expulsion and expropriation. Reports of Anabaptists, both imagined and actual, during the 1520s made terrifyingly real the apparently unstoppable division of Christianity that both reformers and adherents of the “old religion” feared.<sup>2</sup> Anabaptists were a threat to the interwoven *corpus Christianum* and the very rule of law.

In both contemporary polemic and within the historiography, this danger was shortened to the dual threat of heresy and rebellion. Of these two defining characteristics, historians of Anabaptism argue that the spectacle of rebellion was the most significant.<sup>3</sup> Though heresy and rebellion were common enough accusations, available to be brandished against nearly any religious nonconformist, these twin denunciations followed Anabaptists consistently throughout the early modern period. Indeed, the expectation that Anabaptists aimed to disrupt the social order bled into the definition of heresy, changing and narrowing its deployment at a time when reformers knew that a similar accusation could just as easily be turned in their own direction by the Roman Catholic hierarchy.<sup>4</sup> It had become, Tom Scott argues, a particularly politicized understanding of heresy, one that reflected the crisis of authority in early reform. The politicization of heresy followed from the assumption that all changes in belief had implications

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However, this simplification is not similarly available for English-language scholarship, as “Baptists” have a largely separate history in both England and North America.

<sup>2</sup> Like many nonconformists and dissenters, even their name was a pejorative that owed much more to outside fears than interior cohesion: the collective term “*die Wiedertäufer*” was first recorded in the bureaucratic documents of Zürich in February or March of 1525. Claus-Peter Clasen, *Anabaptism: A Social History 1525-1618: Switzerland, Austria, Moravia, South and Central Germany* (Ithaca, NY: Cornell University Press, 1972), 13; *QGT I*, 48.

<sup>3</sup> See Ralf Klötzer and Ernst Laubach, “Kontroverse Fragen zur Täuferherrschaft in Münster. Eine Podiumsdiskussion,” in *WZ* 162 (2012), 48.

<sup>4</sup> Tom Scott, *The Early Reformation in Germany: Between Secular Impact and Radical Vision* (New York: Ashgate Publishing, 2013), 195: “In sum, the issue of heresy had undergone a paradigm shift: with the Anabaptists it had become, if not secularized, then at least politicized. It was perceived as a threat as much to the social order as to right belief. Heresy, in other words, began to take its place in the history of social deviancy.”

for the secular power structure. So as followers of Rome fought bitterly with Luther and his movement, who in turn fought bitterly with other reformers such as Zwingli and Martin Bucer, Anabaptists were the group that the majority agreed should be understood as dangerously heretical and therefore unassimilable to society at large.

But if Anabaptists were a figure of fear in the sixteenth century, by the twentieth century the stereotype had undergone a carefully cultivated inversion. Outsiders generally understood the supposed inheritors of the Anabaptist lineage, particularly Mennonite, Hutterite, and Amish communities, as defined by their quiet separatism and modest virtue. This was partially the result of the work of Harold S. Bender and his eponymous school of confessional Mennonite historians, who trumpeted the role of Anabaptism in the making of the modern West. Bender, eulogized by historian Roland H. Bainton as “loyal to his church and concerned to vindicate her memory from the aspersions current until recent times,”<sup>5</sup> wrote in 1944:

There can be no question but that the great principles of freedom of conscience, separation of church and state, and voluntarism in religion, so basic in American Protestantism and so essential to democracy, ultimately are derived from the Anabaptists of the Reformation period, who for the first time clearly enunciated them and challenged the Christian world to follow them in practice.<sup>6</sup>

Bender lauded early modern Anabaptists in precisely the language of the Enlightenment; they were the originators of those values that had seeded the American democratic project, and thus demonstrated their importance to the creation of Protestant modernity. Bender’s insistence on drawing a straight line between sixteenth-century Anabaptists and patriotic Americans (understandable though it may be in a time of vulnerability for pacifist Anabaptists during the Second World War) was emblematic of modernization narratives that permeated Reformation

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<sup>5</sup> Roland H. Bainton, “Harold S. Bender,” *Church History* 31:4 (1962), 476.

<sup>6</sup> Harold S. Bender, “The Anabaptist Vision” *Church History* 13 (1944), 4.

scholarship throughout the twentieth century. Tying a specifically Protestant Reformation to the development of modernity had been a common trope since Max Weber's 1904 *The Protestant Ethic and the spirit of Capitalism*, and it was perhaps only natural that mid-century Mennonite scholars narrated their confessional history in a similar way.<sup>7</sup>

How do we make sense of these diametrically opposed stereotypes? To begin, Bender necessarily left out of his narrative those early modern Anabaptists who inspired the most fear.<sup>8</sup> His "Anabaptists of the Reformation period," whom he later referred to as "genuine Anabaptists," were those like Conrad Grebel, Pilgram Marpeck, Peter Riedemann and Menno Simons who fit his teleological goals – and decidedly *not* "Thomas Müntzer and the Peasants War, the Münsterites, or any other aberration of Protestantism in the sixteenth century."<sup>9</sup> This disparity is therefore indebted to a narrowed confessional understanding of the broad phenomenon of Anabaptism. Bender's "genuine Anabaptists" were those who embraced the pacifism and separatism, which would come to be popularly associated with modern Anabaptism, and this choice lingered in the historiography.

This attempt to craft a politically palatable origin story for a modern Christian denomination was, of course, not at all unique. In this respect, to single out a mid-century confessional historian such as Bender might seem like plucking particularly low-hanging fruit. But in Bender we can see with stark clarity a question at the heart of perennially contested

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<sup>7</sup> Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, translated by Talcott Parsons (New York: Scribner, 1958).

<sup>8</sup> James M. Stayer points especially to Bender, John Horsch, and the *Mennonite Quarterly Review* as the originators of the "favorable reassessment of sixteenth-century Anabaptism...based on the premise that theological typology was the only valid criterion for classification of the Anabaptist groups." James M. Stayer, "Was Dr. Kuehler's conception of early Dutch Anabaptism historically sound? The historical discussion of Anabaptist Münster 450 years later," *MQR* 60:3 (July 1986), 261.

<sup>9</sup> Bender, *The Anabaptist Vision*, 8.

Anabaptist identity, a question which joins these two disparate and perhaps equally misleading stereotypes: Who were Anabaptists – were they Protestants? In the sixteenth century, even as the category of “Protestant” itself was taking shape, the answer was emphatically no. Anabaptists’ heretical, extralegal status made this clear. Bender himself seems to acknowledge this distinction in his own article’s opening quotation from Rufus M. Jones, recognizing persecution of Anabaptists “equally in Roman Catholic and in Protestant countries.”<sup>10</sup> Anabaptist persecution was central to their identity, and their special status – indeed their usefulness to the project of democracy – was predicated upon this marginal position. Yet according to Bender, Müntzer and the Münsterites represented an “aberration of Protestantism,” removed from “genuine Anabaptists” who were, it seemed to follow, *not* a deviation from Protestantism. (Here Bender’s elision mirrors the ambiguity we see in the jump from the sixteenth century to the twentieth.) Bender ultimately, and boldly, argued that Anabaptists were in fact the bearers of the purest and highest form of Protestantism: “the culmination of the Reformation, the fulfilment of the original vision of Luther and Zwingli, and thus [making] a consistent evangelical Protestantism seeking to recreate without compromise the original New Testament church, the vision of Christ and the Apostles.”<sup>11</sup> That Bender would feel compelled to mold Anabaptism into the modernizing, liberalizing narratives of the mid-twentieth century is unsurprising, considering the advantages that came along with inclusion in the hegemonic identity of American Protestantism.

By focusing on Bender, I want to underscore that the stereotypes of both early modern and twentieth-century Anabaptists are linked by their location on the margins of society and their connection to narratives of modernization. On the margins in both the sixteenth century and the

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<sup>10</sup> Rufus M. Jones, *Studies in Mystical Religion* (London, 1909), 369; quoted in Bender, *The Anabaptist Vision*, 3. Bender also invokes this dual persecution paradigm later, 22.

<sup>11</sup> Bender, *The Anabaptist Vision*, 9.

twentieth, Anabaptists were continually vulnerable to persecution and were thus compelled to make repeated claims on inclusion. This marginal, inherently unstable societal position was defined by their relationship to the majority – a Protestant majority popularly linked to the coming of modernity and the spread of toleration. These simplistic, diametrically opposed stereotypes imposed upon Anabaptists, and sometimes willingly taken up by Anabaptists themselves, dramatized the arc of religious progress. Anabaptists had been feared in the sixteenth century, to be sure, but only because they had been mistakenly grouped with decidedly “premodern” rebels. Their true identity had always been a prefiguration of eighteenth-century toleration, in this narrative, and the view of their community had normalized once all had been granted the light of reason, removed the undue influence of religion on the state, and taken up the mantle of a rationalized Protestantism.

But the sixteenth century and the eighteenth century are, in that story, caricatures: Anabaptists had more latitude than has been acknowledged in the age of religious wars, and remained caught up in recurrent and violent negotiations during the age of “Enlightenment.” Clearly, these distorted and totalizing narratives about Anabaptist identity tell us about more about enduring modernization narratives than anything else. This is despite the fact that many historians have dedicated decades of patient historical work to the contrary, attempting to decouple the persistent affinity between the Enlightenment, toleration, and modernity. Most recently, Benjamin J. Kaplan has devoted multiple monographs to problematizing the understanding of the Enlightenment as a dawning of detached reason and intellectualized faith. In *Divided by Faith*, Kaplan articulates a search for origins which extended the dominance of the Enlightenment paradigm: “Looking back for the roots of our own ideologies, we naturally focus on the Enlightenment [...] from this perspective, the decades around the turn of the eighteenth

century appear as the dawn of the modern age.” Yet, Kaplan argues, “we could just as easily describe the same decades as an age of profound faith.” This ambiguity allows him to observe the specific constellations of culture, policy, and individual interaction that dictated how unevenly toleration manifested on the ground.<sup>12</sup> In *Cunegonde’s Kidnapping*, Kaplan delves into a dramatic, late eighteenth-century micro-historical case which again emphasizes the pragmatic, deeply human iterations of toleration. A young couple’s mixed marriage, and the disputed religious affiliation of their child, serves as vivid evidence for Kaplan’s assertion that “conflict and toleration must be seen not just as aggregate patterns but as elements in a dynamic process by which people who belong to different groups engage in the construction of relationships.”<sup>13</sup>

This dissertation analyzes examples of that dynamic, unstable process, and follows Kaplan’s argument that toleration was a local phenomenon, rooted in the exigencies of specific constellations of secular authority and religious believers. It was worked out on the ground first, long before the idealized and romanticized version of the eighteenth century ever came to prominence.<sup>14</sup> In the northwestern Holy Roman Empire, then, the ability to dispute the meaning and ramifications of Anabaptism progressed strikingly in disputes over property and taxation. These negotiations began in the sixteenth century and continued through the eighteenth, with “progress” discernible only through pragmatic appeals to Anabaptist societal or economic worth. The Anabaptist Kingdom of Münster, from 1534 to 1535, was the full realization of the

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<sup>12</sup> Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA: The Belknap Press of Harvard University Press, 2007), 345.

<sup>13</sup> Benjamin J. Kaplan, *Cunegonde’s Kidnapping: A Story of Religious Conflict in the Age of Enlightenment* (New Haven: Yale University Press, 2013), 247.

<sup>14</sup> Kaplan’s definition is worth reproducing here: “It uses the term toleration to refer to situations of stable coexistence where conflict was being successfully contained and physical violence avoided.” Kaplan, *Divided by Faith*, 11.

uproarious, seditious potential outside authorities saw within heretical Anabaptism. Yet because dispossessed Münsterites could negotiate *either* their second baptism *or* their participation in seditious activities, this already-inexact definition of Anabaptism further broke down. It was precisely because Anabaptists were regarded as both heretical and seditious that the category itself avoided calcification and even became pliable.

In three distinct examples, we can observe these imminently pragmatic steps made toward Anabaptist toleration: the surprising, albeit limited, ability to contest dispossession in the aftermath of the 1535 Kingdom of Münster; the slow routinization of negotiations over extraordinary taxes and letters of protection in the city of Emden and the county of East Frisia throughout the seventeenth century; and the successful reversal of a rare, late, mass dispossession of the Mennonite community in the Westphalian city of Rheydt in 1694. With property as the site of negotiation, this process was available only to some; with taxation, negotiations became applicable to all. Though post-Münster claims were predicated on refuting that one was an Anabaptist at all, the taxation disputes in East Frisia eventually turned on claims by Mennonites that they were not, in fact, fairly labeled Anabaptists: they were not heretical and not seditious, but rather merely participating in the same good-faith debates as other reformers and thus entirely uninterested in fomenting unrest. They were aided in this argument by their geographical proximity to the Dutch Republic, where by 1600 Mennonites had found relative toleration through a broad reading of the concept of freedom of conscience as derived from the Union of Utrecht.<sup>15</sup> But in the Holy Roman Empire, neither the threat of sedition nor the horror of unbaptized children ever truly subsided, and toleration obtained only in scenarios where

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<sup>15</sup> Samme Zijlstra, “Anabaptism and tolerance: possibilities and limitations,” in *Calvinism and Religious Toleration in the Dutch Golden Age*, edited by R. Po-Chia Hsia and Henk Van Nierop (New York: Cambridge University Press, 2002), 112-131.



material concerns and religious narratives of innocence came together in compelling ways. In order to counter this persistent threat of unbelonging and indeed the material threats of expulsion and expropriation, Anabaptists began to use the discourses and identities of more acceptable reform in disputes over property and taxes, and in the process, to make claims on marginal societal inclusion.

With a *longue durée* view of these negotiations between religious minorities and secular authorities, however, we can observe that what was truly durable was the possibility of violent exclusion, at nearly any point. Rather than a slow acceptance of toleration as a cultural value, we find essentially pragmatic bureaucratic negotiations in which accused Anabaptists and self-proclaimed Mennonites continually narrated their religious identity and asserted the economic and political rights they were owed. As categories of religious belonging formed, fractured, and multiplied, negotiation and re-negotiation was the normative mode of interaction with the state – and it shows us that the material mechanisms of toleration were always the bigger story.

This is a practical story, not an idealistic one; it uses sources hostile to Anabaptism, found in the spaces of bureaucratic petition and legal contest. This is also not a story told by Anabaptists on their own terms, and supplementary material on many of the Anabaptists and Mennonites who appeared in these records is unfortunately limited. Petitions to Counts and Prince-Bishops, pleas by and from city councils, county taxation inquiries, city and imperial court cases were all the spaces of encounter between marginalized Anabaptist and secular authorities – those who might, and sometimes did, purge these people from their communities with violence against their bodies and steep financial penalties. Negotiations were fraught, and power always unevenly distributed. Even so, we see wide-ranging contestations of Anabaptist

identity and culpability, using every tool they had in their arsenal – and surprising and bold claims on inclusion.

This shows us, I argue, that there is a different trajectory to the story of toleration than lingering Enlightenment narratives might suggest. Instead of an idealized understanding of the rise of toleration, which continually found its motor in the philosophical world of the Enlightenment, I find toleration hashed out in petty bureaucracy, legal battles, and diplomatic letters. This toleration was mediated through money and negotiated, literally, in disputes over property and taxes.

### **Anabaptists, money, and historiography**

Perhaps it seems ironic to focus on the property disputes and taxation schemes in a group more often associated with communalism or communism. Indeed, older works concerned with Anabaptist economic narratives were focused on decision-making within Anabaptist communities, and particularly on the concept of the community of goods. The association between Anabaptists and communal ownership of property had been popularized by Thomas Müntzer's declaration, under torture following the disastrous battle of Frankenhausen during the Peasants' War, that "all things are held in common" (*omnia sunt communia*).<sup>16</sup> This sharing of goods found its prescriptions in Acts 2:44-45 ("All who believed were together and had all things in common; they would sell their possessions and goods and distribute the proceeds to all, as any had need") and Acts 4:32 ("Now the whole group of those who believed were of one heart and soul, and no one claimed private ownership of any possessions, but everything they owned

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<sup>16</sup> Bob Scribner, "Practical Utopias: Pre-Modern Communism and the Reformation," *Comparative Studies in Society and History* 36: 4 (Oct., 1994), 744.

was held in common”), among a few other New Testament passages.<sup>17</sup> In the mid-twentieth century historiography, the community of goods ended up on one end or the other of an artificial dichotomy: *either* it was a self-consciously economic choice in the service of societal change *or* a manifestation of genuine religious conviction. This dichotomy reflected the dueling Marxist/Mennonite origin stories that divided research throughout the Cold War.<sup>18</sup>

James M. Stayer’s definitive survey on of alternate Anabaptist economic structures, *The German Peasants’ War and Anabaptist Community of Goods* (1991), fundamentally reshaped the question. Stayer argues that the attempt to emulate the communal economy of the apostles was a common characteristic for Anabaptist groups in the first decades of the Reformation, in part because of the defining influence of Müntzer’s Peasants’ War on the earliest generation of Anabaptist leadership.<sup>19</sup> The gradual decline of the community of goods, according to Stayer, was linked to questions of identity: “from the 1540s onwards, the Swiss brethren, the Marpeck brotherhood and the Mennonites chose to abandon the objective of realizing Acts 2 and 4, in the

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<sup>17</sup> *The New Oxford Annotated Bible (New Revised Standard Version) Augmented Third Edition with Apocryphal/Deuterocanonical Books*, edited by Michael D. Coogan with associate editors Marc Z. Brettler, Carol A. Newsom, Pheme Perkins (New York: Oxford University Press, 2007), NT 190 and NT 193.

<sup>18</sup> James M. Stayer, “The Significance of Anabaptism and Anabaptist Research,” in *Radicalism and Dissent in the Sixteenth Century*, edited Hans-Jürgen Goertz and James M. Stayer (Berlin: Duncker & Humboldt, 2002), 78-81. Marxists since Friedrich Engels had observed a connection between Anabaptists and social revolution, and during the 1960s historians such as Gerhard Zschäbitz read Marxist ideology into the communalism of the Peasants’ War, the Kingdom of Münster, and Anabaptist theology in general; see Gerhard Zschäbitz, *Zur mitteldeutschen Wiedertäuferbewegung nach dem grossen Bauernkrieg* (Berlin: Rütten and Loening, 1958). Mennonite historians attempted to join the economic and the theological. See Peter James Klassen, *The Economics of Anabaptism, 1525-1560* (The Hague: Mouton & Co., 1964), 114-115: “For the Anabaptists, economics formed an integral part of the Christian’s life and discipleship. Nothing is so strikingly basic to their attitudes toward economic factors as the firm conviction that all facets of life constituted an indivisible unity that must be permeated by the spirit of Christ... This relationship with God must be paralleled by a genuine interest and involvement in the welfare of others.” Klassen enumerated economic disputes within Anabaptism, such as the struggles with the community of goods and how to put into practice the ideal of mutual aid; he ultimately argues that it was practiced with complete voluntarism, and thus was not an example of proto-Marxism.

<sup>19</sup> James M. Stayer, *The German Peasants’ War and Anabaptist Community of Goods* (Buffalo: McGill-Queen’s University Press, 1991).

course of their self-definition *vis-a-vis* Münsterites and Hutterites.”<sup>20</sup> The concrete practices of communalism were an early marker of distinction and identity between disparate Anabaptist groups, even if this principle “eventually took the form of Christian mutual aid instead of Christian community of goods.”<sup>21</sup> Bob Scribner’s survey of early Reformation communism and utopias followed Stayer in the emphasis on a looser mutual aid, but was primarily concerned with the Hutterites and their form of communalism in Moravia. He ultimately argued that the experiment by the Hutterites “was not something fixed and definite but an evolving construct combining hostile stereotypes, ideals of voluntary and sometimes organised mutual aid, and the complexities of Hutterite life.”<sup>22</sup>

Scribner also emphasized the mixed economic background of the Hutterites, another of the broad economic arguments to come out of Anabaptist historiography in the second half of the twentieth century. Claus-Peter Clasen’s 1974 work on the “social history” of central and south German Anabaptists exemplified such older assumptions about the poverty of the adherents of the Anabaptist movement, even as it provided evidence that complicated the narrative. Indeed, Clasen’s survey concluded that “Anabaptism, then, did not attract just one class, such as the proletariat.”<sup>23</sup> This heterogeneity had a limited impact on his argument, however, as Clasen still found 75% of the populations he surveyed in Augsburg, Munich and Württemberg were “poor or nearly poor,” and he was therefore preoccupied with answering the question “why Anabaptism

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<sup>20</sup> Stayer, *The German Peasants’ War and Anabaptist Community of Goods*, 9.

<sup>21</sup> Stayer, *The German Peasants’ War and Anabaptist Community of Goods*, 160.

<sup>22</sup> Scribner, “Practical Utopias: Pre-Modern Communism and the Reformation,” 774.

<sup>23</sup> Claus-Peter Clasen, *Anabaptism: A Social History 1525-1618: Switzerland, Austria, Moravia, South and Central Germany* (Ithaca, NY: Cornell University Press, 1972), 330.

appealed particularly to the lower classes.”<sup>24</sup> Within a year, this traditional characterization was refuted by Karl-Heinz Kirchhoff’s exhaustive statistical analysis of the 1534/1535 Kingdom of Münster, which found a normal distribution of wealth in the leadership of the Kingdom. Kirchhoff thereby dismissed the older notion which put the impetus for “uproar” on a poor, faceless mob, concluding “The historical event ‘Münster 1534’ is not determined in any phase by this anonymous crowd, but in all actions and in all leadership groups the propertied citizens, verifiable by name, fortune and profession, are essentially involved.”<sup>25</sup> A decade later, James Stayer confirmed that Dutch Anabaptism, spread through the preaching of Melchior Hoffman and related to the chaos of the Anabaptist Kingdom, was likewise a “broad movement of all classes and estates.”<sup>26</sup>

Kirchhoff’s 1973 work aligned with an overall historiographical shift toward economic analysis, to unpacking the monetary motivators for both persecution and toleration.<sup>27</sup> This emphasis on the economic heterogeneity of the movement – over and against the view that religious egalitarianism drew almost exclusively poor adherents – broadens our understanding of how Anabaptism fit into the early modern world. If even the Kingdom of Münster, the clearest example of *compulsory* communalism, was peopled by patricians and paupers alike, how does that change our understanding of its aftermath? For one, we can expect the material penalties

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<sup>24</sup> Clasen, *Anabaptism: A Social History 1525-1618*, 330.

<sup>25</sup> Karl-Heinz Kirchhoff, *Die Täufer in Münster 1534/35* (Münster: Aschendorffsche Verlagsbuchhandlung, 1973), 85.

<sup>26</sup> Stayer, “Was Dr. Kuehler’s conception of early Dutch Anabaptism historically sound?,” *MQR* 60:3 (July 1986), 288.

<sup>27</sup> Walther Kirchner, “State and Anabaptists in the Sixteenth Century: An Economic Approach,” *The Journal of Modern History*, 46: 1 (Mar., 1974), 22: “The evidence here presented has shown that, on one hand, economic aims alone seldom motivated the states in their fight against the Anabaptists; but that, on the other hand, economic issues, though not decisive, were part and parcel of the motives which governed the actions of the states toward the Anabaptist groups.”

associated with its collapse to show up in the legal system. The gift of recognizing Anabaptist economic diversity is its increased legibility in the historical record.

Recent work emphasizes the multiconfessional nature of early reform, and offers new insights into the history of Anabaptism. Scholars such as Carina Johnson, David Luebke, Beth Plummer, and Jesse Spohnholz have highlighted the proliferation of multiconfessional communities, churches, and even liturgies, evidence that religious compromise was much closer to normative than exceptional during this period. This focus on multiconfessionality is, historiographically, to be expected, as Johnson notes. Early modernists “have moved from exploring the strength and efficacy of political and religious institutions’ capacities for promoting confessional churches and identities to addressing the limits, oversights, and cultural ramifications of confessionalization.”<sup>28</sup> This shift in focus from the institutional winners of early modern religious debates and toward a messier religious landscape has taken seriously the concrete compromises that were accepted as communities struggled, but often succeeded, to exist together through theological uncertainty.

In a study of Westphalian multiconfessionality in the second half of the sixteenth century, Luebke repeatedly uses the example of Anabaptists as a loosely-defined but decidedly marginalized group in order to outline the limits of religious plurality following the Peace of

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<sup>28</sup> *Archaeologies of Confession: Writing the German Reformation, 1517-2017*, edited by Carina L. Johnson, David M. Luebke, Marjorie Elizabeth Plummer, and Jesse Spohnholz (Berghahn Books, Inc., 2017), 4. Another summation: “In the decentralized Holy Roman Empire, the processes of history writing were also the processes of erasing the historical evidence of religious plurality. The fourteen essays assembled in this volume not only examine the formation of confessional identities through the construction of historical knowledge they also pay close attention to the strategies employed to silence alternate narratives of religious identity. Each essay is a case study of sources, archives, or narratives that reveals acts of willful excision and unintentional exclusion in the shaping of confessional identity or knowledges. These processes were integral to polarizing and streamlining confessional identities over time” (2-3). Johnson’s focus in this introduction urges readers to think about the power inherent in written histories of the Reformation and sketches the broad strokes and political aims to which that power has been applied over the past five centuries: “the following essays suggest that it is time to go back to the archives, to the repositories of personal papers, to the critical editions and ask what has been left out and why” (14).

Augsburg in 1555. As Luebke argues, “the language of negative definitions nourished complicity between the adherents of Rome and Augsburg, uniting them against a common enemy that was thought to pose an existential threat”<sup>29</sup> – an enemy, that is, which was identifiable but need not be explicitly definable. This Anabaptist threat, which Luebke later describes as overtly political and tied to fears of Ottoman takeover, eventually taught Calvinists how to successfully argue for their own tolerance if not their full inclusion. Though both Calvinists and Anabaptists were ostensibly extra-judicial (Anabaptists were positively outlawed by Speyer in 1529, while Calvinists were omitted from the Peace of 1555), Calvinists were able to evade and then eventually press the concept of legality because of a distinction between uncertain religious truths, still in play, and certain political suspicion: “the lexicon of religious identity for the most part remained organized around the categories of legality and illegality laid down in Augsburg in 1555 – usages that kept ambiguous the question of theological truth and instead drew a line between those religions that were permissible and those that were not.”<sup>30</sup> The permissibility of Calvinism was negotiable, then, but the heresy and rebellion of Anabaptists was not.

The reason, Luebke notes, is that “Anabaptists were different.” Always impermissible, they persisted in the decades after Münster Prince-Bishop Franz von Waldeck’s purges through a combination of secrecy, plausible deniability, and authorities’ benign neglect. Luebke provides examples of the distance at which Anabaptists held themselves from larger communities: the withholding of infants from baptism, marriages outside of community churches, and burial of Anabaptists outside of parish graveyards.<sup>31</sup> Yet he also mentions the possibility of intermarriage

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<sup>29</sup> David M. Luebke, *Hometown Religion: Regimes of Coexistence in Early Modern Westphalia*, (Charlottesville: University of Virginia Press, 2016), 25.

<sup>30</sup> Luebke, *Hometown Religion*, 57-58.

<sup>31</sup> Luebke, *Hometown Religion*, 72, 63, 184.

with later Anabaptists (and cites an instance involving a self-described Mennonite in the early seventeenth century), an exception that points to the sporadic but persistent phenomena that this dissertation is determined to examine.<sup>32</sup> Despite the hostility they generated after the Kingdom of Münster, then, Anabaptists in the northwestern Holy Roman Empire persevered on the margins of multiconfessional society.

Indeed, debates over the identity and label of Anabaptism grew organically out of this ambiguity found within the broad landscape of sixteenth-century religious reform, as recent work has shown. Kat Hill illuminates the thinkability of Anabaptist ideas on a continuum with other early reform debates, and emphasizes the need to understand what might have previously been labeled radical or extreme in central German Anabaptism were answers to the same set of questions motivating more moderate Anabaptists and even Lutherans.<sup>33</sup> By digging into the “almost untraceable legacy” of those who were affected by Anabaptist preaching, those who may have joined a group for a short period or those who were dissuaded from further contact with Anabaptists after the experience of interrogation or torture, Hill brings these “ambiguous” Anabaptists into the discussion of a messy multiconfessional world. Hill focuses on the “fragmentary process of identity formation in central German Anabaptism,” an identity constructed here by Anabaptists themselves and that ultimately “developed as a result of a dialogue with Lutheranism.”<sup>34</sup> Anabaptism should not be cordoned off in the separate “Radical Reformation,” according to Hill, and it is malleable and changeable in many of the same ways

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<sup>32</sup> Luebke, *Hometown Religion*, 64. Luebke is referring here to a petition “on behalf of the Mennonite Werner Harges, submitted by his Catholic wife, dated 18 September 1612,” and found in LNW-Westfalen 518/519, vol. 11a, 354r/v. This is suggestive of my larger point – that Anabaptism, despite its official exclusion, was more conceivable and discussable in the sixteenth century than traditional toleration narratives suggest.

<sup>33</sup> Kat Hill, *Baptism, brotherhood, and belief in Reformation Germany: Anabaptism and Lutheranism, 1525-1585*. Oxford: Oxford University Press, 2015, 224ff.

<sup>34</sup> Hill, *Baptism, brotherhood, and belief in Reformation Germany*, 25 and 224.



that historians of sixteenth-century multiconfessional Lutheranism, Calvinism and Catholicism have described.

But if Anabaptists themselves struggled with the vague boundaries of belonging and identity in much the same way as others during the first few decades of reform, the fear they inspired remained outsized. Geoffrey Dipple has demonstrated the danger inherent in the inexact, manipulable definition of Anabaptism in his study of Ludwig Hätzer, who was simultaneously denounced for his Antitrinitarian heterodox beliefs, non-normative sexual relationships and potential to add to social unrest.<sup>35</sup> This mixture of purported crimes gave Hätzer his notoriety, but “there is no mention of Hätzer’s heterodox beliefs in any of the court records of the proceedings” which led to his execution in Constance in 1529.<sup>36</sup> Dipple suggests that this strange omission resulted from the uneasy relationship to heresy which existed in the context of the south German and Swiss Reformation, and the fact that “to charge him with heresy could conceivably call into the orthodoxy of their enterprise as well.”<sup>37</sup> The capaciousness and fluidity of these religious labels could be a weapon, then, one that marked individuals as outsiders and allowed a host of other accusations to adhere to their person.

If religious identity was inherently unstable, under constant debate and re-evaluation in relation to both other believers and secular authority, the social and legal ramifications of that identity provided an unexpected place for negotiation to occur. As theologians and believers alike wrestled with the difficult questions of who belonged to religious communities – in the chaos of early reform, where and when the problem of Anabaptism was defined – secular

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<sup>35</sup> Geoffrey Dipple, “Sex, Blasphemy, and the Block: The Trial and Execution of Ludwig Hätzer,” *Renaissance and Reformation/Renaissance et Réforme* 40:4 (Fall 2017), 73-90.

<sup>36</sup> Dipple, “Sex, Blasphemy, and the Block,” 74.

<sup>37</sup> Dipple, “Sex, Blasphemy, and the Block,” 86.

authorities continued these debates over the course of the next two hundred years, within the bureaucratic jurisdictions of their cities and territories. For Anabaptists who were perennially on the margins of the sweeping imperial debates, negotiations over religious identity became a necessary feature of the process of finding material security in day-to-day life.

## Part I: Chaos and the cost of exclusion

### CHAPTER 1: Becoming heretics in the early Reformation

#### Baptism and ‘*Aufruhr*’

On the evening of 21 January 1525, a discontented group of about fifteen Swiss Christians participated in the first adult, believers’ baptism during the period we now refer to as the Reformation.<sup>1</sup> The drama took place in the house of Felix Mantz in the village of Zollikon, outside of Zürich, its peripherality the result of the group’s fresh but decisive break from Ulrich Zwingli and his urban reforms.<sup>2</sup> Led by prominent Zürich humanist Conrad Grebel, the gathering had been deep in prayer when priest Georg Cajacob, known as “Blaurock” or “blue jacket,” arose and asked Grebel to bestow a believer’s baptism upon him. The later Hutterite Chronicle has preserved a description of that night:

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<sup>1</sup> Though I open with the baptisms in Zollikon, I do so in order to highlight the fear of adult baptisms as a subsequent motivator for execution, expulsion and expropriation; it is not meant to reproduce the so-called ‘monogenesis.’ Debates over the origin point(s) of Anabaptism are focused on how much weight these first baptisms should carry, and there is still mild disagreement in the historiography. For the definitive account of a pluralized genesis with a focus on socio-economic origins see James M. Stayer, Werner O. Packull, and Klaus Deppermann, “From Monogenesis to Polygenesis: The Historical Discussion of Anabaptist Origins” in *Mennonite Quarterly Review* (April 1975), 83-121; essentially, “three more or less independent points of departure for Anabaptist history were South German Anabaptism, the Swiss Brethren and the Melchiorites,” 86ff. The polygenesis group has complicated its stance in intervening years, but is still distinguishable from those such as Hans J. Hillerbrand and Andrea Strübind who stress a single theological origin point. Hillerbrand responds to the current dominance of the polygenesis model in *The Division of Christendom: Christianity in the Sixteenth Century* (Louisville: Westminster John Knox Press, 2007), 113. The contours of the debate might be best observed in the exchange between Stayer and Strübind: Stayer, “A new paradigm in Anabaptist/Mennonite historiography?,” in *MQR* 78:2 (January 2004), 297-307; and Strübind, “James M. Stayer, ‘A New Paradigm in Anabaptist/Mennonite Historiography?’ A Response,” in *MQR* 78:2 (January 2004), 308-313.

<sup>2</sup> Here I follow Stayer on the tension between Zwingli and Zürich ‘centralizing’ the town and the outlying villages as a place of resistance and congregationalism; James M. Stayer, “A new paradigm in Anabaptist/Mennonite historiography?,” in *MQR* 78:2 (January 2004), 300. For the split between Conrad Grebel and Ulrich Zwingli, see James M. Stayer, “The Swiss Brethren: An Exercise in Historical Definition,” in *Church History* 47:2 (June 1978), 174-195; 177ff.

And it came to pass that they were together until fear began to come over them, yea, they were pressed in their hearts. Thereupon, they began to bow their knees to the Most High God in heaven and called upon him as the Knower of hearts, implored him to enable them to do his divine will and manifest his mercy toward them. For flesh and blood and human forwardness did not drive them, since they well knew that they would have to bear and suffer on account of it. After the prayer, George Cajacob [Blaurock] arose and asked Conrad to baptize him, for the sake of God, with the true Christian baptism upon his faith and knowledge. And when he knelt down with that request and desire, Conrad baptized him, since at the time there was no ordained deacon to perform such work. After that was done the others similarly desired George to baptize them, which he also did upon their request. Thus they together gave themselves the name of the Lord in the high fear of God. Each confirmed the other in the service of the gospel, and they began to teach and keep the faith. Therewith began the separation [*die absünderung*] from the world and its evil works.<sup>3</sup>

The self-understanding of this act as definitive “separation” was a reconstruction after the fact; this portion of the Hutterite Chronicle was written between 1565 and 1578, and therefore represents a conscious narrativization of the relationship between the first believers’ baptisms and the contemporary, separatist way of life for Hutterite Anabaptist communities in late sixteenth-century Moravia.<sup>4</sup> Regardless of the intended outcome of these first baptisms – whether Grebel hoped to establish his own true church in opposition to that of Zwingli, or whether he simply wanted to force the issue for the wider Zürich community and reinstate what

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<sup>3</sup> “Reminiscences of George Blaurock: An Excerpt from the Hutterite *Chronicle*, 1525,” in *Spiritual and Anabaptist Writers: Documents Illustrative of the Radical Reformation*, edited by George Huntston Williams (Philadelphia: The Westminster Press, 1957), 43–44. For original language, see *Die älteste Chronik der Hutterischen Brüder: Ein Sprachdenkmal aus frühneuhochdeutscher Zeit*, edited by A. J. F. Zieglschmid (Ithaca: The Cayuga Press, Inc., 1943), 47. A letter from 1530 written, supposedly, by a participant eyewitness described the events in a similar way, but is contested as to its dating and legitimacy: “And it happened that they were together. After fear lay greatly upon them, they called upon God in heaven, that he should show mercy to them. Then Georg arose and asked Conrad for God’s sake to baptize him; and this he did. After that, he baptized the others also.” See “68F. The First Believer’s Baptism in Switzerland, Zurich, January 21, 1525 – The Klettgau/Cologne Letter,” in *The Sources of Swiss Anabaptism: The Grebel Letters and related documents*, edited by Leland Harder (Scottsdale, Pennsylvania: Herald Press, 1985), 342.

<sup>4</sup> The period of time between the election of Peter Walpot as bishop, who commissioned the chronicle, and the death of first chronicle compiler/author Kaspar Braitmichel in 1573. James M. Stayer insists that accusations of separatism were more often a “slur” used to denigrate early Anabaptists than a conscious desire of the movement itself; Stayer, “The Swiss Brethren,” 183.

he saw as the only biblically correct baptismal form – Grebel and his group had pushed past dispute and into action.<sup>5</sup>

The dispute itself had been years in the making, and its specifics illuminate the layers of meaning that adhered to the act of believer’s baptism. Zwingli and Grebel had been tentatively aligned in the goal of reforming Zürich, but their relationship had deteriorated by December 1523 over delays and concessions in the implementation of a new eucharistic program. The question of the metaphysical reality of the Eucharist, the central rite of the Christian liturgy with salvific implications, had consumed the theological debates of Swiss reformers in the early 1520s and had marked their increasingly separate path from Martin Luther. Both Zwingli and Grebel agreed that the Eucharist was merely a sign or memorial of the last supper, not a sacrifice from which salvation emanated. As Zwingli instructed in late 1523, “Of this he left us a sure, visible symbol of his flesh and blood and commanded both the eating the drinking to be as a remembrance.”<sup>6</sup>

This naturally led to a reconsideration of other sacraments: Why, then, was baptism regarded as a moment of transformation, as a sealing of an infant into the community of Christ?<sup>7</sup> Even more importantly, where was the biblical precedent for the baptism of infants? This was a potentially explosive set of questions for a program of reform that Zwingli had introduced as

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<sup>5</sup> Here I follow Stayer on the tension between Zwingli (and ‘centralizing’ Zürich) and the outlying villages, which were increasingly a place of resistance and congregationalism; James M. Stayer, “A new paradigm in Anabaptist/Mennonite historiography?,” in *MQR* 78:2 (January 2004), 300. For the split between Conrad Grebel and Ulrich Zwingli, see James M. Stayer, “The Swiss Brethren: An Exercise in Historical Definition,” in *Church History* 47:2 (June 1978), 174-195; 177ff.

<sup>6</sup> “58A. Zwingli’s ‘Introduction’ to the Disputation Findings, Zürich, November 17, 1523,” in *SSA*, 266; “27. Eine kurze christliche Einleitung, 17 Nov. 1523” in *Huldreich Zwinglis Sämtliche Werke. Unter Mitwirkung des Zwingli-Vereins in Zürich Vol. II*, edited by Emil Egli et al. (Leipzig: Heinsius, 1905), 662-3.

<sup>7</sup> Hillerbrand, 114; Stayer, “The Swiss Brethren,” 181.

“firmly based on divine evangelical Scripture of both the Old and New Testaments.”<sup>8</sup> Though scripture admittedly did not provide precedent for infant baptism, Zwingli followed the common understanding of the rite as a replacement for biblically-precedented circumcision. In a letter sent in December 1524 to fellow reformers in Strasbourg, he paraphrased the book of Romans to begin his defense of infant baptism:

Circumcision was the sign of a faith that was already there. But it was always performed eight days after birth on infants who would only many years later come to faith. Baptism then took the place of circumcision. It follows then that baptism, like circumcision, should be performed also on those who will not come to the faith until later.[...] What I ask, could have been said more clearly than this, that the circumcision of Christ has been performed on us when we are buried with him in baptism, etc. [Rom. 6:4]. Consequently, the circumcision of Christ is also administered to infants on the authority of God’s Word, not the pope’s, just like the earlier circumcision of Abraham.<sup>9</sup>

Infant baptism had superseded the earlier mandate for circumcision, and likewise looked to a future understanding rather than await mature belief. Indeed, both baptism’s importance and its inflammatory potential were linked to its role as the final birth ritual, as a bringing of a child into the promise of Christian salvation through the initiation into the Christian community. Baptism as a sign had an explicit and essential social purpose.<sup>10</sup>

These debates took on a new urgency when a number of infants in the city were left intentionally unbaptized. Disillusioned itinerant priest Wilhelm Reublin had begun explicitly

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<sup>8</sup> “58A. Zwingli’s ‘Introduction’ to the Disputation Findings, Zürich, November 17, 1523,” in *SSA*, 257; “27. Eine kurze christliche Einleitung, 17 Nov. 1523” in *Huldreich Zwinglis Sämtliche Werke. Unter Mitwirkung des Zwingli-Vereins in Zürich Vol. II*, edited by Emil Egli et al. (Leipzig: Heinsius, 1905), 628ff.

<sup>9</sup> “67A: Zwingli to Lambert and other Brethren in Strasbourg, Zurich, December 16, 1524,” in *SSA*, 306; *Huldreich Zwinglis sämtliche Werke, Band VIII* (Leipzig: Heinsius, 1914), 271, digitized by the Institut für Schweizerische Reformationsgeschichte, < <http://www.irg.uzh.ch/static/zwingli-briefe/?n=Brief.355>>.

<sup>10</sup> Renate Dürr emphasizes a preoccupation with the “correct procedure for baptism” throughout the medieval and early modern period, in the context of the seventeenth-century baptisms of Muslims and “Africans” in the Holy Roman Empire; this was not a new concern, and the vitriol it inspired should be understood both in its sacramental matrix and through the import inherent in symbolic ritual forms of community inclusion. Dürr, “Inventing a Lutheran Ritual: Baptisms of Muslims and Africans in Early Modern Germany,” in *Protestant Empires: Globalizing the Reformation*, edited by Ulinka Rublack (Cambridge: Cambridge University Press, 2020), 211-212.

preaching against infant baptism in early 1524, and by Easter the missed baptisms had become apparent. In August of 1524, the Zürich council questioned the fathers of five children, aged between three weeks to six months, who had yet to be baptized in the nearby village of Witikon. Two fathers explicitly attributed their decision not to baptize their children to Reublin's preaching, one paraphrasing Reublin that "if he wanted to be true Christian and lead a Christian life, it was not required to baptize" while the other stressed the need for the child to come into their own belief once they were of age.<sup>11</sup> When Conrad Grebel's wife gave birth in early January 1525, Grebel both kept his daughter from baptism and mocked the practice in a letter to his brother-in-law; he had ensured, he wrote, that his daughter had not been "swamped in the Romish water bath" or undertaken the "antichristian water bath."<sup>12</sup>

After a private disputation on 17 January 1525, in which Zwingli's position affirming the biblical precedent of infant baptism won the day, the Zürich council promulgated a mandate. Acknowledging that debate over whether one had to "know what faith is" in order to be baptized had confused the populace, and "some have consequently left their children unbaptized." Against this practice the gathered magistracy of the city of Zürich declared that "all children shall be baptized as soon as they are born." Those currently delinquent had eight days to conform or face expulsion from the city: "with wife and child and possessions, leave our lords' city, jurisdiction, and domain, and never return, or await what happens to him."<sup>13</sup> This mandate was further sharpened a few days later, on January 21, when Grebel and Mantz were ordered to stop teaching

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<sup>11</sup> "11. Nachgang, 1524 vor August 11," in *QGTS I*, 10.

<sup>12</sup> "68. Grebel to Vadian, January 14, 1525," in *SSA*, 332. For original language, see "23. Konrad Grebel an Vadian, Zürich [1525] 14. Januar," in *QGTS I*, 33: "Min frow ist gnesen gester, daß ist fritag, acht tag. Daß kind ist ein tochter, heißt Rachel; ist noch nit in dem Römschen wasserbad getoufft und gschwemmt."

<sup>13</sup> "68C. Council Mandate for Infant Baptism, Zurich, January 18, 1525," in *SSA*, 336; "24. Beschluß des Rates, 1525 Januar 18" and "25. Mandat des Rates, 1525 Januar 18" in *QGTS I*, 34-35.

and warned they would be given no further opportunities for disputation, and four members of the circle, including Reublin, were banished from the city of Zürich.<sup>14</sup> Though these actions were intended by the council to restore the “peace” of the city from the disruption and uproar of the Grebel circle, the group instead reformed in Zollikon that evening and took the decisive step of baptizing believing adults.

This inversion of tactics, this switch from abstaining from infant baptism to partaking in adult believer’s baptism, unnerved Zwingli and other opponents. Johannes Kessler, a reformer from nearby St. Gall, characterized the change as causally linked to their supposedly separatist aims: “In this it became clear why they sought with such fervor and rigor to overthrow infant baptism: in order that if it was wiped out, it would be necessary if one wished to be Christian at all to be baptized again, one and all; thereby their plan to separate would be achieved and their assemblies would gain a great increase.”<sup>15</sup> Zwingli himself would later describe, in a recollection from 1527, the events of that night as a premeditated and self-conscious separation: “Then we began to perceive why they had determined to collect a new church and had opposed infant baptism so seriously...They had attempted a division and partition of the church.” In other words, this recurring accusation of ‘partition’ connotated bad faith theological debate, and revealed the adult baptists’ ultimate intention to form a new, pure church rather than adhere to Zwingli’s Zürich reforms.

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<sup>14</sup> These first four to be banned had ties to the Zollikon community in particular: Wilhelm Rööbli [Reublin], Johannes Brötli, Ludwig Hätzer and Andreas Castelberger auf der Stützen. “68E. Council Decree Against Anabaptists, January 21, 1525,” in *SSA*, 337-338; “Beschluf des Rates, 1525 Januar 21,” in *QGTS I*, 35-36.

<sup>15</sup> “68F. The First Believer’s Baptism in Switzerland, Zurich, January 21, 1525 – Kessler’s Account, continued from 65A,” in *SSA*, 341; Johannes Kessler, *Johannes Kesslers Sabbata mit Kleineren Schriften und Briefen*, edited by Emil Egli and Rudolf Schoch (St. Gallen, Switzerland: Historischen Verein, 1902), 140ff.



We might see in both the Zürich majority and the peripheral minority, in January of 1525, the reforming discourses that Nicholas Terpstra labels “purity and purgation,” with the internal theological cohesion of both the Zürich and the Zollikon communities dependent on the ability to expel all unwanted or imperfectly believing members, in order to continuously work toward the untainted true Church to which they felt called.<sup>16</sup> In tandem with these purgative processes in reforming communities, Ethan Shagan describes early modern belief as “exclusive rather than inclusive, a condition characterized by scarcity rather than ubiquity.”<sup>17</sup> This dearth-mindset helps to explain the preoccupation with boundaries, both as expressed in the tumult of early reform and in the disciplining character of the later decades. But this continual boundary drawing, this obsession with separating wheat from chaff was, as the Zürich example shows, necessarily performed through the mechanisms of secular authority. Such an intertwining of realms led to a specific constellation of accusations for which Anabaptists would be continually held liable; as Zwingli put it, “this re-baptism seemed like a watchword for seditious men.”<sup>18</sup>

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<sup>16</sup> Nicholas Terpstra, *Religious Refugees in the Early Modern World: An Alternative History of the Reformation* (New York: Cambridge University Press, 2015).

<sup>17</sup> Ethan Shagan, *The Birth of Modern Belief: Faith and Judgment from the Middle Ages to the Enlightenment* (Princeton: Princeton University Press, 2018), 64.

<sup>18</sup> “68F. The First Believer’s Baptism in Switzerland, Zurich, January 21, 1525 – Zwingli’s account, continued from 66A,” in *SSA*, 340. Original language: “Tercio: videri hunc catabaptismum seditiosorum hominum esse veluti tesseram.” From *Huldreich Zwinglis sämtliche Werke*, vol. 6.1 (Zürich: Berichthaus, 1961), Nr. 108, 43; digitized by the Institut für Schweizerische Reformationsgeschichte <<http://www.irg.uzh.ch/static/zwingli-werke/index.php?n=Werk.108#a37>>. Though this assessment comes from 1527, Zwingli had been building on the theme of sedition since December 1524. In his pamphlet *They Who Give Cause for Rebellion* [*Welche Ursach gebind zu Ulfruren/Wer Ursache gebe zu Aufruhr*], Zwingli addressed the arguments of Grebel’s group on infant baptism and their potential fallout. He conceded a few points but reiterated that baptism took the place of circumcision and thus must be regarded as biblically mandated. Zwingli characterized the overall debate as foolish and unfocused (“the learned quarrel violently among themselves about externals”) and ultimately damaging to the unity of the fragile and reforming Zürich Christian community. “67C, Zwingli’s Treatise on Rebels and Rebellion, Zurich, between December 7 and 28, 1524,” in *SSA*, 315. *Huldreich Zwinglis sämtliche Werke*, vol. 3 (Leipzig: Heinsius, 1914), Nr. 42, 374-469; digitized by the Institut für Schweizerische Reformationsgeschichte <<http://www.irg.uzh.ch/static/zwingli-werke/index.php?n=Werk.42>>.

From the very first, then, and from the closest and most intimate of opponents, outsiders associated Anabaptism with uproar, agitation, or sedition – in the language of secular magistrates, “*Aufruhr*.” The description of Anabaptists as “*auführerisch*” was remarkably widespread throughout the early modern period, even though its meaning varied from general disruption to the specific crime of sedition. Charges of sedition also followed from the tendency of Anabaptist groups, especially in southwestern Germany and Switzerland after the 1527 *Schleitheim Articles*, to refuse to swear oaths, serve in any military force, or hold public office. This was widely understood as rebellious but perhaps a subtler form of sedition, a way of undermining community expectations by recasting civil responsibilities as religious impossibilities.<sup>19</sup> And this was therefore perhaps an association which could have only grown out of the upheaval of urban reform in a place like Zürich, where the work of a reformer like Zwingli was already intimately intertwined with the ruling council, where the notion of reform had already achieved some bureaucratic and institutional success.

Allegations of sedition accrued against the Grebel group during the Zürich debates, partially due to the rising temperature of peasant grievances in the communities surrounding the city – in particular the militarization, in the summer and autumn of 1524, of Waldshut, which had taken up the reforming program of Balthasar Hubmaier.<sup>20</sup> On a larger scale, it did not help that Thomas Müntzer was, in the autumn of 1524 and throughout the spring of 1525 – manifesting the fears of the magistracy in the ‘uproar’ in the Peasants’ War – preaching directly to the people and taking up arms in a series of insurrections throughout southwestern German

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<sup>19</sup> Tom Scott, *The Early Reformation in Germany*, 194.

<sup>20</sup> Andrea Strübind, “The Swiss Anabaptists,” in *A Companion to the Swiss Reformation*, edited by Amy Nelson Burnett and Emidio Campi (Boston: Brill, 2016), 401; C. Arnold Snyder, “Swiss Anabaptism: the Beginnings,” in *A Companion to Anabaptism and Spiritualism, 1521-1700*, edited by Johan D. Roth and James M. Stayer (Boston: Brill, 2007), 57.

lands. Outsiders would continue to assume links between the two groups, though the two leaders never met and Grebel and his group proclaimed sharp disagreement with Müntzer's violent methods in a September 1524 letter.<sup>21</sup> Felix Mantz addressed a petition of defense to the Zürich council in the winter of 1524, and although the majority of the petition focused on the group's understanding of the errors of infant baptism, he nevertheless opened the document with a rejection of these other accusations: "I too have been held and accused by some as a rioter [*auffrurer*] and wretch, which is however an unjust and ungracious charge that can never be raised and proved on the basis of truth, for neither have I engaged in rioting [*geuffruret*] nor in any way taught or encouraged anything that has led or might lead to rioting [*auffrur*] (which all those with whom I have ever been associated can testify of me)."<sup>22</sup> Despite this strong denial, the parameters of the problem of 'Anabaptism' for the Zürich magistracy clearly included the notion of *aufbruch* even before adult baptisms took place, and it proved to be a sticky concept, difficult to falsify.<sup>23</sup>

By mid-1525, however, this potent mix of adult believer's baptism and an assumed connection to the regional turbulence of the Peasants' War proved to be the downfall of the

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<sup>21</sup> Grebel wrote at least two significant letters to Müntzer in early September 1524, making common cause on baptism and sharing a vision of a church free from state influence – but rejecting violence: "Moreover, the gospel and its adherents are not to be protected by the sword, nor [should] they [protect] themselves, which as we have heard through our brother is what you believe and maintain." See "63 Grebel to Müntzer, Zürich, September 5, 1524," and "64 Grebel to Müntzer, Zürich, sent with letter of September 5, 1524," in *SSA*, 284-294; "14. Konrad Grebel und Genossen an Thomas Müntzer," in *QGTS I*, 13-21.

<sup>22</sup> "67B The Mantz Petition of Defense, Zürich, between December 13 and 28, 1524," in *SSA*, 311; "[Felix Mantz], Protestation und Schutzschrift [an den Rat von Zürich]," in *QGTS I*, 23. See also "Beilage: Konrad Grebels Protestation und Schutzschrift," in *Huldreich Zwinglis sämtliche Werke*, vol. 3 (Leipzig: Heinsius, 1914), Nr. 42, 368-372; digitized by the Institut für Schweizerische Reformationsgeschichte <<http://www.irg.uzh.ch/static/zwingli-werke/index.php?n=Werk.42>>.

<sup>23</sup> Editor Leland Harder argues that this recollection from 1527 concerning the events of January 1525 pinpoints Zwingli's self-explanation for his switch in attitude and action toward Anabaptists: "Somewhere in his discussions with the Anabaptists, Zwingli shifted from an accusation of doctrinal deviation that warrants a degree of forbearance to one of sedition against the state that warrants the use of force...Certainly by May 1525, Zwingli was worrying more about the sedition of the Anabaptists than about their heresy." "68F," Fn. 20, 708.

Grebel group. In nearby Grüningen, within the canton and thus under the authority of Zürich, longstanding anticlerical impulses and disregarded peasant demands had resulted in an attack on the Rüti monastery in April 1525 – and when Grebel arrived to preach and recruit in the area in July 1525, magistrate Jörg Berger contacted the Zürich council in order to coordinate a response.<sup>24</sup> Despite the resistance of the Grüningen populace, and the hesitancy on the part of some local authorities to succumb to whims of Zürich, Berger eventually succeeded in arresting the Grebel and other leaders in October 1525. A brief “disputation” and, more indicative of the attitude of Zwingli and the council, a trial followed, from 6-8 November and 9-18 November 1525 respectively, with the Grebel group imprisoned in Zürich for the duration.

Testifying at the trial, Zwingli again articulated the connections he saw between adult baptism, separatism, and sedition. He reported that some members of the Grebel group had approached him and “said argumentatively that they ought to establish a special people and church and have in it Christian people who lived completely without blame,” and when Zwingli rebuffed them, “they nevertheless proceeded at night to hold meetings on Neustadt intending to set up at separate church.”<sup>25</sup> This had reportedly escalated; Zwingli testified that he had heard from another that Blaurock had “said...to an Anabaptist from Zollikon that there were so many of them that they could overpower Milords if they moved at once in an attack.”<sup>26</sup> The separation imputed to the adult baptisms that took place in the village was therefore an instrumental precondition of unambiguous political rebellion. Zwingli ended his testimony with a powerful

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<sup>24</sup> See Nrs. 85, 90, 95, 107, 109 in *QGTS I*, 91ff.

<sup>25</sup> “71K The Trial of Grebel, Mantz, and Blaurock, Zürich, between November 9 and 18, 1525 – I. Testimony Concerning the Accused,” in *SSA*, 436-7; “Nachgang über Konrad Grebel, Felix Manz und Jörg Blaurock,” in *QGTS I*, 120ff.

<sup>26</sup> “71K The Trial of Grebel, Mantz, and Blaurock, Zürich, between November 9 and 18, 1525 – I. Testimony Concerning the Accused,” in *SSA*, 437.

condemnation: “he could come to no other conclusion than that it was their ultimate intention that they were daring to increase their numbers in order to do away with government.”<sup>27</sup>

Grebel denied nearly all of it, including suggestions that he preached the rejection of secular authorities and desired the abolition of the government, claiming “nor did he ever teach that one should not be obedient to authorities.”<sup>28</sup> Blaurock similarly defended against the hearsay testimony: “it will never be found that he ever said that if there were enough of them to defend themselves, they would try to convince them with a small squadron.”<sup>29</sup> Felix Mantz went further in his expression of pacifist sentiment, but with an oblique condemnation of Zwingli and the Zürich magistrate: “Concerning government he said no Christian strikes with a sword, nor does he resist evil.”<sup>30</sup> All members, however, were unrepentant in reasserting their right to baptize, with Blaurock in particular declaring that the pope, Luther and Zwingli were all “thieves and murderers” for their false teachings.<sup>31</sup> All three were found guilty, however, “because of their re-baptism and other improper conduct, etc.” – a remarkable fusing of the aspects of the group to which the Zürich magistracy objected. All three were ordered to be kept in the New Tower subsisting on bread, mush and water as punishment. Their subsequent escape in March 1526 and various fates – expelled, executed, died in obscurity – paralleled the diverse persecution outcomes for Anabaptists across the empire.<sup>32</sup>

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<sup>27</sup> “71K The Trial of Grebel, Mantz, and Blaurock, Zürich, between November 9 and 18, 1525 – I. Testimony Concerning the Accused,” in *SSA*, 438.

<sup>28</sup> “71K,” in *SSA*, 439; “Verhör Konrad Grebels,” in *QGTS I*, 124.

<sup>29</sup> “71K,” in *SSA*, 441; “Verhör vom Margret Hottinger, Jörg Blaurock und Felix Manz,” in *QGTS I*, 127.

<sup>30</sup> “71K,” in *SSA*, 442; “Verhör vom Margret Hottinger, Jörg Blaurock und Felix Manz,” in *QGTS I*, 128.

<sup>31</sup> “71K The Trial of Grebel, Mantz, and Blaurock, Zürich, between November 9 and 18, 1525 – I. Testimony Concerning the Accused,” in *SSA*, 440ff.

<sup>32</sup> Harold Bender, *The Life and Letters of Conrad Grebel*, 160ff. Grebel died during the summer of 1526, probably in August and reportedly from the plague.

This early Zürich example, then, shows the hardening of Anabaptism as a multifaceted category of condemnation and marginalization even before the onset of empire-wide persecution. As an attempt by anxious magistrates to reinscribe some sort of religious unity on the Christian community, it demonstrates the admixture of theological and social offenses that came to loosely define Anabaptism in the eyes of secular authorities. At its core, the rejection of infant baptism and the embrace of an adult, believer's baptism was the only clear theological identifier, despite an array of other tendencies and prescriptions involved in or assumed to be involved in 'Anabaptist' preaching, and the possibility of sedition was the specter that followed closely behind.

### **Persecution, execution and heresy**

The breakdown of the reforming theological conversation in the Zürich example produced accusations of heresy in both directions. In a May 1525 treatise confronting the problem of baptism, Zwingli branded the Grebel group as heretics who had ironically hurled that same denunciation at their opponents: "Yet now we see them shattering all Christian peace for the sake of an external sign and calling anyone who contradicts them a heretic and antichrist, even though their activity is nothing but heresy, that is, sectarianism and partisanship."<sup>33</sup> The equation of heresy with the separation of "sectarianism" would prove to be a powerful polemic throughout the early modern period, as both Anabaptism and measures meant to curtail

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<sup>33</sup> "69C. Zwingli's Treatise on Baptism, Rebaptism, and Infant Baptism, Zuerich, May 27, 1525," in *SSA*, 363; "Von der Taufe, von der Wiedertaufe und von der Kindertaufe, 27. Mai 1525," in *Huldreich Zwinglis sämtliche Werke, vol. 4* (Leipzig: Heinsius, 1927), 206-207, digitized by the Institut für Schweizerische Reformationsgeschichte <<http://www.irg.uzh.ch/static/zwingli-werke/index.php?n=Werk.56>>.

Anabaptism grew.<sup>34</sup> Gary K. Waite details the fear that Anabaptists identified and colluded with the menacing Ottomans, and indeed many Anabaptists made statements about either the relative toleration they knew to occur in the Ottoman empire, or the coming role of the Ottomans in punishing a Christian Europe that was persecuting them.<sup>35</sup> While this type of rhetorical escalation might be expected, its resulting calcification of Anabaptists as necessarily both seditious and heretical would provide the instability that would lead to both persecution and toleration in the decades and centuries to come.

Anabaptism spread quickly throughout the southern Holy Roman Empire, even if Anabaptists were always marginal in number. In the area around Zürich, somewhere around one hundred adult baptisms are recorded in those first few months of 1525, with the total attested community growing to 357 persons in the period through 1529.<sup>36</sup> Most were found in either Zollikon or Grüningen, but dozens of communities reported some level of Anabaptist activity. Claus-Peter Clasen surveyed the Swiss and south German archives, and argued that over 4300 Anabaptists, or Anabaptist-adjacent persons, lived in 582 different villages towns and villages in this region in the period between 1525 and 1529.<sup>37</sup> With perhaps, then, no more than a few thousand converts in the first five years of their existence, their threat nevertheless multiplied

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<sup>34</sup> Indeed, into the modern period: Michael Driedger critically examines the survival of the sect/church distinction, and argues that this enduring categorical divide shows the degree of latent polemic absorbed into modern historiography concerning Anabaptists and Spiritualists. Michael Driedger, "Against 'the Radical Reformation': On the Continuity between Early Modern Heresy-Making and Modern Historiography," in *Radicalism and Dissent in the World of Protestant Reform*, edited by Bridget Heal and Anorthe Kremers (Göttingen: Vandenhoeck & Ruprecht, 2017), 157.

<sup>35</sup> Waite, "Menno and Muhammad," 1000.

<sup>36</sup> Claus-Peter Clasen, "The Anabaptists in South and Central Germany, Switzerland, and Austria: A Statistical Study," *MQR* 52:1 (January 1978), 11-12.

<sup>37</sup> Clasen, "The Anabaptists in South and Central Germany, Switzerland, and Austria: A Statistical Study," 8.

and solidified in the minds of authorities seeking to eliminate them.<sup>38</sup> Indeed, identifying the number of Anabaptists is mostly made possible through the use of hostile legal records. That it is difficult to ascertain the number of Anabaptists in any given place was therefore a function of the rejection of Anabaptism by the rest of reforming Europe – first theologically, and eventually as mandated by regional and imperial law.

Luther had broken with a number of reformers he denigrated broadly as “enthusiasts” [*Schwärmer*] since his run-in with the Zwickau Prophets in 1521.<sup>39</sup> Though Luther had initially been reticent to use the word “heresy” against other reformers, and even argued that false teachers should be allowed to speak freely in order to expose their error, by the mid-1520s he became convinced that certain groups should be denounced as heretics.<sup>40</sup> Tom Scott dates this crystallization of Luther’s thinking – “that heresy was sedition, which must be punished by authorities” – to the post-1525, post-Peasants’ War period, particularly to a section of the reformer’s 1530 exegesis of Psalm 82 which argued for the power of the secular government to punish seditious heretics, here specified as those who rejected secular authority, rejected civic life, rejected modest home life with a spouse and children, and practiced some form of communalism. In an explicit pronouncement, Luther judged that such people “are not heretics only but rebels.”<sup>41</sup>

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<sup>38</sup> Clasen, *Anabaptism: A Social History 1525-1618*, 19ff. These numbers do not account for Dutch converts of Melchior Hoffman and others.

<sup>39</sup> See especially John S. Oyer’s discussion of Luther attitudes toward Anabaptist adult baptism; *Lutheran Reformers Against Anabaptists: Luther, Melancthon and Menius and the Anabaptists of Central Germany* (The Hague: Martinus Nijhoff, 1964), 121-123.

<sup>40</sup> Amy Nelson Burnett identifies this term as a broad pejorative used for any number of enemies, especially “those who confused the proper ordering of external and internal.” Amy Nelson Burnett, “Luther and the Schwärmer,” in *The Oxford Handbook of Martin Luther’s Theology*, edited by Robert Kolb, Irene Dingel, and L’ubomír Batka (New York: Oxford University Press, 2014), 512, 517.

<sup>41</sup> Quoted in Scott, *The Early Reformation in Germany*, 199. *LW, Vol. 13: Selected Psalms II*, edited by Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1956), 61.



Though these were common accusations against Anabaptists, Luther only vaguely acknowledged that “some heretics are seditious.” It was enough, in this context, to allude to those who provided an unambiguous example of the type of errors in belief that any magistrate ought to punish.<sup>42</sup> In other writing, Luther’s rejection of Anabaptists had two layers of condemnation; he denounced the Biblical exegesis they produced in favor of believer’s baptism, and compared their error to that ancient group of separatists, the Donatists.<sup>43</sup> He also threw out general accusations against their disorderly and therefore suspicious lifestyle, predicated as it was on itinerant preaching and the riling up of the peasant class, both which evoked his recent horror at the Peasants’ War. Reports of Anabaptist preachers in Saxony began to crop up by 1527, and he felt the threat even closer to home.<sup>44</sup> Luther’s clearest denunciation of Anabaptism as heresy came shortly thereafter, in *Concerning Baptism* from 1528:

But whoever proves only an abuse, only proves that the abuse should be corrected and not that the thing should be changed. For abuse does not alter the nature of a thing. Gold does not become straw because a thief steals and misuses it. Silver doesn’t turn into paper if a usurer dishonestly obtains it. Since then the Anabaptists demonstrate only the abuse of baptism, they fly in the face of God, nature, and reason, when they want to alter and make anew baptism itself in treating the abuse. All heretics do the same with regard to the gospel. They perceive it wrongly and so hear it wrongly in connection with an abuse, and then hasten to change and make a new gospel out of it. So no matter which way you look at it the Anabaptists are in error. They blaspheme and dishonor the order of God, calling baptism wrong on account of the wrongs and abuses of humanity, though even their claim of human wrongs and abuses is unconvincing.<sup>45</sup>

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<sup>42</sup> Luther’s aim in this exegesis was to give advice to rulers in the correct way. Not “like Münzer, Carlsatdt, and other fanatics [who] take the side of only one party and scold the lords in order to tickle the rank and file and the court the peasants, or scold the peasants in order to flatter and please the lords, as our opponents do...The thing to do is to chop up both parties in one bowl and make a dish out of the two of them.” *LW Vol. 13*, 51.

<sup>43</sup> Donatists had insisted on the re-baptism of all those baptized by “traitorous” priests who betrayed the community during the Diocletian persecution, thereby insisting that the sacrament of baptism was only valid if the priest performing it was of the correct faith and the correct action.

<sup>44</sup> Oyer, *Lutheran Reformers Against Anabaptists*, 116.

<sup>45</sup> Martin Luther, “Concerning Rebaptism: A Letter of Martin Luther to Two Pastors (1528),” edited and with introduction and notation by Mark D. Tranvik, in *The Annotated Luther, Vol. 3: Church and Sacraments*, edited by Paul W. Robinson (Minneapolis: Fortress Press, 2016), 301.

If Anabaptists had identified abuses with the practice of infant baptism, they had gone much too far in their solution – a tendency Luther suggested was common in all those who attempted to read and interpret scripture not under the influence of the Holy Spirit, but were led astray by the devil.<sup>46</sup> Anabaptists were therefore both heretics and blasphemers, confusing others by “urging baptism when they should be urging faith.”<sup>47</sup> Yet, as he had just detected the Donatist heresy in Anabaptist reasoning around baptism, Luther was careful to preserve the power of the Word: “Still we must admit that the enthusiasts have the Scriptures and the word of God in other doctrines. Whoever hears it from them and believes will be saved, even though they [the enthusiasts] are unholy heretics and blasphemers of Christ.”<sup>48</sup>

Though re-baptism had been deemed a heresy punishable by death since the Code of Justinian in the sixth century, Luther’s assent to the label of heretic for this group signaled a calcifying cultural agreement around who Anabaptists were and what was to be done with them. This classification of Anabaptists as blasphemers and/or heretics reiterated and underlined that they ought to be put to death by secular authorities. Philip Melancthon argued for the execution of recalcitrant heretics in recommendations to the elector of Saxony in 1531 and 1536, even as Luther remained, as Amy Nelson Burnett contends, “uneasy” about the ramifications of his argument.<sup>49</sup>

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<sup>46</sup> Luther, “Concerning Baptism,” 303.

<sup>47</sup> Luther, “Concerning Baptism,” 315.

<sup>48</sup> Luther, “Concerning Baptism,” 304.

<sup>49</sup> Burnett, “Luther and the Schwärmer,” 520.

For heretics in general, the legal-ecclesiastical precedent had normalized in the twelfth century after Pope Lucius III decreed that all heretics must be handed over to punishment by secular powers.<sup>50</sup> That heretics could expect execution by fire had been common since the Inquisition against the Cathars in the thirteenth century, although Brad Gregory stresses that more lenient punishments were generally available to those willing to recant.<sup>51</sup> That such a release valve existed points to the logic inherent in the killing of heretics: those who were able to make peace with the communal understanding of Christianity were allowed a path back into the fold, and those who rejected the communal orthodoxy were in turn ritually cleansed from the community.<sup>52</sup> Yet it is important to note that not all Anabaptists killed were clearly identified as heretics. Clasen specifies that the legal basis for execution was divided between “the violation of civil laws; rebellion; and heresy and rebellion.”<sup>53</sup> Prosecution of Anabaptists was therefore accomplished as was possible. Geoff Dipple describes the convoluted series of accused levelled against Ludwig Hätzer, active in Zürich, Constance, Augsburg and Basel and known as a “notorious heretic.” When he was executed in February 1529, “the official reason for his execution was adultery, but everyone seemed to know that the real reason was heresy.”<sup>54</sup>

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<sup>50</sup> Padoa-Schioppa, *A History of Law in Europe*, 108.

<sup>51</sup> Brad S. Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Cambridge, MA: Harvard University Press, 1999), 75.

<sup>52</sup> Dipple’s article on Hätzer ends with an observation of the disconnect between some Anabaptist understandings of the metaphysical Christian community, and the understanding that formed the internal logic of execution for the *corpus Christianum*: “If we can believe the reports, with his death Hätzer worked to restore the Christian unity that had been threatened by his actions and teachings. This seems ironic for a man who saw in Jesus a sage and a teacher and not an atoning sacrificial lamb.” Dipple, *Sex, Blasphemy and the Block*, 90.

<sup>53</sup> Clasen, *A Social History*, 374.

<sup>54</sup> Dipple, *Sex, Blasphemy and the Block*, 89.

Executions of Anabaptists had occurred in the area around Zürich as early as May 1525, when two men accused of heresy – and implicated in preaching that promoted adult baptism, according to the report by Kessler – were burned at the stake “willingly and joyfully.”<sup>55</sup> Re-baptism itself became a capital crime in Zürich in March of 1526, simultaneous with the re-sentencing of the Grebel group that had been held in the New Tower since November 1525. Grebel, Mantz, Blaurock and at least fifteen others were resentenced to indefinite imprisonment in the tower on rations of bread and water, a slow starvation meant to prompt eventual recantations. But their obstinacy in the second trial had enraged Zwingli and the Zürich authorities, and the mandate promulgated on that same day promised death for any who might follow in their footsteps. Although the community had “for some time earnestly endeavored to turn the deceived, mistaken Anabaptists from their error,” their inability to do so meant that future dealings would increase in severity. The council pointed to the disruption of the Grebel group, “hardened against their oaths, vows, and pledges, have shown disobedience to the injury of public order and authority and the subversion of the common interest,” but distilled future offenses down to the act of re-baptism. Facilitating believer’s baptism was entirely forbidden, on pain of death: “Whoever henceforth baptizes another will be seized by Our Lords and, according to this present decree, drowned without any mercy.”<sup>56</sup>

Felix Mantz was the first Anabaptist to be executed under the March 1526 mandate. After escaping from the tower and being re-apprehended, along with Georg Blaurock, Mantz was sentenced to death by drowning on 5 January 1527, and was bound and drowned in the Fish

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<sup>55</sup> “69E. The First two Swiss Anabaptist Martyrs: Bolt Eberli and an Unnamed Priest, Lachen, May 29, 1525,” in *SSA*, 377.

<sup>56</sup> “71M, The Tenth Disputation with the Anabaptists: Their Retrial and Sentencing, Zürich, March 5-7, 1526 – The Mandate of the Council, March 7, 1526,” in *SSA*, 448; “172. Mandat des Rates, 1526 März 7,” in *QGTS I*, 180.

Market the afternoon of that same day. Blaurock recorded Mantz's death in his recollection of those killed in the first few years of persecution: "The above-mentioned Felix Mantz they drowned at Zurich because of this true faith and true baptism, who thus witnessed steadfastly with his body and life to this truth."<sup>57</sup> According to Brad Gregory, Blaurock escaped a similar fate because he was a "noncitizen" and was thus merely banished; others pin his relatively lenient treatment on a lack of evidence for any further baptisms. He instead was forced to give an oath (something he had previously refused to do), expelled from the city, and thereafter travelled for a few more years in service of the growing movement. He was eventually arrested and burned outside of Innsbruck in September 1529.<sup>58</sup>

The looming threat of capital punishment soon spread to a number of other localities where secular authorities worried about growing Anabaptist communities. The canton of Grisons allowed for either corporal or capital punishment for all gathering separately from approved churches in May of 1526. In Zürich, the penalty of death was extended in November 1526 to all those who gathered in secret to hear Anabaptist sermons, with the harsh instruction to "spare no one."<sup>59</sup> In October 1527, Augsburg threatened Anabaptist groups within the city with death, prompting a migration to the more lenient city of Strasbourg.<sup>60</sup> In December 1527, the Margrave of Baden threatened "punishment of body, life and property," for all re-baptizers, those re-baptized, or

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<sup>57</sup> "Reminiscences of George Blaurock: An Excerpt from the Hutterite *Chronicle*, 1525," in *Spiritual and Anabaptist Writers*, 45. For original language see *Die älteste Chronik der Hutterischen Brüder*, 48.

<sup>58</sup> Gregory, *Salvation at Stake*, 202; "Epilogue B: The Banishment of Blaurock and Execution of Mantz, Fourth Martyr of the Swiss Anabaptists, Zürich, January 5, 1527," in *SSA*, 473-5.

<sup>59</sup> "Bestätigung und Erweiterung des Mandates vom 7 März 1529, 19 November 1529," in *QGTS I*, 210. Christian Hege and Nanne van der Zijpp, "Mandates," *GAMEO*, original text 1957.

<sup>60</sup> Hege and Zijpp, "Mandates," *GAMEO*. See also Klaus Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, translated by Malcolm Wren and edited by Benjamin Drewery (Edinburgh, T&T Clark, 1987), 274.

those who taught or preached related doctrines publicly or secretly.<sup>61</sup> In February 1528, the Swabian League mandated death for all those who took a second baptism, whether or not they recanted their beliefs.<sup>62</sup> These patchwork instances of a sharpening legal landscape for Anabaptism were often alongside, or subsequent to, mandates that provided for the banishment of those who had taken a second baptism, given a second baptism, listened to a sermon with Anabaptist ideas, or gathered with other known Anabaptists. Michael Driedger notes that 92 mandates were issued during the period between 1525 and 1535, with the height in 1528 and 1529.<sup>63</sup>

Anabaptism was therefore naturalized as an outsider religious and political community during this period, necessarily itinerant and underground as the legal situation hardened against them across various territories. By early 1528 the empire responded, with Charles V issuing an imperial mandate that was ratified by the Diet of Speyer in 1529. Whereas some previous territorial mandates had left room to distinguish between those performing believer's baptisms and those partaking in believer's baptisms, the empire-wide prohibition issued in April 1529 made no such distinctions. It outlawed believer's baptism as a group marker as well as an action, and the punishment was death: "so we renew the previous imperial law...that each and every Anabaptist and re-baptized male or female person of advisable age is to be brought from natural

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<sup>61</sup> "1527 Dezember 15 – Mandat des Markgrafen Philipp gegen die Wiedertäufer," in *QGT IV. Band: Baden und Pfalz*, edited by Manfred Krebs (C. Bertelsmann Verlag: Gütersloh, 1951) 1-2; Hege and Zijpp, "Mandates," *GAMEO*.

<sup>62</sup> Thomas A. Brady Jr., "Entropy of Coercion in the Holy Roman Empire: Jews, Heretics and Witches," in *Diversity and Dissent: Negotiating Religious Difference in Central Europe, 1500-1800*, edited by Howard Louthan, Gary B. Cohen, Franz A. J. Szabo (New York: Berghahn Books, 2011), 99.

<sup>63</sup> Michael Driedger, "Anabaptists and the Early Modern State: A Long-term View," in *A Companion to Anabaptism and Spiritualism, 1521-1700*, edited by John D. Roth, and James Stayer (Leiden: Brill, 2006), 515.

life to death with fire, the sword or the like.”<sup>64</sup> Including both “Anabaptist” and “re-baptized...person” put the focus on the act of a second baptism, while acknowledging that the groups forming around this theological precept were harmful in and of themselves. Those who kept their children from baptism were likewise to be considered a “re-baptizer” and punished accordingly, showing that believer’s baptism itself was a concern even beyond its sin as a repeated sacrament.<sup>65</sup>

But although this definition focused on the clearly illicit act of a believer’s baptism, through either the passive non-baptizing of children or the active baptizing of previously baptized adults, the next section of the mandate acknowledged the more chaotic constellation of ideas about who Anabaptists were and why they were dangerous. Those “preachers, principle actors, vagrants, and rebellious agitators of the related vices of re-baptism” were to be dealt with stringently regardless of their second baptism, prosecuted “seriously” for their other crimes and regarded as especially suspicious if they were to recant and relapse.<sup>66</sup> The seditious potential was here revealed to be in tension with the more clearly defined heresy, a complicating factor that would intensify suspicion and perhaps justify prosecution regardless of evidence of a believer’s

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<sup>64</sup> “1529 April 23. Speier – Kaiserliches Mandat gegen die Wiedertäufer,” in *QGT I. Band: Herzogtum Württemberg*, edited by Gustav Bossert (Leipzig: M.Heinsius Nachfolger Eger & Sievers, 1930), 4: “so verneuen wir die vorigen kaiserl. gesetz,...dass alle und iede widertäufer und widergetaufte mann- und weibspersonen verständigs alter vom natürlichen leben zum tod mit dem feuer, schwerd oder dergleichen nach gelegenheit der personen ohn vorgehend der geistlichen richter inquisition gericht und gebracht werden”

<sup>65</sup> “1529 April 23. Speier – Kaiserliches Mandat gegen die Wiedertäufer,” in *QGT I. Band: Herzogtum Württemberg*, 4: “Wir wollen auch, dass ein ieder seine kinder nach christlicher ordnung, herkommen und gebrauch in der jugend taufen lassen soll. Welche aber das erachten und nicht tun würden, auf meinung, als ob der kindertauf nichts sei, der soll, so er darauf zu beharren unterstünde, für ein wiedertauffer geacht und obangezeigter unser constitution unterworfen sein.”

<sup>66</sup> “1529 April 23. Speier – Kaiserliches Mandat gegen die Wiedertäufer,” in *QGT I. Band: Herzogtum Württemberg*, 4: “und sollen derselben vorprediger, hauptsächer, landläufer und aufrührische aufwickler des berührten lasters des widertaufs, auch die darauf beharren und dieienen, so zum andern mal umgefallen, hierin keineswegs begnadet, sondern gegen ihnen vermög dieser unser constitution und satzung ernstlich mit der straf gehandelt werden.”

baptism. Driedger sees in general a “greater sense of frustration” evident in the language of 1529 mandate, an indication that “the Emperor had the impression that the forbidden ‘sect’ was winning the upper-hand in its battle against peace and unity in the Empire.”<sup>67</sup> Anabaptism was extra-legal in the Holy Roman Empire primarily due to the threat of disunity inherent in its theological position, but this was reinforced by assumptions about the disruptive, rebellious and seditious characteristics of the movement at large.

The imperial condemnation of 1529 intensified persecutions that had already begun. Clasen finds 679 executions between 1527 and 1533 in southern and central German lands, and other estimates, with the inclusion of the Low Countries and with an adjustment for loss of records, posit as many as 2000 executions during these early years.<sup>68</sup> The accuracy of such numbers has long been a source of debate and speculation. The mid-twentieth-century *Mennonite Encyclopedia*, which includes estimates of extrajudicial killings but is perhaps swayed by a confessional outlook, suggested numbers as high as 4,000.<sup>69</sup> Even without these extrapolated numbers, however, the 488 confirmed executions of Anabaptists in the southern Holy Roman Empire and in Swiss lands between 1527 and 1530 account for ten percent of all state executions of religious dissidents over two centuries, according to Brad Gregory.<sup>70</sup> Regardless of the loose formulation or coordination of Anabaptists throughout the empire, the intensity of this period

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<sup>67</sup> Driedger, “Anabaptists and the Early Modern State,” 516.

<sup>68</sup> Clasen, *A Social History*, 371-372; Gary K. Waite, *Eradicating the Devil's Minions: Anabaptists and Witches in Reformation Europe, 1525-1600* (Toronto: University of Toronto Press, 2007), 20. See also Gregory, *Salvation at Stake*, 197ff. For Clasen’s most granular presentation of his statistical survey for the South German and Swiss lands, see: Claus-Peter Clasen, “Executions of Anabaptists, 1525-1618: A Research Report,” in *MQR* 47:2 (April 1973), 115-152.

<sup>69</sup> Paul Schowalter, “Martyrs,” *GAMEO*, 1953.

<sup>70</sup> Gregory, *Salvation at Stake*, 201.



throughout Europe produced a pervasive martyrology in Anabaptist accounts of their own history. As Gregory argues, a “martyrological mentality” became intertwined with Anabaptism in this period perceived as “from Müntzer to Münster,” from 1525 to 1534.<sup>71</sup>

The pitched hunt for Anabaptists in the aftermath of the imperial decree can be seen in further mandates and in the situation in the hereditary Habsburg lands. Shortly after the first version of the imperial mandate in February 1528, Archduke of Austria Ferdinand I (brother of Emperor Charles V) decreed that any re-baptized person in Austria must be executed, whether or not they recanted. The next month, a general mandate specified burning as a method of execution for Anabaptist preachers while followers could expect beheading. In April, apparently in recognition of the counterproductive severity of previous mandates, Ferdinand declared that pardons were available to those who turned on, and turned in, anyone preaching Anabaptism. After the imperial mandate ratified by Speyer, in May 1529, Ferdinand returned to a condemnation of all Anabaptists in his jurisdictions and a reiteration of their status as heretics by proscribing death by fire; he also extended this mandate’s geographic reach to include the Habsburg possessions in Alsace.<sup>72</sup> These were mandates which made an impact on the ground, as Clasen notes especially that Ferdinand “distinguished himself by the amount of blood he shed in suppressing Anabaptism,” with 419 Anabaptists executed over the (admittedly long) period of 1527 to 1618.<sup>73</sup> This fervor for executing Anabaptists in Austria was a direct result of renewed fears of seditious rebellion, and a summary court for the judgment of heresy was created in 1527 in the same form as it had existed to deal with the Peasants’ War of 1525.<sup>74</sup>

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<sup>71</sup> Gregory, *Salvation at Stake*, 207.

<sup>72</sup> Hege and Zijpp, “Mandates,” *GAMEO*.

<sup>73</sup> Clasen, *A Social History*, 372.

<sup>74</sup> Clasen, *A Social History*, 377.

Execution as a solution to uproar [*aufruhr*] was therefore widely available to secular authorities, and further fused together sedition and heresy as the markers of a loosely-defined Anabaptism. Yet Clasen's statistic work on the southern Germanic lands shows a "reluctance" to execute Anabaptists in many major cities, and a sharp decline, in any event, after 1530.<sup>75</sup> In the Dutch context, however, executions continued through the later sixteenth century. Though unevenly applied, then, execution loomed as the threat behind all more lenient policies, given both that the imperial mandate stayed in force and that heresy was deemed a secular crime in the *Carolina* of 1532.<sup>76</sup>

### **Confiscation and loss**

Despite these robust allowances for the execution of Anabaptists, many jurisdictions exercised a less violent punishment of even those who could not be coaxed back into the Christian community through imprisonment, interrogation, or torture. As was clear from many of the mandates, and as might be inferred by variable political will for executions, Anabaptists did indeed have the possibility to recant in many instances. Yet those who resisted, or who were apprehended again after a denunciation of Anabaptism, faced purgation from the community. Expulsion or banishment, and the attendant penalty of expropriation, was a common early modern legal tool with deep roots in the medieval period. The Fourth Lateran Council in 1215 had directed secular authorities to execute or expel all heretics and to confiscate their property, in

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<sup>75</sup> Clasen, *A Social History*, 371-372.

<sup>76</sup> Gary K. Waite argues for a causal connection between executions of Anabaptists in the late 1520s and the secularization of heresy as a crime in the 1532 *Constitutio Criminalis Carolina*: "It was in the midst of these efforts to eradicate Anabaptists that the Habsburg brothers began to secularize heresy trials, paving the way for the later secular trials of demonic witchcraft." Waite, *Eradication of the Devil's Minions*, 20.

either instance excluding the accused heretic and their family entirely from the gathered community.<sup>77</sup> In the introduction to his work on banishment in early modern Ulm, Jason P. Coy explains the central role expulsion played in realizing any version of early modern religious reform. Emphasizing the concept of a face-to-face community [*Gemeinschaft*] as a normative civic goal which filtered inhabitants by their in-group and out-group status, the use of banishment “[demonstrates] that the creation of the godly city was based not only upon disciplining citizens, but also upon purging deviants and outsiders.”<sup>78</sup> If purgation could be achieved neither through execution nor recantation, expulsion remained a powerful means of attaining, or at least performing, purity.

Banishment was a popular mechanism of multipurpose community ‘purification.’ Coy cites hundreds of examples each in Cologne, Augsburg, Frankfurt and Ulm, in some instances over 500 expulsions in the course of one decade.<sup>79</sup> The divide that Coy observes between the “enfranchised” and the “excluded” was at once political, religious and moral, and *Gemeinschaft* certainly included an idealized version of the *corpus Christianum* within. Coy’s work is focused on the second half of the sixteenth century, however, and finds only a small minority of cases related to blasphemy (only 32 out of nearly 600 cases concerning morality and resulting in

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<sup>77</sup> Christian Hege and Samuel Geiser, “Exile (Banishment),” in *GAMEO*, 1956. See H. J. Schroeder, *Disciplinary Decrees of the General Councils: Text, Translation and Commentary* (St. Louis: B. Herder, 1937), 242: “Canon 3. We excommunicate and anathematize every heresy that raises against the holy, orthodox and Catholic faith which we have above explained; condemning all heretics under whatever names they may be known, for while they have different faces they are nevertheless bound to each other by their tails, since in all of them vanity is a common element. Those condemned, being handed over to the secular rulers of their bailiffs, let them be abandoned, to be punished with due justice, clerics being first degraded from their orders. As to the property of the condemned, if they are laymen, let it be confiscated; if clerics, let it be applied to the churches from which they received revenues.”

<sup>78</sup> Jason P. Coy, *Strangers and Misfits: Banishment, Social Control, and Authority in Early Modern Germany* (Boston: Brill, 2008), 7.

<sup>79</sup> Coy, *Strangers and Misfits*, 2.

banishment) and none concerning heresy.<sup>80</sup> This was perhaps due to Ulm's location along the Danube, and that it therefore received some of the earliest outreach from Swiss Anabaptists like Reublin in the spread of Anabaptism in the 1520s, had a congregation of about sixty throughout the 1520s and 1530s, and continued to be a place where fleeing or itinerant Anabaptists stayed on their way to Hutterite communities in Moravia through the 1570s and 1580s.<sup>81</sup> Ulm was ultimately exceedingly lenient in its treatment of Anabaptists, executing none at all.<sup>82</sup>

Expulsion was sometimes used as a tactic of first resort, as in the Zürich example. Zwingli and the Zürich council began by expelling four leaders of the movement and "foreign" Anabaptists on 18 January 1525, and in March widened the punishment of banishment to all who had accepted, and would not recant, a second baptism.<sup>83</sup> This banishment included families, and would later include the confiscation of a family's property as well.<sup>84</sup> Executions often followed after banishment proved ineffective: in Hans Krüsi's confession before his execution in Luzerne in July 1525, he acknowledged that "in spite of the oath of banishment he took during his recent imprisonment, he began to preach, read and teach in the New and Old Testaments" – resulting in adult baptisms so numerous that he "did not know the number."<sup>85</sup> When Grebel, Blaurock and Mantz were remitted to prison and put on strict rations, this was apparently a punishment meant to be harsher, and perhaps less conducive to spreading Anabaptist preaching than banishment.

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<sup>80</sup> Coy, *Strangers and Misfits*, 8, 29.

<sup>81</sup> Clasen, *A Social History*, 17, 22; 62; 229.

<sup>82</sup> Clasen, *A Social History*, 372.

<sup>83</sup> "51. Beschluß des Rates, 1525 März 11," in *QGTS I*, 60; Stayer, "The Swiss Brethren," 183.

<sup>84</sup> Hege and Geiser, "Exile (Banishment)," in *GAMEO*.

<sup>85</sup> "71E The Third Swiss Anabaptist Martyr: Hans Krüsi, Luzerne, July 27, 1525 – Krüsi's Confession Before Execution," in *SSA*, 423.

Three other members of the community, including Michael Sattler, were required to swear an oath of renunciation before being banished in the same trial judgement that left the three ringleaders locked up.<sup>86</sup> In the dramatic events of March 1526, when all Anabaptists were returned to the tower in Zürich to either starve to death or eventually recant, the resulting break out of the tower is most significant as evidence for some mitigation of punishment. Two sick members of the group who were unfortunate enough to be recaptured were not, as the mandate proscribed, immediately drowned, but were instead banished.<sup>87</sup> This was perhaps a mercy extended due to the recency of the declaration. Yet when re-baptism had longer standing as a capital crime, as in the case of Blaurock and Mantz's 1527 arrest, expulsion from the city was still an option for those judged less culpable. Zwingli recorded that the experience of being beaten out of town overcame Blaurock's refusal to swear oaths: "Jörg of the house of Jacob [Georg Blaurock], whom they all call a second Paul, was cudged with rods before us to the infernal gate...persuaded by the rods, this Jörg of the house of Jacob raised his hands to heaven and followed the magistrate in the reading of the oath."<sup>88</sup> Both the physical experience and public ritual of thrashing an offender out of town was meant to solemnify a punishment that was still brutal, and to underline that obstinacy might yet be punished more severely. For Blaurock and other leaders of the movement, and indeed for others banished for theft or other crimes, it often merely meant death in another town.<sup>89</sup> Banishment put those on the margins of society in

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<sup>86</sup> "71K The Trial of Grebel, Mantz, and Blaurock, Zürich, between November 9 and 18, 1525 – I. Testimony Concerning the Accused," in *SSA*, 436.

<sup>87</sup> "71O, The Prison Escape of the Anabaptists, Zürich, March 21, 1526 – Sentence," in *SSA*, 452; *QGTS I.*, 193.

<sup>88</sup> "Epilogue B: the Banishment of Blaurock and Execution of Mantz, Fourth Martyr of the Swiss Anabaptists, Zuerich, January 5, 1527," in *SSA*, 474; from Zwingli's 31 July 1527, *In catabaptistarum strophas elenchus*.

<sup>89</sup> Stayer, "The Swiss Brethren," 187: "Of the seventy or so recorded martyrdoms in the Swiss Confederation, most resulted from the unavoidable collision between Anabaptism and authority when an Anabaptist preacher refused to honor a decree of banishment." See also Coy, *Strangers and Misfits*, 11-12.

an even more vulnerable position, as they attempted to make their way without protections, without being a resident of any particular place. This of course only added to the fragile itineracy of south German Anabaptism, and to the reputation of Anabaptists as disruptive social beings or rebels. The sharpening of mandates in response to this lingering friction, this repeated imprisonment of recidivist Anabaptists, was also the case in Basel. Though performing a re-baptism merited banishment as of March 1526, by November of 1530 the city both allowed a first-time offender to recant while banning all recalcitrant Anabaptists, and drowning those who were repeat offenders. Alongside banishment for leaders and stubborn followers, then, corporal punishment and expropriation were mandated in July 1526 for all those found guilty of listening to Anabaptist preachers. A year later, this dual penalty was extended to include all those re-baptized, all those who refused to baptize their children, and all aiding itinerant Anabaptists.<sup>90</sup>

In other cities and territories, banishment remained the most severe penalty for Anabaptism. Though Strasbourg was a site of relative toleration, a crossroads for itinerant dissidents and a place where Anabaptist books could be published, city authorities used banishment to contain the Anabaptist communities growing within the city.<sup>91</sup> Strasbourg had been dealing with the question of infant baptism practically in tandem with the city of Zürich, since late 1524,<sup>92</sup> and by 1526 the council began to banish individual Anabaptists.<sup>93</sup> A mandate was approved at the end of December 1526 which justified the banishment of Anabaptists on the basis of their rejection of secular authority, not heresy, a distinction that historian Klaus

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<sup>90</sup> Hege and Zijpp, "Mandates," *GAMEO*.

<sup>91</sup> Robert Kreider, "The Anabaptists and the Civil Authorities of Strasbourg, 1525-1555," *Church History* 24: 2 (June 1955), 99-118.

<sup>92</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 171.

<sup>93</sup> Kreider, "The Anabaptists and the Civil Authorities of Strasbourg, 1525-1555," 102.

Deppermann identified as a “political argument that a united city community [...] being threatened by them.”<sup>94</sup> Even in cases of banishment and in the relative tolerance of a crossroads such as Strasbourg, the dual perception of Anabaptism as both heretical and rebellious allowed for further exclusion. If it was not one, it was the other; the offending piece could be legislated against.

The mandate was not promulgated until July of 1527, when the city officially prohibited residents from providing any shelter or food to Anabaptists, “foreign or domestic.”<sup>95</sup> Regardless of these mandates, the effectual tolerance of Strasbourg still made it attractive to dissidents: whereas most other cities had small populations of between 20 and 100 Anabaptists, in the years surrounding the Diet of Speyer (1528 – 1530) the population of Anabaptists in Strasbourg was reported to be over 500 (in a city of 20,000).<sup>96</sup> Itinerant priest Reublin made his way to Strasbourg in the summer of 1528, but was expelled by early 1529 – twice. Though he was threatened with drowning, should he return, no Anabaptists were executed in the city throughout the early modern period.<sup>97</sup> The significance of this leniency can best be seen in comparison to the hundreds of executions taking place in nearby Alsace under the jurisdiction of the aforementioned Ferdinand I.<sup>98</sup>

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<sup>94</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 182.

<sup>95</sup> “92. 1527 Juli 27 – Erste Straßburger Ratsverordnung gegen die Wiedertäufer,” in *QGT VII*, 122.

<sup>96</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 274; citing two documents from *QGT I*.

<sup>97</sup> Kreider, “The Anabaptists and the Civil Authorities of Strasbourg, 1525-1555,” 105, 109. From 1534 foreigners were banished more freely, again indicative of Strasbourg’s role as a busy crossroads, and dissidents within the city were disciplined into some sort of compliancy with the Augsburg Confession. Jews were expelled from Strasbourg in 1520; its toleration was always limited.

<sup>98</sup> Kreider, “The Anabaptists and the Civil Authorities of Strasbourg, 1525-1555,” 115.

A number of notable Anabaptist leaders arrived in and were subsequently banished from Strasbourg: Hans Denck in December 1526, Reublin in 1529, Pilgrim Marpeck in December 1531.<sup>99</sup> In the story of Anabaptism as it was negotiated in the northwestern Holy Roman Empire, however, Melchior Hoffman was the itinerant preacher of primary importance to appear in the city, though he was never banished. By the time Hoffman arrived in Strasbourg, in June of 1529, an existing quarrel with Luther over eucharistic theology recommended him to Strasbourg reformer and Luther opponent Martin Bucer – an alliance that did not, however, last long.<sup>100</sup> Hoffman’s increasingly contentious relationship with both the reforming preachers and the ruling authorities of Strasbourg reflected the radical millenarianism he increasingly espoused. He believed that the city was itself a “New Jerusalem,” and he cultivated a group of followers known as the Strasbourg prophets, including Ursula Jost and Barbara Rebstock, who convinced Hoffman that the apocalypse was near.<sup>101</sup>

Following condemnation by the council in April 1530, Hoffman left the city for East Frisia.<sup>102</sup> His success in the city of Emden was reportedly immense, re-baptizing 300, and this success continued as he moved throughout the Netherlands. He baptized fifty more in Amsterdam, another haven for religious dissidents, but imperial pressure resulted in the

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<sup>99</sup> Kreider, “The Anabaptists and the Civil Authorities of Strasbourg, 1525-1555,” 102, 106. See also “65. 1526 Dezember 24 – Ratsverhandlung über die Disputation der Straßburger Prediger mt [Denck],” in *QGT VII*, 61. “170. 1529 Januar zwischen 7 u. 23 (und nachher) – Abgelehntes Gesuch der Prediger um ein öffentliches Gespräch mit Kautz und Reublin, sowie weiteres Bekenntnis und Schicksal der beiden,” in *QGT VII*, 200. “290. 1531 Dezember 20 – Ausweisung Pilgram Marbecks,” in *QGT VII*, 362.

<sup>100</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 160. “188. 1529 Juni 30 – Bucer an Zwingli – Ankunft Melchior Hofmanns in Straßburg,” in *QGT VII*, 240.

<sup>101</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 167, 206. Gary Waite notes that this apocalyptic thought included a relatively positive view of the Ottoman threat. The 1520s Anabaptist worldview included an assumption that the Turks were a tool of divine wrath, a “‘bright light of God’ [which] shone from the Turks as they prepared to destroy a corrupt Europe.” Waite, “Menno and Muhammad,” 999.

<sup>102</sup> “211. 1530 April 23 – Ratsbeschluß gegen Melchior Hoffmann,” in *QGT VII*, 261.



execution of ten of Hoffman's followers in December of 1531. This mass beheading unnerved Hoffman, who declared a moratorium on adult baptism for two years.<sup>103</sup> He did eventually return to Strasbourg, however, where he was arrested in May 1533, most directly due to a series of interpersonal and intra-movement squabbles over the polygamous sexual relationships of a former devotee, Claus Frey.<sup>104</sup> A number of failed predictions concerning Strasbourg's role as an apocalyptic "New Jerusalem," including the second coming of Christ in the summer of 1533, convinced authorities to keep him imprisoned.<sup>105</sup> He would languish in a Strasbourg jail for a decade until his death from illness in 1543.<sup>106</sup>

Though Hoffman's apocalyptic prophecies did not come to pass, his association with that "New Jerusalem" would reverberate for hundreds of years. If Anabaptists were regarded as too deviant to live in community, their deviance was divided between the eternal horror of heresy and the imminent threat of uproarious sedition. This dual religious and political threat had emerged as a consequence of the confused aftermath of the Peasants' War and the spread of adult, believers' baptisms in the mid-1520s, and had given pretext for a wave of persecution that included thousands of executions, thousands banished, and innumerable pieces of property sold. But it found its most frightful example in the Kingdom of Münster, whose "shadow" would haunt Anabaptists for hundreds of years.<sup>107</sup> It was during the panicked final months of the

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<sup>103</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 328-330. This moratorium, the *Stillstand*, provided a vacuum the Dutch Anabaptist leadership into which Jan Matthijs, prophet of the Kingdom of Münster, would step.

<sup>104</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 293. "364. 1533 Mai 20 – Verhör des Melchior Hofmann," in *QGT VIII*, 14-15; "368. 1533 Mai 29 – Verhör des Melchior Hofmann," in *QGT VIII*, 17.

<sup>105</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 349.

<sup>106</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 380.

<sup>107</sup> See Sigrun Haude, *In the Shadow of "Savage Wolves": Anabaptist Münster and the German Reformation During the 1530s* (Boston: Humanities Press, Inc., 2000).

Kingdom that the Strasbourg city council pushed for, and achieved, a marked increase in the policing and banishment of Anabaptists (generally identifiable by ‘sectarian’ associations or unbaptized children), in March and April of 1535.<sup>108</sup> Deppermann notes that city records did not distinguish between Melchiorite Anabaptists and other Anabaptists, so it is unclear if the Anabaptists banished during this period were associated with Melchiorite Anabaptism, and thus the Kingdom of Münster, in particular. (There were at least three distinct groups of Anabaptists within the city in the 1530s.) The inability of Strasbourg city officials to distinguish between Melchiorite Anabaptists and other Anabaptists is unsurprising, especially given that they regarded all as equally uproarious and as potentially colluding with the rebels of Münster.

After a decade of persecution, Anabaptists across the empire might have met the fate of any number of so-called heretical groups before them. After all, accusations of sedition and rebellion followed often enough after accusations of heresy; deviant belief led to deviant action, as the unending polemics of the early modern period declared. But the extremity of the Kingdom of Münster provided the conflagration that confirmed the worst fears of authorities, naturalized the persecution of Anabaptists through execution, banishment and property confiscation – and, in its aftermath, necessitated the first urgent, political, and legal negotiations of Anabaptist identity and property ownership.

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<sup>108</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 356.

## CHAPTER 2: Experiencing the Kingdom, and its aftermath: the chaos of identity and property

### The Anabaptist Kingdom of Münster

“The principle of separation from the world at first existed in tension with the desire to overcome the world.”<sup>1</sup>

*DWWF: Das Wort wird Fleisch  
[The Word becomes flesh]<sup>2</sup>*

For sixteenth months, from February 1534 to June 1535, the city of Münster in Westphalia was the site of a traumatizing event, a sensational and sensationalized episode, that defied easy description. It was a “radical” takeover of an otherwise moderately reforming city, but this takeover was facilitated by population attrition and city council elections; it was millenarian, following exuberant declarations of the city as a “New Jerusalem,” but it was not necessarily, originally, apocalyptic; it was made possible by homegrown political strife between an increasingly wealthy city patriciate and the Prince-Bishop of Münster, Franz von Waldeck, who would lay siege to the city, but it was realized by leaders who immigrated from the nearby Netherlands; it was a utopian experiment which seemed to promise an economic egalitarianism, but it achieved only profligate elite consumption and eventual starvation; it was, briefly, a rare polygynous society, with marriage compulsory but sex reserved only for procreation. The simplest English term for this period is the “Anabaptist Kingdom.”<sup>3</sup>

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<sup>1</sup> Stayer, “The Swiss Brethren,” 185.

<sup>2</sup> Motto of Münster Anabaptists, emblazoned on coins from the Kingdom.

<sup>3</sup> This is the translation from the long-used term in German, *Täuferreich*, but another increasingly popular term, *Täuferherrschaft*, translates as the ‘Baptizers’ rule.’

Prior to the Kingdom, discontent had been rising in the city of Münster for nearly a decade. The widespread unrest of 1525, which manifested most violently as the Peasants' War in other parts of the empire, reverberated in the Westphalian city as grain prices rose.<sup>4</sup> Four preachers with evangelical inclinations were removed from city churches during this year, but that did not stem a distinctly anticlerical agitation; there were reports of a curious incident in which young men broke into city monasteries and demanded, and then ate, soup.<sup>5</sup> These and other popular protests emerged in opposition to the dominance of monastic textiles and the "competitive advantages of tax-free religious institutions."<sup>6</sup> In these expressions of dissatisfaction, the artisan classes and the leadership of the guilds, particularly the united or *Gesamtgilde*, increasingly took the lead in negotiating with the city and the Cathedral chapter.<sup>7</sup>

Beginning in 1530, chaplain Bernard Rothmann of St. Maurice's church preached a variety of evangelical reforms – reform in the city prior to 1532 was "solidly Lutheran"<sup>8</sup> – but by 1533 he began to condemn infant baptism, a point he had perhaps been converted to by the itinerant Wassenburg preachers. Rothmann's groundswell of popular support kept him safe even

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<sup>4</sup> Karl-Heinz Kirchhoff, "Die Täufer im Münsterland: Verbreitung und Verfolgung des Täuferiums im Stift Münster 1533-1550," *WZ* 113 (1963), 94.

<sup>5</sup> Heinrich Gresbeck, *False prophets and preachers: Henry Gresbeck's account of the Anabaptist kingdom of Münster*, translated by Christopher S. Mackay (Kirksville, Missouri: Truman State University Press, 2016), 57. Mackay uses the anglicization of Gresbeck's name, but a printed German version uses Heinrich: Heinrich Gresbeck, "Meister Heinrich Gresbeck's Bericht von der Wiedertaufe in Münster," in *Berichte der Augenzeugen über das Münsterische Wiedertäuferreich*, edited by C.A. Cornelius (Münster: Druck und Verlag der Theissingschen Buchhandlung, 1853). English translations used here will follow Mackay, unless otherwise noted. I will also include Cornelius's printed version of the low German in the footnotes, and add in some translation issues as they arise.

<sup>6</sup> Klötzer, "The Melchiorites and Münster," 224.

<sup>7</sup> For the most extensive research on the role of guilds in the build-up to the Anabaptist Kingdom, see Taira Kuratsuka, "Gesamtgilde und Tinder: Der Radikalisierungsprozess in der Reformation Münsters: Von der reformatorischen Bewegung zum Täuferreich 1533/34," in *Archiv für Reformationsgeschichte* 76 (1985): 231-270. The guilds, and in particular their political organization as the *Gesamtgilde*, were punished after the Kingdom and not permitted to re-form until 1554.

<sup>8</sup> Kirchhoff, "Die Täufer im Münsterland," 2.

as the city authorities wrestled with what to do with him.<sup>9</sup> This popular support, contrary to earlier historical arguments that saw “radical” reform as a movement promulgated by the poorest members of society, appears to have been evenly distributed amongst the socio-economic classes – if anything, there may have been a disproportionate amount of support by the city patriciate who themselves had long clashed with both Prince-Bishop Waldeck and the city’s cathedral hierarchy.<sup>10</sup> Rothmann and his followers, perhaps as many as 1400, accepted an adult believers’ baptism from the emissaries of Dutch prophet Jan Matthijs in January of 1534 and declared the city to be the “New Jerusalem.”<sup>11</sup> This chiliastic proclamation spurred further migration from the Münster countryside as well as the nearby Low Countries, and the wave of adult baptisms heightened tensions. Ralf Klötzer argues that the adult baptisms of January 1534 were a natural progression of the evangelical emphasis on biblical precedent that had long been preached in the city (challenges to infant baptism had specifically sharpened in the summer of 1534), but that “[only] after baptisms were first administered did apocalyptic motives begin to supplement the established sacramental theology.”<sup>12</sup> Both these baptisms and the increasingly fervent mood

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<sup>9</sup> For more on the drama surrounding Rothmann’s popularity, his evangelical preaching, and the subsequent power struggles between his faction and the Prince-Bishop’s Cathedral chapter, see Klötzer, “The Melchiorites and Münster,” 225-226. Rothmann’s popularity and the strength of his urban evangelical reform had already prompted skirmishes between the city and the Prince-Bishop in late 1532/early 1533, well before he turned to anything resembling Anabaptism; “Landgrave Philip of Hesse mediated a compromise, signed on February 14, 1533, in which the prince-bishop and the city of Münster agreed that Münster’s parish churches should be evangelical, but that the cathedral and the cloisters should remain Catholic,” 226.

<sup>10</sup> See Karl-Heinz Kirchhoff, *Die Täufer in Münster, 1534/35*, 78-89. Klötzer notes that the Anabaptist takeover of the city council included a number of wealthy men; Klötzer, “The Melchiorites and Münster,” 233.

<sup>11</sup> Melchior Hoffman had declared Strasbourg to be the “New Jerusalem” in 1531, but given that he was imprisoned there for the duration of these events it is obvious why the prophetic honorific was easily transferred. According to Klötzer, the shift took place in late 1533 “due to measures of toleration for the party that supported adult baptism there.” Klötzer, “The Melchiorites and Münster,” 222. For more on the Kingdom as an anticipated and actual “New Jerusalem,” see Claus Bernet, “The Concept of the New Jerusalem among Early Anabaptists in Münster 1534/35. An Interpretation of Political, Social and Religious Rule,” in *Archiv für Reformationsgeschichte* 102 (2013), 175-194.

<sup>12</sup> Klötzer, “The Melchiorites and Münster,” 230.

began to push out Catholics and those sympathetic to more moderate reform, and spurred the Prince-Bishop to begin readying his forces. When city council elections were held at the end of February 1534, Anabaptists easily took control.

The most reliable source, and only ‘eyewitness’ account, for the Anabaptist Kingdom is the writing of Henry Gresbeck, a former mercenary and cabinetmaker. Gresbeck later escaped the city in spring of 1535 with five other men, but became separated from the group and was apprehended by the Prince-Bishop’s forces on 25 May 1535. His information was key to the successful breaking of the siege,<sup>13</sup> a fact which Gresbeck was keen to remind the Prince-Bishop of as he closed out his over 150 manuscript page account.<sup>14</sup>

Gresbeck described the first days after Anabaptists and their sympathizers won city elections and began to spread their particular agenda of religious reform:

After they’d chosen the new council, at seven in the morning on that Friday they ran through the city, up and down the streets, shouting, ‘Get out, you godless people! God’s just about to wake up and punish you!’ They ran like this through the city with their weapons (guns, pikes, and halbers). They threw doors open and then by force chased out of the city everyone who was unwilling to have himself baptized. These people had to abandon everything they had, house and home, wife and child, and in this piteous way they had to depart from their possessions and abandon them.<sup>15</sup>

This initial abandoning of possessions, this abdication of both “wife and child” as well as “house and home,” marks the curious distinction of the Anabaptist Kingdom of Münster. In the chaos and possibility of sixteenth-century religious reform, it was the singular instance of realized

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<sup>13</sup> Translator Mackay posits that the need for Gresbeck to prove his worth lay in military hierarchy disagreements; Gresbeck had provided information to Count Wirich of Falkenstein, who had been put in charge by the *Landtag* when the Prince-Bishop had agreed to financing terms for monetary support in early 1535. As a result, when the Prince-Bishop took back the city and established his own power, he attempted to exclude anyone within Count Wirich’s circle or claim on power; Mackay, “Introduction,” in *False Prophets and Preachers*, 34.

<sup>14</sup> Gresbeck’s work was not printed until 1853, when it was included in a series of transcribed documents concerning the Anabaptist Kingdom by C.A. Cornelius. Mackay, “Introduction,” in *False Prophets and Preachers*, 41.

<sup>15</sup> Gresbeck, 69.

societal upheaval – even if it was, in the end, only temporary. If Anabaptists were executed elsewhere, here they would hold the power over life and death. If Anabaptists were the ones driven out of other communities in the empire, here they were the ones driving others out. If their possessions were forfeit elsewhere, here Catholics and moderates experienced the confiscation of homes and all they contained: clothing, shoes, weaponry, account books, deeds, obligations, dishes, grains, preserved meats, wine, precious metals and jewels. Münsterite Anabaptists were not separatists, they aspired to total world domination; they were not pushed to the margins, they took over the center.<sup>16</sup> And all who remained in the city after the takeover “were forced to the re-baptizing,” gathered up by zealous “real” Anabaptists and taken to the marketplace in the center of the city for mass adult baptisms that reportedly took up three whole days at the end of February 1534.<sup>17</sup> Many women had stayed behind in the city, largely to protect property while their husbands fled, and therefore about 300 men and 2,000 women were pressured to take part in these mass adult baptisms. Though some later reported that they successfully resisted, Gresbeck repeatedly emphasized how many Münsterites “didn’t imagine that things would go so far.”<sup>18</sup> Each person baptized was given a copper medallion with the letters DWWF inscribed upon it, to wear around their necks. Both the salvific hope of the second coming and the reality

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<sup>16</sup> I use the term Münsterite here following Henry Suderman, partially because it expresses the ambiguous commitment and culpability of those within the city – an issue that will return again and again in property negotiations – and because it has less of a negative connotation, it is a “reasonably suitable descriptor for the inhabitants of Münster during this period of its history when it is divorced from polemical considerations or negative association.” Henry Suderman, “Sometimes It’s the Place: The Anabaptist Kingdom Revisited.” *Renaissance and Reformation / Renaissance et Réforme* 40:4, (Fall 2017), 119.

<sup>17</sup> Gresbeck, 69-70.

<sup>18</sup> Gresbeck, 70. See also Klötzer, “The Melchiorites and Münster,” 235 and 239. According to Klötzer this is out of approximately 9,000 people in the city, and with about 2,000 new immigrants replacing the 2,000 who had fled.

of the new theocracy were made clear in the initialism: “*Das Wort wird Fleisch*” or “The Word becomes flesh.”<sup>19</sup>

From February through April of 1534, and as the siege forces of the Prince-Bishop gathered outside, Haarlem baker and prophet Jan Matthijs held ultimate power while tailor and innkeeper Jan Beukelszoon, also known as Jan van Leiden, acted as something like a second in command.<sup>20</sup> Matthijs had been responsible for resuming the practice of adult baptism (his first administration of a believer’s baptism, in November 1533, had been to Jan van Leiden) among the Dutch followers of Melchior Hoffman and he had sent out Leiden along with another follower to prepare his way in Münster.<sup>21</sup> Matthijs had arrived in the city just before the takeover, and was described by Gresbeck as “a big, tall man with a black beard, and he was a Hollander.”<sup>22</sup> His dark manner and preaching had turned expectations more apocalyptic, as he promised the imminent return of Christ. When Christ did not return on or around Easter of 1534, Matthijs “rode out from the city on that day, along with some followers, perhaps still hoping for Christ to return. In the skirmish that followed, the prophet was run through by a spear.”<sup>23</sup> The Prince-Bishop’s forces then “cut off his head, chopped the body into a hundred pieces, and hit each other with them.”<sup>24</sup> Matthijs’ head was reportedly returned with taunts from the

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<sup>19</sup> John 1:14, “The word becomes flesh”; Gresbeck explained the initialism. Ralf Klötzer, “The Melchiorites and Münster,” 234.

<sup>20</sup> Leiden was more established in the city, as he and another apostle of Matthijs had spent months there in preparation, and he could speak the Westphalian dialect. He was a follower of Matthijs but diverged from him on some matters in this early period, especially concerning early violence. See Klötzer, “The Melchiorites and Münster,” 234.

<sup>21</sup> Klötzer, “The Melchiorites in Münster,” 221.

<sup>22</sup> Gresbeck, 90.

<sup>23</sup> Gresbeck, 237.

<sup>24</sup> Gresbeck, 90.



landsknechts. Hermann von Kerssenbrock, who wrote the more famous but less reliable *Narrative of the Anabaptist Madness* (ca. 1566-1573), tells of an even more inflammatory use of the prophet's body.<sup>25</sup> Kerssenbrock alleged that "very bold scoundrels also cut off his genitals, and the following night affixed them to the revolving gateway of the Giles Gate."<sup>26</sup> Matthijs' ignominious end, so shortly after the siege had begun, led to the installation of Jan van Leiden as leader of the Münsterite community. Leiden would eventually declare, in July of 1534, both that he was king (and thus had no use for either the council or the guilds) and that he was in direct contact with God. Leiden's leadership was total and wildly ambitious. As Gresbeck described it, "in the whole world there would be no government but Jan van Leiden and whoever the re-baptizers appointed."<sup>27</sup> This expectant domination was certainly a common feature of apocalyptic preaching, but grounded in the context of the actualized, concrete success of the Kingdom, the possibility of a new world surely seemed close.

In this besieged bubble where Matthijs and van Leiden endeavored to zealously remake society and indeed the whole world, old institutions naturally fell. In early March 1534, private

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<sup>25</sup> Hermann von Kerssenbrock's famous *Narrative of the Anabaptist Madness* was written about three decades after the events of the Kingdom itself. Kerssenbrock had not been present during the period of 'madness,' as he had fled with his family in 1534. He returned after the reconquest, worked as a Latin teacher in the cathedral school, and wrote his work from sources now assumed lost. It was never published during his lifetime, due to an extended and ultimately failed legal battle against the Münster city council, but found an audience in both Latin and German in the eighteenth century. Hermann von Kerssenbrock, *Narrative of the Anabaptist Madness: The Overthrow of Münster, the Famous Metropolis of Westphalia*, edited, translated, and with introductory material by Christopher S. Mackay (Boston: Brill, 2007). As it became the preeminent account of the Kingdom, a version of Kerssenbrock's work persists in the historiography, Michael Driedger argues, as a source of polemical categories which have all too often been uncritically adopted into modern scholarship. Michael Driedger, "Against 'the Radical Reformation': On the Continuity between Early Modern Heresy-Making and Modern Historiography," in *Radicalism and Dissent in the World of Protestant Reform*, ed. Bridget Heal and Anorthe Kremers (Göttingen: Vandenhoeck & Ruprecht, 2017), 139-161.

<sup>26</sup> Kerssenbrock, 538.

<sup>27</sup> Gresbeck, 134-135. There is debate over the degree to which Leiden believed his total kingship to have a true political geography, given the premise that he expected the imminent return of Christ. Klötzer has a brief summary of both Kirchhoff and Laubach's positions regarding the political vision/intent of Leiden and the Münsterites; "The Melchiorites and Münster," 242-245.

property had been officially abolished.<sup>28</sup> Extant currency was eliminated, or switched out for newly minted Anabaptist coins, and individuals were compelled to give all copper, silver and gold to the governing group. Gresbeck noted that this was meant to create a strict egalitarian society, that Anabaptists preached the necessity that “one person [was] to have as much as the next.”<sup>29</sup> By the end of March, Matthijs had upended the economy further by destroying nearly all city council records, contracts, financial ledgers and other documents of obligation. Klötzer describes this “radical break with the past” as an action both understandable within Matthijs’ eschatological prophecies as well as growing out of wider reform concerns regarding the excessive debts of many commoners.<sup>30</sup> Gresbeck narrated a scene of Matthijs preaching that “anyone who had books or charters in his house should bring them to the cathedral square,” with financial records likewise being gathered from the city’s churches, religious houses and the city council’s chambers. These documents were numerous enough to make “five or six heaps” which burned for eight days.<sup>31</sup> The destruction of this many documents, of this much community history, is difficult to fully fathom, but it becomes most apparent when searching through what remains of the city archives. Indeed, the Kingdom is most often mentioned in documents from the post-Kingdom period as an impediment to the availability of records. The specter of Anabaptism would arise in otherwise banal documents, often repeating the phrase “lost in the time of the Anabaptists,” as seen in, for instance, a bond reissued nearly fifty years later.<sup>32</sup> The abolition of both debts and the system for establishing property ownership was therefore the

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<sup>28</sup> Klötzer, “The Melchiorites and Münster,” 235.

<sup>29</sup> Gresbeck, 82.

<sup>30</sup> Klötzer, “The Melchiorites and Münster,” 236.

<sup>31</sup> Gresbeck, 97.

<sup>32</sup> LNW-Westfalen, Fürstbistum Münster, B 105u, Domkapitel Münster, Domburse – Urkunden, 171a.

prerequisite for the communalism the Anabaptists wanted to practice within their New Jerusalem. Property was forced to be registered communally, and valuables and precious metals were rounded up and administered as a pot of community wealth. James Stayer argues that this communal wealth served a practical role in a besieged city with limited resources, but was otherwise “a shabby facade which imperfectly disguised the persistence of gross privilege.”<sup>33</sup>

Because a large number of Catholic and moderate men had fled both before and after the council elections, numerous ‘unsupervised’ women remained in the city, some with the explicit purpose of looking after family property. Gresbeck claimed there to be 2000 men and about 5500 women at the height of the Kingdom; another eyewitness report estimated 1400 men, 100 young men, and over 6000 women, young women and maids.<sup>34</sup> By the summer of 1534, however, this surfeit of women had become a problem, particularly as a majority of these women existed outside the patriarchal household structure. Leiden and his court preachers began to point to the examples of polygamy found within the Old Testament, “some Old Fathers, such as Abraham, David, and Helkmaen and others of them, and they had more than one wife.”<sup>35</sup> Polygamy was soon permitted for men, and marriage was compulsory for all. Those with spouses elsewhere were considered unmarried, as their marriage was not of the Kingdom.<sup>36</sup> With “marriage obligatory,” Leiden and his preachers pushed a sexual ethic that both assumed male immoderation and prized reproduction. In a polygamous marriage, men were expected to

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<sup>33</sup> Stayer, *The German Peasants' War and Anabaptist Community of Goods*, 12.

<sup>34</sup> Karl-Heinz Kirchoff, “Berichte über das münsterische Täuferreich 1534/35 in einer Hamburger Chronik,” in *WZ* 131/132 (1981/1982), 192. A nearly equal number of supporters from the countryside or from the Low Countries replaced those who fled in February 1534.

<sup>35</sup> Gresbeck, 110.

<sup>36</sup> Klötzer, “The Melchiorites and Münster,” 241. This provision made the polygamy true polygyny; men could take many wives, but women only had one true husband.

reproduce with each wife in turn, putting aside all pregnant wives after they had conceived.<sup>37</sup>

Leiden himself, who was thought to have a wife in Holland, married Matthijs's widow Diewer before ultimately taking fifteen further wives.<sup>38</sup>

Though these sexual and marital decrees were met with strong resistance from a good portion of the Münsterites, compulsory marriage was enforced for religious women and the very old, as a guardianship, as well as for the very young.<sup>39</sup> Even more than the deviancy of such unions, Gresbeck stressed the violence and coercion in the marriage of men to children. He described one scene in which a group of men from Holland and Frisia (along with other “re-baptizers”) marauded through the city and “ran into every house throughout the whole city in which they knew a woman or virgin or young maiden,” hoping to force her into marriage.<sup>40</sup> Girls as young as 11 (or perhaps even younger; Gresbeck expressed significant discomfort here) had been forced into marriage, and were not exempted from sexual and reproductive expectations. Although some citizens of Münster were guilty as well, Gresbeck emphasized that these abuses were perpetrated primarily by ‘outsiders.’<sup>41</sup> In his description of this violence, he was graphic:

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<sup>37</sup> Gresbeck, 112, 240.

<sup>38</sup> Klötzer, “The Melchiorites and Münster,” 244; Klötzer regards this as “political calculation” given that the women involved came from many of Münster’s leading families.

<sup>39</sup> For more on the participation of both noble and burgher nuns in the Anabaptist Kingdom, see D. Jonathan Grieser, “A Tale of Two Convents: Nuns and Anabaptists in Munster, 1533-1535,” in *The Sixteenth Century Journal* 26: 1 (Spring, 1995), 31-47.

<sup>40</sup> Mackay calls them “real re-baptizers,” and apparently added “real” here to reflect a distinction he assumes Gresbeck to be making. Gresbeck, 115. Compare with Cornelius, 63, which has no modifier: “Do hebben die Hollenders und Fresen und alle die wiederdoepers, die in die stat gelopen weren, und ein deil von den burgers in der stat Monster, so hebben sie geloupen doir die heille stat in alle hueser, dair sie ein frouw oft ein iunffer ofte eine junge magt wusten, dair liepen irer vief ifte seess na, der eine fur, der ander na, dat der eine io mehr frowen wolde hebben als der ander.” This behavior was punished by Anabaptist leaders, who apparently wanted to allow for a degree of choice in marriage through the mutual ‘attestation’ of those involved.

<sup>41</sup> According to Ernst Laubach, Gresbeck’s obvious prejudice against “Hollanders and Frisians” was an exception in an account otherwise considered “relatively unbiased and trustworthy” – other than, of course, his desire to render himself entirely innocent and thus regain property. Ernst Laubach, “Habent sua fata libelli: Zu zwei Werken über die Täuferherrschaft in Münster,” in *WZ* 143 (1993), 32.

“The Hollanders and Frisians kept the girls as for so long with their evil will that they wrecked all the girls, breaking their bodies down, because they were not in fact capable of servicing the men.” Some girls reputedly died from this abuse, while others used a later allowance for divorce to escape these compulsory marriages.<sup>42</sup>

Violence was reported throughout the sixteenth months of the Anabaptist Kingdom, and was sparked especially by episodes such as the enforcement of compulsory marriage. A rebellion in opposition to Leiden, his government and his marriage teachings failed at the end of July 1534, and of the 120 or so suspected in the action around 47 were executed. Gresbeck described a chaotic and terror-filled series of executions:

The others had to die. Those whom they'd killed they shot with demi-arquebuses and they hacked them up with short daggers. They set (some of) them against the walls, and they shot them that way. They beheaded some of them. Whoever desired to kill someone was allowed to take him and kill him. How he did him in was just awful. This killing lasted three or four days. Up at the cathedral square, they made two great pits in which they placed the dead. Every day they did in ten or twelve until they were all dead.<sup>43</sup>

Outside of specific instances such as this, execution numbers are hard to pin down, but any perceived rebellion against either Matthijs or Leiden was met with public and performative killings. Death was judged quickly and was the punishment for a variety of crimes: an early opponent met a grim death when a pistol did not fire correctly;<sup>44</sup> a landsknecht was tied to a tree and shot for insulting an Anabaptist preacher;<sup>45</sup> two more landsknechts were shot for some

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<sup>42</sup> Gresbeck, 123-124. Also Cornelius, 72-73: “So hebben die Hollenders und Fresen die kleine megdekens so lange gehat mit ihrem boessen willen, dat sie die medekens mit einander verdorven, dat sie doch den mans nicht en deneden, und hadden innen dat lief tho brocken.” For more on polygamy in the Kingdom, see Klötzer, “The Melchiorites and Muenster,” 240-241.

<sup>43</sup> Gresbeck, 129.

<sup>44</sup> Gresbeck, 79.

<sup>45</sup> Gresbeck, 81.

lascivious remarks and bad behavior during a drinking party.<sup>46</sup> Klötzer accounts for about eighty executions during this period, while Kirchhoff argues that this number must be only a portion of the whole.<sup>47</sup>

Survival, however, depended upon more than just avoiding the violent whims of King Jan and his ruling circle. Meat, grain stores and other food supplies had also been collected, first voluntarily and then, as was the pattern, with increasing force and strict surveillance. The last round-up of grain had been performed in November of 1534, and after that all bread baking and beer making was centralized and rationed.<sup>48</sup> By the winter/spring of 1535, however, starvation had begun to set in within the city. Although the unequal and profligate usage of food stores was certainly part of it, the city was surrounded by a besieging army, and by April 1535, neither sympathizers nor food or supplies could get through. A rumor about the corpses of children found in picking barrels was both preserved in the Kerssenbrock account and repeated in the eyewitness statement of a shoemaker's widow who had lived through the Kingdom, and whose report was included in the chronicle of Hamburg. This same widow had lost her husband, two maids and three servants to the widespread starvation in the city, and reiterated that the population ate horses, leather, cats, dogs, and anything they else they could find in the depths of the Kingdom's starvation.<sup>49</sup> Some refugees from the city fled this grim reality, especially as the leadership dug in for a bloody and inescapably final battle. From the end of April 1535 until the

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<sup>46</sup> Gresbeck, 89.

<sup>47</sup> Klötzer, "The Melchiorites and Münster," 249.

<sup>48</sup> Klötzer, "The Melchiorites and Münster," 248.

<sup>49</sup> Kirchhoff, "Berichte über das münsterische Täuferreich 1534/35 in einer Hamburger Chronik," 191-195. Kirchhoff distinguishes this apparently genuine eyewitness report (dated to the day of the reconquest, and included in a report from the fall/winter of 1535/1536) from other material in the same section which comes from anti-Anabaptist literature.

successful siege at the end of June, over 1500 men and women streamed out of the city – and many of the men were summarily executed by the Prince-Bishop's forces. Women and children were allowed to disperse into the countryside.<sup>50</sup> The end was indeed near.

Gresbeck himself was responsible, along with another man who had been captured, fleeing, alongside him, with showing the Prince-Bishop's forces how to maneuver along the moat and over a weakness in the city wall.<sup>51</sup> Mercenaries entered the city on 24 June and engaged in street fighting with the desperate and outnumbered Anabaptists who remained, and the events of that evening and the next day were essentially a bloodbath. Following a battle that saw the death or execution of nearly all remaining men in the city, some 600 or so, the Prince-Bishop again took control of Münster on the 25 June 1535. Though it would take months to sort out the chaos, the symbolic end to the Kingdom was a gruesome return to order. After months of interrogation and torture, Jan van Leiden, Bernd Krechting, and Bernhard Knipperdolling were executed on January 22, 1536.<sup>52</sup> In an hours-long torturous performances of excruciating public justice, flesh was torn from each of their bodies with hot pinchers before they were finally executed with a dagger to the heart.<sup>53</sup> Their bodies were then trussed up and displayed in cages,

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<sup>50</sup> Karl-Heinz Kirchhoff, „Die Belagerung und Eroberung Münsters 1534/35: Militärische Maßnahmen und politische Verhandlungen des Fürstbischofs Franz von Waldeck,“ *WZ* 112 (1962), 139.

<sup>51</sup> Kirchhoff, „Die Belagerung und Eroberung Münsters 1534/35,“ 141.

<sup>52</sup> Bernd Krechting was a former Catholic priest who had immigrated near the start of the Kingdom and was part of the council – his brother Heinrich had actually been closer to van Leiden, but had escaped capture. Bernhard Knipperdolling was a wealthy cloth merchant native to the city, who became mayor in the election of February of 1534. According to Helmut Lahrkamp, Knipperdolling's post-conquest hiding spot was betrayed by a woman who was promised her life and property in return; Helmut Lahrkamp, *Das Drama der Wiedertäufer* (Münster: Aschendorff Verlag, 2004), 87. For a critical edition of the interrogation that awaited Leiden, Knipperdolling, and Krechting, see Ralf Klötzer, „Die Verhöre der Täuferführer von Münster vom 25. Juli 1535 auf Haus Dülmen Edition der Protokolle sowie der vorbereitenden Fragenliste,“ in *WZ* 155 (2005), 51-92.

<sup>53</sup> Kerksenbrock, 716.

drawn up the steeple of St. Lambert's church in the *Principalmarkt* to be visible to all in the city. The iron cages still hang there today.<sup>54</sup>

### **The aftermath**

Contemporaries reacted to the events in Münster violently and viciously. Sigrun Haude traced the responses to the Kingdom in the religious and secular hierarchies in Cologne, the Rhineland, Strasbourg and the wider empire, noting that print culture was at least partially responsible for the infamy that followed the Kingdom: "The happenings in Münster, however, provided a particular feast to broadsheets, pamphlets, and the *Newe Zeitungen*, the mainstay of the daily press."<sup>55</sup> More than a dozen newspapers or pamphlets spread the tale of the Kingdom, and prompted fear around the empire from authorities and lay people alike. Martin Luther came out with stinging rebukes of the Kingdom, in line with his denunciations of the violence of the Peasants' War and Anabaptism in general throughout the 1520s. Luther's 1535 preface to the *Neuen Zeitung von Münster* began by lamenting his loss for words when addressing "these wretched people of Münster."<sup>56</sup> This "outrageous Devil's play" should have been understood as a warning to all Christians, and he made repeated references to the Münsterite offenses against marriage that pious Christians might compare to the practices of the Turks. For Luther, both

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<sup>54</sup> Klötzer, "The Melchiorites and Münster," 250.

<sup>55</sup> Haude, *In the Shadow of "Savage Wolves,"* 17.

<sup>56</sup> Martin Luther, "Vorrede zur 'Neuen Zeitung von Münster,'" in *Flugschriften vom Bauernkrieg zum Täuferreich (1526-1535) Band II.*, edited by Adolf Laube, Annerose Schneider and Ulman Weiß with additional material by Helmut Claus (Berlin: Akademie Verlag GmbH, 1992), 1443-1451.



groups served as heralds of the coming apocalypse. He also made explicit the direct line he saw between Münsterites and Müntzer, and thus the turmoil of the Peasants' War.<sup>57</sup>

In Strasbourg – that refugee city that had escaped its declaration as the “New Jerusalem,” that had housed and then imprisoned Melchior Hoffman – the repercussions of the Kingdom prompted stringent new policies. In March of 1538, the council ruled that all Anabaptists (“the sect, that one calls Anabaptists”; “such a blighted sect”; “the Hoffmanish or other baptist sects”) were banished, with increasingly harsh penalties of imprisonment or corporal punishment (fingers removed, faces branded) for those who reoffended. The council threatened death for those arrested for a third time, evidence both of enduring Anabaptist communities in the city and that Strasbourg’s early tolerance proved difficult to shake.<sup>58</sup> More than this, however, Anabaptists were derided as the bringers of “uproar” [*aufruhr*]. The council began by denouncing Anabaptists as responsible for the “past peasant uproar” [*vergangner peurischer ufrur*], condemning the group as responsible for the Peasants’ War of 1525.<sup>59</sup> Yet the council also pointed to the Kingdom, the event that would define sedition for generations: “How then the miserable case of the well-known city of Münster testifies...how much those among whom they mingled were simple-minded and lost, and so the mischief of their wicked intentions might have been more concealed under a good pretense.”<sup>60</sup> The danger of Anabaptists, as it was in Münster, was in the heterogenous makeup of the group; authorities should not trust “the appearance of a

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<sup>57</sup> Bernward Schmidt, “Münster und das ‘Täuferreich’ im Spiegel der Flugschriften 1534-1538, Zu den Quellen älterer Geschichtsbilder,” in *WZ* 159 (2009), 38.

<sup>58</sup> Kreider, 110.

<sup>59</sup> “816. 1538 März 23 Straßburg – Mandat gegen die Täufer,” in *QGT XV*, 139. See especially fn.1 for connection to the Peasants’ War.

<sup>60</sup> “816. 1538 März 23 Straßburg – Mandat gegen die Täufer,” in *QGT XV*, 140.

pious life,” but should rather take from the example of the Anabaptist Kingdom the full extent of the group’s seditious aims and punish all known or suspected Anabaptists accordingly. The “rottenness” of the Anabaptists was visible in both their unwillingness to be in unity with the reformed church of Strasbourg and their rejection of the city’s civic rituals. Their separateness was, again, religious and political, and it was no small matter. A refusal to swear the yearly citizens’ oath presaged “that in the future, as in Münster, if they see their advantage, it may lead to uproar [*ufrur*] and the complete destruction of this city of Strasbourg.”<sup>61</sup>

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In a situation beset with ironies in its tragic unfolding, the irony of property ownership may seem the least confounding. Gresbeck himself, the author of the eyewitness manuscript account, serves as an object lesson. He had ostensibly returned to the city in order to protect his mother’s property, and stayed to protect the property of the woman he married shortly after his arrival. His presence in the city had to be justified, because to have survived so long in an Anabaptist city he must have performed outward compliance with the regime and likely allowed himself to be baptized for a second time. Gresbeck acknowledged this slyly in a letter to his unnamed “lords” in 1535, at a point of desperation in the city: “My dear squires, your dear mother has told me the truth before: ‘Master Henry, if you got to Münster you’ll get yourself baptized too.’” But he defended his choice to return by emphasizing the problem of property: “If I hadn’t done this, a foreigner would have lived there or they would have torn it down and burned it, so I had to remain in Münster. For they say all of that was godless property. If I hadn’t

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<sup>61</sup> “816. 1538 März 23 Straßburg – Mandat gegen die Täufer,” in *QGT XV*, 141.

lived that would all have been torn down, and I would have forfeited all my property.”<sup>62</sup> Writing from within the Kingdom and presumably within the home he had returned to save, this surely seemed like a compelling argument.

Indeed, property had been just one aspect of the coerced communalism that had developed over the period of Anabaptist control, and both moveable and immoveable property had been subject to confiscation for the Kingdom’s use. The communalism of the Münsterites had been most shocking in its use and abuse of moveable property, the forceful seizure of copper, silver, gold, produce, grain, and meat.<sup>63</sup> In contrast, then, the fact that immoveable property – land and structures and homes – previously owned by staunch Catholics or more moderate reformers had been confiscated and used by the king and his circle was both predictable and rather less intriguing. Of course they assumed the most prominent homes in the *Prinzipalmarkt*; what else would convey their total assumption of power in the city? And of course Gresbeck had been right to return, to lend his support to female family members and hold on to familial property.

In an irony Gresbeck certainly would not have foreseen, Prince-Bishop von Waldeck confiscated, following the reconquest, all property of those who had remained in the city. This was partially a re-assertion of von Waldeck’s authority and partially an attempt to ameliorate treasury concerns, but it meant that the chaos of a depopulated and starving city was

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<sup>62</sup> The general information is from Mackay, “Introduction”, 29, which is in turn citing a letter by Gresbeck that Mackay has provided, in translation, in the appendix, 286-7. The original is apparently from LNW-Westfalen, but was first published by Cornelius; *Berichte*, 322: “woert myen leuen junckheren so hebbe ick myet myener vrouwen gheseten in or moder vnde broder wonnyghe hedde ick des mycht ghedaen so hedde daer en vrommede yn gheuont offte se hedden daet dalle ghebraken wnde heddent ghebranet so moeste ick tho monster blyven vante se spreken daet werre als goetloses guet hedde ick daer mycht in gheuont dat hedde all meder ghebraken vest wn all daet myne hedde ick quyet gheuest.”

<sup>63</sup> Gresbeck, 81-84.

compounded by a panic over who could remain and where exactly they might stay.<sup>64</sup> Münster was therefore marked two near-total dispossessions, two cycles of population purging and property redistribution – it was a city whose topography had been re-written not once but twice in a span of eighteen months. Gresbeck’s remarkable account, then, was meant as a supplication for the return of that property, for the material basis of his survival that he had risked his life, and his salvation, to protect.<sup>65</sup>

Undeniably, this double dispossession was different than the expulsions and expropriations that came afterward. Although the Münster example is extreme, understanding it is a necessary first step – both because the Anabaptist Kingdom created the specter that all Anabaptists and self-defined Mennonites were compared against, positively or negatively, and because the aftermath of the Anabaptist Kingdom demonstrates that the material mechanisms of toleration were always the bigger story. The violence and extremity of Münster was consistently undermined and invalidated by the practical responses by authorities on the ground.<sup>66</sup> When it

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<sup>64</sup> Münster was under direct military rule from 25 June 1535 through 4 May 1536. R. Po-chia Hsia, *Society and Religion in Münster, 1535-1618* (New Haven: Yale University Press, 1984), 16.

<sup>65</sup> The accounts of both Gresbeck of Kerksenbrock have, in turn, fed the prurient interest in the Kingdom that relegated its study to the sidelines of early modern religious history. The Kingdom was rare and strange, and it therefore can apparently only color the edges of our understanding of early modern religious change. But this is, Michael Driedger argues, evidence of the “heresy-making” that persists in modern historiography. That we ourselves separate this supposedly vile, blasphemous sect from those who would eventually establish “‘proper’ churches” reveals our often inadequate, essentially teleological understanding of early modern religious belief. This “anti-sectarian discourse” reproduces, in modern historical writing, the mindset and actions of early modern polemicists themselves, prompting historians to distinguish between “‘the true church’ (however defined) versus deviant believers (again, however defined).” Michael Driedger, “Against ‘the Radical Reformation’: On the Continuity between Early Modern Heresy-Making and Modern Historiography,” in *Radicalism and Dissent in the World of Protestant Reform*, edited by Bridget Heal and Anorthe Kremers (Göttingen: Vandenhoeck & Ruprecht, 2017), 157.

<sup>66</sup> Breaking out of this pattern, this tendency of “thinking inside the cages” requires a re-evaluation, a re-interpretation, of the extremity and violence of this period. Michael Driedger emphasizes the ways in which modern historians uncritically adopt the anti-Anabaptist writings that produced this violence in the first place; Michael Driedger, “Thinking inside the Cages: Norman Cohn, Anabaptist Munster, and Polemically Inspired Assumptions about Apocalyptic Violence,” in *Nova Religio: The Journal of Alternative and Emergent Religions* 21:4, 38-62. Though much of this essay, addressed primarily to scholars of New Religious Movements, prefigures the arguments of “Against ‘the Radical Reformation’” for a different audience, the metaphor of the cages works especially well for

came to dealing with these supposedly violent, rebellious and heretical Münsterites, the Prince-Bishop allowed many to be pardoned, often restored property, and ultimately permitted extensive renegotiation of Anabaptist identity and repercussions through petitions and court cases over the next decades. Even as reformers and secular leaders proclaimed their fear of Anabaptism, they dealt with neighbors in paradoxically practical ways.

This also follows Ralf Klötzer's suggestion that it was exactly the perceived extremity of the Kingdom that opened the way for Anabaptism to mold itself into something discussable, some potentially tolerable, in the northwestern corner of the Holy Roman Empire.<sup>67</sup> In this place where they attempted to bring heaven down to earth, to manifest a "New Jerusalem" ready to remake the world, the Anabaptist project became in some way more legitimate. They were perceived as heretics, to be sure, but they had achieved what few other heretical groups had. Their short-lived but concrete success gave the Münsterites a degree of authority even as they were still excluded, shunned, and feared. Henry Suderman's analysis of space, self-description and discursive power within the Kingdom emphasizes that expanded thinkability was precisely what the Münsterites had set out to accomplish: "The Anabaptist Kingdom was a place from which their contemporaries could profit and subsequent generations might learn, and out of which future polities and communities could be shaped and reconstructed, which is exactly what Münsterites said they intended from the very beginning."<sup>68</sup>

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this dissertation: "In Münster, the original metal cages that once held the corpses of three broken Anabaptist leaders are still hanging from the tower of St. Lambert's Church. These cages seem to me an apt metaphor for the form-giving authority that old polemical literature still has in some scholarly quarters." Driedger, "Thinking inside the Cages," 53.

<sup>67</sup> "Was this episode so unusual and atypical that it has no significance for the rest of Anabaptism? Or was the very existence of a strong current of Anabaptism in this region based on the incredible sixteen-month Anabaptist regime in Münster?" Klötzer, "The Melchiorites and Münster," 253.

<sup>68</sup> Suderman, "Sometimes It's the Place," 140.

We can see these discussions about Anabaptist identity, and subsequent negotiations over consequences that might follow, most clearly in the banal, bureaucratic chaos of disputed property in the post-Kingdom period. Only when we are willing to make connections between the chaotic property negotiations after the Anabaptist Kingdom, the routinization of extraordinary tax and protection letter schemes in East Frisia, and the failure of those routinization schemes in the dispossession in Rheydt in 1694, can we appreciate the full story of Anabaptist negotiation in the northwestern Holy Roman Empire.

## Part II: Pragmatism and the price of inclusion

### CHAPTER 3: Negotiating guilt: Anabaptists and the children of Anabaptists in the legal fight for property

Following the conquest of the Kingdom of Münster on 25 June 1535, and although some adherents survived in the Münsterland through at least 1538,<sup>1</sup> the Anabaptist community within the city itself was largely destroyed.<sup>2</sup> Aiding in this disintegration were the concomitant punishments of execution, expulsion and expropriation meted out to Münsterite Anabaptists over the next year. Although nearly all male Anabaptists were killed in the final day of fighting, a handful of conspicuously culpable men and women were executed shortly after the reconquest, in July 1535.<sup>3</sup> Women with ties to the city were given the opportunity to abjure their Anabaptism and swear an oath of allegiance backed by a male relative or neighbor as a guarantor.

Approximately 300 did so, but the rest, as many as 3500, either hid in the city or were expelled

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<sup>1</sup> As Karl-Heinz Kirchhoff argues, this persecution campaign – aimed at rooting out those Anabaptists who had fled during the siege or following the reconquest – effectively extended the Kingdom period through 1538. Though the end of this persecution marked a semi-official declaration of the Münsterland being “Anabaptist free,” this was of course not the case, and fears of Anabaptists and their conventicles persisted. The violence of the Batenburger group fueled the most potent fears. Gary K. Waite, “Apocalyptic Terrorists or a Figment of governmental Paranoia? Reevaluating Anabaptist Violence in the Netherlands and Holy Roman Empire, 1535-1570,” in *Grenzen des Täufertums/Boundaries of Anabaptism Neue Forschungen: Beiträge der Konferenz in Göttingen von 23.-27. 08. 2006* (Gütersloher Verlagshaus, 2009), 105-125. This builds upon an earlier article: Gary K. Waite, “From Apocalyptic Crusaders to Anabaptist Terrorists: Anabaptist Radicalism after Münster, 1535-1545,” in *Archiv für Reformationsgeschichte* 80 (1989), 173-193.

<sup>2</sup> Karl-Heinz Kirchhoff, “Die Täufer in Münsterland: Verbreitung und Verfolgung des Täufertums im Stift Münster 1533-1550,” *Westfälische Zeitschrift* 113 (1963), 41ff. For more on the immediate post-Münster fallout within northwestern/Dutch Anabaptism, see Willem De Bakker and Gary K. Waite, “Rethinking the Murky World of the Post-Münster Dutch Anabaptist Movement, 1535-1538: A Dialogue between Willem de Bakker and Gary K. Waite.” *Mennonite Quarterly Review* 92 (2018): 47-91.

<sup>3</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 26. Kirchhoff lists eleven men and seven women executed after the reconquest, but this list seems to include apostles executed elsewhere and as early as 1534 (Nr. 107) and as late as 1544 (Nr. 182), as well as the three leaders executed in January 1536.

into the countryside.<sup>4</sup> Finally, Prince-Bishop Franz von Waldeck confiscated Anabaptist homes and goods according to provisions in the 1532 *Constitutio Criminalis Carolina* for the appropriation of a heretic's property.<sup>5</sup>

The process by which the property of Anabaptists was sold was a controversial matter, both for the speed at which it occurred and for the relatively low level of revenue it ultimately generated.<sup>6</sup> In the aftermath of a costly sixteen-month siege, the need for cash was great.<sup>7</sup> Mercenaries expected to be paid in booty, and the Prince-Bishop's own treasuries were depleted as debts were called in from the many jurisdictions who had lent military or financial support.<sup>8</sup> There were numerous disputes over the collection and distribution of valuables and property

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<sup>4</sup> Ralf Klötzer, "The Melchiorites and Münster," 250. Kirchhoff cites figures of 216 women and 19 men who had abjured Anabaptism and were living in the city of Münster in 1536. Kirchhoff, "Die Täufer im Münsterland," 40.

<sup>5</sup> Kirchhoff believed that Waldeck's invocation of the imperial constitution referenced section 206, concerning the inventory of goods belonging to transgressors. Kirchhoff, *Die Täufer in Münster 1534/35*, 3. For the language of the Carolina, see "Appendix B. *CONSITUTIO CRIMINALIS CAROLINA*," in *Prosecuting crime in the Renaissance: England, Germany, France*, edited and by John H. Langbein (Cambridge, MA: Harvard University Press, 1974), 259-308. Langbein labels section 206 as "What should be done with the property of a fugitive criminal," and those Anabaptists killed or missing after the Kingdom would have certainly qualified as "fugitive criminals." This statute provides for a way to sell perishable moveable property and assess and inventory immoveable property, but it also requires proceeds go to the abandoned wife and child: "But those goods which are perishable and cannot be stored the judge with two of the court and the aforementioned friends shall sell, and the proceeds therefrom shall be made note of and the revenue together with the list consigned to the court where it can best be kept safe for wife and children or for his other next heirs." If this was indeed the piece of the imperial constitution that Waldeck invoked, it is no surprise that inheritance issues arose. Though the heretical status of Münster Anabaptists clearly made the process more complicated, the constitutional origin for the dispossession made no reference to heresy and indeed stipulated the continuation of familial property.

<sup>6</sup> From property worth, in total, approximately 80,000-100,000 gulden, the sale netted about 13,000 gulden for a war debt of 235,000 gulden; see Kirchhoff, *Die Täufer in Münster 1534/35*, 7-8.

<sup>7</sup> For more on the intended and actual payments by imperial estates, and the control exerted by Prince-Bishop Waldeck, see Günter Vogler, *Die Täuferherrschaft in Münster und die Reichsstände. Die politische, religiöse und militärische Dimension eines Konflikts in den Jahren 1534 bis 1536* (Gütersloh: Gütersloher Verlagshaus, 2014).

<sup>8</sup> The total estimated value was 98,697 rheinish Gulden, and sale generated something close to 13,000 Gulden. See Hsia, *Society and Religion in Münster, 1535-1618*, 9, and Kirchhoff, *Die Täufer in Münster 1534/35*, 7-8, 35. Hsia, following Kirchhoff, emphasizes the difficulty of restoring rents and obligations, especially after the destruction of the majority of the documents by the Anabaptists; he goes so far as to state that "[while] it was rather easy to prove ownership of houses, it was more difficult to reestablish the bonds of money." While I am sure the second half of his statement remains correct, this chapter demonstrates that not all found it "rather easy" to regain immoveable property; Hsia, *Society and Religion in Münster, 1535-1618*, 10.



throughout the summer and autumn of 1535, culminating in the appointment of a six-person episcopal committee meant to sort through the properties within Münster itself and hear appeals concerning their re-sale.<sup>9</sup> The expropriation was officially declared by the estates in late January 1536 – just four days after the gruesome execution of King Jan van Leiden and leaders Bernhard Krechting and Bernhard Knipperdolling – and specified that the Prince-Bishop’s administration would “confiscate and sell the moveable and immoveable goods of Anabaptists inside and outside of the city of Münster, and to use the proceeds to pay off collegiate debts accrued by the Anabaptist war.”<sup>10</sup> This dispossession, which represented a significant redistribution of assets in the city, nevertheless kept property largely within families.<sup>11</sup> A spouse, sibling or other family member who had left the city, or who had been assessed as suitably guiltless during the “uproar,” was often allowed to repurchase property at a favorable price. Part of the rationale was to restore property to those penitent and pardoned Münsterites who reconciled with the community, and to therefore provide a material incentive to avoid future rebellion.<sup>12</sup>

In 1973, Karl-Heinz Kirchhoff systematically catalogued the records of this committee to establish the value of property, homes, and household goods confiscated from the resident Münster Anabaptists who had been killed or captured at the end of the siege. Kirchhoff identified 631 total pieces of property confiscated. 525 of these were dwelling places and 427 of those were primary residences. Elsewhere, Kirchhoff estimates there to have been approximately 2,000 houses within the city of Münster, which put the ratio of confiscated houses between 25-30%.

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<sup>9</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 4-5.

<sup>10</sup> LNW-Westfalen, B 101u, Domkapitel Münster - Urkunden III A Nr. 16.

<sup>11</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 35.

<sup>12</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 9. This was likely due to associated debts that outsiders were uninterested in assuming; R. Po-chia Hsia, *Society and Religion in Münster, 1535-1618* (New Haven, Connecticut: Yale University Press, 1984), 9.

Although there are no surviving details for 244 of these cases, of the remaining 387, a full 241 were sold either to abjuring and pardoned Anabaptists or to the blood-relatives of Anabaptists who served as the guardians of underage children. Only 146 were sold to unfamiliar persons.<sup>13</sup>

Perhaps because so much of the property owned by Anabaptists was reallocated amongst their own kin, the effects of dispossession reverberated, decades later, in a handful of legal and familial disputes.<sup>14</sup> These are rarified cases, dealing with those Münsterite families who owned a significant amount of property, and who retained or gained enough wealth within the next generation to fund legal cases that spanned years if not decades.<sup>15</sup> These families had an obvious material incentive to recover whatever property they could. That their siblings' or parents' beliefs stood in their way as an ill-defined hurdle to clear, however, made the space of legal petition and legal decision one of both religious and economic negotiation – Anabaptist identity was denied, finessed, or explained away in order to regain immovable property. Informal petitions, letters to and between city councils, and finally city and imperial chamber court [*Reichskammergericht*] cases all articulated lingering tensions around Anabaptism as a category and the shock of Münsterite Anabaptism in particular. In this instance where sedition manifested most violently, evidence of a second baptism became the central topic of negotiation even as mitigating circumstances complicated this indicator. The guilt of Anabaptism was typically evidenced by a confessed or witnessed re-baptism, but it could either linger or be expunged by a

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<sup>13</sup> See Kirchhoff, *1534/35*, 26-27 and 35, and Kirchhoff, “Die Täufer im Münsterland,” 93, fn. 579.

<sup>14</sup> There are similar cases dealing with guild houses. The Münster Guilds were involved in pre-Kingdom political agitation; see Taira Kuratsuka, “Gesamtgilder und Täufer: Die Radikalisierungsprozess in der Reformation in Münster: Vor der reformatorischen Bewegung zum Täuferreich 1533/34,” in *Archiv für Reformationsgeschichte* 76 (1985).

<sup>15</sup> Kirchhoff notes that such challenges were rare but had been anticipated by some purchasers of Anabaptist property, who requested (but did not receive) some sort of pre-emptive legal protection. Kirchhoff, *Die Täufer in Münster 1534/35*, 9.

number of explanatory factors, both for alleged Anabaptists themselves and for their family members. Guilt could be softened, or even brought into doubt – and guilt could move between generations. But despite these delicate negotiations, their existence in the legal record of post-Kingdom Münster demonstrates the malleability and negotiability of these topics, even as the sensationalism of the events have so often overtaken the depiction. Property was and is very literal wealth, but also a signal and site of belonging. Regained property meant a family might manage to stay within a community, might manage to move beyond the specter of Münster.

### **Reducing culpability: discourses of age and illness**

Complications in the attempt to sort property immediately confronted the Prince-Bishop's commission, which had begun with the assumption that presence within the city established the guilt of Anabaptism and hence the punishment of expropriation.<sup>16</sup> Indeed, the *Carolina* provided for the confiscation of the property of both heretics and rebels, and the Münsterites were surely both. Yet issues soon arose. Like flashpoints of religious coercion and violence throughout the early modern period, many women had been left to protect property while men fled to avoid culpability or death; in the case of Münster, this was occasionally reversed. The records repeat the phrases “he out, she in,” or “she out, he in” to denote how couples had attempted to both flee religious stain of the Anabaptist Kingdom and simultaneously protect their property, essentially splitting responsibilities for spiritual and material welfare between the two persons in the marriage. Many claims were settled during the first year after the conquest, merely a matter of providing the correct documentation or witnesses for the Prince-Bishop's commission. The

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<sup>16</sup> Those deemed guiltless were to receive back their properties without delay, as declared by the Reichstag at Worms in November 1535. Hsia, *Religion and Society in Münster, 1535-1618*, 18.

committee consistently allowed the re-purchase of property (often half the property, as the commission only confiscated that of the remaining spouse) to the spouse who had left the city, confirming that presence in the city meant culpability and was disqualifying for property ownership.<sup>17</sup> Yet this principle of assumed guilt for those who remained became, increasingly, untenable.

One method by which suspected Anabaptists regained both their reputation and their property was through exculpatory discourses related to the age and infirmity of one or more members of their household. The matrix of these claims varied.<sup>18</sup> Some women either claimed to be afflicted with severe illness themselves or justified their presence in the city by the obligation to care for an ill family member. Anna Flaskamp had remained in the city, she argued, due to an extreme illness while her husband had fled with their two sons after the February 1534 takeover. Her later attempt to follow, with a young daughter, was foiled by a locked city gate. Her husband and sons perished. In 1536 she professed her own innocence and asked that the property be left to her and her daughter – who had, importantly, not been re-baptized.<sup>19</sup> Another widow, Greite Hoicken, had similarly been ill and forced to remain in the city in 1534. Her husband had died at some point during the Kingdom period, and she had successfully petitioned King Jan van Leiden's court to be permitted to take her children out of the starving city. The post-Kingdom authorities allowed her to repurchase their home, on account of her three young children and her poverty, for one-quarter of its true worth.<sup>20</sup> If staying in the city had been a coerced choice, these

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<sup>17</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 6-7.

<sup>18</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 26. Kirchhoff lists sixteen such instances, but more from his extensive data collection seem to fit this pattern.

<sup>19</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 168, 130.

<sup>20</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 281, 154.

mothers emphasized the innocence and vulnerability of their children to make the case for the later return of property.

The physical realities of childbearing also recurred in the narratives women told about their decision to stay. The unnamed wife of Johan Ridder had been confined to her lying-in bed at the time her husband had to flee, and the commission therefore agreed to allow the couple to keep their property (and their debts).<sup>21</sup> Wessel Borger and his wife Else Bernewyner had similarly stayed because of Else's illness in childbed. Though the pair had escaped in May 1535, and Else had returned to claim their property on behalf of their children while Wessel had, for some reason, stayed away. In 1541 he petitioned to be allowed back into Münster, but this was unsuccessful as he was arrested in 1548 for illegal entry into the city.<sup>22</sup> Women, as mothers, therefore held a measure of narrative power, even as some fathers struggled to establish innocence. Women could deploy narratives of wifely obligations as well: Margarethe Cordinck had, she said, only stayed in Münster to care for her sick husband. The commission apparently believed her claim to piety and allowed her to repurchase the home after her own abjuring of Anabaptism.<sup>23</sup> But this pattern of women-as-property protectors was occasionally reversed. Hinrich Reckerdinck's wife has fled during the takeover, and he had stayed due to illness. His presence in the city was disqualifying, but his blameless wife was able to keep the property.<sup>24</sup>

Claims of illness also accompanied claims of age. Gertrud Jonas, the ninety-year-old widow of butcher Hinrick Jonas, had been unable to leave as so many fled the city in February

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<sup>21</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 568, 220-221.

<sup>22</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 68, 109.

<sup>23</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 245, 146; Nr. 361, 174.

<sup>24</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 544, 215.

1534. She died shortly after the reconquest, however, and someone else had taken over her home. Two of her relatives, those who stood to inherit the house from her, petitioned the Prince-Bishop's commission to have her name cleared and restore their due.<sup>25</sup> An excess number of debtors seems to have derailed this suit. Bernd Loeman, a baker the commission described as old, poor, and palsied, lived through the event but claimed innocence. The commission agreed, as he was given his modest property back as a "mercy."<sup>26</sup>

The drama surrounding the city patriciate [*Erbmann*] Kerckerinck family is perhaps the best example of contested Anabaptist property, in that Kerstien Kerckerinck was both extremely wealthy and publicly known to have been part of the upper echelons of leadership in the Anabaptist Kingdom.<sup>27</sup> Despite his indelible guilt, then, his family's ability to negotiate and renegotiate the ramifications of his Anabaptism demonstrates the latitude of this post-Kingdom period. To be sure, the wealth of the Kerckerinck family was both motivating and made these extended suits possible, but their hubris resulted in the clearest examples of joined economic and religious strategies. Kerstien had been the second son of Gerdt Kerckerinck and Engele Schenckinck, who was herself descended from another rich patrician family in the city; he had an older brother, Bernd, a younger brother, Gerdt the younger, and two sisters, Beilgin and Engele. His properties, which included three houses, eleven one-room houses, five farmsteads and two fiefs, had a total worth was estimated to be over 3,000 gulden.<sup>28</sup>

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<sup>25</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 309, 160.

<sup>26</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 406, 184.

<sup>27</sup> For the urban spatial distribution of the *Erbmann* of Münster, see Karl-Heinz Kirchhoff, "Die Erbmänner und ihre Höfe im Münster: Untersuchungen zur Sozial-Topographie einer Stadt in Mittelalter," *Westfälische Zeitschrift* 116 (1966), 3-26. For the collated roles he played within the Kingdom, see Ralf Klötzer, "Die Verhöre der Täuferführer von Münster vom 25. Juli 1535 auf Haus Dülmen Edition der Protokolle sowie der vorbereitenden Fragenliste," in *WZ* 15 (2005), 90.

<sup>28</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 163.

Kerstien was prominently included in the two major contemporary accounts of the Kingdom of Münster, revealing his rank and importance to the Kingdom while shedding little to no light on his motivations or beliefs. His name recurred repeatedly in Kerssenbrock's work:<sup>29</sup> he was reported to have held various appointments over the course of the Anabaptist Kingdom, including an assessor to the judge, a superintendent of fishing, a would-be 'Duke' of Westphalia in the coming new societal order and eventually a member of the King's own retinue.<sup>30</sup> In Gresbeck's eyewitness account, Kerckerinck appears fourth on the list of the city's citizens "who adhered to the kings and to the Hollanders and the Frisians, so that the criminals held the upper hand for so long in Münster, keeping the common folk under such great duress."<sup>31</sup> This narrative of "Hollanders and Frisians" and outside agitation played a dominant role in Gresbeck's account, as he argued for a largely foreign origin for the rebellion. This of course only further condemned those Münster citizens who had followed in foreign footsteps, who "wore the king's livery and were his servants," and who thus could be considered fully committed – as either true believers or truly self-interested. Though Gresbeck acknowledged that many in the besieged city had to play along to stay alive, those listed by name, including Kerstien Kerckerinck, had gained notoriety for their complicity and culpability.

Even more evidence for Kerstien's involvement comes from the fulfillment of his patriarchal duties during the Kingdom period. His wife and children remained with him in the city, and he married off both of his daughters to noblemen conspicuously – if confusingly –

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<sup>29</sup> Strangely enough, Kerssenbrock lived briefly in the confiscated Kerckerinck family home on Neubrückenstraße Nr. 34; Kirchoff, *Die Täufer in Münster 1534/35*, 163.

<sup>30</sup> Hermann von Kerssenbrock, *Narrative of the Anabaptist Madness: The Overthrow of Münster, the Famous Metropolis of Westphalia*, trans. Christopher S. Mackay (Boston: Brill, 2007), 506, 551, 598, 660-661.

<sup>31</sup> Gresbeck, 225.

involved in Anabaptist leadership. His daughter Anna married Gerlach von Wullen, a nobleman from Nienborg who was of the “twelve elders of the tribes of Israel” within the Kingdom, a military leader, and a member of the King’s retinue who “emerged wearing plumed hats through the creaking doors of the palace” on the three days of judicial judgment per week.<sup>32</sup> Kerstien’s daughter Engele, however, married Christoph von Waldeck, the natural son of Prince-Bishop Franz von Waldeck. Waldeck had apparently been captured when visiting his father in the siegeworks outside of the city; he is nevertheless named as a “page” in the court of King Jan van Leiden and as the King’s own bodyguard by Kerssenbrock.<sup>33</sup> Waldeck and Engele were able to leave the city on the 2 June 1535 and thus avoided the violence of the reconquest.

Kerstien fled the city following the reconquest alongside his son-in-law von Wullen, and after their capture they were remanded to the Prince-Bishop.<sup>34</sup> Wullen was dealt with rather mercifully, due to his noble status,<sup>35</sup> and was given the chance to abjure his Anabaptism in October of 1535 – and would therefore live to contest his wife’s interrupted inheritance. Kerstien Kerckerinck, however, remained in custody after June of 1535. His infamy had been spread through letters from mercenaries in the employ of the Prince-Bishop, where he was listed by name.<sup>36</sup> At the end of July 1535 he was taken in a wagon alongside King Jan van Leiden,

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<sup>32</sup> Kerssenbrock, 543, 591, 597.

<sup>33</sup> Kirchhoff, 256; Kerssenbrock, 590. Here and elsewhere, Kirchhoff uses the printed copy of the Kingdom’s court ordinance, reproduced in *WZ* Bd. 16 (1855), 358-363.

<sup>34</sup> Kerssenbrock, 702.

<sup>35</sup> Klötzer, “The Melchiorites and Münster,” 250.

<sup>36</sup> Sabine Pettke and Karl-Heinz Kirchhoff, “Münster – Lübeck – Schwerin: Ein Bericht zur Situation nach der Eroberung Münsters im Sommer 1535 aus dem Archiv des Herzogs von Mecklenburg,” in *WZ* 151/152 (2001/2002), 69-79.



resident Münsterite and guild leader Bernhard Knipperdolling, and Bernhard Krechting.<sup>37</sup> Unlike his unfortunate cohort, however, he was beheaded “in a pleasant grassy spot along the way” to Dülmen – not tortured to death on the market square in January 1536.<sup>38</sup>

In the shadow of this infamous Anabaptist, two of the predominant narrative strategies for contesting dispossession are made clear: age and infirmity, and simple innocence appealing to reputation. Both of these discursive themes pushed back on the assumption that those who remained in the city throughout the city were necessarily guilty of sedition, or were stained by the heresy of a second baptism. Kerstien’s own property would prove immensely complicated and hotly contested, but first, his mother’s presence and property took center stage.

Kerstien’s mother, Engele, had been present during the Kingdom and had subsequently lost a house.<sup>39</sup> Though Kerstien’s older brother Bernd, deemed guiltless, received a significant amount of property in the initial shuffle of his dispossession – including a farm on Ritterstraße and half of the Plesser estate in the St. Maurice parish<sup>40</sup> – he began to contest specific lost properties as early as October of 1536.<sup>41</sup>

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<sup>37</sup> Klötzer, “Die Verhöre der Täuferführer von Münster vom 25. Juli 1535 auf Haus Dülmen Edition der Protokolle sowie der vorbereitenden Fragenliste,” in *WZ* 155 (2005), 51-92. Kerstien shows up in one version of the question list; it should be noted that these interrogations began on July 25 and Kerstien was executed July 27. here and elsewhere, Klötzer is clear that Kerckerinck was the sole captive to have been beheaded; see Klötzer, “The Melchiorites and Münster,” 250, as well as Ralf Klötzer, *Die Täuferherrschaft von Münster, Stadtreformation und Welterneuerung* (Münster: Aschendorff Verlagsbuchhandlung GmbH & Co., 1992), 137.

<sup>38</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 163; Richtschein in Landesarchiv NRW Abteilung Münster, 518/519, Bd. 15, Martini Nr. 74. This is an accounting of his debts and properties. See also Kerssenbrock, 702 and 706.

<sup>39</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 322, 165. Though Engele had only one piece of property, on Neubrückenstraße, her house was worth 450 Gulden, significantly more than many of the other Kerckerinck houses.

<sup>40</sup> LNW-Westfalen, Familie von K. zur Borg, Urkunden Nr. 515, 22 August 1536.

<sup>41</sup> See also Karl-Heinz Kirchhoff, “Eine münsterische Bürgerliste des Jahres 1535,” *WZ* 111 (1961), 78. Bernhard was the only Kerckerinck on the list, which underscores his role as the only of-age male of the lineage. Gerd Kerckerinck the elder had died in 1515, and Gerd the younger had apparently died before the Kingdom of Münster.

Bernd's first supplication to Prince-Bishop Waldeck sought to reclaim the Erbe Buschhoff in the parish of Ostbevern. He invoked Kerstien's "poor abandoned children" when protesting the possibility of strangers inheriting the estate and pointed to his mother's "elderly illness and innocence" when considering her role in the whole affair.<sup>42</sup> Bernd made arguments about his frequent use of the property, and insisted that he had been involved despite his lack of legal ownership. He had been ordered by the Prince-Bishop's commission to gather titles and paperwork in order to assess what should be done with the property, and he in turn complained about his inability to present himself and those documents at the proposed time and date. Though Bernd referenced his late brother, he made no explicit mention of Anabaptism per se.

In a response just two days later, the Prince-Bishop's commission rejected these complaints.<sup>43</sup> Bernd, however, was not content to abandon the case. Shifting tactics, Bernd set aside the specifics of the Buschhoff estate in order to make wider claims about his rightful inheritance. In a letter written a few months later, in May 1537, he argued that he had always been owed more, as the first-born son, and that this redistribution was thereby not the more drastic movement of property between sons, and thus between patrilineal lines, but the restoration of a fair patrimony. He argued, "I am a few property possessions less than with right seed, which my brother was unworthy of possessing."<sup>44</sup> This reasoning based, presumably, on

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<sup>42</sup> LNW-Westfalen, 518/519, Akten, Bd. 09c, Nr. 412 (31 October 1536): "dat ick wedder in besyt vnd to fredesamen gebruke des erues Busschoff, darbe[n]esen to den guderen Kerstiens myns broders tobehoiff siner armen verlatener kinder vor eynen anderen frombden mit gnaden mocht gestadet Ock myn moder na gestalt vnd angeseyn ohres olders kranckheit vnd vnscult by den ohren als ohrer liffucht vnuerhindert blyuen vnd gelaten werden re meldinge myner vorigen supplication."

<sup>43</sup> LNW-Westfalen, 518/519, Akten, Bd. 09c, Nr. 415 (2 November 1536).

<sup>44</sup> LNW-Westfalen, 518/519, Akten, Bd. 09d, Nr. 472 (30 May 1537): "dat ick etlicher guder possession weyniger dan myt rechte ensat byn, dewelche myn broder [un]wertde in besitte gehat Jdoch werden deseluigen dar enbanen wy vor entholden vellichte in dem schyne, als hedden solche guder ohm tobehorich gewest, derhaluen my hoich nodich myne rechticheit to den guderen myt getugen vnd anders tho bewheren, vnd hebbe also vorgenommen na form der rechten myne nottroft to beforderen."

birth order seems to suggest a bitterness on Bernd's part – that, despite his status as the elder brother, he had received less than his fair portion.

In registering his protest against the distribution of familial property, Bernd attempted to recruit allies. In a July 1537 letter to his brother-in-law, Frederick von Twyst,<sup>45</sup> Bernd outlined his position. He narrated his struggles with the Prince-Bishop's commission, his fight for property upon which his two cloistered sisters depended, and the shadow of his brother's second baptism.<sup>46</sup> Twyst was well-placed to potentially be of service: he was involved in the confiscation and redistribution of property.<sup>47</sup> Bernd explained to his brother-in-law that he found himself speaking in his mother's defense because she had "been in besieged Münster:" "Meanwhile I apologize for my mother's age and innocence with many pious men and women, both spiritual and worldly."<sup>48</sup>

Bernd's letter writing campaign continued apace as he pleaded with the Münster council to throw their weight behind a statement regarding his mother's piety. In a letter written two weeks later, Bernd again emphasized her age as an extenuating factor. Engele had been between eighty and ninety years old during the Kingdom, had "become weak and ill," and due to this "age

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<sup>45</sup> Ralf Klötzer, "Die Verhöre der Täuferführer von Münster vom 25. Juli 1535 auf Haus Dülmen Edition der Protokolle sowie der vorbereitenden Fragenliste," in *Westfälische Zeitschrift - Zeitschrift für vaterländische Geschichte und Altertumskunde* (2005, Bd. 15), 89.

<sup>46</sup> LNW-Westfalen, 518/519, Akten, Bd. 09d, Nr. 494: 31 July 1537.

<sup>47</sup> See Kerksenbrock, 705. For contemporary manuscript evidence of his involvement, see StA Münster, Ratsarchiv, A XIV Nr. 27a (27 January 1537). His inclusion in the 26 January 1537 decree (which aimed to normalize life in the city, albeit under strict surveillance and with curtailed privileges) is found in LNW-Westfalen, B 101u, Domkapitel Münster - Urkunden, III Nr. 17 and 17A.

<sup>48</sup> LNW-Westfalen, 518/519, Akten, Bd. 09d, Nr. 494, Bl. 164r: "Dewyll ick dan myn Moder eres olders vnnnd vnschulthaluen myt veller vromer mans vnnnd frouwen, beide geistlick vnnnd wertlick genoichzam Weitt to entschuldigenn, vnnnd ock van mynenn beyden Sustern In Cloistern, de ere vederlyke Erue nicht verwerckt noch verbort [(] vpracht hebbe) hedde ick wy all sollicher Antwortt nycht vorseyn, sy dan noch van mynenn kunden dar to bewegen, wedderstadynge an to nemen szo veer veer my sodaene wedderstadynge uth Schenckyngez guidern gelick metich moge gescheynn."

and sickness” had stayed in Münster for most of the siege. Moreover, Bernd argued, her confessor and many patrons could attest to her orthodoxy, as her “class and character” had been well known before her death.<sup>49</sup> Bernd’s emphasis on his mother’s reputation reveals the interpersonal contingencies upon which these extraordinary claims could hang. As a prominent patrician woman she had been well-known to those in power, and Bernd could leverage this knowledge, privilege and wealth into aid.

The Münster council readily agreed, as they sent a letter to the Prince-Bishop a mere two days later which attested to Engele’s lifelong piety. Described as an “an old pious woman” who had “lived as a Christian,” the council unreservedly confirmed Bernd’s account of his mother’s religious orthodoxy. They also followed his argumentation on the limits of her mobility, and identified her as one of the many who could not reasonably have been expected to leave the city, “as quite a few other disabled persons guiltlessly remained.”<sup>50</sup>

The council was also much more direct about what Bernd hoped to achieve. By establishing his mother’s innocence, her goods should rightly be passed to him. These “parental goods” had been mixed up in the confiscation of Anabaptist goods and property, and Bernd was

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<sup>49</sup> LNW-Westfalen, 518/519, Akten, Bd. 9d, Nr. 505 (14 August 1537): “geue Ick demoetlichen to vernemen wath gestalt myne leue moder van Joghet an beÿten ohre oldendaghe sick stedtz hefft fromlich vnnd christlich nae gebrnyck der hillighenn Kerckenn gehalten. Vnd Is do ße vngeferlich an de Achtentich Jair ohrs olders gekommen, swack vnnd kranck geworden, vnnd derweghen bynne theyn offt twelff jaern negstvergangen mihe to stegen vnnd straeten gaen kommen. And alszo olders vnd krank keythaluen, vnnd nergen anders vme tom lesten nicht ferne van Negentich Jaren olt tydt der belegerung bynnen Munster gebleuen. Ist oick twyuels fry, dat J. Er. vnnd gedachter myner moder bychtfadere, vort Naebere vnd anderen de ohrer kundtschap gehat, desol[n/u]yghen myne moder In ghynen anderen dan bemelten ehrstlichen stande vnd wesende gekant heben, daer Inne ze In kortwylyghen daghen verscheydonn.” It is unclear when Engele died.

<sup>50</sup> LNW-Westfalen, 518/519, Akten, Bd. 9d, Nr. 506: “dan dat gedachten Kerckerincks moder, ein oelde fromme frouwe, vmb[trent] van Negentich Jairnn nu [krakes] sy christlich verstoruen, vnd hebbe in oerhenn jungen vnd oelden dagenn sick stedts na ordenuge vnnd gebruyck der hilligenn kercken, gemete gehalten, vnd christlich geleuet, vnnd sy tom lesten oeldere vnd krankheit haluen tyt der belegerunge in I.F.G. Stadt Munster, wie ethliche andere behinderde personen vnschuldighen gebleuen Ist Darumb vnßser vnderdanich bitt vnd beger, dat I.G.H. bemelten vnñßen mitborger (angesein vorger vnschuldt siner moder) tho sinen oelderlichen guedern, dar he foege recht vnnd redde tho hefft gnediglich gestanden, vnnd by sinen guedern hanthauen beschutze vnnd besch[er]me wollen.”

desperate to separate out what he was owed. It is worth noting here that Bernd's correspondence with the Münster council, and the council's plea on his behalf, again abandoned the specificity of situation surrounding the Erbe Buschhoff to make larger claims about "parental inheritance." Bernd was ultimately successful in this suit, taking ownership after his mother's death and living there, eventually, with his wife Aleke and son Bernd.

### **Reducing culpability: sowing doubt**

Unfortunately for Bernd, it was the Prince-Bishop's natural son and his niece Engele's husband, Christoph von Waldeck, who took control of all remaining Kerckerinck family properties in 1539.<sup>51</sup> Christoph officially recognized the loss of all property already given away or sold, including the Erbe Buschhoff contested by Bernd, the Erbe Borcharding given to the Domkellner to settle a debt owed by the Bishop, and the house on Neubrückenstraße that had been given to treasurer Johan Hageböck.<sup>52</sup> The Erbe Buschhoff would formally transfer to Hinrick Schenckinck in January 1541, in a document that lists its provenance as "thus forfeited by the Münster Anabaptist mistreatment and forfeited to us and to the territorial estate."<sup>53</sup> Schenckinck and his wife, Lise, paid the 100 gold gulden to Christoph von Waldeck for the purchase of the property.

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<sup>51</sup> Christoph was the natural son of Prince-Bishop Waldeck, though it does not appear that he was, given their relative ages, the son of Waldeck's long-term concubine Anna Poelman. For the practice of concubinage in Münster, see Simone Laqua-O'Donnell, *Women and the Counter-Reformation in Early Modern Münster* (Oxford: Oxford University Press, 2014), 134-169.

<sup>52</sup> LNW-Westfalen, Manuscript I, Nr. 25, Bl. 83r/v; in this, Christoph is listed as a "bastard." For the original gift of the Borcharding property see Landesarchiv NRW Abteilung Münster, Fürstbistum Münster, B 104u, Domkapitel Münster, Domkellnerei – Urkunden, 123.

<sup>53</sup> LNW-Westfalen, 518/519, Akten, Bd. 10b, Nr. 165-166 (11 Jan. 1541): "derhaluen wy vnd gemeine Lantschap billich bewegelt worden gemelten Schenckinge dath Erue vnd guth Buschorst genotuth Im kerspel to Oistbeueren vnd kerck[butschap] darsuluest gelegen so durch de Munstersche wedderdopische mishandlunghe verwirckt vnd vns vnd der lantschap verfallen."

To what extent did these properties retain identification with their previous owners – especially if their owners had been publicly and notoriously Anabaptist? The process of distancing a property from its previous owners was gradual, and the draft of the January transfer to Schenckinck illustrates this. Between the “forfeited by...forfeited to” language that remained in the official copy, a short phrase both identified the property with its previous owner and indicted his actions: “thus forfeited by...the unfaithful departed Kerstien Kerckerinck.”<sup>54</sup> This unfaithfulness connotes disloyalty more than it does heterodox belief, an ambiguity that both demonstrates how intertwined the betrayal of the political community was with the religious and perhaps allowed for some dissimulation regarding the nature of Kerstien’s actions.

It is possible to read his early, practically merciful death by beheading as a consequence of a contemporary understanding of his actions as *treasonous* but not heretical. If the Prince-Bishop was willing to entertain these distinctions, much of the later Kerckerinck agitation might be seen as a fight to separate the religious stain of Kerstien’s actions from his admitted political hubris. Popular narratives about religious culpability in Münster dominated what might otherwise have been understood as self-interested political ambition – and though sins such as greed or concupiscence might not have been exclusively associated with Anabaptism, their secular dimension was entirely eclipsed by the enormity of the religious deviance they implied.

In any event, this loss prompted an elongated fight by Bernd, who spent most of the next decade attempting to recover this particular property. Case records indicate that this effort began in 1540, even before the official handover of property to Schenckinck, but it took a significant amount of time to mount the case in full. A letter presenting the case in 1549 fully acknowledged

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<sup>54</sup> LNW-Westfalen, 518/519, Akten, Bd. 10b, Nr. 175 (1541): “So durch de <sup>Munstersche</sup> wedderdopische mishandlunghe vnd vntuwe [ ] wilant Kerstien Kerckerincke verwerckt vnd vnss g.h. vnd der lantschap verfallen, mith siner tobehoir vnd nutzunghe.”

Kerstien's Anabaptism: he "had so unfortunately fallen into the bitterness of Anabaptism and perished." Bernd, however, continued to protest his own innocence and loss of rights that had resulted from the process of dispossessing the departed Kerstien.<sup>55</sup>

By 1549, Bernd and his lawyers had assembled a full case against both the Prince-Bishop's commission and Hinrick Schenckinck.<sup>56</sup> In an initial presentation of the argument, Bernd narrated the marriage of his parents, the rightful inheritance of the five children, and the cloistering of his two sisters.<sup>57</sup> He covered his brother Kerstien's marriage to Katharina Brockmann and their brother Gerd's death. As this suit is focused on the Erbe Buschhoff, Bernd was careful to clarify that this particular property had been left by his father in order to support his mother in her old age, and should have rightfully passed to Bernd, as the oldest son, after her death.<sup>58</sup> Bernd readily acknowledged Kerstien's Anabaptism, but described it as a spousal decision in which Katharina was complicit. In those "short crazy years," it was "the married couple" who had participated in the Anabaptist rule over Münster.<sup>59</sup> Bernd's characterization of their spousal Anabaptism is notable; even as he bemoaned the "tribulation and suffering" that

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<sup>55</sup> LNW-Westfalen, 518/519, Akten, Bd. 10b Bl. 276-278 (1549/1550): "vth orsake myns broders Kerstiens Kerckeryngs, ßo leider In de ver[b]jisterung der wedderdoep gefallenn vnd vmbkommenn, des ick yo byllick nycht entgelden solde, als de genne, de sulchs handels vnschuldich vnd mynes broder vndaeth, my an myner angedeiltenn erffnysße myt reddenn, nycht mach nadeilich ßynn, derhaluen ock I.F.G. myne clage vnnnd rechticheit myner vnschult myt gnaden ansehen, vnd my to vil malenn guiltige dage bestempt, dat ick myt denn verordentenn, I.F.G. vnnnd duss Lantschap, to den wedderdoeper guderenn, tor entschap myner clagghe solde verhopenn, vnd to mynen ghude gestadeth werdenn, dathiny allet to mynen mercklighenn schaden verschorttet, vnd vann tidenn to tydenn vertogenn, hebbe ock to mher tidenn, myne frunde bearbeideth vnnnd vorgeuelich bemoyenn mothenn, verhoppe my doch tho godt vnnnd I.F.G. de werdenn my nycht rechtloisß Lathenn."

<sup>56</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 279-282 (1549/1550).

<sup>57</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 279r.

<sup>58</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 280r.

<sup>59</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 280r: "in kurtz verruckten Jaren zu Munster leider der eheleuthe vnchristliche vnd moitwillige handel dess widderrtaufs (wie am thage vnd Jederm bewust) entstanden."

Kerstien had brought upon himself and their mother Engele, Bernd's condemnation of Katharina was equally clear.<sup>60</sup>

A larger section of his argumentation, however, returned to the issue of his mother's frailty and the ways in which her physical state affected both her mobility during the Kingdom and any subsequent culpability. As an "old sick and weak woman," she had long been essentially homebound, "as her neighbors and others are sufficiently aware."<sup>61</sup> This was connected to the common narrative of limited ability, and thus limited culpability, to which the Münster council had appealed in their letter on Bernd's behalf. But here, the suit argued that the aged and the sick had had no choice but to remain in the Anabaptist city, and were, in some cases, subsequently "forced" to accept a second baptism.<sup>62</sup> The notion of forced second baptisms even further complicated the commission's process and threw open the door for a variety of mitigating arguments to be made. Few other references to forced baptism exist, explicitly, but the widow of Godefried Wernecken may be another case. Kerksenbrock reports that the Werneckesche "was so impeded by obesity that she could neither walk nor get into a cart, and for this reason she remained in the city." The baptism that she subsequently took from Bernard Rothmann was presented as against her will and on pain of death: "If, then, you want to re-baptize me, re-

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<sup>60</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 280v: "Item dass auch bemelte Engel die mother den abfall gedachten Kerstiens Irs sonss vnd das er sich in solche verdampfte secte des widdertauffs ergeben zu mehe maelen beclaigt vnd des keinen geringen treibsal vnd leiden gehabt."

<sup>61</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 279v: "gemelte Engel de mother eine althe kranck vnd swaiche frauwe gewest also das sie in mannichen Jairen zu stege vnd straißen nicht hatt konnen gehen noch wandelen, wie Irenn nachbarn vnd anderen genoichsam bewust vnnd am thage."

<sup>62</sup> LNW-Westfalen, 518/519 Bd. 10b, Nr. 281r: "Item das in zeit solches antriebens, etzliche alte vnnd krancke leuthe, beide mhanner vnd frauen alters vnd krankheit halben (die doch berurter secten dess widdertauffs mit nichte angehangen) in bemelter stadt verblieben, vnd als zu der widdertauff vmb pillichen vorten des doits genottiget vnd getzwongen wurden."



baptize me in the name of one hundred devils, since I was baptized for the first time in the name of God.”<sup>63</sup>

But had Engele been compelled to take a second baptism? Bernd claimed that she had been forced to stay in the city, “because she could not escape,” but insisted that, despite being surrounded by heresy, she persisted in her conformity to Catholicism and in the taking of the sacraments.<sup>64</sup> She and Bernd had eventually escaped together in early 1535, apparently *without* a forced second baptism.<sup>65</sup> It is odd that Bernd would have raised the specter of a second baptism unnecessarily, and it may have been that rumors continued to circulate about nearly every citizen who had remained, for whatever reason, inside the besieged city. What had happened inside the city of Münster during the reign of the Anabaptists was unclear, and this opacity allowed competing culpability narratives to arise. This reasonable doubt, in turn, gave wealthy families the latitude to contest dispossession related to charges as serious as sedition or heresy.

These initial articles spurred a judicial investigation that would not be resolved until 1556.<sup>66</sup> Bernd’s main argument stems from his previous possession – the notion that the courts were wrong to confiscate the property in the first place, when “he and not Kerstien had been in

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<sup>63</sup> Kerssenbrock, 518; mentioned in Kirchoff, *Die Täufer in Münster 1534/1535*, Nr. 740, 260.

<sup>64</sup> LNW-Westfalen, 518/519, Bd. 10b, Nr. 281r: “Item das vnther andern gedachte Engel Kerckerinck de moither, alters vnd krankheit halben (dahe nnt sie die zeit beladen gewest, in berurter stat Munster (deweile sie nicht hait entweichen können) on Iren willen vnd consent leider verbliebenn”; “Item das fur vnd nahe berurter anstreibong (so in der stadt Munster wie obstehet beschehen) bemelte Engel sich alle zeit myt bichten sacramenten zu nemen, vnd anders nach dem gemeynen prauch vnd gewonheit der heiliger Christlicher Kirchen vnd vnser fur altheren gehalten.”

<sup>65</sup> LNW-Westfalen, 518/519, Bd. 10b, Nr. 281 r/v: “Item das gedachter Berndt kerckerinck vmb sulchen moitwilligen handel des widdertauffs zu entweychen myt vil anderen frommen leuthen, die stadt Munster sampt seiner althen vnd krancken moither (das Ire keyne gerige beschwerinss gewest) gelaiszen vnd dair von getzegen auch ausserhalb berurter stat geblieben, best deselbige widderumb durch gnade des almechtigen eroberth vnnid ingenomen wurden.”

<sup>66</sup> LNW-Westfalen, 518/519, Bd. 10b Bl. 283-298 (1549, 1559, 1540-1556).

possession” of the property that had been transferred to Schenckinck approximately ten years before.<sup>67</sup> Witnesses were called to testify, and gave records of their sworn allegiance, rents owed, and to whom these rents were paid. Several them seem to have only dealt with Engele, which worked against Bernd – as the property remained in the possession of Hinrick Schenckinck.

As the many petitions, letters, and filings of these early Kerckerinck cases show, both participation in rebellion and the act of re-baptism could be disputed as evidence that one was an Anabaptist, and deserved the punishment of an Anabaptist. This was true even in the extremity of a case like the Kingdom of Münster – or perhaps, especially in the case of the Kingdom. If Kerstien Kerckerinck was a fearful example of a rebellious Anabaptist, then his mother was nothing so shocking in comparison. If men had driven the city into disaster, then the many women who lingered behind to protect their family’s property were only marginally culpable. The dual definition of Anabaptism had been pushed to its most dramatic iteration, and as a result the room to negotiate its deployment had only increased. Even the Kerckerinck family, so close to this prominent Anabaptist involved in the administration of the “uproar,” could protest the ways in which his punishment had affected them. Their own beliefs and culpability were always within the scope of the investigation, but rumor and reputation could be deployed in their own defense as easily as those same corrosive narratives had been deployed against them.

### **Reducing culpability: sowing doubt from further afield**

The confiscation of Anabaptist homes and goods took place as early as February of 1534 throughout the wider Münsterland, wherever Prince-Bishop Waldeck had reason to believe Anabaptists had left property in order to take part in the Kingdom; records from at least

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<sup>67</sup> LNW-Westfalen, 518/519, Bd. 10b, Bd. 10b 284r: “de eue von vader vnnd moder togedeilt synt, vnnd he vnnd nicht Kerstien ynn besytt gehadt, vnnd gebedenn daat he in solchenn besytt gelatenn mochte werden.”

seventeen separate communities attest to homegrown, known Anabaptists and their confiscated or disputed property.<sup>68</sup> The problem Waldeck encountered in this more widespread confiscation, however, was enforcing his will on outlying communities. Indeed, Waldeck's campaign to root out any remaining Anabaptists or sympathizers stretched from the summer of 1535 through 1538. Though he asserted his right to confiscate all property according to the imperial constitution, in places where he enjoyed less direct influence community members proved reluctant to disrupt inheritance patterns. In nearby Coesfeld, for instance, 35 houses were confiscated, but Kirchhoff describes a population slowing down the process of resale and perhaps even allowing relatives to occupy homes without deed or payment, uneasy with the idea of profiting from families already at a disadvantage.<sup>69</sup>

By the summer of 1536, ramifications came for Münsterite sympathizers as far away as Essen.<sup>70</sup> One major court case exemplified the surprising ability of accused Anabaptists to contest their dispossession. The lure of the Anabaptist Kingdom had attracted both adherents and mimics in neighboring communities, and their return to abandoned homes was fraught. Heinrich auf dem Berge of House Horl, field marshal in Essen, laid out his experience in a voluminous 1557 imperial chamber court case. This suit was unique in that Heinrich was both the accused Anabaptist and the plaintiff, and brought the case against his brother-in-law, Adolf von Steinhauß, and his sister, Stephana, for violently taking over his home while he was absent during the years 1535-1536. Though Heinrich's wife was also accused of Anabaptism, it was Heinrich's departure from his home, lengthy imprisonment and confession that occupied the

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<sup>68</sup> Kirchhoff, "Die Täufer im Münsterland," 21-26.

<sup>69</sup> Karl-Heinz Kirchhoff, "Die Wiedertäufer in Coesfeld," *WZ* 106 (1956), 143.

<sup>70</sup> Kirchhoff, "Die Täufer im Münsterland," 50.

majority of witness testimony; his alleged second baptism was essentially re-litigated in his attempt to regain familial property.<sup>71</sup>

A statement attributed to Heinrich and dated 1551 introduced the crux of his disagreement with his sister and brother-in-law,<sup>72</sup> namely that Adolf Steinhaus (in 1535/36 while Heinrich was “absent”) raided his sizeable property with an array of men on foot and on horseback, causing Heinrich “much disadvantage and grievances against all justness of both spiritual and worldly law.”<sup>73</sup> The estate, named House Horl, boasted a number of assets that had been taken: “cows, calves, pigs, silver dishes, clothing...money, silver, gold, debts, rents, and feudal letters.”<sup>74</sup> In the letter accompanying this document, Heinrich identified himself as an “impoverished noble.”<sup>75</sup> This informal, violent dispossession had thus somehow stuck. Heinrich had been unsuccessful in gaining back the full measure of his material goods in the intervening decade and a half – and there is some suggestion that the house itself, and the accompanying mill, had fallen into disarray under Adolf and Stephana’s care.

The court began its active inquiries in 1557 by calling an imperial chamber court commission, which was administered by Cologne electoral court commissioner Heinrich Averdunck and which took place in a parish church in nearby Borbeck. Heinrich’s lawyers laid

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<sup>71</sup> LNW-Rheinland, Reichskammergericht [RKG] B 739/2798 Nr. 322, “Begnadigung für den Kläger,” Bl. 27.

<sup>72</sup> LNW-Rheinland, RKG Nr. 322, 51r.

<sup>73</sup> LNW-Rheinland, RKG Nr. 322, 51r: “Ich Heinrich vff dem berg Erbmarschalck deß Loblichen Stiffts Essenn Bekenn mit disem brieff vnd thun kunth allermeniglich, nachdem der Edell vnnd rest Alf Steinhauß mir zu hohem nachteil vnd beschwerd[en] wider alle billicheit baide geistliche vnnd weltliche Recht”

<sup>74</sup> LNW-Rheinland, RKG Nr. 322, 51r: “Inn meinem abwesen in mein [eigne] [beha]usung zum horl genant aigen ge[w]altigen furnemens gefallen, alle meine hab so [ ] [ ] [ ] [ ] [ ] Inn steen vnnd ligen gehabt, als k[h]ue, kelber, schwein, silbergeschir, klaidler, khlei [ ] [ ] [ ] [ ] gelt, silber, golt, schuldt, zinz, vnd lehenbrieff an sich gezogen vnnd gewaltigliche[m] [neh]men, alles unerlangt vnnd vnerfolgt rechtens aigen vnnd gewaltigs furnemens, diew[eil] aber solch freuenlich gewaltsame, vnnd vngepurliche handlung mir abgedachten.”

<sup>75</sup> LNW-Rheinland, RKG Nr. 322, 52r: “Ich armer vom Adell.”

out, in the first set of preemptory articles, their formal legal charge against Steinhaus, Stephana and their confederates: the breaking of public peace [*fractae pacis* or *Landfriedensbruch*]. This was a particularly strong way to frame what might otherwise be labelled a family dispute, however violent; in 1495 the Diet of Worms had established the principal of an empire-wide ‘Perpetual Public Peace,’ and had simultaneously founded the Imperial Chamber Court precisely to realize and uphold this social contract.<sup>76</sup> Heinrich therefore appealed to the promise of a general public peace as enshrined in imperial law, and delineated specifically the right to retain one’s noble estate, lands, seals and letters of status against violent incursions by others.<sup>77</sup> He and his lawyers continued to lay out his case from this initial premise: he reiterated the material losses sustained,<sup>78</sup> and added that his “poor wife” had been “attacked and disturbed.”<sup>79</sup> Unsurprisingly, he avoided any mention of re-baptism.<sup>80</sup>

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<sup>76</sup> Siegrid Westphal, “The Holy Roman Empire of the German Nation as an Order of Public Peace,” in *German History*, 36:3 (Sept. 2018) 401–414. Earlier Anabaptist scholarship has pointed to the problem of lower-class resistance with regard to the peace; Peter Blickle pointed to the backlash against the *Bauernkrieg* of the mid-1520s as an iteration of the empire’s fear of violence and subsequent crackdown on similar movements of popular protest. Peter Blickle, “The Criminalization of Peasant Resistance in the Holy Roman Empire: Toward a History of the Emergence of High Treason in Germany,” in *The Journal of Modern History*, Vol. 58 (Dec., 1986), 88-97.

<sup>77</sup> LNW-Rheinland, RKG Nr. 322, 103v-104r: “1. Erstlich setzt vnd sagt Anwalt deß Clegers whair vnd In den gemeinen beschriben Rechten deß heilligen Reichs ordnung abscheuh vnd auß gekundt landt friedenn statlich versehen, vnd geordnet sein daß niemanth waß wurdenn standts oder wesens der sey vmb keiner vhrsachen willen, wie die nhamen haben mocht, Auch In waß gesuchten schein, daß gesche[e] den andern, aigens furnhemens vnerlaubts vnd vnerlangts Rechten, mit gewaltigen freuenlichen thatt vurgewaltigh In deß sein Ingefallen Schlosser, hauß hoff, herligkeit, Erbgut, Siegell vnd briue vnd anders Innhemens seiner possession Inhabens vnd gewer entsetzenn spoliren nach In ander wegh turbirenn, verhindernen, beschweren, oder belestigen Sond[er] ein Jeder den anderen vmb waß spruch od[er] furderung daß sein moge by ordenlich vnd geburlich Rechten bleiben vnd sich dessen settigen lassen.”

<sup>78</sup> LNW-Rheinland, RKG B 739/2798 Nr. 322, 104v: “6. Item whair daß ehr vnd die seinen an solchen auch nith ersettigt sonder sein Klagers kleider vnd klainet, Harnest Sigell vnd briue, gult vnd Rendth, vnd gerechtigkeit, betgewant, kue, vnd kelber, schwein, vnd sunst alles waß da gewest, thaitlicher weiß hinweg genomen.”

<sup>79</sup> LNW-Rheinland, RKG Nr. 322, 104v: “7. Item whair vnd damit nith ersettigt sunder auch jetziges Clegers arme Hausfraw vberfallen vnd genottrengt.”

<sup>80</sup> LNW-Rheinland, RKG Nr. 322, 104r: “2. Item whair vnd beweißlich daß der jegentheill vnangesehen dessen verschieder zeit Nemlich Im Jair sechs vnd dreissigh der we[i]nig zall In sein Clegers durch [E]hafte gescheftenn abwesen auf sein hauß vnd sloß zur Horle genant, vnder dem gebieth vnd aberfert deß Stiefts Essen gelegen mit etlicher zu fuß vnd roß vngestimmt vnd gewaltig thetlich weiß Ingefallen.”

Heinrich then went on the offensive with generalized accusations of “unchristian” behavior by Adolf and Stephana. Heinrich denigrated the couple as being “so horrid and unchristian...that the house servants, maids and laborers, in part took their leave and those who stayed with them, avoided them.”<sup>81</sup> To close this collection of articles, Heinrich reiterated the harm he had suffered due to Adolf’s alleged attack.<sup>82</sup> It was true that the “public peace was distastefully disturbed,” but more personally he had forfeited his property because of an unjust “breach of the public peace and outlawry.” These actions were, Heinrich argued, commonly understood as unacceptable.<sup>83</sup>

But the circumstances of Heinrich’s absence from House Horl – which had allowed the raid to take place – could not be avoided, and in his third set of preemptory articles Heinrich was compelled to narrate this period. Heinrich had been traveling through the duchy of Cleves, been apprehended by the duke’s forces, and was subsequently thrown into a tower in Dinstlaken. There he was accused of, and eventually confessed to, charges of re-baptism. He introduced a number of mitigating factors meant to deflect guilt, referring to himself as a “simpleton” (*Einfältiger*), and attributing the rush in which he left his home to his own naiveté (allegedly to

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<sup>81</sup> LNW-Rheinland, RKG Nr. 322, 104r-v: “5. Item whair daß ehr jegentheill vnd sein Ehemahell dermassen sich greulich vnd vncristlich gehalten daß hauß gesindt Maidtt vnd knecht zum theill verlaubt vnd wilche mit Inen zugefallen zu sich gemedt.”

<sup>82</sup> LNW-Rheinland, RKG Nr. 322, 105r: “12. Item whair daß der Jegentheill durch sollichen geubten gewalth den gemeinen beschriebnen Rechten deß heilligen Reichs ordnungh vnd außgekundt[,] landtfriden zuwidder gehandelth, Auch dem Cleger damith gewalth vnd vnrecht gethain diebrochen deß Landtfridens vnd Acht verwirckte vnnd sunst alles erlittenen schadens Interesse nachteils vnd kosten geburliche abtragt vnd Interesse mit erstattungh zuthun schuldich sy, auch dar In wureklich erklerth vnnd condemnirt werden soll.”

<sup>83</sup> LNW-Rheinland, RKG Nr. 322, 105r: “13. Item whair daß von diesen dingen ein gemein geschray.”

visit his mother in the diocese of Cologne).<sup>84</sup> He had been away from home long enough for Abbess Sibylle to have commissioned an inventory of his abandoned home in 1535.<sup>85</sup>

Heinrich attributed explicit bad faith to all of Adolf's actions in this episode. Adolf had apparently "suggested" to Heinrich during his imprisonment that he ought to "freely and publicly confess," in order to preserve his own life and potentially receive "mercy" [*Verschonung*] for his re-baptism, "about which he [Heinrich] was now guilty."<sup>86</sup> But, Heinrich asserted, Adolf had not truly been interested in his survival of a capital charge. Instead, Adolf knew "that when the confession of re-baptism publicly took place, that as the penalty or privation the plaintiff's parental goods must follow."<sup>87</sup> In other words, this had been a ploy to take control of Heinrich's estate – or, at the very least, it was a spiteful and advantageous manipulation of the circumstances. Heinrich and his lawyers were forced to acknowledge that this was the penalty ascribed by the 1529 mandate from the Diet of Speyer, but, in the course of this admission, drew a distinction between confession and act: "that when one is guilty of re-baptism (as the current plaintiff is not, when he had confessed as a simpleton in order that he could be released from

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<sup>84</sup> LNW-Rheinland, RKG Nr. 322, 107v: "5. Item daß ehr derhalb (doch vnuerschult[] sach) als ein einfoltiger erschreckt geword[en] vnd ghen Eill In daß Stift Coln zu seiner deß Clegers geliebter Mutter selligh biß ehr der sachen halber zuuerhoer zugelassen, vnd sich seiner vnschult verdedig[] mochte verriden willen, wie dan Beclacht sulchs fur nutz vnd Ratsam angesehen Vnd In dem auch deß abweichens, Ime Cleger m[ae]iß, wegh stegh, vnd zeitt benent."

<sup>85</sup> Essen was an imperial abbey, and part of the Westphalian imperial circle.

<sup>86</sup> LNW-Rheinland, RKG Nr. 322, 108r: "8. Item weither whair, daß ehr Beclachter arglistiger weiß Ime Cleger Inn der gefengknüß ers[u]cht, furgeschlagen, vnnd geratten daß ehr Cleger zuuerschoenungh seins leibs vnd gelieder die widerthauf (darannen ehr doch nun schuldigh gewesen) frey offentlich bekennen, solte auch vnd andern Ime sulchs In der gefengknüß zu geschriben oder zuschreiben lassen"

<sup>87</sup> LNW-Rheinland, RKG Nr. 322, 108r: "9. Item whair daß sie die jegentheill dardurch anders nith gesucht, wie auch auß solchenn allen scheinbarlich, daß wannehe die Bekanthniß der widdertauf offentlich verhanden, daß als dan die str[ae]ff oder priuation deß Clegers Elterlicher gutter volgen muß, In vngezweifelter hofnungh sie solten den Beclachten zutheill gefallen sein."

prison).”<sup>88</sup> Regardless, Heinrich had obtained some sort of reprieve from the Abbess in the years before the start of this suit – a further degree of safety that had perhaps motivated this attempt to restore familial property.

But Heinrich’s presentation of this situation was disputed in later testimony. In response to his eight preemptory articles, accusing Adolf of “malicious” advice,<sup>89</sup> Heinrich’s cousin Dietrich disputed the events surrounding his imprisonment.<sup>90</sup> Rather than advice from Adolf and Stephana, Dietrich claimed that it had been a letter that he himself had written that had proposed that Heinrich should confess to the charge of Anabaptism: “the witness had sent a letter to the plaintiff, the contents of which he had already referred.” Dietrich claimed he had “from a good and not false spirit written such, and sent this writing to the prison, that he for his salvation and sworn oath wanted to do this, these reasons and no other evil sentiment.” The letter had no signature or inscription, which shed some doubt on the authenticity of this testimony, but otherwise presented an alternative to Heinrich’s narrative of familial property theft.

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<sup>88</sup> LNW-Rheinland, RKG Nr. 322, 108v: “12. Item whair daß In deß heilligen Reichs constitution zu Speir aufgericht Anno [p] 29 der weniger zall heilsamlich vnd woll versehen, daß wan einer den widertauf schuldigh (wie doch Jetziger Kleger nith Ist dan waß ehr bekandt haidt ehr als ein einfeltiger damith ehr der gefengknüß erledigt mochte werden gethan) Iren Ir fall Bekenthen [ @ ] daß Ire vberigkeith nach gelegenheith Ires standts, wesens, begnadet, vnd Ire gutter widderumb Ingeb[ ] sollen werden.”

<sup>89</sup> LNW-Rheinland, RKG Nr. 322, 108r: “Item weither whair, daß ehr Beclachter arglistiger weiß Ime Cleger Inn der gefengknüß ers[u]cht, furgeschlagen, vnnnd geratten daß ehr Cleger zuuerschoenungh seins leibs vnd gelieder die widderthauf (darannen ehr doch nun schuldigh gewesen) frey offentlich bekennen, solte auch vnd andern Ime sulchs In der gefengknüß zu geschrieven oder zuschreiben lassen.”

<sup>90</sup> LNW-Rheinland, RKG Nr. 322, 153r-154r: “Ob ehr der zeugh die furbrachte zettell mit aigner handt geschreben, Anthwurt zeugh Jha. [...]. Ihr wehr gesacht vnd geraden durch etliche deß Furst[ ] zu Cleue @ dapfer vom Adell. So Henrich auf dem Berge Ihr Broder die angemaiste widderthauf, damith ehr befameth, verleuchnete vnd kein gestandt thete, alstan ehr vmb leib vnd leben kommen wurte, vnd derhalb solte [men] den Cleger Iren Broder vnderrichten, ehr der angelagter diffamatiönn der widderthauf nith leuchnete, sunder gestandt thedte, vnd gnad gebert, alstan solte seiner woll ra[i]dt sein, vnd sunst darauß vnd furangezaigter ohrsachen hab zeugh auß guthem vnd nith falschen gemuth sulchs geschreben, vnd in die gefencknüß die schrift vbersandt, daß ehr by seiner sehelen heill vnd gethanen eidt, ehr der vhrsachen, vnd keiner ander boser meinunh gethain, behalten will. Daß aber der brief nith vnderzeichnet oder darauf vfschrift geschreben @ hab zeugh dweill chr sich befurchtet, sulchs solte in fremde vnd bose hand[ ] kommen, hinderlassen.”



Heinrich's Anabaptism, however, was far from a settled subject. Following these and other preemptory articles submitted to the court by the plaintiff and defendant, the commission began gathering evidence in earnest through the interrogation of witnesses. The inquiry began with the normal questions about obligation, loyalty, prejudicial bias and potential witness tampering. After six of those, however, the first case-specific question dealt with Heinrich's connections to Anabaptism:

If the witnesses were not aware and had heard the same, at the time in preceding years [when] the heretical uproarious Anabaptism had torn apart the German nation, that Henrich auf dem Berge, plaintiff, had let himself be seduced away from the old true Catholic Religion, accepted the Anabaptist sect and let himself be baptized for a second time.<sup>91</sup>

This presented a common definition of Anabaptism, the second baptism, but made explicit a tiered process of Anabaptist "seduction" – a move away from accepted beliefs, introduction to another community and set of communal beliefs, and, finally, the second baptism. By unpacking this process, interrogators left room for witnesses to respond to Heinrich's incriminating inclinations and associations, and not just the observation of a second baptism. Additionally, it did not specify a location where Heinrich's Anabaptist activities were to have taken place, but it linked them the "uproar" that occurred in "the German nation." This phrase has both a spatial and temporal connotation – the Anabaptist Kingdom of Münster.

Though Heinrich's connection to Münster was not always clear, mentions of the city arose sporadically throughout witness testimony. The general descriptor of the Kingdom of Münster was the aforementioned euphemism: "the heretical uproarious Re-baptism."<sup>92</sup> It is only

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<sup>91</sup> LNW-Rheinland, RKG Nr. 322, 127v: "{Spetialia 7. 1.} Item ob nith dem zeugen bewust vnd derselbigh gehoerth als dae verschiener Jarn die ketzerische vffrurische widderrhauff In teuscher nation Ingerissen daß Henrich vf dem Berge der Cleger sich verfuren lassen von der alter warer Catholischer Religion abgestanden die widderrtheuffische sect angenommen vnd sich anderwerff thauffen lassen."

<sup>92</sup> LNW-Rheinland, RKG Nr. 322, 128r: "10. 4. Item ob dem zeugh nith bewust vnd derselbigh gehoert daß hoechgedachte Ebtissin durch solchs alles verurs[a]gt daß hauß Horll durch Irer g diener Im Jair funf vnd dreissich

in a later round of witness testimony, much further into the case documents, that we see the connection jump from suggestive to explicit. A witness articulates the link: “the current witness ... says it was (his recollection) in the year thirty-five in the time when Münster in Westphalia was being besieged, the heretical Anabaptism was also tearing apart the diocese of Essen.”<sup>93</sup>

This links the Anabaptism in which Heinrich was supposedly complicit to the Münster Kingdom, but does not indicate that he was traveling with intention to migrate to Münster, as many did, or attempted, while the city was besieged. Yet this would not have distanced Heinrich from the stain of the Kingdom, either in the eyes of other Anabaptists or of those who feared Münsterite leader Jan van Leiden’s global ambitions.<sup>94</sup>

It is perhaps the gravity of these larger implications which prompted caution in the responses of witnesses. Returning to the first special question – “that Heinrich auf dem Berg the plaintiff let himself be seduced from the old true Catholic Religion and accepted the Anabaptist sect and allowed himself to be [re-]baptized”<sup>95</sup> – we see the care with which accusations of

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vngeferlich Innhemen die guit[] Inuentieren zu lassen vnd zum theill zu sich nemmen lassen auch zum theill auf dem Schloß Horll verlassen hath.”

<sup>93</sup> LNW-Rheinland, RKG Nr. 322, 488v-489r: “Anfencklich setzt vnnd saigt wair sein als verschiener Jairn die ketzerische vffrurische Widerthauß in Teutscher Nation ingerissenn @ Gegenwurtiger zeugh mit geburlichem fleiß examiniert, Sagt es sey (seines behaltz) Im Jair der Weiniger zall funff vnnd dreissigh als Munster In Westphalenn der Widerthauß halben belegert gewesen, die ketzerische Widdertauß auch Im Stiffß Essenn Ingerissenn vnnd zuu derselbiger zeit hab ehr zeugh vngeferlich drei Jairlanck auff dem hause Bergh Im Stiffß vann Essenn gelegenn, gedhienet, Wilches houses Inhaber sampt etzlichen andern personen daselbst[,] domails beruchtigt gewesen, als solten sie anderwerb gedeuffet sein, hab auch auf gedachtem Hauß zur selbiger zeit gehort, Das Henrich vff dem Bergh Cleger zuu dere zeit anderwerff gedeufft sei wordenn, vnnd anders hatt ehr sich vber dissen articull nith entrichtet.”

<sup>94</sup> Though emissaries from Münster had been largely unsuccessful in their attempts to spread Anabaptism in the countryside around the city, they had made progress in the nearby territory of Jülich which was united with that of Cleves. Additionally, a generalized apocalyptic anxiety imbued even small, disparate groups of dissenters with global ambitions, and it is therefore unsurprising that Heinrich’s participation in some sort of community of Essen Anabaptists was mentioned as potential culpability in a much larger scheme, especially when combined with his travel.

<sup>95</sup> LNW-Rheinland, RKG Nr. 322, 127v.

Anabaptism had to be articulated, and what implications individual witnesses brought to ‘rumor.’ The first witness, the aforementioned cousin Dietrich, could not speak to the truth of Heinrich’s Anabaptism, only that he had “often heard the content of the query from common rumors, but otherwise he knew nothing about it.”<sup>96</sup> (A strange comment indeed for a cousin who would later claim to have written a letter containing advice on Heinrich’s confession.) Other witnesses echoed a similar familiarity with the charge. One acknowledged that he had heard what “other people” said;<sup>97</sup> another alluded to rumors but nothing more;<sup>98</sup> others had “probably heard it said”;<sup>99</sup> one declared that “the people of this place had talked about the content of this query, and there had been rumors,” but “whether what is in the story is true, the witness is ignorant”;<sup>100</sup> and finally, the most exculpatory testimony a witness offered: that although she had heard the common opinion she, “does not think it is true.”<sup>101</sup>

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<sup>96</sup> LNW-Rheinland, RKG Nr. 322, 151v: “Vff daß sebende fragstuck Im gezall vnd daß Irste specal diß anfangs Item ob nith dem zeugh bewust @ der zeugh fleissigh gefragt anhwurt ehr hab oftmall Inhalt deß fragstucks auß gemeinem geruchte horen sagen, sunst wisse ehr nichtz dauon.”

<sup>97</sup> LNW-Rheinland, RKG Nr. 322, 157r - 157v: “Vf daß siebende Im gezall, aber das Irste speciall fragstuck diß anfangs Item ob nith dem zeug bewust @ der zeugh mit fleiß gefragt anhwurt Ime sey dauon nith bewust, aber hab Inhalt deß fragstucks von anderen leuthen horen sagen.”

<sup>98</sup> LNW-Rheinland, RKG Nr. 322, 175r: “Vf daß Irste, Im gezall daß sebende, beginnendt Item ob nith dem zeug bewust @ anhwurt zeugh ehr wisse aigentlich nith dauon zu sagen, hab vberst sulchs wol gehoert.”

<sup>99</sup> LNW-Rheinland, RKG Nr. 322, 182v: “ehr wisse nichtz dauon, dan ehr sulchs woll horen sagen.”

<sup>100</sup> LNW-Rheinland, RKG Nr. 322, 193v: “Vff daß sibende Im gezall aber daß Irste speciall fragstuck beginnendt Item ob dem zeugen @ anhwurt zeugh fleissigh gefragt, ehr wisse nichtz dauon, dan ehr hab woll gehoert fur etlichen Jaren, daß die leuthe deß örds von inhalt deß fragstucks gesagt, vnd aldae geruchtich gewest. Ob eß In der geschicht whair, Ist zeugen vnkundigh.”

<sup>101</sup> LNW-Rheinland, RKG Nr. 322, 209r: “Vff daß irste sunderliche fragstuck beginnendt Item ob dem zeug bewust @ zeugh sunderlichs fleiß gefragt anhwurt sie hab sulchs wie In dem fragstuck, woll horen sagen, aber gleubt nith daß Ist wair sey.”

The third special question focused on the problem of Heinrich's movement and the circumstances of his departure: that he traveled out of Essen and into the jurisdiction of the Duke of Cleves, who had taken notice of him, taken him into custody, and imprisoned him in a tower.<sup>102</sup> All witnesses were asked about this period, but only some linked his arrest and extended period away from House Horl with his alleged Anabaptism. Balthasar Kuster had heard "from common rumor" that Heinrich had indeed been accused of Anabaptism, and had for that been imprisoned by the Duke of Jülich-Cleves.<sup>103</sup> Both Engell Schomeckersche and Aleke im Heckede mentioned Heinrich's travels in response to this third specialized question. Engele stated that "she did not know the reason that the plaintiff went away from his house Horl," but that he had indeed been imprisoned in a tower and had been accused of Anabaptism.<sup>104</sup> Aleke responded similarly, noting that she knew Heinrich had traveled through the Duchy of Cleve, had been imprisoned, and that "she had heard [the imprisonment] had been for this reason, he had been notorious for being re-baptized, and knows nothing else."<sup>105</sup>

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<sup>102</sup> LNW-Rheinland, RKG Nr. 322, Third specialized question: "9. 3. Item ob nith dem zeugh bewust vnd derselbich gehoert daß ermelter Cleger hoechgedacht Ebtissin furhabens Innen, worden, daß ehr do auß Irer g hoichheit vnd gebe[i]th gewichen Ins landt von Cleue, vnd als der Hertzogh von Cleue dessenn auch Innen worden, daß do ire Frstlich g Henrich auf dem Berge den vermeinten Cleger gefencklich annhemem, vnd In ein [t]orn zu dinstlaken leggen lassen."

<sup>103</sup> LNW-Rheinland, RKG Nr. 322, 162v: "Vf daß neunte in ordine vnd dritte sunderliche fragstuck diß anfangs It ob nith dem zeugh @ anthwurt zeugh fleissigh vnderfragt, ehr der zeit auß gemeinem geruchte gehoirt vnd vernhomenn daß nachdem, Henrich auf dem Berge der Kleger mit der widderthauf befampt auß der hocheit vnd gebeide hoichgl Ebtissinnen zu Essen In daß Landt von Cleue geweichen, vnderwegh auß befelh vnd bestellungh hoichgl Fursten zu Cleue gefenglich angenhomen vnd In dem thurnb zu dinxstlachen eingezogen."

<sup>104</sup> LNW-Rheinland, RKG Nr. 322, 206r/v: "Vff daß dritte beginnendt Item ob nith dem Zeug bewust @ zeugh wie fur gefrag[t] anthwurd sie wisse nith waß ohrsachen der Cleger, von seinem hauß Horll verreiset, dan sie wisse woll daß ehr auf dem wege zu Dinxlachen durch hoichgemeltz Fursten zu Gulich @ dheiner vnd Befelhaber In dem Thurn daselbst gefencklich eingezag[] vnd hab woll gehoert, sulchs derhalb geschehen, daß ehr Cleger mit der widderthauf befämpt gewesen"

<sup>105</sup> LNW-Rheinland, RKG Nr. 322, 209r/v: "Vff daß dritte sunderlich fragtsuck diß anfangs Item ob nith dem zeug bewust @ anthwurt sie wisse daß der Kleger auf der Reise nach dem Lande zu Cleue durch hoichgl F. G. dheiner od[er] Befelhaber ghen Dinxlachen In den Thurn gefencklich gezogen, vnd zeugh hab eß gehört, daß eß darumb, ehr mit der widderthauf beruchiget, geschehen sei, vnd weiß sunst nith anders."

As much as Heinrich tried to distance himself from the confession he had made, rumors about his second baptism persisted. In 1562, five years after this first round of testimony was gathered, a new commission formed in the collegiate church of St. Andreas in Cologne, calling new witnesses and refocusing on Heinrich's wife as a potential source of the couple's Anabaptism.<sup>106</sup> Heinrich's wife, Grete Tewes, was already suspect because of her socio-economic status: one new witness testified that "it was true that the Plaintiff had married a woman born a peasant, however if she had been faithful to the anabaptist sect, such he does not know."<sup>107</sup>

Another witness in this round of testimony began with comments on Heinrich's Anabaptism: "he said that he heard, had for several years from common rumors and from many people in the Borbeck parish and in his dwelling, that the plaintiff Heinrich auf dem Berg had surrendered himself to re-baptism and had let himself be baptized for a second time."<sup>108</sup> This witness expanded on the connection between Heinrich's imprisonment and the loss of his property, detailing especially the movable goods in the home which were apparently taken to Borbeck. But he also clarified that it was Heinrich's marriage to his wife that added to

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<sup>106</sup> LNW-Rheinland, RKG Nr. 322, Protokoll einer RKG-kommissarischen Untersuchung durch RKG-Kommissare und den Kölner Hofgerichtsprokurator Rutger Horst in der Kollegiatkirche St. Andreas in Köln, 1561 (221-512).

<sup>107</sup> LNW-Rheinland, RKG Nr. 322, 318v: "Aber den drntzehendten vnd letzten additionail ader declaratif articull des Achten defensionails anfaheendt: Item wair das der Cleger sich auch mit einer beurischen widderteuffern verheiratet hat @ Offtbenenter zeughmit geburlichenn fleiß vnderfraigt. Sagt es sey whair das Cleger sich ann einer geborne baurin verheirat hab, ob sie aber dere widderteufferischer Sect anhengich gewesen, sulchs sey [Imeten]bewust, vnnd das deß Clegers Haußfrau ein geborne baurin sey, das wisse er auß vrsachenn das er derselbenn Elthernn gekant, vnnd das der vatter wilcher einer Abtissinne zun Essenn gekleiter From gewesen, Tewes von Gulp vnnd die Mutter Hill Tewes genant wordenn, Hatt sich auch hieruber nit anders entschlos senn."

<sup>108</sup> LNW-Rheinland, RKG Nr. 322, 322 r/v: "anfenglich gegenwurttiger zeugh vber den irsten gemelter Producentinnen defensionall artieull alsunst beginnendt Anfencklich setzt vnnd sagt wair sein als verschienner Jairn de Ketzerrische vffrurische widdertauff Inn Teutscher Nation ingerissen [rel] mit geburlichem fleiß examinert Sagt er hab vur etzlichenn Jairnn auß gemeinem gerucht vnnd vonn vielen leuthenn Im Kirspell Borbeck vnnd Inn seiner behausung gehortt das sich Cleger Henrich vff dem Bergh zu dere Widdertauff ergebenn vnnd ander werff teuffen hab laißenn vonn wem ehr aber sulchs gehortt kunne ehr dere zeidt verlauffs halber nit eigentlich antzeigenn."

Anabaptist rumors: “He said it was true that the plaintiff had been married to a peasant woman...that he had heard from common rumor that the mentioned plaintiff’s wife had also been an Anabaptist and so, with her landlord the plaintiff, had been taken prisoner in Dinstlaken.”<sup>109</sup> If both were rumored to have been Anabaptists, the timing, or influence of one over the other, was not clear.

And indeed, it was this lack of clarity that ruled the day. In a final summation of the witness testimony, the court declared that:

if [Heinrich] had adopted the Anabaptist sect and let himself be baptized again, it was not proved through any of the presented witnesses...if they unanimously testified that the plaintiff was notorious for such sects, so they had nothing for the plaintiff’s first article asking for the circumstance, the place, and the oath where and how the plaintiff had been re-baptized.<sup>110</sup>

Despite the seeming acknowledgement in the format of the questioning that Anabaptist sympathies may have shown themselves in associations, no specific acquaintances or meetings were testified to by witnesses. The witnesses, the court declared, had provided only information “heard from others and common rumor.” The court also agreed with Heinrich that the fault for his confession lay with Adolf and Stephana. Heinrich had become “known for his confession in prison,” which had been caused by his sister and brother in law’s “evil and malicious incitement.” They had also refused to provide for his bail, which, if others had not eventually

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<sup>109</sup> LNW-Rheinland, RKG Nr. 322, 326r/v: “Vber denn dreuzehndten vnd letzten Additionaill oder declaratoriall artickell des Achtenn defensionails alsunst beginnendt: item wair das der Cleger sich auch [undt] einer beurischer widderteuffern verhairat hatt @ Obgedachter zeug ernstlich verhört. Sagt eß sey wair das sich Cleger mit einer baurin dern Elternn Tewes vann Gulpenn vnnd Hilla Tewes gewesenn verheiratet hab, vnnd anders k[un]teer sich vber Weiterenn Inhalt dißes artickels nit entrichtenn. Furbehalten das ehr auß gemeinem gerucht gehört das gemeltz Clegers huißfrauw auch ein widderteufferin gewesen Vnnd derhalbenn mit Irem hauß wirdt dem Cleger zu Dinßlachen gefenglich geseßenn hette.”

<sup>110</sup> LNW-Rheinland, RKG Nr. 322, 519v: “Alß hette er die Widerteufferische Sect angenhomen vnd sich ander werz tauffen lass[en], ist durch kheinen der furgestellten zeugen wie eß sich zu Recht geburt, dargethon, dan ob sie woll einhelliglich Außgesagt Er Cleger seie solcher Secten beruchtigtgewesen, so hatt doch kheiner vff des Clegers fragstück bei gemeltem ersten artiel die vmbstendt, ort vnd Eidt, wo vnd wie er cleger, sich widerthauffen lass[en] auzeigen khunden, Ist Inen auch nichts weitters wißendtt dan daß sie von Andern vnd In geemin horen sag[en].”

stepped in, would have led to his “death and ruination.”<sup>111</sup> Similarly, Heinrich’s wife’s Anabaptism was deemed unusable by the court. She was indeed a peasant farm woman, but her Anabaptism was “not confessed by the plaintiff, and much less proven by the defendants,” and the court especially chastised the defendants’ witnesses in their “impertinence” in testifying against her.<sup>112</sup>

Heinrich’s confessed Anabaptism, regardless of later reprieve, was certainly a risky piece of personal history to bring before an imperial commission. But jurisdictional issues, proper inheritance issues, and the complexity of rectifying years of improper feudal obligations also took up a good degree of the suit.<sup>113</sup> Anabaptism was thus another tool Adolf could use to discredit Heinrich, and it may have worked if the connection between Heinrich’s abandonment of the property could be more firmly linked to Anabaptism. But without evidence for even the process of his “seduction,” let alone a second baptism, the court did not move against him. These cases, along with those geographically closer to Münster, display a pattern of re-litigated Anabaptism in the course of property disputes. Common constructions of rebellion and heresy come through in witness testimony, suggesting that court cases and lawsuits on a wide variety of topics were important sites for policing the boundaries of nonconformist behavior. Property was a potent motivator, but those accused of Anabaptism could sow doubt – and win.<sup>114</sup>

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<sup>111</sup> LNW-Rheinland, RKG Nr. 322, 520r.

<sup>112</sup> LNW-Rheinland, RKG Nr. 322, 525v-526r.

<sup>113</sup> Indeed, the aftermath of the case points again to larger issues of inheritance that may have been at stake for Stephana and Adolf – and to a family occupied with familial property disputes unrelated to Anabaptism. Another imperial court case followed: opened in 1566, this case lasted through 1575 and again involved property in dispute between Adolf and Stephana and, this time, other auf dem Berge siblings. LNW-Rheinland, RKG M 1051/2727, 1566-1575.

<sup>114</sup> Heinrich sues again the next year, in 1558, about another attack apparently stemming from the Abbess of Essen (not Sibylle). LNW-Rheinland, RKG B 740/2800.

## Disputing culpability: children of Anabaptists

Like those themselves suspected of Anabaptism, or the siblings and parents of identified Anabaptists, the children of Anabaptists disputed both their parents' participation in the "uproar" and their taking of a second baptism. The loss of familial property was devastating to anyone, but might have been viewed as particularly unjust as an intergenerational punishment. The full ramifications of being labelled, and expropriated, as an Anabaptists were only fully understood when the question of inheritance arose. The children of Münster Anabaptists followed the same pattern as their parents and other family members, contesting one or the other aspect of their parents' dual Anabaptist identity in order to make claims on familial property. Though success was limited, marginal religious identity was literally contested and contestable in court – and narratives of religious identity were put in service of the practical aims of property reclamation.

Some families sent children away during the Kingdom, undoubtedly both for their own safety and perhaps even to preserve something of their innocence or untainted reputation. Stine and Egbert Bertoldinck, for instance, had rushed their two children out of the city in February 1534.<sup>115</sup> The children of Godefried Wernecken had left at some point in 1534, and the property was eventually returned to a son-in-law.<sup>116</sup> Other children advanced claims, regardless of their own existence in the city during the Kingdom, that their *parents'* presence in the city was, again, due to age or infirmity. Katharina Bochorst was an ailing widow whose house had been sold to Bernd Boekman despite a claim made by her non-resident daughter; though the relationship between Bochorst and Boekman was undefined, he was allowed to keep the house and told to

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<sup>115</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 37, 103.

<sup>116</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 740, 260.



take care of both mother and daughter.<sup>117</sup> The modest estate of Johan Dirickman and his wife had been left with arch-marshal Gert von Morrien, as part of a payment-in-kind after the siege. In January of 1536 Gerd tor Slyke argued that the house had been part of his wife's dowry, and that her parents had only stayed in the city because of their age and illness.<sup>118</sup> Peter Grabbe of Hamm, also writing at the end of 1535 or the beginning of 1536, similarly argued for the restoration of a modest home that had been part of his wife's dowry. His in-laws had stayed in Münster, he argued, only because of their extreme old age, as his father-in-law Herman Overkamp had been over ninety and his mother-in-law, Gese, over one hundred. He claimed that neighbors should be able to provide further assurances that the couple had nothing to do with Anabaptism – but the commission also accepted the abjuration of the two, who were by good fortune still alive. Grabbe was allowed to take ownership of the home without additional payment, though he now owed a few yearly debts.<sup>119</sup>

Hinrich and Johan ton Brincke had been elsewhere during 1534, apparently of their own volition and indicating that the two were teens or young adults, but their parents had stayed because of their father's illness of his "body and legs." Their mother remained, therefore, to care for him, and they suggested that both were compelled to stay in the city against their will. Unfortunately, their father had died from starvation during the Kingdom.<sup>120</sup> The two sons wrote to the commission in January 1536, asking for the property to be recognized as their patrimony. The five daughters of Metter tor Woeste had not been in Münster at the start of the uproar in

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<sup>117</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 67, 109.

<sup>118</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 127, 122.

<sup>119</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 502, 204.

<sup>120</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 82, 113.

1534, and argued that their mother had been an old and therefore had to stay in the city with their underage sibling. Though they hoped to regain their individual portions of the house, the specifics had to ultimately go through Kilian Schulte, who had acted as a guarantor when their mother abjured Anabaptism, had bought the house back on behalf of the underage children, and lived in the house for the next decade or so. This may have been to raise the underage children, or it may have been a co-opting of inheritance the daughters thought was their own.<sup>121</sup>

These trickier cases often produced a number of letters petitioning either the Münster council or the Prince-Bishop to intercede on behalf of innocent children. Agatha Valckenberg was one such child. Her father, Peter Valckenberg, owned one house on Ludgeristraße which had been disputed in court as recently as 1532.<sup>122</sup> Peter Valckenberg's name does not appear in either of the two main accounts of the Kingdom, but he had been included on a list of 'Lutherans' before the Anabaptist ascended to power in 1534, suggesting sympathy to religious reform.<sup>123</sup> Agatha was ten years old at the time of the Prince-Bishop's conquest, but escaped the city sometime before the final violence. The only information we have on her journey comes from a letter written by the councilors of the city of Essen to the city of Münster in July of 1536, in which they asserted claims to her parental goods on her behalf. As one not "stained by re-baptism," they believed she had a right to claim property confiscated in the previous year.

The councilors in Essen emphasized her youth, and described her care (over, presumably, a good part of the past year) by a "pious citizen." It is unclear how exactly she made the nearly

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<sup>121</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 760, 264.

<sup>122</sup> StA Münster, Acta judicialia Nr. 107 (1532). For the titles and rents collected in the course of the dispossession, see LNW-Westfalen 518/519, Akten, Bd. 15, Beilage 6 and ÜW Nr. 65 and 518/519, Akten, Bd. 14, Ludg. Nr. 68, Nr. 84, and Nr. 86.

<sup>123</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 156, 128.

90-kilometer journey, and whether she arrived alone – though, as she was placed in the care of a stranger, it seems probable that no suitable guardian traveled with her. The Essen council understood that those who were innocent of Anabaptism might be reunited with their familial goods, although they may have been somewhat late to the restitution process by the time of their letter in the summer of 1536. In any event, they named her parents, Peter and Katrina, and hoped that she might be supported through the home and goods that she should have inherited.<sup>124</sup> As an underage child, this support most probably would have come through the sale of the home and the remittance of money to her caretaker in Essen. Though it is unclear whether any such remuneration took place, an unfortunate coincidence of timing might have derailed this plea. In mid May 1536, a man had been arrested in the city of Münster carrying messages to other Anabaptists.<sup>125</sup> In the course of his interrogation, he named a “Peter von Valckenberg, who is near Attendorn” as an Anabaptist. The man had contact with a community of Anabaptists in Essen, and was in the city to bring the children of executed Anabaptists back to that same community. This short but suggestive piece casts Agatha’s situation in an entirely new light; her journey may indeed have been chaperoned by a believing Münsterite, although the “pious citizen” was unlikely to have come Essen Anabaptist community.<sup>126</sup>

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<sup>124</sup> StA Münster, Ratsarchiv, A XIV Nr. 22 (17 July 1536): “dat bynnen der stadt monster eyne gemeyne oppenbaer vthsprake gescheyt solle syn, so wey dar vth gewecken ys yn veruchten tyden ind myt der wederdoepe nycht beflecket wer, sunderlynges dey tot oren mundygen jaren nycht synt komen mogen weder dar bynen erschynen vor sunte Johans dach yrst komende ind sollen wedr by oer erffguydre dar ter steden mit gnaeden kome Gunstige guyde frunde, ys eyne schemell medekyn vmb en trent van eluen iaren vth der stadt monster by vns kome er dey stadt vunß wort yngenomen, hebben wy durch barmherticheyt dat medekyn gn agatha by vns by eynen frome burger gedaen dar het erlyche ind yn froemheyt bys noch gehalden ys worden als eyne guyt christen mensche, verstaen wy dat dem selnygen medekyn etzlyche erffguydere ind huysere van synen aldern peter van falckenborch catrynen elnden angeeruet ys by sunte lutgers kyrchae gelegen is vnse frimtyche hede, v, er, dem gn<sup>ten</sup> medekyn [c] so vole mogelyck ys, furderlych syn by syne erffguydere ind huysere dar mog komen.”

<sup>125</sup> StA Münster, Acta criminalia (Kriminalakten), Nr. 174.

<sup>126</sup> The Essen community, mentioned in the previous chapter in relation to Heinrich auf dem Berg, had come under scrutiny in 1535/1536; LNW-Rheinland, Kleve-Mark, Akten Nr. 2868; Altsignatur Kleve-Mark XXV 42 a.

The Havickhorst children – Johann, Bernd, Margarete and Gertrud – also never opened a formal court case for their property, most probably because it was not entirely their own. Their home on Hörsterstraße had been deeded to the Bishop as a *Leibzucht* in 1426, meaning that an ancestor had given over ownership of the property in exchange for the right to live there and receive a small annuity for the remainder of their life.<sup>127</sup> It appears that the Bishop had allowed the Havickhorst familial line to continue living there into the sixteenth century, presumably without an annuity but also without any sort of deed or title. This prevented it from being formally repossessed in the aftermath of the Kingdom, despite the fact that Bernard Havickhorst and his wife Gebeke had both been identified as Anabaptists. Bernard appeared in the Kerssenbrock narrative as one of the original ‘deacons’ who had been charged by the first prophet, Jan Matthijs, to administer the common chest of confiscated goods during the early days of the Kingdom of Münster.<sup>128</sup> In the shuffling of property after the siege, however, administration of the *Leibzucht* was transferred to the cathedral chapter in 1536.<sup>129</sup> Yet by 1546 the situation had deteriorated. Some subset of the Havickhorst family, including the children, were finally removed from this property for “their apostasy to the Anabaptist sect” – later described in the letter as the “unchristian and damned sect of the Anabaptists” – though the children were to be given a different (unspecified) property.<sup>130</sup> That unspecified property never

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<sup>127</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 148; LNW-Westfalen, 518/519, Akten, Bd. 17, Reg. D, Bl. 5v: “Hauickhorstes d[an] bitte[n] lyfftucht.”

<sup>128</sup> Kerssenbrock, 530.

<sup>129</sup> LNW-Westfalen, Domkapitel Münster Domdechanei Urkunden Nr. 22, 9 December 1536.

<sup>130</sup> Mentioned in Kirchhoff, *Die Täufer in Münster 1534/35*, 148; the document should have been included in StAM, Domkapitel Münster Domdechanei Nr. 117, but is listed as missing/‘fehlt.’ May be what is included in StAM Domkapitel Münster Domdechanei Nr. 106: „tho Hauick/Horst vnd N sine eliche huysfrauve sich an dey[ff] vnchristlichen vnd verdampften secten der wedderdoper.”

came, however, and in 1551 Johann successfully sued for a *Freibriefe* to allow the children to remain on the property.

These letters give us a look into the possibilities for property reclamation by less wealthy homeowners, but paint a less vivid picture of the strategies deployed. The innocence of children was a powerful narrative tool, and the emotional injustice of expropriated, parentless children clearly moved authorities. Who could blame a child for the actions of their parents, especially if parents could already claim an insidious ‘seduction’ by Anabaptism? Yet the shuffle of property made it complicated to return homes and land once the children had been displaced, and especially if the displacement had been meaningful before the calamity of the Kingdom. The delay in petitions by children meant that their claims, however reasonable, were set against the reality that others would in turn be displaced by their restitution.

The Averdinck daughters found, similarly, how difficult it was to negotiate property that had since been occupied. Anna, Ursula and Sophia were underage during the Kingdom. Their father, Johan Averdinck, had died in 1532, and their mother Fye was an alleged Anabaptist.<sup>131</sup> Their familial property was a house and tavern nicknamed “die Stripe,” located in the center of the city on the main market square. All three girls had been sent to Cologne before 1534 to work as domestic maids, and though some effort was made to contact their guardians, no one arrived to claim the property in the year after the conquest. It was subsequently sold, at a very low price and in recognition of his aid during the siege, to mayor Bernd Boland in 1537. Yet as the

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<sup>131</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 11, 97. Elsewhere Kirchhoff lists ‘Hinrick Averdinck’ as an alias of Gresbeck, the author of the sole eyewitness account of Münster; Ernst Laubach clarifies that he lived under this name in Osnabrück. Laubach, “Habent sua fata libelli,” 32. I have not been able to confirm any relation to Johan, Fye, or their daughters.

Averdinck daughters matured and married, they and their husbands began to petition for the return of this coveted property.<sup>132</sup>

In a letter from the mid-1550s to the Elector-Archbishop of Cologne two of the daughters' husbands, Niclaus von Nuiß and Johan Schmidt, described the family's history. Their father-in-law had "held a Christian and Catholic faith," but after his death his daughters, "all three very young," had been sent into service in Cologne. The two men acknowledged the need, following the "damned activity of Anabaptism inside Münster," to confiscate both the moveable and immoveable goods of the Anabaptists, but argued that this property was erroneously confiscated in the chaos of post-Kingdom dispossession. The daughters had had no connection to Anabaptism at any point in their lives – although the husbands were entirely quiet about Fye's piety.<sup>133</sup>

This pattern generally held as the Averdinck daughters gathered allies. In a 1554 letter from the Archbishop's lawyer to the Münster council, he again emphasized the mistake of confiscating the property of someone who had "kept an honorable life and behavior and

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<sup>132</sup> Assessment of property: LNW-Westfalen, 518/519, Akten, Bd. 17, Reg. C, Lamb. S. 6 (22 June 1536). Sale to Berndd Boland: 518/519, Akten, Bd. 09d, Nr. 458 (6 September 1537, 7 April 1537). Kirchhoff, *Die Täufer in Münster 1534/35*, 97.

<sup>133</sup> StA Münster, Ratsarchiv, A XIV Nr. 27, Doc. 5 (undated, mid-1550s): "Das etwan in leben Johan Auerdungk der Stadt Munster gewesener burger baidere vnser Schweigerher selig gedachtnuß, sich Erbarlichs wandels, Christlichs vnd Catholischen glaubens gehalten, vnd darin biß in sein [][]de vnd todlichem abfall, welchs Im Jhar 32 der wenig zall beschehen, verblieben ist, der dann nach seynem absterbenn drey dochter mit Namen Annam Orsulam vnd Sophiam alle drey ganß jung hinderlaissenn die nach seynem todt gein Coln verschickt vnd daeselbst In deinstbarkeythen bestalt bissolang sie zo Iren tagenn komen vn deren zwohe an vns verheyrath sindt Als aber nuhn Im Jhar 34 die verdampfte handlung der widdertauff bynnen Munster sich so fern eingerissen vnnd vberhandt genommen, also das dieselbige vmb solicher verhandlung Im Jhaer 35 Durch das Romisch Reich ist belegt vnd ouch erobert worden, So haidt der hochwirdig Furst vnd Her, Bischoff zu Munster vnser Gnedig Her, aller verdampfter widdertauffer, beweyliche vnd vnbeuylliche gutter durch etliche verordenth ein[z]chen vnd abnemen laissen Nun hait abgemelter Johan Auerdungk seilig, seynen drien dochtern ein behaussung gnant die Stripe bynnen Munster am merck bey Steuenichs stege gelegen verlaissen, die dan die Munsterische verordenth gleichs den widderteuffer verwirckte gutter, auch eingezogen, dyeselbige behaussung den freundenn an statt der drien dochtern fur hundert goltgulden vnd anders nicht verlaissen wollen, vnd die also abgeschreckt vnnd verrens der armen kynderen (die doch sunst nicht aders von Ihren vatterlich[n] vnd Mutterlichen gutteren er erbt) In gar frembde handt vereussert vnnd verkoufft."

Christian Catholic beliefs.” He emphasized the innocence of both Johan and his children, who did “not want to be robbed of their bequeathed patrimony.”<sup>134</sup> An accompanying letter from the Archbishop himself described a hypothetical situation in which, had the girls returned to claim their inheritance, they would “have found another in that same house.”<sup>135</sup> The Archbishop goes on to suggest that this injustice against such piteous and innocent children would inspire horror in others, who would be alarmed to find that they could no longer rely on their legal title to hold onto familial property when no other offense could be proven.<sup>136</sup>

A final letter from the Bishop of Münster to the Münster council recommended the entire affair be investigated. The bishop seemed somewhat suspicious of the men acting on behalf of the Averdinck daughters, and the guardians who had apparently failed them in the immediate post-Kingdom period. He also addresses the complication of Bernd Boland, the former mayor, who had by this point owned and occupied the house for nearly twenty years.<sup>137</sup> In the end,

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<sup>134</sup> StA Münster, Ratsarchiv, A XIV Nr. 27, Doc. 6 (1554/1555): “In der zeit wie sich ewer gewesener vnd In godt verstorbener Bisschof Frantz Anno p xxxiiii der verthambter widderthauffer gutter angenha[n] men (vnangesehen sich doc dieser supplican husfrawen gemelter vatter, daher die Erbschaft khommen, vnd sie für sich selbst auch eins Erbarlichen leben vnd wandels vnd Christliche Catholische glaubens gehalten) mit eingezogen worden sei, claglich zuerkennen geben, Wie wir solchs Euch Inliggendt gnediglich thun vberschicken.”

<sup>135</sup> StA Münster, Ratsarchiv, A XIV Nr. 27, Doc. 7 (1 April 1555): “Als sie aber nach eroberung der Stadt Ire gutter widerumb einnehmen wollen, solten sie einen andere Imsolbigen haus befunden haben.” This document has the same text as the officially sealed document, #9 in this file, a “Confirmatio Monasterien” signed by the Archbishop of Cologne.

<sup>136</sup> StA Münster, Ratsarchiv, A XIV Nr. 27, Doc. 7: “Wiewol wir nit zweifeln Ir einem Jden zu dem Jhenigen, darzu er befugt, gern verhelffet, So haben wir Inen dochh, als die wir gern Inn allen billichen handlungen befundert sehen wolten, diesse vnsere furschafft an Euch, nit abschlagen mogen, Vnnd Ist an Euch vnser gnedigs begeten, Ir wolltt doch mitleidenlichen beherzigen, das es Ihr ein vnbillicher handel, da vilgemelte arme kinder also des Iren vnschuldighen, vnnd one einigen Rechtmessig Tettell, entsetzt werden solten. Vnnd denselbigen verhelffen. das sie des Iren widerumb, sambt aller empfangener nutzung, repituiert werden.” See also Ratsarchiv A XIV Nr. 27, Doc 10.

<sup>137</sup> StA Münster, Ratsarchiv, A XIV Nr. 27, Doc. 12: “Guitlich begeren, gu Iuw der saken gelegenheit wyllen erkunden, vnd Im falle sick befunde, dusse vormunder in behoff gerorter kinder, In dusser eren ansoken, befogt [ein] alßdann, by Iuwen verwandten Berndt Bolant, behulplich synn, se na der geboer mogen werden gestillet vnnd affgelacht. Dar sich auers der handell in ander wege erhelde, vns sulchs schriftlich wederumme to vermelden, gedachten vnser heren vnnd frundt vann Collen, darmede wedder to beiegen. Dusses synt wy to Iuw in guder touersicht, vnnd to erkennen geneigt.”

perhaps unsurprisingly given the longevity of his possession, Boland kept the property.<sup>138</sup> This was at least partially due to the issue of upending inheritance yet again, a problem the commission had foreseen in 1535 but had secured not clear legal protection against.<sup>139</sup>

In all of these cases, children were distant from the stain of their parents' Anabaptism, but able to further negotiate their inheritance claims by using the exculpatory discourses of age or illness, or sowing doubt as to their parents' guilt. These tactics were intensified by the perceived innocence of children, and the real disadvantage that losing familial property would create in the life of a young, potentially orphaned child.

### **Fighting back against inherited guilt? *wiedertäuferische Kinder***

Some children, however, inherited a stronger sense of guilt. These last two suits, which stretch across early petitioning and city bench trials to eventually encompass multiple Imperial chamber court cases, are exceptional both for their scope and their introduction of the category of "Anabaptist children" [*wiedertäuferische Kinder*]. Unlike other children of Anabaptists, the cases in which this term was deployed seemed to suggest an extension of culpability to children, largely because they had been present in the city during the Kingdom. Though they had not taken a second baptism, as believer's baptism was not administered until at least the early teens, and could not have reasonably participated in "rebellion," an uneasy tension lingered around their identity and prompted the most audacious new narratives concerning the guilt of parental Anabaptism.

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<sup>138</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 97.

<sup>139</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, 9.



Hans Edinck and his brother Engelbert the younger had been children during the Kingdom. Their father, Engelbert the elder, and mother, Anna Winterkamp, were both alleged Anabaptists, and Engelbert had served on the 1534 city council that ushered in Anabaptist rule. Engelbert Edinck, like Kerstien Kerckerinck, was prominent enough to appear in both Gresbeck's eyewitness account as another citizen fully committed to and complicit in the Kingdom of Münster as well as Kerssenbrock's later work.<sup>140</sup> Kerssenbrock identified him as a superintendent appointed to the brickyard, a royal attendant to king Jan van Leiden, and eventually an appointed 'duke' who was to be given the territory of Brabant and Holland.<sup>141</sup> Engelbert was killed during the recapture of the city.<sup>142</sup>

In the aftermath, Anna's sister, Gertrud Winterkamp, along with her husband Dr. Johan Wesselinck, had taken control of the Edincks' Voßgasse house and guardianship of their two underage sons. In a letter written between 1535 and 1541, as the dispossession and re-distribution of property played out, Dr. Wesselinck emphasized that the house had entered into the spousal holdings as part of Anna's dowry, and included deeds from 1515 and 1523 to evidence the provenance of the property.<sup>143</sup> He specified further that Anna's possession of the

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<sup>140</sup> Gresbeck, 226-231.

<sup>141</sup> Kerssenbrock, 506, 590, 660-661. According to Mackay, Kerssenbrock had a relationship with Edinck's uncle, Johan Wesselinck, who was his "landlord." Mackay, "General Introduction," in *Narrative of the Anabaptist Madness I*, 36: "As already noted, he is attested in Münster during the armed resistance to the Anabaptists, when he attended his "landlord" (*hospes*) Dr. John Wesseling. Why Kerssenbrock was residing with the good doctor is not stated, but apparently, his whole family was living with Wesseling." (It seems reasonable to deduce that this is the correct Johan Wesselinck, as he is designated as a doctor, and thus not the contemporaneous licentiate and judge who complicates the picture.) Here and throughout the introduction, Mackay is dependent on notes from Heinrich Detmer's 1899 publication of Kerssenbrock; Heinrich Detmer, *Hermann a Kerssenbroch, Anabaptistici Furoris Monasterium Inclitum Westphaliae Metropolitim Evertentis Historica Narratio* (Münster: Druck und Verlag der Theissingschen Buchhandlung, 1899-1900).

<sup>142</sup> Kirchhoff, *Die Täufer in Münster 1534/35*, Nr. 142, 124.

<sup>143</sup> LNW-Westfalen, 518/519, Akten, Bd. 14, Lamb. Nr. 34, 34-36. Includes an undated petition letter from the dispossession period (1535-1541), a copy of the letter for the purchase of the house dated 20 December 1515, and a copy of the letter for the purchase of the house dated 8 February 1523 – in which the house is passed from Johann Winterkamp, and his wife Gertrud, to their daughter Anna Winterkamp and her husband Engelbert Edinck.

house was only ever partial, and was meant to be shared with both her brother Hinrich and sister Gertrud – with Edinck, therefore, never truly in possession of more than one third of the property.<sup>144</sup> And though the house had remained “undivided until the filth of the Anabaptists,” Wesselinck was now prepared to administer the property on behalf of all three siblings and their children.<sup>145</sup>

By 1559, however, the Edinck brothers’ relationship with their aunt and uncle had broken down, and they had begun the first of several legal maneuvers to regain control of familial property. In petitions to the city council by the brothers in August of 1559, they worked to minimize or deny their parents’ Anabaptism as well as to allege the mishandling of their parents’ estate.<sup>146</sup> Wesselinck lamented the brothers’ “impetuous and biased lying letters,” especially as they alleged that their father’s presence in the city was merely “for the preservation of his wife and children.”<sup>147</sup> In rebuttal, Wesselinck alleged that Engelbert had been “deemed a leading principal Anabaptist” who allowed both “preaching and re-baptizing” to take place in the Edinck home.<sup>148</sup> Wesselinck further disputed any fiscal mismanagement, and claimed that the debts he

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<sup>144</sup> LNW-Westfalen, 518/519, Akten, Bd. 14, Lamb. Nr. 34, 34r: “thorkenne, wo dat huss van Engelbert Edynck in der vosse stege bewont hefft thogehort vnd is gebowet van Johan wyntercampe vnd Gerdrutt syner ehelyken husfrowen vnd noch dotlyke affgange der beyde is gefallen an erre kynder Annen (welcher edyncks husfrowe gewest) hynrick wytercampp vnd Gerdrutt myne husfrown Also dat Edynck dar nycht wyder als thom derden deyl van wegen syner husfrowen thoberechtiget.”

<sup>145</sup> LNW-Westfalen, 518/519, Akten, Bd. 14, Lamb. Nr. 34, 34r: “Is dat huss vngedelt byst dem vnrade der wedderdoppe.”

<sup>146</sup> These arguments are reconstructed from the response sent by Wesselinck to the elders in Münster that September.

<sup>147</sup> StA Münster, Ratsarchiv A XIV Nr. 37, 2r: “mith dussen seynen geswinden vnd gefarbten lügenhaftigen schriben nyt bemuhet haben, Dewile dan angetzogen, das sein vatter selbiger zu erhaltunge weib vnd kynder, In der Stadt Munster verbleuen vnd nyt anders gehandelt.”

<sup>148</sup> StA Münster, Ratsarchiv A XIV Nr. 37, 2r: “alß eyn vorgenger principall weddertauffer gehalten,” and, “in synen huses predichen vnd wedderdophen laten.”

had assumed with the ownership of the property were larger than the value of the property itself.<sup>149</sup>

Significantly, Wesselinck suggested to the Münster authorities that Hans Edinck, along with “other Anabaptist children,” was attempting to exploit tensions between the imperial constitution and the settlement in the city.<sup>150</sup> Insinuating that Edinck was only loosely familiar with the relevant statutes, Wesselinck appealed to the decisions of the territorial assembly in order to back up his own claim. Invoking the specter of imperial intervention may have worked for a short time, as evidence of legal proceedings pauses until the mid-1560s. It is equally possible that Wesselinck’s status as former personal physician to Prince-Bishop Waldeck, or current status as the city judge, was the decisive protection against Edinck’s claims.<sup>151</sup> But Edinck’s strategy of setting courts and authorities in opposition to one another would continue. Although a full city court case did not materialize until 1569, after both Engelbert the younger and Wesselinck himself had died, Hans Edinck also began two simultaneous (and voluminous) Imperial chamber court cases around that same time, in late 1569 and early 1572.<sup>152</sup>

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<sup>149</sup> StA Münster, Ratsarchiv A XIV Nr. 37., 3r: “dat vpedachteg Edinggs vader vnd Moder mher domalß schuldich alß ehr guidt werdt gewesen.” He goes on to suggest that Engelbert Edinck may have been interested in the idea of a community of goods as a way to divest himself of debt.

<sup>150</sup> StA Münster, Ratsarchiv A XIV Nr. 37, 4r: “vnd abers so widers bemelte Edinck der keyserlichen vnd des Reichs Constitution habben ock souel de vffgerichtede vereynunge zu Munster belangt, als das deselbe Ime vnd anderen widderteuffers kynderen zum besten gegeuen In synen Jtzigen schryuentz anregunge gedain, Zwiuel Ich nyth wan ehr derselbigen erkleruge besser gelesen vnd verstendigt, solte ehr deselbigen also vnuerschemeth In contrarium als Ime zum bestenn zwiuel nyt allegeren, wie dann aen allen by den verordenten dißer Landtschaft wol anders befunden soll werden.”

<sup>151</sup> StA Münster, Ratsarchiv Landessachen, A XV Nr. 10; includes a letter from 20 November 1554 in which Dr. Wesselinck asks for intervention against Waldeck’s concubine, Anna Poelman, who had not yet handed over the clothing promised to him in Waldeck’s will. Hsia notes that the city judgeship was in the Wesselinck family throughout the post-Kingdom period; “Dr. med. Johann Wesselinck, personal physician to Bishop Franz von Waldeck [...] exercised the office between 1550 and 1566.” Hsia, *Religion and Society in Münster, 1535-1618*, 124, fn. 5.

<sup>152</sup> LNW-Westfalen, RKG Akten W 718, Bd. 1-2; Akten E 118, Bd. 1-7.

In the 1569 city lawsuit brought by Hans Edinck against Gertrud Winterkamp and the children of Dr. Wesselinck, the concurrent case at the Imperial chamber court in Speyer was mentioned by Winterkamp's lawyers in early motions.<sup>153</sup> Edinck was by this time living in Lübeck, and in initial arguments he did not attempt to deny his parents' participation in Anabaptism: "It was true, that... Engelbert Edinck the elder, with his wife, accepted the damned and rebellious sect of the Anabaptists and remained within the city of Münster, along with others; therefore both spouses had their belongings forfeited."<sup>154</sup> Yet Hans Edinck understood the settlement between his mother and the departed Wesselinck to have allowed them to later inherit, or perhaps repurchase, their familial property. For this reason, he presented his initial arguments in the language of wronged inheritors and focused on various accounting books – and thus largely omitted the problem of Anabaptism. Gertrud Winterkamp's attorney, however, returned to it in a set of rebutting articles, in which he emphasized that the Edinck parents "had accepted the damned and seditious sect of the Anabaptists" and that they remained within city throughout the Anabaptist Kingdom and siege.<sup>155</sup> This disqualified them from the normative processes of inheritance, and Winterkamp's lawyers appealed to the common narrative of the conquest to make these claims. Edinck and Winterkamp differed, therefore, on the terms of

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<sup>153</sup> StA Münster, Gerichtsarchiv, Acta judicialia Nr. 648, 19v-20r: "Vnnd anfengklich bezeugen sich obgemes Anwoldtz Principalenn offentlich, daß sie die Principalenn nitz gemeinth, sich hie mitten dero Appellantienn, so hie bevorn vonn Einen vermeinten decreto alimentorum durch Einen Erbar Raedt dieser Stadt Munster zwisschen obgedachten streitigen theilenn ergangenn ahnn daß hoich lobliche Kay. Chammergerichte zu Speier interponiert wordenn."

<sup>154</sup> StA Münster, Gerichtsarchiv, Acta judicialia Nr. 648, 4v: "Item war, daß merbemelter Engelbert Edinck, der Elter mit seiner hausfrouwenn, die verdampfte vnd vffrurische Sect der Widdertauff angenomenn vnnd binnenn der Staidt Munster nebenn mher anteren verblebenn, der halb beidte Eheleute ihr hab vnnd guidt, verwircket gehapt."

<sup>155</sup> StA Münster, Gerichtsarchiv, Acta judicialia Nr. 648, 21r/v: "daß vurgemelte ehelude Engelbert Edinck vnnd Anna Winterkamps die verdampfte vnnd vffrurische Sect der Widdertauff ahngenhomenn, darinne beharret vnd nebenn andernn Anno 34 vnd 35 binnen der Stadt Munster verpliebenn vnnd sich belegeren laessenn."

inheritance agreed upon within a family and used the legal ramifications of Anabaptism to argue these positions.

A will prepared for Hans in 1580, included in both the 1572 Imperial chamber court case and in the collected testaments of the city, speaks to both the length of these proceedings and the manner in which Hans had learned to advocate for his own inheritance rights while eliding the topic of Anabaptism. In it, he alluded to his hope for eventual restitution; although “everyone unfortunately knows that I have a prerequisite title defect concerning my parents’ hereditary goods,” he wrote a will contingent upon his success in ongoing cases at the Imperial chamber court in Speyer.<sup>156</sup> And despite his demonstrated and prolonged interest in protecting his inheritance, this will included money to be bequeathed to his aunt, Gertrud, as well as his cousins Anton and Franz.<sup>157</sup> These continued familial associations suggest some level of emotional remove from the arguments employed, and the retention of familial ties.<sup>158</sup>

But this was not always the case. Anabaptist Kerstien Kerckerinck’s property had been in dispute since his brother, Bernd, had begun petitioning in the autumn of 1536, and these fights would only widen and intensify after Kerstien’s children came of age. Kerstien and his wife, Katharina Brockmann, had five children: Engele, Katharina, Anneke, Christian the younger, and Gerhard.<sup>159</sup> Though the three daughters were significantly older, both sons were young during

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<sup>156</sup> LNW-Westfalen, RKG Akten E 118, Bd. 2, 14v: “Vnnd allweill nun Jdermennichlich leider bekant daß Ich ein Rechtsmangell notwendigh wegen meiner Elternn Erffaliger gutter widder die Erffgenhamen Wesselings muissen Voirmhemmen, vnnd alweill die Sache zu Speir verorttert schwebet, se ist mein leste wille, Alß woferne die sache Im Rechten gewonnen vnnd erhalten wurde.”

<sup>157</sup> LNW-Westfalen, RKG Akten E 118, Bd. 2, 14r.

<sup>158</sup> This good will may have only obtained on Edinck’s side; these *Reichskammergericht* cases stretched into the 1630s, with the children of Wesselinck appealing.

<sup>159</sup> Though the father is predominately referred as ‘Kerstien,’ the son’s name is variously styled as either ‘Kerstien’ or ‘Christian,’ and I have chosen to use only the latter for clarity.

the Kingdom.<sup>160</sup> Christian the younger, born approximately 1528, was 34 by the time of his first suit in 1562. In September of 1562, Christian opened a case before the diocesan tribunal court against his deceased uncle's wife, Aleke, as well as a cousin that had been designated as Bernd and Aleke's heir.<sup>161</sup> Although Bernd and Aleke had one son, Bernd the younger, he had died as a young man.<sup>162</sup> The property in question was half of the Gut Plessen, which Bernd Kerckerinck had inherited without much contest following Kerstien's dispossession and execution in 1535. It is notable that this case did not explicitly mention Anabaptism. Instead, Christian focused on the minutiae of inheritance law, and merely revealed his interest in regaining a measure of the property his father had formerly held. Christian would ultimately relinquish his claims on half of the Gut Plessen, taking as compensation some a cottage and pasture nearby.<sup>163</sup>

Christian next instigated a city bench trial held between 1566 and 1568. This was his most direct effort to alter the narrative of his parents' Anabaptism in the service of regaining his lost inheritance. Christian and his younger brother Gerhard sued Johann Poelman, a dyer, over the house at Neubrückenstraße Nr. 15, which had been awarded to city treasurer Johann Hageböck by the Prince-Bishop in 1536 and subsequently sold on. Christian alleged, however, that, as the house had been part of his mother's marriage portion, it had been wrongly confiscated – because his mother was not an Anabaptist. This was a bold claim, and one that controverted all earlier statements about the spousal commitment to Anabaptism that Kerstien and Katharina had shared. Though Christian seized upon Poelman's lack of an official title for

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<sup>160</sup> Christian was born approximately 1531 and Gerhard in 1534.

<sup>161</sup> StA Münster, Acta judicialia Nr. 600.

<sup>162</sup> StA Münster, Testamente I Nr. 569.

<sup>163</sup> LNW-Westfalen, U 129u / Familie von Kerckerinck zur Borg (Dep.) / Urkunden, Nr. 725, 30 January 1576.

the house, an exceedingly practical legal weakness, he simultaneously worked to instill doubt about Katharina's whereabouts, second baptism, and culpability during the Kingdom and siege.

Poelman, the defendant, laid out the accepted understanding that "the plaintiff's parents, thirty years before, were baptized in the damned, un-Christian, and seditious heresy and sect of the Anabaptists at its most fierce."<sup>164</sup> As wealthy and thus leading Anabaptists, the Kerckerinck parents had been subject to both corporeal punishment, in the form of Kerstien's execution, and an economic penalty, in the form of the confiscation of their goods and property. This penalty extended to sons Christian and Gerhard, the defense reasoned, because, as "Anabaptist children" they were excluded from any hereditary benefits they might otherwise have expected.<sup>165</sup>

In response to these preemptory articles from Poelman, the Kerckerinck brothers first tempered their father's culpability ("how many more pious people had been seduced into that sect") and then simply denied that their mother had ever been re-baptized. She was instead, they argued, a believer in the "old catholic religion" until the day of her death.<sup>166</sup> In asserting her orthodoxy, Christian and Gerhard drew a line of distinction between their mother and father's beliefs. She was not to be blamed for "her late husband's unbelief," even though she had shared the economic penalty of his decisions.<sup>167</sup> As Kerstien had been executed, he was an easy

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<sup>164</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 8v: "daß der clegerenn elterenn vor drisßigh Jarenn In der verdampfer, vnchristlicher, aufrurischer ketzerie vnd Sect der widdertauff zum heftigstenn verdupt gewest."

<sup>165</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 9v: "Item whar vnnd folggt gleichfalß, das die clegere (doch citra Iniuriam Loquendo) widderthaußfische kinder seinn, vnnd also nit alleinn vermoeß angereigter Reichs ordnungh vnnd Constitution, sonder auch gemeinenn beschreiben Geistlichenn vnnd Weltlichenn rechtenn nach, aller Succesßionn oder erbfolgerenn vnnd insonder Ierer elterlicher gutter vnveich."

<sup>166</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 15v: "wie dann vilmehr derer tidt fromme leutte zu alsocher Sect verfuertt"; "So ist demnach vnwhar daß clegere gotselige Moder Cathrina Brockmanß zu jener zeit der widdertauff zugethaenn, noch anhengich, gewest sunder sich Je vnnd alle wege, biß zi ihrenn sterblichenn tagh nach der Alther Catholischer Religion."

<sup>167</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 16r: "Item whar daß also @ Antwort clegere Anwaldt denselbigenn vnnd dieses inholt vnwhar sinn, ihnn erweegnunghe da je vur Gott, auch Lautt beschreuerer rechte vnnd alle naturliche pillicheitt nicht bestehenn daß clegere Modre /: dwell so nemals der widdertauff anhengich gewest:/ vmb

scapegoat on which to place all Anabaptist guilt. Though their uncle Bernd had been clear in his assertion of a shared, spousal Anabaptism, by this point the sons exploited what might have been a gradual loss of societal memory. Similarly, Christian and Gerhard disputed their label of “Anabaptist children,” asserting instead that they had been baptized in the Catholic church and therefore were equally entitled to familial property.<sup>168</sup>

To investigate the brothers’ bold claims about their mother’s orthodoxy, the court called several witnesses to answer questions between the fall of 1567 and the early spring of 1568. The witnesses, who included Christian’s father-in-law Macharius Schenckinck, their uncle Bernd’s widow Aleke, and Herman Herde, the “oldest mayor of the city of Münster,” generally all agreed that the house had in fact passed from Herman Brockman to his daughter Katharina.<sup>169</sup> The house was therefore part of her marriage portion, and perhaps (as the younger Kerckerinck brothers hoped) separable from the couple’s jointly-owned possessions.

Yet the more difficult questions were still to come. The court questioned witnesses on their knowledge of Katharina Brockmann’s whereabouts during the Kingdom of Münster, her connection to Anabaptism, and her reported second baptism. Though most agreed that she had remained inside the besieged city, and that she was “afflicted with Anabaptism, and was similarly related to or in turn again baptized,” there were no witnesses who had been present for

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ihres zelligl Maß vnглаube, ihre angebrachte bruitschatt zu gleich verwirckt habenn solthe, vnnd der Munsterischer Lantschaft verfallenn sinn.”

<sup>168</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 17r: “Item whar vnnd folggt glichffals Antwort clegere Anwaldt, daß sin principalenn vur denn Widderdopisschenn Sect, thouorens geboren auch wie fromme Christenn kinder, noch heutigl gebrauch der Catholischer christlicher kereckenn gedoipt gewest, konnenn derhalbenn vonn ihrer elterer guither nicht excludert werdenn.”

<sup>169</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 21r/v.



this supposed second baptism.<sup>170</sup> This played into the Kerckerinck brothers' strategy, as the questions posed by their attorneys aimed to eliminate rumor and hearsay: "To ask the witness whether she knows with virtue that the plaintiff's mother was dipped, and became re-baptized, such as seen with her own eyes."<sup>171</sup> Witnesses who believed she had taken a second baptism couched their accusations: "Katharina Brockmann remained here during the time of the siege, so in her opinion, she was an Anabaptist, and had been re-baptized, but she had not seen the re-baptism"; "Katharina Brockman had remained here all within Münster during the time of the siege, and had been re-baptized, but I have heard it said."<sup>172</sup> However, the court found that the burden of proof had not been met, as "no witness on his salvation says or witnesses, that he honestly knows that the plaintiff's mother again had been baptized."<sup>173</sup>

Though witnesses could not provide sufficient evidence for Katharina's Anabaptism, they still speculated about the nature of her marital relationship – and how to assess culpability therein. Some witnesses, in this first round of testimony, had introduced the possibility that Katharina had been coerced by her husband into remaining in the city, or even taking a second baptism. A second round of testimony, however, brought unwanted focus back to the question of

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<sup>170</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 22r: "Daß aber vonn dickermeltem beclagtem dairgenn exceptine furbracht, alß daß obgedachte Cathrina Broickmans der Clegere zellige Mutter, mith der widdertauße behafftett, vnnd derselbenn verwant oder witterumb getaufft sein solche, vnd also daß strittige hauß verwirckt habenn."

<sup>171</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 58v: "Item den tugen to fragen, ob sie tugen können das clegere Moder verdipt, vnnd vmbgedoiffett wurden, sulchs mit ihren ouge gesehen."

<sup>172</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 22v: "Der viertte zeugh kundett vff ermelthe vunffte fragstucke, mit dussen wordterenn, Dweill die angezogene Cathrina Broickmans de zeitt der belegerungh hir binnen gebleuen, so erachte se eß dafuer, daß se auch eine widdertaußersche gewest, vnnd vmb getaufft sy, doch hab se die vmbtauffungh nit gesehen,"; "Der sexte zeuch kundett vff dasselbige fragstucke daß er selbst nit habe gesehenn, daß de angezogene Cathrina Brockmans alhir binnen Munster ihn zeit der belegerungh gebleuenn, vnd vmbgetaufft sei werdenn, doch habe eß horen sagenn."

<sup>173</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 22r: "Nachdeme alle vnnd Jedere zeuege, so vonn gegentheill gefurtt, vnnd folgentz verhortt seinn wurdenn, vff daß funffte fragstuck offentlich zeugenn vnnd aussagenn, daß Inne sulchs nit bewust, vnnd keinn zeuch bi siner zeligkeit sagt oder kundett, daß ehr wisse, daß der clegere Mutter widderumb getaufft sy wurdenn."

the property's inheritance line. It was Macharius Schenckinck, Christian's father-in-law, who stated that Kerstien Kerckerinck, with some help from his wife, actually "bought that same house."<sup>174</sup> It is unclear whether Macharius intended this as a damaging statement, but it is one of the only underlined sentences in the case record – and seemed to suggest that the sale of the property invalidated previous arguments about its inclusion in Katharina's dowry.

This set of witness statements also doubled down on the 'spousal' nature of Katharina and Kerstien's Anabaptism and referred to them as 'heretics' for the first time. One witness testified that the couple were "united and unanimous in their faith," and that they both undoubtedly participated in the Kingdom.<sup>175</sup> At this point in the testimony, arguments about coercion or compulsion fell away. The earlier agreement that Katharina had remained in Münster during the siege became incriminating, as her culpability started to become inextricably linked to her decision to remain in the physical space of an Anabaptist city. Witnesses argued that the responsibility to repudiate and avoid the influence of Anabaptism had existed for every able-bodied individual: "he or she, man or women should have escaped the city."<sup>176</sup> The court then agreed that she had remained within Münster and was not there against her will, thereby finding her culpable not because they had been presented with evidence of a second baptism, but because they had established that she freely chose to remain in the physical space where both heresy and

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<sup>174</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 39r: "Vnnd folgantz Kerstienn Kerckerinck, dann of datseluiße huiß gemelte Kerckerinck ahnn sich gekofft, ader mit gedachter siner huisfrouwe ihnn hilckz vorwerde bekommenn, sy eine sulchs durch Lanckheitt der tidtt vthgegaenn."

<sup>175</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 47v: "einigh vnnd einsinnigh Inn ihrenn glaubenn gewest."

<sup>176</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 48v: "der oder die, mann oder frowe der Stadt entwiechenn soll."

rebellion had run amok. The case was dismissed as a result, and the younger Kerckerinck brothers were instructed not to agitate about this property again.<sup>177</sup>

Perhaps unsurprisingly, this admonition was not enough to deter Christian from his ongoing pursuit of familial property. His later cases gathered new allies, in the form of his sister's husband Gerlach von Wüllen (himself a pardoned Anabaptist) and radically expanded his pool of evidence. He largely abandoned arguments concerning his parents' Anabaptism, and instead began to insist that his uncle Bernd's premature birth, which came a scant 26 weeks after his parents' marriage and resulted in the pejorative nickname '*Frorip*' or '*Frühreife*,' meaning 'precocious,' was in fact evidence that Bernd was a bastard and thus unable to inherit any patrilineal property.<sup>178</sup> These arguments are the basis for an Imperial chamber court case in 1580, and a subsequent suit in the city of Münster which followed in 1584.<sup>179</sup> This case, unsurprisingly, devolved into an ugly exchange of accusations, calling into question the degree of consanguinity between Christian Kerckerinck and his Schenckinck wife.<sup>180</sup> This escalation of tactics and rhetoric indicates that Christian sought the restitution of his familial property above all else, including the good will of any remaining family. With the full array of Christian's legal cases in mind, and with knowledge that he was willing to follow almost any lead to regain property, his narration of his parents' beliefs is of course suspect.

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<sup>177</sup> StA Münster, Acta Judicialia Nr. 212, Bl. 51r: "spreche ich Herman Reer vrthelderger vff gnommene boherungs der Rechtzelerttenn, daß Beclagtinne vonn dero Clegerenn clagte vnnd anspruch, mit Inbindungs Eins Ewig Stilschweiegentz zu erledigenn vnnd zu absoluierenn sey, wie ich furgedachte Beclagtinne mit dießem Spruch auch Erlettige vnnd absoluier, vnnd den Clegerenn Ein Ewich Stilschwiegent Inn dießer Sachenn Inbinde, die gerichtliche ergangene vncostenn auch erheblichenn orsachenn vergleichennndt vnnd connpensierennndt."

<sup>178</sup> LNW-Westfalen, RKG W 1655, 2 Bd.

<sup>179</sup> Another key piece of this inheritance dispute: LNW-Westfalen, V 501u / Verein für Geschichte und Altertumskunde Westfalens, Abteilung Münster (Dep.) / Urkunden, Nr. 1113, 2 June 1581. A court order to transfer the property of Bernd Kerckerinck to Herman Schenckinck, given that Aleke and all possible heirs had died. Kerstien Kerckerinck and Gerlach von Wullen had attempted to stop this on 18 November 1580, to no avail.

<sup>180</sup> StA Münster, Causae civiles Nr. 296.

Yet what remains most interesting in this case is the collision of narratives concerning heresy and rebellion, rumor and reputation – with inclusion, in the form of property ownership, at stake. Christian Kerckerinck may have gambled with a bold approach, but in both witness statements and court arguments this boldness prompted the citizenry of the city to struggle with and attempt to articulate the relationship between culpability, property, and even grudging community belonging. The Kingdom of Münster was of course an extreme example, but one that points to a wider dynamic: that even behavior which could be described as ‘heretical’ or ‘seditious’ was contestable in court, and was perhaps more negotiable because of the extremity and duality of the accusation. Any type of confusion or doubt surrounding a potential re-baptism allowed for the maneuverability needed. People made this argument for themselves or immediate family members, children made this argument for their parents, and they attempted to use it as a defense in even the most extreme cases – and there, as we see in the Kerckerinck drama, it sometimes failed. The wealth that backed up claims like those of the Kerckerincks’ bought a good deal of latitude, but there *was* a breaking point. Witnesses, who were first discouraged from labeling those who stayed as necessarily Anabaptist, were by the end of testimony convinced of the duty of every non-Anabaptist man and woman to emigrate from a so-called heretical city.

Anabaptism retained its threat, therefore, and culpability was disqualifying. In the larger narrative of hard-won economic toleration as a means of limited inclusion, the Münster episode is ironic. These protesting “Anabaptist children” were not Anabaptists, but their claims on property are integral to understanding the limited economic inclusion which Anabaptists and later Mennonites in the region were able to negotiate even as the imperial ban against them remained. Over the next two hundred years, both extraordinary taxes and a mass dispossession event were contested and negotiated. Inclusion was possible, mediated as it was through wealth,

monetary tributes and taxes, but this inclusion was inherently and irredeemably unstable. The Kingdom of Münster was the start of all of this, and would echo as a fearful specter whenever Anabaptists or Mennonites in this region made claims on community inclusion.

#### CHAPTER 4: Negotiating community settlements: getting to limited political toleration within Emden and East Frisia

In January of 1577, the Reformed preachers of the city of Emden in the county of East Frisia, with the weight of the mayor and council behind them, drafted a letter to Count Edzard II. They complained, primarily, about the boldness with which Anabaptists went about both their religious and secular business in the city.<sup>1</sup> Though they named no leaders or even members of this group, the council accused Anabaptists of living “in the noblest houses,” gathering in public, and joining together to create business associations – which must have been profitable, to buy or rent such prominent houses. Indeed, the council seemed to identify open prosperity as the foremost offense of this tacitly tolerated minority group. They quickly tied the economic charge to a parallel accusation of “public conventicles, holding and preaching their seductive false doctrine in great considerable numbers...by which they seduced many simple hearts, also honest people.” This was particularly problematic, the council argued, as Anabaptist preachers dismissed both religious and secular power as corrupt: “And they hold as a principal piece of their heretical doctrine that all authority is damned and cannot be saved, that the evangelical preachers of this and all reformed Christian churches, officers and preachers are devils.”

This did not, the letter writers argued, bode well for the general peace. Pointing to the examples of “Münster, Amsterdam in Groningen, and West Frisia,” the council warned that tolerating Anabaptists “brought forth well-identifiable fruit.”<sup>2</sup> A later paragraph explicitly

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<sup>1</sup> StA Emden, I. Reg. Nr. 415, 12-14.

<sup>2</sup> StA Emden, I. Reg. Nr. 415, 12-13: Vnnd [Alß] ein Principall stuck irer Ketzerischen Lere [haften], das Alle Vbrigkeit verdampt vnnd nit selich werden konne, das die Euangelische Prediger deser vnnd Aller Christlichen *reformirt* Kirchen, diener vnnd Prediger des Teufelß sein, vnnd nitt wirdich zuhoren [+damitt sie [ohne] [die whare erkantnuß godtliche wordes vnd] alle politie vnd Vbrichkeit zuesthoew vnd ein *confesion* aller guider ordnung vnd

referenced the danger of repeating the “seditious” or “uproarious” [*Vfrurischer*] events of the Kingdom of Münster, but this particular admonishment appears to have been stricken from the final copy.<sup>3</sup>

If Anabaptists in Emden desired to bring about an “uproar” similar to that of the Kingdom of Münster, no such disruption had, or would, come to pass. Instead, the city of Emden and eventually the wider county of East Frisia would become a sometime-refuge for Anabaptists and, later, self-defined Mennonites. A sometime-refuge, that is, because the mechanisms of this grudging toleration were constantly under negotiation. Expulsion and expropriation were common threats in imperial and baronial edicts, and some fights over the right to own property continued. But most significantly an older form of economic toleration, long used to regulate and manipulate Jewish inhabitants of imperial cities, was modified to regulate the residence of Anabaptists within otherwise reforming communities. This *Schutzgeld*, literally “protection money,” allowed Emden Mennonites at the end of the sixteenth century to remain in the city. Their payments stood in for some of their personal obligations to the city and its rulers, with money ostensibly subsidizing the night’s watch and other communal organizations from which Mennonites abstained. This economic mediator provided a form of ad hoc, unofficial tolerance; it recognized the Mennonite community in Emden, seventy years after its incipience, as a distinct Other, but as an Other that could increasingly exploit the inherent instability of its identity to make claims on property and belonging. The practice of paying *Schutzgeld*, and receiving a

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fridlichen wesendts me[.]chen] vnnd dhan solliche nun vorlangt von Allen *Concilien* vnnd Alten Kirchen, verdampte Ketzers, An iren zu Munster, Amsterdam in Gronninger vnnd Westfrießlandt furgebrachte frucht woll zuerkennen.”

<sup>3</sup> StA Emden, I. Reg. Nr. 415, 13: “Auch E.G. predigern die ire *Conuenticula* wargenome], vnnd von der Lere zu conferiren, sich erbotten, nit zu werden [scheen] oder Anthworten wollen, vnnd vns Alle fur verdampte leute vnnd Fiande Gottes erachten vnnd halten, Das nitt darAuß (Welch doch Godt gnedichlich Anwenten wolle) ein Munsterischer Vfrurischer handell entsteenen muchte.” This was a draft copy, with a number of annotations, additions and strikethroughs.

*Schutzbriefe* or letter of protection as a form of guarantee, eventually spread throughout the county and provided the common language that would populate negotiations about who Anabaptists were and what they were permitted to do. As these debates became routinized over the course of a century, some Anabaptists became cautiously confident – while others recognized that even routinized, longstanding negotiations could fail.

### **Naming Anabaptism in Emden**

For secular authorities, the practice of identifying and naming Anabaptists was intimately tied to their persecution; for Anabaptists themselves, naming practices held the key to negotiation.<sup>4</sup> Specificity, on both sides, grew alongside the burgeoning community itself. The community of Anabaptists in Emden began with the journeys and ministry of itinerant, charismatic preachers – most prominently Melchior Hoffman, whose teaching and baptizing had been intimately connected with the chaos of Münster.<sup>5</sup> Although he was imprisoned in Strasbourg by the time Jan Matthijs and Jan van Leiden came to power in the Kingdom (see Figure 1), Hoffman’s early leadership of the nascent Anabaptist movement in the region linked the cities of Emden and Münster through his preaching, baptism, and followers.<sup>6</sup> This placed Emden preeminently within the network of Anabaptist communities in the northwest, including

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<sup>4</sup> For reflections on the importance of naming across Anabaptist groups, see Kat Hill, “The Power of Names: Radical Identities in the Reformation Era,” in *Radicalism and Dissent in the World of Protestant Reform*, edited by Bridget Heal and Anorther Kremer (Göttingen: Vandoeck and Ruprecht, 2017), 53-68. For a wider consideration of naming practices in the early modern period, see *Names and Naming in Early Modern Germany*, edited by Marjorie Elizabeth Plummer and Joel F. Harrington (New York: Berghahn, 2019).

<sup>5</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 35.

<sup>6</sup> For Hoffmann’s activity immediately before his time in Emden, see Richard G. Bailey, “Melchior Hoffman: Proto-Anabaptist and Printer in Kiel, 1527-1529,” *Church History* 59:2 (June 1990), 175-190.



areas of the Low Countries and even the city of Münster itself, where, as Ralf Klötzer argues, the popularity of the Dutch lay conventicle movement facilitated the movement's spread.<sup>7</sup>

Hoffman had met with early success in Emden, reportedly baptizing 300 adults in the Great Church in 1530.<sup>8</sup> That a mass believer's baptism took place in the center of the city's religious life is surprising, even in a period marked by charismatic itinerant preachers, but can be partially explained by the longstanding culture of "Frisian freedom" [*Friesische Freiheit*],

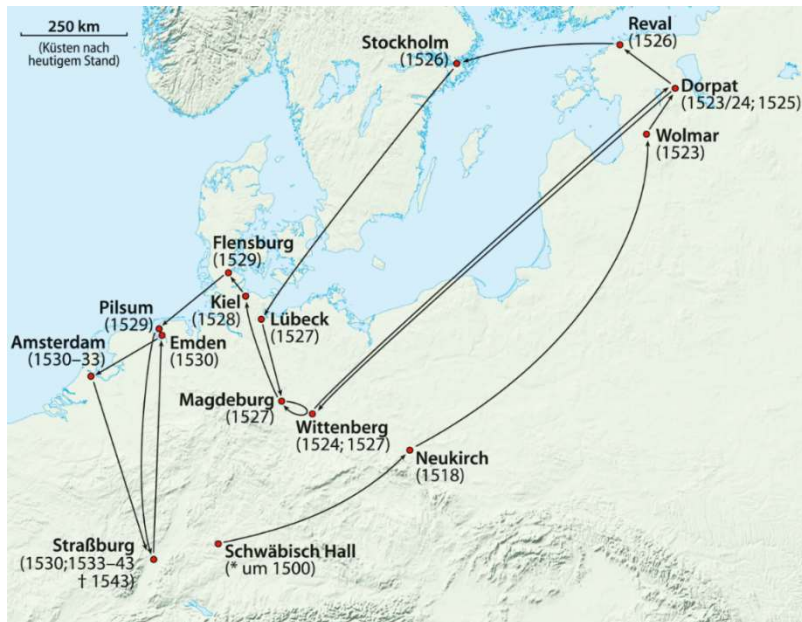


Figure 1. Map by NordNordWest/Wikipedia. Published under a creative commons license: <https://creativecommons.org/licenses/by-sa/3.0/de/legalcode>.

Find the original file here:  
[//commons.wikimedia.org/wiki/File:Karte\\_Melchior\\_Hoffmann.png](https://commons.wikimedia.org/wiki/File:Karte_Melchior_Hoffmann.png)

mentioned in records as far back as 1300.<sup>9</sup> David Joris, another charismatic leader traveling through the area during the 1530s, reiterated this well-worn path of itinerant preaching that connected East Frisia and the Münsterland. According to Gary K. Waite, Joris was “the most important Anabaptist leader in the Low Countries” between the

<sup>7</sup> Klötzer is clear that the Dutch Anabaptism which found its way to Münster had at least partial *origins* in Emden itself. Klötzer, “The Melchiorites and Münster,” 220-221.

<sup>8</sup> Deppermann, *Melchior Hoffman: Social Unrest and Apocalyptic Visions in the Age of Reformation*, 316-317; Voss, “Das ‘mennonitische’ Obrigkeitsverständnis,” 255. Voss cites Obbe Philips’ *Bekentnisse* from 1584, as printed in *Bibliotheca Reformatoria Neerlandica* 7 (’s-Gravenhage, 1910), 123: “Onder deesen is obgetaen den Melchior Hofman ende is wt hoochduyts-lant tot Emden ghecomen te doopen int openbaer, beyde Borger ende Boer, Heer ende knecht, in die kercke tot Emden omtrent 300 personen; Ende sullicks lite die oude Graeue al gheschieden, so langhe Melchior daer was, ende soo men seyde, was die Graeue denseluen ghelooue toe ghedaen.” Obbe Philips was an influential Melchiorite before and during the Kingdom but backed away after a series of disillusioning events before the end of 1535, and left the regional Anabaptist movement altogether by 1540.

<sup>9</sup> Oebele Vries, “Frisonica libertas: Frisian freedom as an instance of medieval liberty,” *Journal of Medieval History*, 41:2 (2015), 229-248.

fall of Münster and the rise of Menno Simons.<sup>10</sup> After issues with authorities in both the Netherlands and Strasbourg, Joris spent some time in Emden during 1530; the county of East Frisia as a whole was an attractive place of refuge for hounded Dutch Anabaptists during the 1520s and 1530s, as the port city was just across the Ems estuary from Groningen. Waite speculates that Joris may have been in contact with, or at least heard the preaching of, Melchior Hoffman during this time.<sup>11</sup> Joris took a believer's baptism contemporaneously with the events of the Kingdom of Münster, but was not involved in any violence and used this to successfully reposition himself after the fall of the Kingdom. He was present at a series of meetings meant to hash out differences between Anabaptist groups in the northwest, after the Kingdom: Bocholt in 1536, Oldenburg in 1538 and Strasbourg in 1538.<sup>12</sup>

Joris' travel in the Münsterland and East Frisia followed, to a large degree, the path set out by Melchior Hoffman – because Joris wanted to lead the disparate communities Hoffman had united. In his apparent quest to take control of the Anabaptist movement post-Münster, Joris “stepped into this apparent vacuum of moderate leadership...[and] gained a large and devoted following especially in Holland's cities, which also spread through the Low Countries, East Frisia and Westphalia.”<sup>13</sup> Though Joris himself spent little time in Emden, his followers, and

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<sup>10</sup> Gary K. Waite, editorial note to “The Life and Works of David Joris,” in *The Anabaptist Writings of David Joris, 1535-1543*, (Waterloo, Ontario: Herald Press, 1994), 17.

<sup>11</sup> Gary K. Waite, *David Joris and Dutch Anabaptism, 1524-1543* (Waterloo, Ontario: Wilfrid Laurier University Press, 1990), 55.

<sup>12</sup> Each of the meetings had a different tenor, but at stake at all three was the future of the movement. The existing Dutch Melchiorites, the remnants of Münsterites, the violent and rapacious Batenburgers and the more domestic Strasbourgers debated marriage (and polygamy), taking up the sword, prophecy, exegesis and a number of other topics during this rebuilding period. For more on Bocholt, see Waite, *David Joris and Dutch Anabaptism*, 117ff; for more on Strasbourg, see *QGT XV*, Doc. 836, and Waite, *David Joris and Dutch Anabaptism*, 140.

<sup>13</sup> Waite, *The Anabaptist Writings*, 19.

fears of his followers, would show up in the earliest records of negotiations within the city's bureaucracy.

Letters and mandates issued by county rulers chart decades of somewhat halfhearted attempts to remove Anabaptists from the community – largely without physical violence, but with a recognition that the city needed to be monitored for both religious and social deviance as reform took place. The Reformation had arrived in East Frisia between 1520 and 1522 in the form of sacramentalist/Zwinglian preacher Georg Aportanus, and under the protection of Count Edzard I. Following Edzard's death in 1528, he was succeeded by his Lutheran-leaning son, Enno II. Enno was married in 1529 to Anna of Oldenburg, whose brother retained control of the nearby city and county of the same name. Despite Enno II's promulgation of Lutheranism, it did not take any significant hold in the city, and a long-simmering conflict between city Calvinism and courtly Lutheranism began.<sup>14</sup> In a letter from March of 1530, Enno complained to Philip of Hesse that unbaptized infants had been a problem in the city for at least five years, an issue he suspected arose from incoming refugees fleeing Müntzer's Peasants' War; he also linked Anabaptism to a growing memorialist understanding of the Eucharist.<sup>15</sup> In May 1534, in the midst of the crisis of the Kingdom of Münster but concerning baptisms happening within Emden itself, Enno offered an "admonishment" against the continued existence of Anabaptists [*wider doper*] in the city.<sup>16</sup>

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<sup>14</sup> Heinz Schilling, *Civic Calvinism in northwestern Germany and the Netherlands: sixteenth to nineteenth centuries* (Kirksville, MO: Sixteenth Century Journal Publishers, 1991), 14-18; Williams, *Radical Reformation*, 389.

<sup>15</sup> Cornelius Krahn, "Anabaptism in East Frisia," *MQR* 30:4 (Dec. 1956), 247; Mueller, *Die Mennoniten in Ostfriesland*, 13-14.

<sup>16</sup> StA Emden, I. Reg. Nr. 415, 1-2: "wir offtmals ein vermanung doen latenn als der wider doper halben so wir dan mitler zeit nochmals erfarenen sie velleicht sollicher Vnser eermanunge nit achten ist demna vnser beuel zu nachmals ein gut vp sicht heben laten wollen ob einer were der sich solliches dauffens nit absteenn wurd." "

Countess Anna von Oldenburg assumed the regency of the county upon her husband's death in 1540, as her sons Edzard and Johan were still in their minority.<sup>17</sup> A letter from Holy Roman Emperor Charles V directly addressed the disruption and unrest that imperial authorities expected from East Frisian Anabaptists in general and Jorists or "Davidjorists" in particular.<sup>18</sup> Dated October 1543, the imperial letter expressly demanded the "confession of Anabaptists and other agitators" [*Aufruerischen*]. Charles identified the "ringleader" as David Joris himself, and requested Joris's writings, along with the names of other prominent members and journeymen.<sup>19</sup> Specific groups of "agitators" were clearly legible to both county and imperial authorities.

The specifics of naming and differentiating amongst marginalized religious groups became almost immediately important. Menno Simons arrived in Emden in late 1543 or early 1544, though he had traveled through the area earlier and had been housed by the sympathetic noble, Ulrich von Dornum, as early as 1530.<sup>20</sup> Simons had attempted to separate himself from the violence and sedition of Münster early on, writing his treatise "The Blasphemy of John of Leiden" in 1535, even before his official break from the Catholic Church.<sup>21</sup> In Emden, Menno advocated on behalf of his followers in front of the newly appointed Zwinglian pastor, Jan Łaski,

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<sup>17</sup> Anna's rule is characterized by Andrew Pettegree as "more in tune with the prevailing climate in Emden" than her deceased husband's had been, an allusion to her Reformed rather than Lutheran sympathies; Pettegree, *Emden and the Dutch Revolt*, 33. Her role as regent was disputed by Enno's brother, Johann van Falkenburg. In the struggle that followed, the one accusation that Anna neither could nor did deny was the laxity with which she and her husband had dealt with the Anabaptists in their midst; Grochowina, *Indifferenz und Dissens*, 95-6.

<sup>18</sup> StA Emden, I. Reg. Nr. 415, 3-4.

<sup>19</sup> StA Emden, I. Reg. Nr. 415, 3: "Das Sy uns die vrgicht der widerteuffer vnd anderer Aufruerischen [...] Aber volgendenen widerums auskomen sein mit sambt amer verzaichnus der Namen Irer Mitverwandten vnd gesellen, desgleichen Ires Haupts vnd Redelfuerers Joristen Glaßmachers Buecher zuschicken solle Inhalt vnsers schreibens."

<sup>20</sup> Grochowina, *Indifferenz und Dissens*, 198.

<sup>21</sup> Menno Simons, "The Blasphemy of John of Leiden," in *The Complete Writings of Menno Simons, c. 1496-1561*, translated by Leonard Verduin and edited by John Christian Wenger, with a biography by Harold S. Bender (Scottsdale, Pennsylvania: Herald Press, 1956), 33-50.

also known as Johannes a Lasco. Menno and Łaski had a number of “semipublic” theological conversation, and despite significant differences Menno and his followers continued to enjoy some sort of toleration in Emden. Łaski was the first to use the term “Mennisten,” in 1545, apparently as part of a larger scheme to separate these more moderate Anabaptists from their potentially violent brethren.<sup>22</sup> When his attempts to debate and persuade these Mennonites failed, however, Menno and his followers were ordered out of East Frisia – though many remained.<sup>23</sup>

By 1556 however, and perhaps not coincidentally corresponding with the largest influx of Dutch Calvinist immigrants to the city as well as the imperial pressures of the Interim, Countess Anna found herself insisting on tighter residential controls. In an edict dated 10 January 1556, Anna identified both David Joris and Menno Simons as leaders of East Frisian Anabaptism.<sup>24</sup> She specified that “Mennonites, Davidites, Batenburgers, and other damned sects” were ordered to leave the county within fourteen days or face punishment.<sup>25</sup> The inclusion of the Batenburgers – a splinter group that survived through dissimulation, robbery and banditry and in various forms after the execution of original leader Jan van Batenburg in 1538 – highlights again the capacity for violence and rebellion that secular leaders assumed to be inherent in anything they could label Anabaptism.<sup>26</sup> Some version of the boundaries between these groups were recognized by

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<sup>22</sup> George Huntston Williams, *The Radical Reformation* (Philadelphia: Westminster Press, 1962), 732-734.

<sup>23</sup> Pettergree, *Emden and the Dutch Revolt*, 33.

<sup>24</sup> NLA Aurich, Rep. 4 BII d Nr. 1, 2: “Vnnd wi dan befindenn, dat bouen alle vnne vorigenn Mandata vnnd vtgegangene gebot breue, der Wedderdoperie also Menno Simons vnnd David Joris vnnd anderenn secten anhegiche”

<sup>25</sup> NLA Aurich, Rep. 4 BII d Nr. 1, 2: “dat so alle vnnd jder [illeg.] sienn Mennonisten, Davidianen, Batenberger, vnd andere vordampn secten”

<sup>26</sup> Though this fear seems decades late, Emden officials would have been right to worry about Batenburgers at an earlier point. Klötzer argues that after Münster, the Batenburg group “expressed the hope of getting their hands on a city,” and Batenburg himself admitted (probably under torture, before his execution) that both Emden and Groningen had been considered. Klötzer, *Die Täuferherrschaft von Münster*, 179.

authorities, but only in so far as they cohered as outsiders who ought not be tolerated in the city of Emden.

When this limited toleration failed, however, two familiar punishments were proscribed. Though the execution of Anabaptists was rare in this part of the empire, authorities continued to rely on the dual processes of expropriation and expulsion. One Anabaptist, Hermann Meßmaker, found himself singled out by Anna in 1561. In a short letter to the bailiff and city council of Emden, Anna ordered his property to be confiscated and his child to be baptized before he or his family be allowed to leave the city.<sup>27</sup> The inclusion of a proscribed baptism suggests that it was the unbaptized state of his child that brought the Meßmaker's Anabaptism to the attention of the authorities. Though this short letter gives us only a glimpse into one such instance of expulsion, it is worth noting that confiscation of property was not enough here – an unbaptized child could not so remain.

Though this turmoil and high-level debate continued, the question of Anabaptist identity also emerged in the records of the consistory of the Reformed community.<sup>28</sup> Looking for inhabitants called before the consistory and labelled as some variation of 'baptizer' [*"Täufer"*], we can identify Reformed community members flirting with marginal beliefs and navigating life in Emden as it assumed its full height as a refugee city.<sup>29</sup> Consistory records began after the rapid

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<sup>27</sup> StA Emden, I. Reg., Nr. 415, 5-6: "Achtbar lieber getreuer vnnser beuelehig, dar ir dar anne sein, die guter des widerteuffers, Hermann Meßmakers genandt, bei einander verhaltenn vnnd das kindt getaufft werde, ehe vnnd Zuuor dieselbenn auß vnnser Stadt Embdenn zu reisenn erleubt."

<sup>28</sup> Heinz Schilling, "Einleitung" in *Die Kirchenratsprotokolle der reformierten Gemeinde Emden 1557-1620 [KRP]*, Vol. 1 (Vienna: Heinz Böhlau, 1989), xviii-xix.

<sup>29</sup> Samme Zijlstra, "Anabaptists, Spiritualists, and the Reformed Church in East Frisia," in *Mennonite Quarterly Review* Jan. 2001, Vol 75:1 (57-73). Samme Zijlstra examined Anabaptists and spiritualists who came before the courts, but focused his analysis on the theological differences that motivated conversions between members of the dominant Reformed church and these smaller, marginalized communities.

expansion of the city in the mid-1550s, following the influx of Dutch Calvinist refugees. Samme Zijlstra estimated that around 200 Mennonites lived in Emden in the mid-1560s. This is of course but a tiny percentage of a population estimated to be between 10,000 and 20,000 at the height of Dutch immigration in the early 1570s, but it was enough mark them out as a small but significant minority.<sup>30</sup>

Johan van Bellen, for instance, first appeared in the records in mid-November 1557. Subjected to instruction regarding his nonconforming beliefs, the baptists [*doepers*] were identified as a source of these errors.<sup>31</sup> Moreover, and more incriminatingly, he had at least three unbaptized children. Van Bellen was something of a troublemaker; he recurred repeatedly in the records of the consistory and was admonished for both his non-normative beliefs and various moral and social actions, such as excessive drinking.<sup>32</sup> Though he was not always identified as holding Anabaptist sympathies when he appeared before the consistory, he was clearly an outsider. In an examination from March of 1562, he was accused of “obvious ignominy and blasphemy.” But though he had clearly heard some Anabaptist preaching, he was not a part of any community: “So Menno Simons’ sect does not want me and you do not want me and the papists do not want me...so I don’t go to either the bakehouse or the brewhouse!”<sup>33</sup> (An editorial note clarifies that the ‘Bread god’ of the Catholics and the distinguishing feature of the chalice for Lutherans make sense of this colorful final declaration.)

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<sup>30</sup> Fehler, *Poor Relief and Protestantism*, 112.

<sup>31</sup> *KRP I*: 10.

<sup>32</sup> *KRP I*: 75, 80, 83, 115, 120, 126, 128.

<sup>33</sup> *KRP I*: 141.

It is important to note that the consistory, like imperial and county edicts issued in these same decades, differentiated between generalized Anabaptists and those Mennonites and Jorists who were identifiable as belonging to a particular nonconformist community. On 26 July 1557, Severin Koperslager was accused as a Jorist.<sup>34</sup> Because David Joris himself, and some of his followers, had taken to announcing the coming of the “third David” by the later 1540s, the accusation was that Severin “knew another savior.” This was a potentially serious charge; Severin was thus compelled to gainsay David Joris and denounce him as a “spirit of the devil.” Most interestingly, however, no mention was made of Anabaptists or baptism at all, suggesting some separation between a larger understanding of Anabaptism and these individual charismatic groups. There are two later references to suspected Jorists; one mentioned as a “Davidiorismo” in February of 1559, and one who might have be a papist *or* a libertine *or* one who belonged to the “David-Joris” group.<sup>35</sup> The ambiguity surrounding this accusation demonstrates how much latitude there might be when defending oneself, partially out of the authorities’ own ignorance. Moreover, denunciations of religious nonconformity accompanied denunciations of societal nonconformity, suggesting again that the categories were widely applied – providing room for the consistory to inquire nearly at will, but also for those accused to dispute any number of related claims. These few pieces of the consistory protocol, then, might be read as everyday evidence for an increasingly sophisticated deployment of terms around marginal religiosity within the community of Emden itself, terms that recognized both serious doctrinal divergence and the potential for social disruption, if not outright rebellion.

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<sup>34</sup> *KRP* I: 3.

<sup>35</sup> *KRP* I: 71; 125.



A mandate written by Anna's son Edzard II, who along with his brother Johan ruled East Frisia after they came of age in 1561, expanded on this worry about rebellion.<sup>36</sup> While his mother may have supported individual instances of expulsion, Edzard II issued a blanket expropriation and expulsion order on 6 August 1568. This was partially related to the military defeat of an opponent, and the subsequent notion that various Dutch fugitives were active in East Frisia.<sup>37</sup> Addressing the city council of Emden, Edzard began by characterizing the Anabaptist population as another aspect of this transient or fugitive problem, and insinuated the possibility of future unrest. He ordered the council to confiscate the goods of Anabaptists and then to expel them from the city; though this was meant to, again, apply to those Dutch fugitive Anabaptists, it had wider applicability. The proceeds of these confiscations were to be split between the city itself and the count, providing a measure of financial incentive for a city magistrate that had otherwise been reluctant to enforce comital demands.

Though no evidence exists that the council acted on these orders,<sup>38</sup> Edzard's attitude toward Anabaptists in the city had been made clear. Eight years later, he wrote again to demand that the Emden council and magistrates take more stringent measures against the public exercise of Anabaptism. In a letter dated 14 July 1576, he ended with a sharp admonishment that gave a glimpse into the religious latitude possible within the city of Emden. Edzard has been informed

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<sup>36</sup> StA Emden, I. Reg., Nr. 415, 7-8: "So vile denn widertauferenn belangen thut nachdem dieselbe mehresteiles für fluchtig gewordenn, wollenn vnnnd befehlegg wir, daß sie alle nach Confisierung Ierer guter Ausserhalb vnnser Stadt vnnnd grafschafft verwiset werdenn." Cf. J.P. Müller, *Die Mennoniten in Ostfriesland vom 16. bis zum 18. Jahrhundert, Aktenmässige kulturgeschichtliche Darstellung, Erster Teil* (Emden: Verlag von W. Haynel, 1887), 30.

<sup>37</sup> Edzard and Johan were forced to rule jointly after their mother abolished primogeniture. Anna and Johan were Calvinists, but Edzard a Lutheran; the confused political/religious situation only further weakened comital power and led to the rise of Emden's urban autonomy.

<sup>38</sup> Cf. Müller, *Die Mennoniten in Ostfriesland*, 30.

of particularly brash public instruction in Anabaptist beliefs: “So we come to the actual experience that public Anabaptist teachings should be held in our cities, all of the Christian churches are in outrage but we are in a particular distress.”<sup>39</sup> Edzard stressed that he would not “tolerate” this proliferation of “sects and factiousness,” and ordered bodily punishment for whomever preached Anabaptist beliefs in public or private.

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And so this was the atmosphere in 1576: bold, nonconforming public preaching, a reluctant city magistrate and a suspicious comital authority. This was also the audaciousness about which the council wrote to Edzard just a few months later, in the January 1577 letter that began this chapter – and they therefore knew themselves to be writing to a particularly sympathetic audience.<sup>40</sup> The January letter lingered on the idea of a proliferation of nonconforming Anabaptists, on top of their prominence and wealth, giving a sense of the real or imagined migration patterns that authorities saw as an insidious aspect of the Anabaptist problem. That Anabaptists were increasingly identifiable (and conspicuous) was of course related to their susceptibility to expropriation and expulsion. These expropriations could not be disputed in the same way that Münsterite dispossessions had been. Yet the city council’s inaction

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<sup>39</sup> StA Emden, Nr. 415, 9-11: “Wir Ihnn, Auf fer fall, Andere zum Abscheuwlich[en] exempell, seine geburend[en] Straff, hetter widerfaeren zu laßen Also wir Auch in eigentliche erfahrung kommen, das offentliche Wiederteuffers Schulenn daselbst [+ in vnserer Stette] gehalten werden solte[n] Alles der Christlichen Kirchen zur Ergerniß, vnnß Aber zu ein[en] sonderlichen verdrieß Wan vnns nun solchs keins Weegs zugestatten, noch zgedulden sein will, So haben wir nit vmb geherkondten, euch Welch[en] dessen pillig wissens fragen, vnd verhindern solt[en] (dasselbig zu errinndern, Gnediglich befehnd, den selbigen so sich deßen gebrauch[en], vnd sothanige Secten vnd Rottereien einzufueren, es sei heimlich od[er] offentlig, sich vnderstehen, bei straffe Leibs vnnnd gez[-]zuge Pieten, das sie sich dessenn gantzlich enthalten vnd eussern sollen. Wo nitt Inen Alß dann in [obgr] Straeff[en] haben zunehmen.”

<sup>40</sup> Again, Edzard was ruling ‘jointly’ with his brother Johann, who was reportedly less likely to intervene in matters of religion but happy to go along with anything that would staunch the growth of Anabaptists; see Müller, *Die Mennoniten in Ostfriesland*, 31-32.

spared most if not all from this fate, and demonstrated another avenue towards toleration that opened up with prosperity.

Perhaps nothing demonstrated the enduring,<sup>41</sup> if continually tenuous, toleration of Anabaptists in the city of Emden as much the disputation which took place from February to May 1578 between Reformed city leaders and members of the Flemish Mennonite community.<sup>42</sup> Klaas-Dieter Voß argues the Flemish Mennonites who participated did so mainly to mend ruptures within the Mennonite community, a fascinatingly functional use of what was, to begin with, a rare religious conversation involving Anabaptists.<sup>43</sup> Ultimately, however, the 1578 disputation had the effect of solidifying various Mennonites groups in opposition to one another, and thus atomizing the threat to the Reformed community. In fact, very little was hashed out theologically, and perhaps to believe that this was an earnest theological dispute is a misunderstanding. In the end, Menso Alting, preacher at the Emden Great Church, stressed the politically incoherent and fundamentally unsuitable beliefs of the participating Flemish Mennonites, and thus underscored the suspicions that the counts already shared.<sup>44</sup>

In both the buildup to and during the colloquy and dispute, communication between county and city authorities was strained. Alting preached in early 1578 about the threat of migration from “1000 Anabaptists beyond the border” – just waiting, it seemed, to invade the

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<sup>41</sup> Zijlstra asserts that Mennonites had become an accepted minority in Emden society by 1575; Samme Zijlstra, “Anabaptists, Spiritualists, and the Reformed Church in East Frisia,” 59-60.

<sup>42</sup> Klaas-Dieter Voß, *Das Emdener Religionsgespräch von 1578: Zur Genese des gedruckten Protokolls sowie Beobachtungen zum theologischen Profil der flämischen Mennoniten* (Leipzig: Evangelische Verlagsanstalt, 2018).

<sup>43</sup> Voß, *Das Emdener Religionsgespräch von 1578*, 669.

<sup>44</sup> Klaas-Dieter Voß, “Das ‘mennonitische’ Obrigkeitsverständnis im Emdener Religionsgespräch von 1578,” in *Tota Frisia in Teilansichten. Hajo van Lengen zum 65. Geburtstag*, edited by Heinrich Schmidt, Wolfgang Schwarz and Martin Tielke (Abhandlungen und Vorträge zur Geschichte Ostfrieslands: Aurich, 2005), 255–282.

East Frisian city.<sup>45</sup> After hearing reports of Alting's claims, Edzard II wrote to the Emden city council to stress the threat and make allusions to a seditious Anabaptist past.<sup>46</sup> In a letter from mid-February, the count made clear that he was concerned about the "Anabaptists from Holland" who were due to arrive in Emden. Significantly, Edzard invoked Münster; the Kingdom was, after all, another place that had been a destination for Dutch Anabaptists, those "Hollanders and Frisians" Heinrich Gresbeck had denounced in his eyewitness account. Edzard warned against allowing Dutch Anabaptists to settle down and take up residence in the city, because the "Münsterite and other similar examples cause in us revulsion."<sup>47</sup>

Count Johan requested, in May 1578, a copy of the protocols from both sides, and demonstrated a slightly more nuanced and attentive understanding of the religious landscape by referring to the Anabaptists involved as Mennonites [*Mennisten*], where his brother Edzard had repeated only the pejorative "Anabaptists" [*Wiedertäufer*].<sup>48</sup> Johan's knowledge of Reformed doctrine, following in the footsteps of his mother Anna, meant that he knew enough to be worried about some of the accusations of the Mennonites – namely, that the Reformed preachers of Emden were "Arians and Nestorians." For Johan, that the specter of heresy had been raised in relation to Reformed theology was unacceptable, and he disputed this inclusion in the protocols at all.

In the midst of this rare, late public debate over the doctrinal suitability of one form of Anabaptism, and despite the clear distaste for Anabaptism shown by county authorities,

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<sup>45</sup> Grochowina, *Indifferenz und Dissens*, 260.

<sup>46</sup> StA Emden, I. Reg. Nr. 415, 23-24.

<sup>47</sup> StA Emden, I. Reg. Nr. 415, 23: "Dan die Munsterische vnd Andere der gleichen Exempeleenn vns ein Abscheuw deßwegen pillich machen."

<sup>48</sup> StA Emden, I. Reg. Nr. 415, Nr. 415, 30-32.

individuals within the city of Emden were still finding themselves on the border between the Reformed and Anabaptist communities. Lambert Everts was first censured by the consistory in September 1578 and he was still a person of suspicion a year later, in September 1579. Described as one who had been flirting with unacceptable ideas “for 12 or 13 years,” he had only grown more obstinate since the disputation and “should no longer be addressed as a brother of our community.”<sup>49</sup> Another man “suspected of Anabaptism” in May 1579 testified to the consistory that he “confessed that the Anabaptists, on some points, were more in the right than we.”<sup>50</sup> Just a few days after being admonished by the reformed community, the man was accused of “whoring” around with a maid, the fluid interweaving of accusations of sexual and/or martial deviance.<sup>51</sup>

Efforts to place limits on both perceived Anabaptist deviance and perceived Anabaptist prosperity continued, crucially, through restrictions on property. In 1582 Count Edzard issued an edict concerning the religious laxity of the region which included several condemnations of Mennonites, condemnations that reiterated the punishment of dispossession and furthermore forbade communities from selling more property to suspected Anabaptists.<sup>52</sup> Addressing “the damned sects of the Mennonites, Anabaptists, and others afflicted with false teaching,” Edzard’s main concern was Anabaptist access to property. After a previous ban on selling or renting to

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<sup>49</sup> *KRP II*, 703, 729-730.

<sup>50</sup> *KRP II*, 719.

<sup>51</sup> However, for the consistory of Emden, the urgency of the sexual accusations was evident; the maid had become pregnant out of wedlock. *KRP II*, 724.

<sup>52</sup> NLA Aurich, Rep 4 B II d Nr. 6, 10-12. This is included as an enclosure by a pastor in a supplication against Mennonites in Norden in 1644. Also, Grochowina uses Nr. 6, p.4 on page 86 of her book; quotes from the 1582 edict by Edzard II that demands attendance at services, “welche mit der verdampften Secten...und beflecket.” For her this is a point about increased surveillance as a common experience across both indifference and dissent.

Anabaptists, landlords had continued to do so but were now ordered to “abstain from it entirely.” By renting or selling property to Anabaptists, these landlords had tainted the community and allowed the door to remain open, as it were, to their corrupting influence: “that some citizens or housekeepers...were seduced by the indicated sects, fell away from the community of Christ.” A failure to strictly comply with this edict would lay the “heavy burden of unfavor” upon the offending community.<sup>53</sup>

The struggles that Charles V had had with Countess Anna were thus playing out again in microcosm within East Frisia between Count Edzard and the city councils and magistrates over which he ruled. The city of Emden and its reformed community under Menso Alting had long been at odds with the Lutheran Edzard, and this only intensified after the death of his reformed brother and competing comital authority Johan in 1591. Though Edzard had long exerted more power than Johan, after Johan’s death Edzard moved to dismantle the Calvinist presbytery and citizen committees in Emden and to replace them with his own Lutheran deputies, and in turn assert his own religious authority over the most prosperous city in his territory.<sup>54</sup> It was at this

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<sup>53</sup> NLA Aurich, Rep 4 B II d Nr. 6, 10-12: “Weilen auch die beiwohnung der zeugen, welche mit der verdampften Secten der wiederteuffer, Mennoniten vndt dergleichen falschen Lehren behafftet, zum höchsten schadlich vndt viel Einfeltige Burgere vndt Haußleuthe vnser Statten, Flecken vndt Dorffere, von der gemeinen Christlichen Kirchen, dar Gottes [ve][s] wordt gelehret vndt geprediget, dardurch [jaucerlichen verfuhrer vndt befleckt, vndt dennoch solchen bossen *Exempeln* vndt argernissen, so viel möglich, ge[r]echnet werden muge Demnach wollen wir allen vndt ieglichen vnsern vntherthanen hiemit auch ernstlich ‘verbotten haben keinen wiederteuffern, Mennonitten, vndt anderen Ihren angehorigen Secten, einig Hauß-hert stadte vndt Landereien nun forthin nach *Publicirung* diesses vnser Gebots zu Verheuren, oder zu verkauffen, sondern sich desselben gantzlichen zu enthalten, alles bey verliering desselben verheureten oder verkaufften haußes hertstadte vndt landereien, vndt da auch hienechst befunden wurde, daß einige Burgere oder Haußleuthe vorgedachten vnser Statten, Fleckhen, vndt Dorfferen, die zu vonn zum Gehor Gottliches wordtes in die Kirchen gegangen, vndt die heilige Sacramenten gebrauchet, sich durch angedeuter Sectenzugethane wurden verfuhrer lassen, der ‘Gemeine *Christi* abfallen, vndt derselben bosse Exampel, sollen vnß dieselben mit Hauß, Hoff, landt Sandt sonsten verfallen seyn, Soll auch allen vndt iedglichen vnsern *pastoren*, kirchendieneren vogden vndt Außkundigern bey den Plichten, damit sie vnß verwandt, sein ernstlich eingebunden, alle die Jenigen so wieder dieß vnser gebodt vndt verbodt handeln, vnß oder vnsern Amptleuten vndt *Officiren* getreulich anzugeben, vndt zu offenbahren, alß lieb einen iedglichen ist, vnserere schwere vngenad[en] zu vermeidens.”

<sup>54</sup> Fehler, *Poor Relief and Protestantism*, 224.

point, Heinz Schilling argues, that “Emden’s Calvinists became definitely republican and anti-absolutist, republicanism being now the only alternative to the Lutheranism of the ruler.”<sup>55</sup>

What followed in 1595, referred to as the “Emden Revolution,” was a demonstration of urban power over and against a higher regional authority with differing confessional commitments – and therefore not entirely unlike the political realities that had made Münster possible. The results, of course, *were* entirely different, as the Emden Calvinists could rely upon nearby Dutch political and military power to preserve the constitutional changes that made the Calvinist city essentially independent from the Lutheran county which surrounded it. Beginning with the Treaty of Delfzijl in 1595, and despite skirmishes which lasted through 1602, Enno III (son of Edzard II) was by 1603 compelled to relinquish claims on Emden entirely.<sup>56</sup> By the end of this violence, Enno himself was in hiding and the leadership of the county had been ceded to the city and its Dutch military allies. Skirmishes between county and city forces continued for some time.<sup>57</sup>

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<sup>55</sup> Schilling, *Civic Calvinism*, 30. Enno III took over from his father, Edzard II, in 1599. Having inherited a county on the brink of dissolution, following the Emden Revolution of 1595, Enno III presided over the signing of the Emden Concordat in the fall of 1599 – a document designed to ease the long-simmering religious tensions between the solidly Calvinist city and its Lutheran counts. But this early act of diplomacy would come to nothing in the face of a clumsy demand for taxation, which Emden resisted with troops. Enno III escalated the threat by moving his own troops near the city, and fighting began in 1600. Emden eventually sought out help from the nearby United Dutch Provinces, who routed the count’s forces in 1602, and battles continued intermittently through 1603.

<sup>56</sup> Schilling emphasizes that, despite the stark confessional conflict, the success of the Emden Revolution was predicated upon the longstanding tradition of East Frisia freedom and the late medieval communalism that had ceded only some powers to the Cirkensas in the late fifteenth century. Schilling, *Civic Calvinism*, 79.

<sup>57</sup> Walter Deeters, “ENNO III,” in *BIOGRAPHISCHES LEXIKON FÜR OSTFRIESLAND (BLO) II*, (Aurich: 1997), 96-97. <[https://www.ostfriesischelandschaft.de/fileadmin/user\\_upload/BIBLIOTHEK/BLO/Enno\\_III.pdf](https://www.ostfriesischelandschaft.de/fileadmin/user_upload/BIBLIOTHEK/BLO/Enno_III.pdf)> Accessed 1 June 2020.

## The making of a marginal imaginary: Mennonites and Jews

It was this long-simmering and now erupted dispute between urban and comital power that would introduce the mechanism for the most lasting toleration for Anabaptists in the northwestern Holy Roman Empire.<sup>58</sup> *Schutzgeld* lists from the beginning of the seventeenth century show that an extraordinary tax system was established to collect a twice-yearly protection fee. Unfortunately, only a handful of these *Schutzgeld* lists remain, from the years 1601, 1602, 1626, 1638, 1737 and 1749. Within the city, then, this taxation scheme was an expedient in an urban system that would need to remain contained and even more actively policing its borders as the power struggle with the count played out.<sup>59</sup> For Mennonites, the enshrining of taxed toleration would ultimately become the bureaucratic space in which religious identity could be most directly contested.

The lists, labeled as “Mennonite *Schutzgeld*,” detail the names of those householders in the city who were responsible for paying this extra protection fee – but from the first extant account in 1601, seven were not actually Mennonites, but Jews.<sup>60</sup> This was denoted by the simple appellation “the Jew” after each of their first names. The seven Jewish men included in this 1601 register are scattered throughout residential districts of the city, and pay a variety of

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<sup>58</sup> Indeed, Timothy Fehler accounts for the inauguration of this ‘protection money’ scheme by pointing directly to the revolution of 1595, and asserts that the newly independent and unapologetically Calvinist city council must have instituted the practice shortly after they negotiated their autonomy from Edzard’s rule. Fehler, *Poor Relief and Protestantism*, 239.

<sup>59</sup> Ironically, a good deal of the ‘*aufruhr*’ to be found in the Emden city archives concerns the period immediately after 1595, when the newly independent city government turned its skeptical eye toward citizens suspected of conspiring with the Count against the city, or soliciting military supplies from sympathizers in London or elsewhere. See StA Emden, I. Reg., Nr. 728a, 728b.

<sup>60</sup> Timothy Fehler notes that, although the Jewish population of the city was small to begin, a number had left the city following the 1595 revolution because they derived their long-standing protection from the protection letters [*Schutzbriefe*] given by the count, and feared the city would not protect them. Fehler, *Poor Relief and Protestantism*, 241.



obligations which were calculated in the same manner as those of the Mennonites, based on their own household worth.<sup>61</sup> These tax registers themselves, however, do not reveal negotiation. The unique political constellation between the city of Emden and Count Enno III made economic toleration advantageous in the middle of extended skirmishes and the assertion of political autonomy, but neither Mennonites nor Jews appear to have been able to negotiate these payments or anything about the marginalized status these payments indicate.<sup>62</sup>

As the mixed *Schutzgeld* registers of Emden attest, and in keeping with the problem of naming those on the margins, Mennonites and Jews had become intertwined in the minds of secular authorities. Indeed, even before *Schutzgeld* solidified their status as economically tolerated but exogenous, Emden authorities were combining complaints about both groups. The Emden letter from January 1577, in which the mayor and city council of Emden wrote to Count Edzard II to complain about the boldness with which Anabaptists went about both their religious and secular business in Emden, began, in actuality, with condemnatory descriptors for both Anabaptists and Jews.<sup>63</sup> Grouping together two religious communities that were variously tolerated in the city, councilmembers noted their aim in the letter's opening paragraph: "and particularly to report on the seductive sect of the Anabaptists, and the vile, blasphemous Jews." As we have seen, however, the council had mostly busied itself with reports on Anabaptist behavior. They finally addressed their accusations against Jews in the second-to-last paragraph of this draft, a paragraph completed in a different hand and potentially added at a later date.<sup>64</sup>

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<sup>61</sup> Jewish inhabitants of Emden did hold some property in the city; one man, Simon, who appeared on both the 1601 and 1602 registers, was listed as a member involved in a contract transfer case that lasted from 1605 to 1609. *Kontraktenprotokolle*: Simon, Jude, 24, 1605-1609, 174.

<sup>62</sup> For full descriptions of each extant *Schutzgeld* document, see Appendix A.

<sup>63</sup> StA Emden, I. Reg. Nr. 415, 12-14.

<sup>64</sup> This letter is only preserved in draft form; c.f. Müller, *Die Mennoniten in Ostfriesland*, 29.

The original author, then, had not even managed to address the Jews he had slandered in his opening salutation, and this late charge against the Jewish inhabitants of Emden was both brief and vague by comparison. The council complained about the presence in Emden of “daily more Jews, and their usury (which, like cancer, daily eats away and spoils everything).”<sup>65</sup> Though the number of Jewish inhabitants of Emden certainly may have been increasing at this time, the lack of specifics was not terribly convincing. Moreover, usury was perhaps the most ubiquitous charge used in Christian polemics against Jews.

So why were Jews denounced together with Anabaptists in this plea? Perhaps the council was attempting to condemn both communities through an association with the other; damning a new and ill-defined religious group through comparison with a long-standing religious enemy, or using the opportunity of Anabaptist disruption to add to ongoing polemics against Jews. It is clear from this letter that secular authorities in Emden had long been thinking about these two groups as connected, even as little evidence exists of meaningful connections between the communities themselves. The Emden city council had thus begun to populate its own imaginary of the marginalized, an imaginary which endured to structure the taxed toleration of both Anabaptists and Jews in Emden for over two hundred years.

Responses to the 1577 letter from the two brother counts of East Frisia illuminate the attitudes towards Mennonites and Jews which animated policy on a territorial level. In a reply “concerning the Anabaptists and the Jews,” Count Edzard echoed the language of the council when he acknowledged that both “the Anabaptists’ seductive sect, like the Jews’ blasphemous usurious deeds” were increasing in and around the city of Emden. He described this as a situation rife with “great danger and disaster,” and ordered all Anabaptist preaching, both public and

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<sup>65</sup> StA Emden, I. Reg. Nr. 415, 13.

private, to be forbidden and all “conventicles” prohibited. Here, as elsewhere, the imperial illegality of Anabaptists was invoked. The extra-legal status of Anabaptists was a constant threat, here extending its condemning reach to the Jews living in Emden as well.<sup>66</sup>

Count Johan began by addressing only the “uproarious sects of the Anabaptists,” who were dangerous because they “do not recognize any authority, and terribly condemn our preachers and our doctrine.” All who persisted in challenging city preachers or promulgating doctrines of Anabaptist faith were to be summarily expelled from the city; those who would rejoin approved congregations and would practice a form of Nicodemism would be tolerated. This section was entirely focused on Anabaptists, even going so far as to name two considered to be particularly disruptive, and the focus turned to Emden Jews only at the end. Johan assured the council that, “concerning the usurious trade of the Jews and their persons,” he had issued no letters of escort or approval for their lodging because to do so would “awaken God’s wrath and punishment upon us.” What should be done with the Jews now in Emden, however, would be left to his brother Edzard.<sup>67</sup>

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<sup>66</sup> StA Emden, I. Reg., Nr. 415, 15-18: “Das der Wiederteuffer verfürische Secte, Wie ein gleich der Juden Lasterliche Wucherlicher handlung, In vnnd Ausser vnnsere Statt daselbst, Je lannger Je mehr von Tag zu Tagk einrißenn, vnnd zunehmen dethe, Dadurch nitt Allein viell in ergernuß geraten [...] Insonderheit das Inen den Wiederteuffer noch heimbliche noch offentliche Predige gesta[et]. Ire *Conuenticula* zurstoret, in massen dae im Reichs Abschiedt solchs Außtrucklich verboten, Damit Also Allersitz gefaer, vnd vrderb verh[u]teh werdenn [muge], habenn es euch Also hinwiderumb vnangefueget nit lassen wollenn euch darnach zuuerhalt[en] Vnnd seint euch zur gnaden geneigt dat Awerich den 13 January Anno @77.”

<sup>67</sup> StA Emden, I. Reg., Nr. 415, 19-22: “Wir habenn vast mitt beschwertenn gemuett Ewernn bericht vnn den ein reissendenn aufrurischenn Sectenn der Widderteuffer vernommen, damit aber weitem vnheill war dißmall ettwas vorkommen werde, So ist vnnsere ernuster gnedigs beuelich, das Ir die Jenige, wilche In der meinonng seint, Als das sie die [Ehe] scheidenn Ires gefallenns Vrteile vnnd verdammen, keine Oberkeitt erkennen, furtter vnnsere Prediger vnnd dero Lehr schrecklich verwerffen Vor vns bescheidet, sie In beiwesenn [die] samptlichenn Prediger, obgerurte Articuln vorhaltet, vnnd wilche Ihr dabei verharren befindtet, dieselbe an [][][dt, ohne einiche Abschew vnnsere Statt verweist, Anndere aber, so sich bei vnnsere kirchen still haltenn vnnd In aufgerurtenn Pundten nitt zustimmen, denselbenn mitt gedult vbersehet, [...] Denn Wucherlicher Handell der Juden vnnd Ire personenn belangenndt, können wir mitt warheit sagenn, das wir irer keinem gleidtt oder Vnnderschleiffverliehet, Verstehenn auch [woll] das dadurch (weill alsolche laster gelittenn) Gottes zorn vnnd straff vber vnns erwecket werde, damitt Aber dieselbe auch abgeschaffet Wellenn wir nitt vnnd erlassen, [...] Dan Lehrortt den 13. January Ao 77.”

What Edzard would do was to slowly allow for a greater Jewish presence in Emden, as this 1577 exchange was itself timed to an increased possibility for Jewish life within Emden.<sup>68</sup> Jews had lived within Emden since approximately 1530.<sup>69</sup> An invitation by Count Edzard II for Jews to emigrate to East Frisia, specifically the cities of Emden and Aurich, led to the growth of the Jewish population in the 1580s.<sup>70</sup> Intriguingly, many of the Jews who arrived in Emden came from nearby Westphalia, part of a general exodus from Westphalia and toward the coast of the North Sea. The *Judenstrasse* in Emden was built in 1589 along the edge of the Grosse Faldern – not coincidentally the exurban area in which Dutch Anabaptists had also begun to settle. The construction of the *Judenstrasse*, while certainly an attempt to delimit Jewish life in Emden, was also an action that Timothy Fehler reads as evidence that “this situation led many in Emden to recognize that they could not require Jews to live outside the city walls.”<sup>71</sup> This minor concession was grudging, however, and both Anabaptists and Jews showed up in a complaint from the gathered citizenry of Emden to the East Frisian *Landtag* in 1590. Demonstrating the tensions between city and count which would shortly erupt, the citizenry demanded that “everything which is contrary to [the true Christian Religion] might be abolished – namely the Jewish synagogue, the [Lutheran] separation at the New Mint, and various gatherings of the

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<sup>68</sup> Jonathan I. Israel, *European Jewry in the Age of Mercantilism: 1550 – 1750, Third Edition* (Oxford: The Littman Library of Jewish Civilization, 1998), 35-36. Israel here cites Gans, *Zemach David*, 125 and Anklam, *Judengemeinde in Aurich*, 5.

<sup>69</sup> Herbert Reyer, “Die Ansiedlung von Juden in den Herrlichkeiten der Grafschaft Ostfriesland,” in *Landjuden in Nordwest Deutschland*, 35; Reyer cites the Jan Lokers dissertation.

<sup>70</sup> Anklam sees this invitation as a reaction against an imperial police ordinance of 1577. Anklam, *Die Judengemeinde in Aurich*, 195-196.

<sup>71</sup> Timothy Fehler, “Coexistence and Confessionalization: Emden’s Topography of Religious Pluralism” in *Topographies of Tolerance and Intolerance: responses to religious pluralism in Reformation Europe*, ed. Marjorie Elizabeth Plummer and Victoria Christman (Boston: Brill, 2018), 95.

Anabaptists.”<sup>72</sup> At the end of the sixteenth century Jews lived in Emden, were pushed to the geographic margins, were a subject of debate and protestation and were about to pay for the privilege. Yet this was apparently the best-case scenario for a group marked simultaneously as religiously and racially ‘other’ in early modern Europe.

Though Münster had stoked the most extreme and, indeed, outsized fears in reforming communities about Anabaptists, longstanding anxiety and hatred existed within Christian European communities and was directed toward their Jewish neighbors. In the medieval period, violent racialization of Jews in England culminated in their 1290 expulsion from the country. This was the natural conclusion, Geraldine Heng argues, of a position “as the benchmark by which racial others were defined, measured, scaled, and assessed,” as “figures of absolute difference.”<sup>73</sup> The totality of their difference meant a nearly non-negotiable situation, a difficulty Heng attributes to their status as an “intimate alien.” Whereas external threats such as Muslim Saracens could be occasionally assimilated into, for instance, narratives of Christian chivalry and knighthood, the fact that Jews lived within Christian communities kept them both homogenized as a religious/racial other and marked by racial difference even generations after conversion.<sup>74</sup> The expulsion of Jews from the Iberian peninsula by Ferdinand and Isabella in 1492 had pushed a long-standing religious minority group out to find the remaining safe havens of Europe: into the Ottoman Empire, where tolerance was expensive but entrenched; or into Poland and the Holy Roman Empire, where tolerance was piecemeal and changeable. Indeed, even limited toleration dropped off significantly over the course of the sixteenth century. According to Jonathan Israel,

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<sup>72</sup> Quoted in Fehler, *Poor Relief and Protestantism*, 219.

<sup>73</sup> Geraldine Heng, “State/Nation: A Case Study of the Racial State: Jews as Internal Minority in England,” in *The Invention of Race in the European Middle Ages* (New York: Cambridge University Press, 2018), 55-109.

<sup>74</sup> Heng, “State/Nation,” 77.

“by 1570, the Jews had been cleared from every major German secular territory except Hesse, and from every Imperial Free city of any importance except Frankfurt.”<sup>75</sup> Jewish communities knew, therefore, that their inclusion anywhere in the empire was both tenuous and temporary.

Comparisons between Anabaptists and Jews were by no means limited to the East Frisian context. In Kat Hill’s examination of the “curious case” of Hans Thon, superintendents in Thuringia likened non-conformists to the Christ-denying and therefore eternally suspect Jews. Authorities complained about the threat against true religion and good society which lurked within both groups, and especially that such crimes had yet to be rooted out of the community. As Hill puts it, “superintendents Strauss and Tilesius reported that the two seductive sects and godless rebels, the blasphemous Jews and the Anabaptists, who were both of the Devil, had insinuated their way into the local community and were being tolerated in the *Vogtei* [bailiwick] of Dorla.”<sup>76</sup>

The fragile possibility for Jewish life in the Holy Roman Empire was facilitated through paid toleration schemes like *Schutzgeld*, though the specifics and duration of toleration varied greatly. In Hildesheim, a protection fee was put in place after the synagogue was dissolved, and did not allow for the growth of the community beyond the original thirteen families.<sup>77</sup> In larger territories, administration and collection of *Schutzgeld* was completed by *Landjudenschaften*, regional entities which provided for some Jewish self-governance while simultaneously gathering payments from a population that may have been disparate in rural areas. Jonathan Israel notes that a number of these regional organizations arose in the mid-seventeenth century,

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<sup>75</sup> Israel, *European Jewry*, 18.

<sup>76</sup> Hill, *Baptism, Brotherhood and Belief*, 218.

<sup>77</sup> Michael J. Halvorson, “Jews and Jesuits in a Confessional Age: Heinrich Heshusius and the Boundaries of Community in Hildesheim,” *The Sixteenth Century Journal* 39: 3 (Fall 2008), 639-655.

with a cluster in the eleven years between 1649 and 1661: Paderborn, Cleves, Münster, Mainz, Trier, Bamber, Hesse-Darmstadt and Jülich-Berg.<sup>78</sup>

There was, then, a coincidence of Anabaptists and Jews as outsiders – outsiders who were tolerated for a price. The negotiations necessary to find the balance of this temporary toleration were highly local within the fragmented Holy Roman Empire, but the complication of finding a pocket of economic toleration was only matched by the ongoing struggle to keep it. The process of negotiation was further encumbered by the limited rights afforded to both Mennonite and Jews under *Schutzgeld* and *Schutzbriefe*. Though attempts at negotiation iterated throughout the seventeenth century and resulted in slight variations to the terms, protection letters never permitted either Mennonites or Jews the full legal rights of other inhabitants of East Frisia. Though individual instances of leniency, especially around the exercise of religion, would provide hope, any new ruler could pull back to the letter of the limited rights granted and deny even the ability to further negotiate.<sup>79</sup> Jews had long been understood to belong to a different legal class within European law, alongside women and clergy. This “plurality of legal systems” soon began to include Anabaptists as well.<sup>80</sup>

Taxed toleration was only ever transitory and required the assumption of a penitential stance with each bid for benevolence. And though the eventual triumph of Prussia over East Frisia would bring some financial relief for Mennonites – a fact emphasized repeatedly in nineteenth-century confessional histories – it would, conversely, bring a darker period for the Jews who had been assessed and taxed alongside Mennonite communities. This discrepancy in

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<sup>78</sup> Israel, *European Jewry*, 158.

<sup>79</sup> See the discussion of East Frisian constitutional limits with regard to Mennonites and Jews in Müller, *Die Mennoniten in Ostfriesland*, 103-104, fn. 69.

<sup>80</sup> Padoa-Schioppa, *A History of Law in Europe*, 170-171.

the treatment of two minorities groups is not, of course, unique, but the short period of parallel treatment in the seventeenth century merits an examination of the categories of alterity that were being populated by authorities in early modern East Frisia.<sup>81</sup>

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The possibilities and the limits of economic toleration through these safe conduct letters and accompanying protection fees are demonstrated in the push and pull of the early seventeenth century, for both Anabaptists or Mennonites and for Jews. The city of Emden extended a general letter of safe conduct for its Jews in 1613, despite the fact that the community had been paying fees since at least 1600 and most likely before. Count Enno III followed suit with a letter for the city of Norden in 1615. Coverage for the whole of East Frisia was finally granted in a general letter of protection for Jews within the county by Ulrich II in 1635.<sup>82</sup> The letters of protection or “General Privileges” covered a specific time period, usually a decade or two, and outlined a largely consistent set of assurances. Jews were to be protected in both body and property, allowed to practice their religion undisturbed and to bury their dead, to organize their own religious life under a rabbi and run their own court, to conduct business with a limited collection of interest, to marry and obtain further protections for the expansion of settlements that might occur, and to travel throughout the territory under the same protection of the court.<sup>83</sup> Jewish

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<sup>81</sup> The understanding that Jews and Mennonites formed a heterogenous exogenous social group is not innovative, as it is indeed driven by the structure of archival organization itself. In the preface to the archival finding aide for the city archive of Emden, the compilers wrote: “Members of religious minorities, Jews and Mennonites, formed a social special group. They bought their toleration through an extra levy, the *Geleit*.” *Geleit*, meaning ‘escort’ or ‘conduct’ in the sense of ‘safe conduct’ or promised protection, was merely one aspect of what Mennonites paid for in both regular extra taxes and extraordinary economic demands. This is, however, the only mention of Mennonites or Jews in the descriptive history of the archive; their association as marginalized religious groups is presented plainly. StA Emden, I. Reg. “Findbuch Vorwort,” 3.

<sup>82</sup> Reyer, “Ansiedlung,” 36. An abridged copy of a later *Schutzbrieife* issued by Ulrich II can be found in Anklam, *Die Judengemeinde in Aurich*, 197.

<sup>83</sup> Anklam, *Die Judengemeinde in Aurich*, 196.



leaders were responsible for submitting a list of the names from all eleven districts of the county, who would then be responsible for paying the yearly *Schutzgeld* of 30 marks, or three Rheinisch gulden.

For Mennonites the city of Norden had become, following the count's loss of control over Emden, the center of Mennonite life in East Frisia.<sup>84</sup> The Mennonite population in Norden grew during the first decade of the seventeenth century,<sup>85</sup> though Count Enno III only "gradually" became aware of their presence.<sup>86</sup> By 1612, however, Enno III was forced to respond to complaints from Protestant clergy in the city of Norden about the abundance and activity of Anabaptists within that East Frisian community – by now a recurrent complaint. In a responding letter dated 21 November 1612, Enno asked the Norden council, and especially the bailiff Wilhelm von Kniphausen, to investigate and collect data on these nonconforming communities in their midst. The pastors had complained "that the Mennonites and Anabaptists there are not only accumulating and multiplying," but were also publicly exercising, promoting their doctrine and holding services when "otherwise the churches were lit and Christian sermons were preached." This had effectively led astray "simple-minded Christians" who might have otherwise heard the message of true religion. In the demand for a register of known Mennonites, the count

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<sup>84</sup> Estimates on the earliest numbers of Mennonites or Anabaptists in Norden are vague; in the baptismal books of sixteenth-century itinerant Mennonite preacher Leenaert Bouwens, few baptisms were performed in Norden during any of his active travelling periods. In the five missionizing trips he made between 1551 and 1582, only 23 people were ever baptized within Norden itself. Erickson, "Mennonite Expansion," 289. Table in Erickson reproduced from K. Vos, "De Dooplijst van Leenaert Bouwens," in *Bijdr en Mededeelingen v. H. Historisch Genootschap te Utrecht* (1915) 36:39-70. Tables from 44-63, 64-70. (In the same period of time, 413 people were baptized in Emden and the nearby, and eventually incorporated into the city, Groß- and Klein-Faldern.)

<sup>85</sup> Seventeenth century numbers, however, can be approximated through infrequent and inconsistent *Schutzgeld* records. The fluctuations of these numbers – anywhere from 49 to 87 households over the course of the later seventeenth century – are, according to Grochowina, equally attributable to either migratory movements or simple accounting and documentation errors. Grochowina, *Indifferenz und Dissens*, 267. She cites NLA Aurich, Rep. 4 B II D, Nr. 3.

<sup>86</sup> Müller, *Die Mennoniten in Ostfriesland*, 34-35.

requested both names and known addresses; this is emphasized by his repetition of the request, first asking where they suspected Anabaptists lived and then again, “in which house they lived” – either within the city of Norden itself or within its broader administrative district, which encompassed the immediate rural area.<sup>87</sup>

This request for data – specifically housing-related data, though specifics as to the leadership were also requested – had to be reiterated a year later after a lack of movement on the issue.<sup>88</sup> Enno III wrote again to the bailiff of Norden on 20 November 1613, responding to a renewed complaint by Protestant clergy about Mennonite meetings but with a time-specific request.<sup>89</sup> The “open exercise of religion” remained the major issue, especially as the group apparently had a “house designated” for the purposes of worship, and the Count had been privy to information concerning a meeting that was to happen the next day. Council members who

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<sup>87</sup> NLA Aurich Rep 4 B II d Nr. 6, 18: “Hochgelahrter Rath vndt lieber Getrewer, Demnach wier Jungsten von Euch verstanden, wie sich die *Pastorn* zu Norden beklaget, daß sich die Mennisten vndt wiederteuffer daselbst nicht allein fast heuffen vndt vermehren, sondern auch vnterstehen sollen ihrer lehr vndt Secten öffentlich *exercitium* vndt zu sammenkeufft eben auch zu solcher zeit zu halten vndt fortzubreiten, wann sonsten sur kirchen geleutet, vndt Christliche Predigten gehalten werden, vndt also such viel der Einfaltigen Christen ansichziehen, So ist vnser gnadiger Gefahl, dz Ihr von Ihnen besagten *Pastoren* begehret, Euch die Nahmen der Verzeichnis zu behandeln, aller derselben, sonderlich welche wohnung, Fewer vndt Rauch halten sich darzu bekennen, vndt zu Norden so wohl auch in Ambt verhalten in waß heusern sie wohnen, in welchen sie ihre zusammenkeufft vndt predigt halten, wer ihr *Pastor* sey, vndt wie der heisse, Wes dasselbe also her wieder [ein-]schicket, vndt berichtet, vndt permerner verordnung daruber gewartet, Daran thut ihr vnser gentzliche meinung, den wir [mit] gnaden gewogensey, Datum Esens 21. [] Novembris Ao 1612.” See also Grochowina, *Indifferenz und Dissens*, 268.

<sup>88</sup> Müller notes that the 1612 letter cannot have accomplished much to have resulted in another plea; Müller, *Die Mennoniten in Ostfriesland*, 35.

<sup>89</sup> NLA Aurich Rep 4 B 2 d Nr. 6, 20: “Hochgelahrter Rath, lieber Getrewer, demnach vnß von dem wurdigen vnsern *Pastoren* vnser Stadt Norden vnterthanig [zu erkennen] geben worden, welcher gestalt die Wiedertauffer daselbst sich kühnlich vnterstehen sollen, von einem von ihnen darzu *aptirten* hausse ein öffentlich *exercitium* ihrer *Religion* anzustellehn, vndt vber das vnß Bericht einkommen, daß ihr lehrer morgentags z wo persohnen zu *copuliren* sich vnternehmen werde, Alß befehlen wier hiemit gnadiglich, daß ihr mit zu ziehung etlicher personen auß dem Rath, die [i]hr schwiegen zy seyn wissen werdet, ein fleissiget auffmercken mit bestellung gewisser vertrauter persohnen darauff habet, vndt so baldt solche zusammenkeufft vndt *Copulation* angehet, vndt zu werckhe gestellet wier, den lehrer so die *Spoulation* verrichtet, angreifen, vndt verwahren lasset, vnß solches als balden anheroverstediget, vndt vnser frommern gnadigen [Ihr] fehlichs daruber wartter, Ver[r]uhtet dar an vnser gnadige Meinung, vndt wier seid euch mit gnaden wohl ge[w/tr]ogen, Datum vff vnsern hausse Enno den Ao 20 Novembris Ao 1613”

could be trusted were to take the meeting by surprise and imprison the group's leader. Though instructions for the leader's arrest certainly conveyed the seriousness of the situation in the eyes of authorities, along with it came a sense of resentment for the audacity that Mennonites might celebrate life events openly enough for others to see and understand. Grochowina describes this as a "flourishing life" for Mennonites in Norden, including weddings and a house of worship.<sup>90</sup>

But by then the situation in Norden had apparently deteriorated enough, or the Protestant pastors had agitated enough, for Enno III to take more action on his own. A mere four days after writing to the bailiff, Enno III issued an edict prohibiting Mennonite worship and threatening both a fine of 5,000 imperial *thalers* and the potential confiscation of their house of worship.<sup>91</sup> This proactive stance by the East Frisian count was the first such instance in his reign, and the first sign that his inattentiveness thus far had been more accidental than benign.<sup>92</sup> The

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<sup>90</sup> Grochowina, *Indifferenz und Dissens*, 268.

<sup>91</sup> NLA Aurich Rep 4 B 2 d Nr. 6, 22: "Wier Enno, Graff vndt Herr zu Ostfrieslandt, Herr zu Esens, Stedesdorf und Wittmundt; Thun kundt hieran allermenniglich zu wissen [p]uergendt, Alß vnß zu vnterschiedtlichen mahlen grosse klag fur kommen, vndt glaublich vorgebracht worden, wie die Jennigen vnserer Stadt vndt Ambter Norden, vndt Behrum eingenessene vndt Vnterthanen, welche der im H: Reich verbottenen [Irrigen] Wiederteufferischen Secten zugethan, sich eine geraume zeit vnternommen, heimliche vndt offentliche *Exercitia* zusammenkunfften versamblung, *Conventus*, Predigeten vndt Vbungen zu außbreitung ihres Irrthumbs, verleitung vndt verfuhrung [vnter] armen scheinlichen, einfeltigen vbe[il]vnterrichteten leuthe vndt diensten, in [][orsagter] vnser Stadt Norden, vngheschewett anzustellen vndt zu halten, welches wier ihnen zwar schon vorlangsten so wohl von den Cantzeln alß durch offentliche *mandata* vndt Anschlag vnter gewiesser Straff verbieten lassen, dasselbe aber so gar wenig in achtgenommen, vndt bey Ihnen bieshero gepruchtet hatt, daß sie in Ihrem beginnen viel sterckher fort gefahren haben, So können wier hohen tragenden amts halber solchem nicht langer [zu] sehen, Sondern ermahnen, verwarren, vndt gepieten durch dieses vnser offens Edict nochmal zu allem vberglueß treulich, ernstlich vndt endlich, allen vndt ieden obbesagten wiedertaufferischer Secten vndt Irrthumbs zu gethanen vndt anhangigen, daß sie sich all solchen freyen *exercitien*, *conventuum* versamblungen, zusammenkunfften, lehren, Prediften vndt ableitung deß einfeltigen volckhes gantzlich enthalten, So lieb ihnen ingesamt vndt besonders sey, neben vnserer vngnade, die Straff von *Funfftaussendt Reichsthaler*, so bald sie hier wieder theun ohne begnadung zu bezahlen, vndt das daruber das Jenige hause, worinnen sie dergleichen zusammenkunfft, versamblung vndt Predigten gehalten zu haben befunden vndt betreten werden vnseren Fisco heigefallen seyn, auch alsbalden eingezogen werden soll, zu vermeiden, Wornach sie sich sambt vndt sonders zu achten. Vnser[m] Stadthalter, vndt Beampten auch Burgermeiteren vndt Rath *officianten* vndt dienen vndt menniglichen darauff gnadiglich befehldt (damit sich niemandt einiger vnwissenheit zu bahelffen) das sie dies vnser Edict von der Cantzel abkundigen, vndt an gewöhnlichen orten anschlagen lassen, vhrkundtlich vnser furgetrockten Cantzleysecrets, auff vnsern hause Esens am 24. Novembris Anno 1613."

<sup>92</sup> Müller, *Die Mennoniten in Ostfriesland*, 36.

Anabaptists he targeted were “forbidden in the holy empire,” yet had for some time held “secret and public exercises, conventicles, sermons, and exercises to propagate their error,” which in turn threatened to seduce away those simple-minded Christians who did not know any better. It seems significant that the text of this edict cited complaints both from Norden and similar reports the count had heard from Berum. His perception of the problem in Norden was therefore further antagonized by reports elsewhere, a phenomenon familiar to marginalized religious groups and Anabaptists in particular.

The idea that Anabaptist numbers were growing suspiciously, that they moved from place to place or encouraged others to join them in a safe haven they had found, seemed to have taken hold within Enno III’s imagination. Furthermore, the focus on houses, both conventional homes and where worship took place, should not be overstated, yet it must be noted that this material property focus was the starting point for the negotiations of potential Mennonite inclusion in these wider East Frisian communities. Anabaptists were present, and had been, in some number, since the mid-sixteenth century; but now their “boldness” was growing, or at least the perception of their boldness in the minds of Norden’s preachers. They were significant enough to have a community house of worship, which in turn meant that they could be targeted, and threatened, based on that community property. This was basic material inclusion, and their success at obtaining and maintaining both individual and community spaces meant that those spaces could then be used against them – but their inclusion was not yet being specifically, and mundanely, taxed. Instead, the major economic penalty came in the form of the threatened fine; it was a sum that they could not possibly pay without extreme hardship.

This was just one in a series of dramatic stand-offs between Enno III and Mennonites in East Frisia; relative calm would not emerge until his son, Count Rudolph Christian, came to

power. He issued the first official protection letter for the entire East Frisian Mennonite community in 1626.<sup>93</sup> This letter patterned nearly all which followed. All those “called Mennonites” and who lived within his territory of East Frisia were to receive his “protection, shield and escort” until he declared otherwise. Mennonites were to be peaceful members of East Frisian society, unobtrusive in their worship (“to carry out their religious exercise in secret”), and to refrain from any proselytizing. Their payments were to follow the normal schedule of three imperial *Thalers* twice a year, per household, to be collected and on Easter and Michaelmas and presented in registers. This tax was to be collected by the Mennonites themselves and sent as one to Rudolph by local community leaders, who should understand their obligation to be *only* to Rudolph; this tax was to supersede all other local protection taxes. This payment fulfilled their obligations to the count as territorial sovereign, and Mennonites were to be therefore exempt from further payments to the watchmen at Norden or the chief at Leer, a concession that would become more problematic as the decades wore on.

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<sup>93</sup> NLA Aurich, Rep 4 B 2 d Nr. 6, 15-17: “Wir Rudolff [...], thun hiermit kundt vndt zuwißen, daß wir diejenige, welche sich Mennoniten nennen, vndt in diesen vnserer Graffschafft vnd herrschafften wohnen, solcher gestallt in vnsern sonderbahren schutz, schirm vndt gleidt auff vndt angenommen, das sie sich als trewen Vnterthanen gegen ihre hohe landes Obrigkeit vndt jedermänniglich zu thun gebühret, scheidlichen friedlichen vndt vnsträfflichen vorhalten, ihr *exercitium religionis* [ins] geheimb treiben, aber niemand mit süßen worten darzu[!]aken sollen vndt wollen, vnsern Canzlern, rächen, drosten, Ambtleuten, Burgermeistern vnd Rathen in Stätten Voigten, auß kundigern vndt ins gemein allen vnsern *officiren* dienern vndt vnterthanen befehlet, daß sie gedachte Mennonitischer *religion* zu gethanen Personen, biß so lang wir kein andero Verordnen werden, bey dieser vnserer begnadung biß an vnß schutzen vndt handhaben, Hiergegen haben sie zu einen vnterthanigen *recompens* gelobet vndt versprochen, das vogieder gebrodeten hauß gesindt, so viel deren in vnserer Graff vndt Herrschafften, ieden *termin* vndt zeit in anzahl befunden vndt alßdan die Register außweisen werden vns jarlich Sechs Reichsthaler *in specie*, die eine Helffte auf *Michaelis*, die andere helffte auff *Ostern* zu bezahlen vndt erlegen zu lassen, haben sich auch dabeneben verobligirt, das da von ihnen ein oder mehr haußgesinde verschwiegen, nicht anbracht vndt dafür bezahlt worden, da sie alßdann vor daß oder dieselbe das *recompens* zweyfach zubezahlen gehalten sein sollen. Wan nun die register gegen kunfftig *Michaelis* verfertigt, sollen sie durch vnserer ganze Graff vndt Herrschafften die gelder in gesamt in eines ihres mittelshanden, welcher dann iedes mals selbige vndt ein senden vndt geburliche quittung daruber gewertigen soll. Wir haben sie auch von denen schazungen, so sie vor diesen an deswachten zu Norden, heuptmanz zu Lier oder sonsten iemandt vnserer diener vndt officiret jarlich geben müßen, hiermit befreyen wollen, werden derhalben dieselbe sich dieser vnserer verordnung zu bequemen, vndt niemandt der darinnen ernennet *religion* zu gethanen, uber gebuhr zu beschweren wissen, bey vermeydung vnserer vngnadt vndt *arbitrar* straff: Das Meinen wir ernstlich zu verkundt deßen ist dieser brieff von vnß mit eigener hand vnterscrieben.”

Fees, taxes, letters of protection and safe conduct were therefore the mechanisms by which economic toleration functioned or faltered. Jews and Mennonites formed an imaginary of the marginalized, as letters to the Emden council from as early as 1577 attest, and they were grouped together in the very first protection fee registers of the city of Emden in the year 1600. Therefore, even as Mennonites fought to rid themselves of lingering associations with the chaos and violence of Münster, Jews negotiated antagonisms with a much longer history of violence, exclusion and expulsion – and with much less hope for a favorable outcome.

### **Practicing passable identity**

Protection fees and letters did little to reduce anti-Mennonite sentiment, however. An extensive and vitriolic supplication from Norden Pastor Johann Snoilosky in February 1644 demonstrates the depth of this discourse. Snoilosky had amassed and submitted a thick file of official documents, including a number of previous edicts, as evidence for the longstanding problems with Mennonites in the wider Norden community.<sup>94</sup> In his opening letter of petition, Snoilosky declared that these “sectarian Anabaptists,” these “Anabaptists called Mennonites,” were not in fact part of the Norden community – they were “publicly banned and *Vogelfrei*” there as elsewhere in the empire.<sup>95</sup> He also generalized about the presence (and problem) of

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<sup>94</sup> NLA Aurich Rep. 4 B II d Nr. 6, 1, nineteenth-century cover page: “Supplication des Pastoris Joh: Snoilosky in Norden an Hl. Grafen Ulrich; G.G. 10. Februar 1644 [und] Inhibition gegen die Zusammenkunffte derer Mennoniten, als [im] ganzen Rom: Reiche verbannter, [u.] roghteyen Leute; nebst [urschlung] was ab Ao 1529 bis 1641 von Ostfriesland[] landesherrschaftt gegen der Mennoniten fur verordnung gemacht worden worunter insonderheit.”

<sup>95</sup> NLA Aurich Rep. 4 B II d Nr. 6, 2: “im ganzen Heyl: Rom: Reich öffentlich bannis[ier]te vnd Vogelfreye Widertauffer Mennisten genannt... in E.H.G.G. Statt vnd Ambt Norden (vnd ohne Zweifel in allen orten E.G. Graff vnd Herrschafften) von tag zu tag sich tauffen vnd Freuelunchtig ihr wesen furen, Dann ohne zweifeles E.H.G.G.: noch in frischer gedächtnus hafftet, wie dieselbige A. erst neulich den 10. Marty 1641 ein öffentliches Mandat *publiciren* vnd von der Canzl 3. mahl verkundigen lassen, daß sich niemanden weder zu Predigen noch zu vermahnen Vnterstehen soll.”

Mennonites in Norden. Although he was providing insight into their situation in Norden, he was sure that “without a doubt” they lurked in “all places of your mercy’s countship and lordship.”

Snoilosky complained specifically about their prominence in the physical space of Norden. This was related to the original 1626 stipulations that Mennonites were allowed to practice privately and pray as their conscience dictated, a requirement that he argued was not being observed. Rather than meeting “secretly and in silence,” the Mennonites in Norden congregated in the market, near the church, and in a building adapted for their worship services. Part of the insult Pastor Snoilosky saw here was in the parallel services the Mennonites held, “using our bells” to mark the same service time and then “coming on foot and in wagons” as if they were attending the proper service but then going elsewhere. This was perhaps personally galling to Snoilosky as the Mennonite preacher, Jan Ariens, “is known as an idiot” and had no theological training.<sup>96</sup> Emden was a source of this, with “one or more bishops from Emden” in Norden then and at various times. This travel and support directly contradicted their obligation not to “attract anyone to their heresy,” which nevertheless had continued and resulted in “considerable numbers” through marriage, the wealth of their community and ability to provide alms for the poor.<sup>97</sup>

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<sup>96</sup> NLA Aurich Rep. 4 B II d Nr. 6, 3: “Welchen *temporalis indulto* sie [doch] auch nicht nach gelebet, in deme sie nicht heimlich vnd in der stille, sondern offenbarlich [ir] E.H.G.G. Statt Norden auffen markt, nahe bey der kirchen, in einer darzu *aptierten* Scheur, ihre Zusammenkunften Predigten tauffen, vnd *coputieren* austellen, sich Vnsers glockenklangs gebrauchen, zu fuß vnd zu [wagen] hauppenwedse eben alß dann zusamben kommen, weu der *ordinary* Gottes[drust] in der Kirchen wirt Verrichtet, ihr selbs erwohlter vnd also genannter Vermahner Jan Ariens ist niemanden alß jedermann bekannt, ein idiot vnd seines thurs ein Baursmann.”

<sup>97</sup> NLA Aurich Rep. 4 B II d Nr. 6, 3: “Wiewohl auch biß weiln ein vnd mehr bischoffen van Emden vnd andern orten sich allhier hinden lassen, Ihnen ist von hochged. Ihr Gez. Wolloblz *memorir* ernstlich verboten, niemanden zu ihren keyeren zu reizen vnd anzuloken deme regelrecht entgegen, haben sie seithero eine merkliche[n] anzahl, durch heyrahten, reiche allmosen, Vnd Versprochene Beforderung der dienstboten, mit grossten argernus vnd herzlicher bestuezung aller eingepfartten Verleitet, vnd mit ihren irrumben eingesnomben.”

Significantly, Snoilosky compared his community's Mennonites unfavorably to Jews in their understanding of the *Schutzgeld* and *Schutzbrieife* required of them. Pointing out that Anabaptists "were well known enemies of authority" as indicated by their writings, it was no surprise that they had neglected to request a new letter of protection when Ulrich had taken his brother's place – and instead had relied upon the original 1626 document from Rudolph Christian right up through the time of his letter writing in 1644. The Jews, in contrast, had "taken care" of their necessary renegotiation.<sup>98</sup> The implication here was that Jews understood their precarious position, perhaps that they knew their place, and Mennonites in contrast had taken one concession and gone too far with it. Snoilosky asked for inquiries to take place, in order to ascertain the true number of Mennonites and evidence the depth of this longstanding problem in the city. He contended that Mennonites had violated both custom and law "in a way that that is beneficial to them and their own interests," and here those "interests" appear to be a general tendency toward dissimulation and the dissolute nature of Mennonite faith. Snoilosky claimed to know "a fifty-year-old man who was still not baptized" and who had never confessed.<sup>99</sup> This litany of complaints was ended with an ominous quote from the "sharp imperial decision" made in 1529 at Speyer, which provided for a deadly end to these "pernicious sectarians": "that those

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<sup>98</sup> NLA Aurich Rep. 4 B II d Nr. 6, 2: "Sie sein so vermessen, daß Sie, alß aus ihren Schrifften bekannte Feinde aller Obrigkeit, weder bey antretung E.H.G.G. Regierung, noch seit hero sich souil gedemutigt vnd einen Vn vmbganglich notwendigen Schuzbrieff in geburender Vnterthanigkeit gesucht hetten, welches doch die Juden in obacht genomben, Sondern meinen sich mit dem [V] [Ihr] Gez. Graf Rudolph Christian Christmilden andenckens ihnen *ad tempus*."

<sup>99</sup> NLA Aurich Rep. 4 B II d Nr. 6, 3: "Nicht weniger wirt sich bey angestellter *inquisition* finden, daß ihrer eine merckliche anzahl seye, welche das gewöhnliche vnd placitierte Schuzzellt Vortheilhaffter vnd eigennuzegir wise Vnterschlagen, wie ich dann einen vnter den Pastorey fur leutten eigentlich weiß, welcher ein funffzigjahriger mann, doch noch vngetaufft ist, vnd zu keiner Votte noch zur zeit sich bekannt hatt."



who re-baptized and allowed themselves to be re-baptized should be brought from life to death by fire and sword.”<sup>100</sup>

A scandal and subsequent trial over a confessionally-mixed marriage in Norden in May 1644 further demonstrates the precarity and vitriol that Norden Mennonites experienced. When a woman named Altijn, baptized and raised in the Lutheran church, had married Mennonite Jacob Luiesz in 1643 after the death of Jacob’s first wife, her new husband, according to court proceedings, “not only seduced her into his erroneous Mennonite sect, but also had her baptized again by a Mennonite preacher from Emden by the name of Johan Jacobs.”<sup>101</sup> Altijn acknowledged her baptism into the Mennonite community, but resisted the suggestion that she had grown up in the Lutheran church: “Concerning her mother, she was Lutheran, but her father Peter Garbrandt had been seen and found at the Lutheran church in Marienhafē and also in the Mennonite church, not knowing which religion he might finally have joined.”<sup>102</sup> This was

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<sup>100</sup> NLA Aurich Rep. 4 B II d Nr. 6, 4: “Ich kan vnd soll aber hier bey nicht vnter lassen, souil ich *ex auctis publicis* vnd aus fleissig zusammen gescuhten schreiben erfahren, vnterthanig zuberichten, wie Christlich vnd erferig E.H.G.G. hochlobliche vordere vnterthanig gegen vnd wider diese verderbliche Sectieren erzeiget vnd angestellet, dann 1529 haben E.H.G.G. Vhran Großherr Vatter Graf Enno damahl regierend vnd nun langst in Gott ruhend den scharpffen Reichs Abschied zu Speyer gemacht, daß mann die so widertauffen vnd sich widertauffen lassen mit feur vnd schwert van leben zum todt bringen solle, durch dero abgesandten Johann Hormann vollnziehen vndt vnterschreiben lassen.”

<sup>101</sup> “Beilage A. Verhandlungen gegen Jacob Luiesz (Löiss) und Konsorten,” in Müller, *Die Mennoniten in Ostfriesland*, 179: “so von solchen Eltern die der lutterschen religion zugethane gewesen undt selbige ihre tochter in ihrer jagent in der kirchen zu Norden tauffen lassen, geboren ist, wiederumb geheirathet, von der wahren reinen lutter- schen religion abge- und in seiner irrigen Mennonitischen sekt nicht alleine verführet, sondern sie auch von einem Mennonitischen Vermahner von Embden, namens Johan Jacobs.” Müller mentions the case in his text on 49-50.

<sup>102</sup> “Beilage A, II. Bericht der Beamten zu Norden über die Vernehmung der Beklagten, A. Examen, in Sachen Jacob Löis undt dessen Haussfraw altjen, Eine wieder-Tauff betreffend, ” in Müller, *Die Mennoniten in Ostfriesland*, 181: “Ihre Mutter betreffend, were dieselbe Zwar Lutherisch, Ihr Vatter aber peter garbrandts, hätte sich zuweiln in der Lutherischen Kirchen zu Marienhafē, Zuweill auch in ihre der Mennoniten Vermahnung sehen undt finden lassen, nicht wissend, zu welcher religion er sich endlich mögte begeben haben; Sonsten Ihr grossvater Garbrand Tammen undt dessen befreundte undt anverwante solcher ihro sect undt confession je undt allewege gefolget hetten, Wüste nicht, ob sie alhie in der Kirchen zu Norden in ihre jugend getaufft were, Ihre mutter würde besser nachrichtung davon geben.”

partially in service of her final claim of ignorance, that she did not know if she had been baptized in the Lutheran church in Norden in her youth, but that her mother might know better. Even more strikingly, Altijn testified a lifelong devotion to Mennonite preaching, including travel to hear sermons in Emden, and outright denied an infant baptism in later questioning. She claimed to have waited to take an adult baptism while married to her first husband, as he was not Anabaptist, and therefore put off her baptism until his death.<sup>103</sup> In questioning, her mother Wobeke confirmed her daughter's infant baptism, and claimed to have only heard rumors about a second baptism.<sup>104</sup> Altijn's sister Elisabeth Peters reported the same, that she had not been present and had only heard reports from their mother.<sup>105</sup>

Jacob, for his part, testified that he had not "coerced" Altijn into his "sect," but rather had considered her a marriage partner after she herself had already taken re-baptism.<sup>106</sup> This was the most important distinction and the real motivator for the case, as Mennonites were expressly forbidden from engaging in any proselytizing in the East Frisian community, and the act of re-baptism appeared to reignite unsettled worries about the danger of believer's baptism in a tenuously pluralized community. In a defensive letter advocating on their behalf to the count, the

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<sup>103</sup> "Beilage A," in Müller, *Die Mennoniten in Ostfriesland*, 184:" Wüste anderss keine Ursache alls diese zu geben, dass sie nicht eher getaufft worden, alls dass ess nicht eher hatte sein können, wehre sonst ihr Vorig ehemam kerckisch gewesen Und hatte derselbe Sie bey seinem Leben daran verhindert."

<sup>104</sup> "Beilage A, II. Bericht der Beamten zu Norden über die Vernehmung der Beklagten, B. Inquisitionales, in Sachen wie oben," in Müller, *Die Mennoniten in Ostfriesland*, 182-183.

<sup>105</sup> "Beilage A, II. Bericht der Beamten zu Norden über die Vernehmung der Beklagten, B. Inquisitionales, in Sachen wie oben," in Müller, *Die Mennoniten in Ostfriesland*, 183-184.

<sup>106</sup> "Beilage A, II. Bericht der Beamten zu Norden über die Vernehmung der Beklagten, A. Examen, in Sachen Jacob Lōis undt dessen Haussfraw altjn, Eine wieder-Tauff betreffend, " Müller, *Die Mennoniten in Ostfriesland*, 182:" Die wiedertauft aber sei geschehen um Jacobi besagten Jahrs, auf ferner schärffer nachfrag bekandte er weiters dass so wahr Ihme Gott helfen solte, er sie, seine jetzige haussfraw, zu eine solche sect nicht inducirt noch genötiget, sondern hätte dieselbe, ehe und bevor er sich mit ihr ehelich eingelassen, zu solcher confession sich bekant und gegeben, Wie dan er für seine persohn, nachdem diese seine ehefraw bereits sich mennonitisch erklärt und wiedertauften lassen, mit seinen freunden sich besprochen gehabt, umb eine andere persohn undt nicht eben diese zu heiraten."

couple was described by their lawyer as “ignorant” of the reason for their interrogation, and apparently worried more that their marriage had been deemed invalid for its timing or composition. The count was assured that they had received the proper permissions, including from Pastor Snoilosky, and should be therefore allowed to live in peace.<sup>107</sup>

Further Mennonite leaders and preachers were called in and questioned, however, on the issue of re-baptism after a church baptism. Though some admitted to knowing specific cases where re-baptism had definitely taken place, most claimed ignorance: “Otherwise they would not inquire whether the one who wants to join them has already been baptized or not.”<sup>108</sup> Johan Sivers, a Mennonite preacher who lived in Emden, narrated his own conversion to Anabaptism in a way that acknowledged his own believer’s baptism without admitting to any active proselytizing: “[he] was not instructed by anyone, but because he had read their books many times, he was moved by them to accept the doctrine, was baptized here in Aurich, but the preacher who baptized him is already deceased.”<sup>109</sup> This testimony centered on determining who had been baptized where, when, and by whom – but with a few more acceptable constellations of situations than the testimony it echoed from the post-Kingdom period in Münster.

As this investigation surrounding the marriage of Altijn and Jacob demonstrated, the possibility of an adult taking a believer’s baptism remained a potent threat even as Mennonites found small pockets of tolerance. In a 1665 case prosecuted by the East Frisian equivalent of a

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<sup>107</sup> “Beilage A, III. Gerichtliche Vorladung vor das Kanzleigericht und weitere Vernehmung daselbst nebst Defensivschrift, c.” Müller, *Die Mennoniten in Ostfriesland*, 185.

<sup>108</sup> “Beilage A, IV. Weitere Protokolle, b.,” 187: “Würde sonst von ihnen nicht nachgefraget ob derjenige der zu ihnen treten will, schon vorhin getaufft wehre oder nicht.”

<sup>109</sup> “Beilage A, IV. Weitere Protokolle, b.,” in Müller, *Die Mennoniten in Ostfriesland*, 188: “Johan Siverss, Vermahner der Mennoniten zu Embden wohn- hafft, sey vor ungefähr 24 oder 25 jahr bey der Mennoniten secte getretten, sey von niemandt dazu angeleittet worden, Sondern weill er ihre bücher viele gelesen, sey er dardurch bewogen worden, die lehre anzunehmen, sey hier in Aurich getaufft, der vermahner aber der ihn getaufft, sey schon verstorben.”

public prosecutor, the *Fiskal*,<sup>110</sup> a group of eight Mennonites were interrogated concerning their participation in adult re-baptisms.<sup>111</sup> Their individual justifications often appealed to their *Schutzbrieff*, and the protections they believed it to impart. Johan Hindricks cited the letter of protection and the “free exercise of religion” that he understood it to contain.<sup>112</sup> Siebrand Garbrands similarly referred to her letter of protection, and therefore “did not think she had done anything wrong.”<sup>113</sup> Elias Willems invoked both the letter of protection and the money he had paid, and acknowledged that he had let himself be re-baptized “according to the example of Christ in Matthew chapter three and Mark chapter sixteen.”<sup>114</sup> Engel Gerdes argued that because the scriptures said that man should seek salvation, and thus believe and be baptized, she let the Mennonites baptize her according to their teaching.<sup>115</sup> Gerd Peters put it a bit more plainly, that “he had found it in scripture” that belief came before baptism, and so he had let himself be baptized – presumably for the second time, as a believing adult.<sup>116</sup> Jost Tonnies was not

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<sup>110</sup> Bernd Roeck, “Criminal Procedure in the Holy Roman Empire in Early Modern Times,” *IAHCCJ Bulletin* 18 (Spring 1993), 21-40. For the discussion of the role of the *Fiskal*, see 25.

<sup>111</sup> NLA Aurich, Rep. 103, X 22, ““Fiskal /. den Mennoniten Johann Henrichs Backer und Sonstige wegen vorgenommener Wiedertaufen” (1665).

<sup>112</sup> NLA Aurich, Rep. 103, X 22, 10r: “Johan Henrich presens zeigte hierauffen, daß Er miht vermeinte, wieder den Ihm et Consorten von Ihren E [][][] Gnedig ertheilten Schutzbrieff gehandelt zuhaben, Sintemahl Ihnen derin das freye Exercitium religionis zugelaßen wehre.”

<sup>113</sup> NLA Aurich, Rep. 103, X 22, 22r/v: “Siebrand Garbrands berieff sie vff Ihren Schutzbrieff, vermeinte daran kein vnrecht gethan zuhaben.”

<sup>114</sup> NLA Aurich, Rep. 103, X 22, 12 r/v: “Elias Willems zeugte an, daß Er sich nach den xempell vnd befehlt Christi Matth am 3 vnd Marci am 16 cap vor den Mennoniten wiedervmb tauffen laßen, vermeinte wegen deß ertheilten Schutzbrieves vnd erlegten Schutzgeldes sich zu zein.”

<sup>115</sup> NLA Aurich, Rep. 103, X 22, 14 r/v: “Engell Gerdes zeigtet an, weil die schriffte sagte, man sollte die sehligkeit suchen, also hette sie dieselbe Vntersucht, vnd befurden, dass darin endhalten wehre vnd der H gebotte hette man solte glauben vnd sich tauffen lassen, so wurde man glauben, vnd sich tauffen lassen, so wurde man sehlig, hette also sie sich von dem Mennoniten vff Ihren glauben tauffen lassen.”

<sup>116</sup> NLA Aurich, Rep. 103, X 22, 16r/v: “Gerd Peters sagte, er habe in der Schriffte gefunden, dass glauben vor tauffen stunde, derumb hab Er sich tauffen lassen.”

questioned or chastised as much as others, partially because of the mitigating factors he brought to bear. He had been born in Norden to Mennonite parents, and had received baptism in Amsterdam – but this was not a “re-baptism,” just an adult, believer’s baptism for someone who had grown up in the community.<sup>117</sup> Brechte Tonnies was perhaps the most incensed by the questioning, and she reported that she “completely despised the Lutheran religion and spoke evil of it.” She did not admit to re-baptism, but was “Mennonite-minded.”<sup>118</sup>

This is perhaps a good point to clarify some internal divisions that had long complicated Mennonite community belonging, as well as new divisions that would become determinative in East Frisia. As we see in the various *Schutzgeld* registers from the mid-seventeenth century, the piecemeal and slightly chaotic nature of collecting this tax was further complicated by the need to identify and deputize leaders in each Mennonite subgroups. Older histories, such as J.P. Müller’s nineteenth-century regional and confessional work, pushed the idea that all splits were due to differing behavior rather than theological beliefs; it is also possible to read these behaviors as expressing beliefs that manifested in Mennonites lives.<sup>119</sup> The first split was geographic, between the southern Dutch “Waterlanders” and the northern Dutch “Frisians”; especially as thousands of Dutch refugees intermingled in Emden, East Frisia and even West Frisia following the migrations of the 1550s-1570s, geographically-disparate communities came into contact and into conflict. As early as the 1570s, Waterlanders began to refer to themselves as the ‘Baptism-

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<sup>117</sup> NLA Aurich, Rep. 103, X 22, 18r/v: “Jost Tonnies sagte, dass Er bruden der Stadt Norden von Mennonitischen Eltern gebohren, vnd zu Amsterdam von dem Mennoniten getaufft mit nichten aber sonst wiederumb getaufen sey”

<sup>118</sup> NLA Aurich, Rep. 103, X 22, 24r/v: “dass die beclagtinne, als eine Mennonitin, von der Lutherischen religion gantz veracht vnd argerlich gerehdet, So bat Er dieselbe daruber vermuge der rechten {...} Beclagtin gestunde die clage nicht, wehr sonst Mennonitisch gesinnet.” Though this terminology recalls the Dutch *Doopsgezind*, sometimes found in East Frisia as the *Taufgesinnt*, the meaning here is not entirely clear. I take it to mean she is part of the community.

<sup>119</sup> Gregory, *Salvation at Stake*, 232-3, Fn. 188-9.

minded,' the *Taufgesinnte*.<sup>120</sup> Then the Flemish, who had immigrated from the even-further-south Dutch provinces, arrived to find all northerners, Waterlanders and Frisians alike, to be more solemn and somber in their appearance and lifestyle. This of course in turn meant that the Flemish stood out in ostentatious ways from their northern Mennonite brethren. The Flemish were further subdivided into the 'Old Flemish' or the 'house buyers' and the 'against-house-buyers', thorny names that referred to an obscure "house-buying incident" in Harlingen.

Though the Flemish and the Frisians reconciled in the early seventeenth century, and the internal Flemish divisions themselves were healed shortly thereafter, one separatist group of the Flemish remained – and remained present within East Frisia throughout the seventeenth century. These 'Ucowallists', named after the second leader of this sect, Uco Walles, self-identified as separate from the rest of the Flemish and Frisians Mennonites<sup>121</sup> – who largely used 'Mennonite' to refer to themselves in correspondence with East Frisian authorities, even if they did occasionally make reference to their geographic origin.<sup>122</sup> Uco Walles was successful in negotiating with Ulrich II, and had received a person letter of protection in November 1645.<sup>123</sup>

These various Mennonite names, based on divisions and disagreements that the East Frisians authorities neither understood nor wished to get involved in, nevertheless figured in *Schutzgeld* records from 1646 on – partially because Mennonites were tasked with their own tax collection, and, as we will see, simply refused to be put in charge of their religious rivals'

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<sup>120</sup> In the Dutch context, an analogous term was associated with what Gary Waite calls the "urbane, liberal faction" of late sixteenth and seventeenth-century Dutch Mennonites. Gary K. Waite, "Menno and Muhammad: Anabaptists and Mennonites Reconsider Islam, 1525-1657," in *The Sixteenth Century Journal* 41: 4 (Winter 2010), 997.

<sup>121</sup> Uco Walles petitioned to the count's councilor Arnold von Bobart in May 1647; see Beilage B in Müller, *Die Mennoniten in Ostfriesland*, 189ff.

<sup>122</sup> See Müller, *Die Mennoniten in Ostfriesland*, 55-56, fn. 29, 192.

<sup>123</sup> Christian Neff and Richard D. Thiessen, "Ulrich II, Count of East Friesland (1605-1648)," *GAMEO* (April 2007).

economic justification. The resulting documents, stemming from negotiations with Count Ulrich II in February and March 1646, provided no precise assessments but gave names and descriptions of the poverty of those listed. In aggregate, these lists show Mennonite communities passively advocating for lower payments, drawing attention both to the poor they were supporting in their own communities and the poor who had joined them from elsewhere. When each household was responsible for six *Thaler* a year, the addition of households who could not pay meant a more difficult time for those who were otherwise stable. On a list covering part of Norden, six of twenty-five “Mennonites” were specified as “the poor.” This was followed by a list of thirty-two who had moved there from other places and were unable to pay.<sup>124</sup> A list of “Mennonites, that are called the Flemish” included a similar accounting of members from Aurich and surrounding districts divided by those who could pay and those who could not.<sup>125</sup> A list from the Grietmer District, explicitly identifying them as Old Flemish Mennonites, included fifteen members responsible for the yearly fees and eight who were without means.<sup>126</sup> In Pewsumer district, there were three on the main list and one who could not pay; in Emden district, eight on the main list and three who could not pay; in Aurich district, six on the main list and five who could not pay. In the city of Norden, just two; another unclear community listed eight; in the Ortmer district, there were eleven on the main list and then four who could not pay. This accounting of the Old Flemish community ends with a list of eight widows, the first two of

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<sup>124</sup> NLA Aurich, Rep. 4 B II d Nr. 3, 4-7: “Unvermoegene, welche unlangst bey der [Gameinte], auch von andern Platzen alhie zu wohnen gekommenn.”

<sup>125</sup> NLA Aurich, Rep. 4 BII d Nr. 3, 12-13 and 14-16: “Naehmen der Mennonyten die men die vlaeminge nampt So alhyr in Aurick vnd andere *quartiren*.” This document gives short wealth descriptors after some names, for instance “Clein von vor moegen.”

<sup>126</sup> NLA Aurich, Rep. 4 BII d Nr. 3, 8: “in Gr[i]etmer Ambt... Vnverermugene daselbst.”

whom could not pay.<sup>127</sup> That the Old Flemish community put these lists together themselves might have raised suspicions that these pleas of poverty were not wholly true, a complaint that would arise as *Schutzgeld* disputes continued.

In this meeting of *Schutzbrieife*, *Schutzgeld* and adult baptism, negotiations never took place on a level playing field. Territorial authorities gave letters of protection when they wanted, for their own reasons, without assurances and often as bald extortion tactics when coffers ran dry. Nevertheless, the Mennonites who lived under them succeeded in pushing past limits on the “secret” or “private” exercise of religion, practicing worship to the point of re-baptizing adults who had grown up in other churches. Though re-baptism clearly retained its threat, there was room to argue that the Mennonite community was permitted to practice its beliefs, and to assert that the heretical and still-outlawed central ritual was part of what had been promised in the piecemeal protections of a *Schutzbrief*.

The ultimate result of all of this was the Christian ‘passibility’ of Mennonites, unlike the Jews who paid the same extraordinary taxes. Mennonites had largely come out of the same communities as the Calvinists and Lutherans who populated East Frisia. Some had long lineages in the area and some had immigrated from West Frisia, or other parts of what was now the United Dutch Provinces, or even other territories of the Holy Roman Empire such as Westphalia. They might have been marked as outsiders in some communities, as foreigners or others for being part of the wave of Dutch-speaking migrants in the second half of the sixteenth century – but many of their fellow refugees brought with them different beliefs, and were recognized by the Calvinists (and to a much lesser extent, Lutherans) as co-religionists.<sup>128</sup> The Mennonites,

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<sup>127</sup> NLA Aurich, Rep. 4 B II d Nr. 3, 9-11.

<sup>128</sup> On the exile churches in Emden, see Timothy Fehler, “Creating Boundaries in Emden, Germany: Confession, Language Poor Relief, and Spaces of the Dutch Reformed Refugees,” in *Early Modern Ethnic and Religious*



however, had made different religious choices in the sixteenth and seventeenth centuries – choices about how belief grew and how sanctification could be assured, choices about how to live in the world, choices about power and their own agency in society. But these choices marked them out as marginalists, as separatists, and not as racial Others. Anabaptism did not gain the purchase or protection of other reforming ideas, but it was being chosen out of the same populations who might choose adherence to the Old Religion, or the evangelical zeal of Luther and his followers, or the reformation of Calvin. And because this choice was within generational memory, because these choices were still being made – people came and went from the Mennonite community, despite various prohibitions against preaching to conversion – property and payment remained a way for Mennonites to simultaneously retain some level of autonomy while making the case for their similarity to other confessions. This was a level of passability that Jews could not share.

### **Negotiating as the century closed**

The divergent paths of Mennonites and Jews under protection fee and protection letter schemes in East Frisia can be seen in two sets of negotiations from the end of the seventeenth century and beginning of the eighteenth. These negotiations accompanied the rise of two rulers of East Frisia, by now imperial princes: Christian Eberhard in 1690, and his son Georg Albrecht in 1708. In both cases, the princes attempted to survey the communities first, to ascertain the wealth within, and it was these surveys that opened the door for petitions and negotiation.

The ascension of Prince Christian Eberhard in 1690 prompted a flurry of new evaluations and re-negotiations. Nineteenth-century historian and Mennonite pastor J.P. Müller described

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*Communities in Exile*, edited by Yosef Kaplan (Newcastle Upon Tyne: Cambridge Scholars Publishing, 2017), 314-330.

1690 as the starting point for the “gradual reversal of sympathies and increasingly friendly relationship” between the territorial rulers of East Frisia and resident Mennonites.<sup>129</sup> But this was a reversal only observable in retrospect and with the optimistic gloss of a confessional historian; at the time, Mennonites, as well as the splinter group of Ucowallists resident in the region, were still in much the same position as Jews living in East Frisia. Indeed, by 1692 Christian Eberhard called for an official accounting of all Mennonites, Ucowallists, and Jews in the various districts of his territory.<sup>130</sup> This accounting was done by household, with either a father or adult son named, wives and mothers named only occasionally, and children counted and named even more rarely.

Eberhard received responses that demonstrate a range of communities and settlements even within this small region. In the Greetsiel district, authorities reported many more Mennonite households (31) than Jewish households (4).<sup>131</sup> In the Berum district there were only eleven or twelve Mennonite households and only six Jewish households.<sup>132</sup> Reports from Leer and the surrounding area were more qualitative, giving a general sense of the person’s place within the community and thus their ability to pay.<sup>133</sup> There were sixteen Jewish families, mostly concentrated within Leer itself, but with situations ranging from “a great businessman” and

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<sup>129</sup> Müller, *Die Mennoniten in Ostfriesland*, 109.

<sup>130</sup> NLA Aurich, Rep. 4 B II r Nr. 8, “Verzeichnisse der in den einzelnen Ämtern wohnenden Juden und Mennoniten” (1692).

<sup>131</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 14-17 r/v.

<sup>132</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 19r: “dieses zu gehorsambster folge, ueberschiecke eine *designationen* aller Mennoniten, Ucowallisten, Vndt Juden, sein dem Ambe Behrumb wohnhaft, vndt sich öffentlich zu solche Secten bekommen; Sonsten sein in diesenn Ambe keine, so bey andere haußgesinden [im] hauste sein, oder dabey zu tische gehen, vndt zugleich absonderliche kauffmanschafft, oder andere gererb treiben, anzutreffen, ja nicht ein entziger.” This is certified by Johann Vollrath Kettler, district magistrate in Berum, whose prominent civil servant family will remain important. From *BLO I*, Aurich 1993, 217-218.

<sup>133</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 21-26 r/v.

“trusted first and foremost” to “a pauper.”<sup>134</sup> There were four leading Mennonite men in the Leer community who were relied upon to give the three imperial *Thaler* they owed each year; another six were recently dead or had too many children to reasonably contribute.<sup>135</sup> The Ucowallists or Old Flemish in the Leer district had six men who reliably gave their yearly contribution.<sup>136</sup> A few others contributed at a lower rate of one or one-and-a-half *Thaler*. The Ucowallist accounting ends with a humble plea on behalf of the poorest members: “the following persons have never paid but most humbly request that they, as common weavers and workers, should be levied a moderate tax.”<sup>137</sup> Fourteen households fell into this category, and included old men unable to work, weavers who were out of work or reduced to other manual labor, widows whose children were now part of the Reformed community, a woman who would not pay despite having the funds, and even one man who claimed to no longer be part of the religious community but was employed as a weaver.<sup>138</sup> About half of the Ucowallist community in Leer were thus unable to or unwilling to pay. This relative disarray hints at the limits of taxation as an identifier and standardizer of a religious minority group, as well as the inescapable interconnections between Ucowallists and other religious groups in the Leer area.

Other protectorates in East Frisia reported on similarly irregular community formations which complicated the *Schutzgeld* system. In the Brookmerland region outside of Norden the bailiff reported Lutheran men with Mennonite wives as well as Mennonite men with Lutheran

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<sup>134</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 22r.

<sup>135</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 24r: “ist verstorben vndt deßen kinder an den armen verfallen;” “ist ein weber, mit 6 [o.] 7 kleine Kinder vndt [wenn] er zu versterben [kamme], so unse sie Mennoniten dieselbige unterhalten.”

<sup>136</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 25r.

<sup>137</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 25v: “Folgende Personen haben Niemahlß bezahlet aber unterthanigst ersuchet, daß sie alß gemeine webers undt arbeits Leute auf einen gelinden tax mochte gesetzt werden.”

<sup>138</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 25v-26r.

wives. An older Mennonite man lived with his son, but this son and daughter-in-law were both Lutheran. The expectation of 3 *Thalers* per household broke down, therefore, in the face of mixed marriages and mixed households, and the bailiff apparently preferred to report the confusion rather than rule on it one way or another; he leaves this messy web of relationships without further comment.<sup>139</sup> In the Marienhofer region, as well, a bailiff reported a Lutheran man with a Mennonite wife.<sup>140</sup> And one final outlier was reported in Greetsiel: a single Mennonite man seems to have made a personal deal with the court of Aurich to provide an ox and a good bull calf each year in place of any fees or taxes.<sup>141</sup>

Other bailiffs from rural East Frisia claimed to know of no Mennonites or Jews at all in their area, with one declaring that he could find “none from either Nation” in his district.<sup>142</sup> Though multiple of the bailiffs reporting on a lack of taxable religious minorities seem to both distance themselves and show a complete lack of knowledge about these groups, this bailiff’s characterization is especially suggestive. In East Frisia in 1692, Mennonites were equally as marginalized, as separate and as “Other” as Jews, at least in the minds of those who had no dealings with them at all, belonging to entirely separate “Nations.” And ultimately, this separate nature resulted in the reinstatement of the yearly tax of six imperial *Thalers* per household after all

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<sup>139</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 29r/v and 34r.

<sup>140</sup> NLA Aurich, Rep. 4 B II r Nr. 8, 33r.

<sup>141</sup> NLA Aurich Rep. 4 B II d Nr. 20, 22-23: “Demnach Weßell Gerdes Heurman auff Wirdumer Neuland anstatt einer unterthaenigsten *Recognition* und Erkandtniß, ein EnterOchß und ein guht Bull Kalb unterthaenigst *offeriret*, wir auch dieses ohne fernere *consegnentz* in Gnaden angenommen; Alß ist unser gnaedigster Wille und Befehl an euchhiemit, gestalt ihr besagten Heurman, so lange Er gedachten Plaetz in heurlichen gebrauch hat, mit keinen jaehrlichen Schutzgeldern bescewahren sollet.”

<sup>142</sup> NLA Aurich Rep. 4 B II r Nr. 8, 32r/v: “*injungiret* eine *Specification* der in meiner mir gnadigst anvertra[w]ten Voigtey verhandenen Mennonisten und Juden einzufunden; So deute hiemit unterdienstlichst an, daß nach genawer Er kundigung, ich von beiden Nationen nicht eine erfahren können, Mit gehorsahmster bitte es bey diesem bericht bewendey zu laßen.”

reports were made – with an additional charge of 2 *schaf* per *Thaler*, and without concessions made for the impoverished.

In November of 1707, near the very end of his life, East Frisian prince Christian Eberhard tasked Norden magistrate Johan Dietrich Kettler with the investigation of Mennonite finances, based on a suspicion that Mennonites in Norden had been underreporting their wealth in order to avoid paying a higher rate of protection money.<sup>143</sup> The document sent from the princely court in Aurich includes both the names of known Mennonites and Ucowallists, with no distinction made between the two, and sums that they were expected to pay.<sup>144</sup> Another document, which followed immediately thereafter and in the same handwriting, presents a retrospective account of the protection money that had been paid by Jews. On the back of this document, perpendicular to the earliest records of Jewish fee negotiations and payments, are listed the dates of each Mennonite letter of protection and the East Frisian authority who had issued it. As a “Nota Bene,” this comparison was implicit but clear: when considering what Jews have paid, consider also what Mennonites have received. This historical account, reaching back to the initial letter of protection issued by Rudolph Christian in 1626, demonstrates how extensively the economic toleration of Anabaptists and Jews had grown together.<sup>145</sup>

Shortly thereafter, however, Christian Eberhard died. Upon the succession of his son Georg Albrecht, in June 1708, the new prince immediately got to work re-negotiating the

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<sup>143</sup> Müller, *Die Mennoniten in Ostfriesland*, 124.

<sup>144</sup> NLA Aurich Rep.4 B II d Nr. 20, 28-29: “Und habt Ihr uebrigens nach aller Mennoniten und Ucowallisten, welche in dertigem Ambte wohnen, Ihrem Vermoegen, Euch alles fleißes zu erkundigen und Unserent wegen Ewen Ayden und pflichten gemaß, iedes mahl danueber mit ernst zu halten, daß selbige night geringer taxirt und angesetzt werden, alß Sie nach proportion Ihres Vermoegens und des an Ihnen ertheilten gelayds, an Unß zu geben schuldig seyn. Ihr verrichtet hieren unsern gnadigsten willen und wir verbleiben Euch mit Gnaden woll gewogen.”

<sup>145</sup> NLA Aurich Rep.4 B II d Nr. 20, 30-31.

toleration settlements in East Frisia – in a rather antagonistic manner. The responsibility to re-petition for a letter of protection was, in Georg Albrecht’s mind, the responsibility of the Mennonites themselves, and by the autumn of 1708 it was clear that the Mennonites and the Ucowallists in particular were delinquent in doing so. A letter sent out in November of 1708 to town and city authorities, including Kettler in Norden, indicated that they had fourteen days to work out a settlement with the princely administration – and this included both the Mennonites and the Ucowallists (referred to as ‘separatists’) living within these jurisdictions.<sup>146</sup> Kettler and the Norden communities asked for a reprieve until the following February, after the Christmas celebrations, and cited the recent death of a Mennonite leader and the disarray of paperwork as the cause.<sup>147</sup>

The request was granted, and bought the communities in Norden six weeks to gather their members, assess their financial situation, and find the most strategic way to plead their case for a lessened tax burden. A letter from the Norden Mennonites to Prince Georg Albrecht was sent at the end of January and made wide-ranging claims about their role in the community.<sup>148</sup> The Mennonites quoted extensively from the Old Testament, using it as an antecedent for both the glories bestowed by God on benevolent authorities, like Georg Albrecht, and for the right of believers to petition kingship or high authority.<sup>149</sup> They cited, naturally, the New Testament as well. Mennonites pointed to their material circumstances, to a “noticeably weakened” Mennonite community in their own city and district of Norden, in Berum, and in Leerort, with few wealthy

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<sup>146</sup> Müller, *Die Mennoniten in Ostfriesland*, 125.

<sup>147</sup> Letter from Kettler found in NLA Aurich, Rep. 4 B II d Nr. 20, 37-39; letter from the community itself, 40-41. See also Müller, *Die Mennoniten in Ostfriesland*, 126.

<sup>148</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 42-54.

<sup>149</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 43 and 46.

members left.<sup>150</sup> They then made an ambitious request: “not to have any encumbrances attached to the letter of protection.”<sup>151</sup> Pointing both to those who had been consistently unable to pay and those who had paid diligently for twenty or thirty years already, they suggested that the burden was both unequal within the community and unequal for the community as a whole. Later in the letter they seemed to acknowledge the improbability of full relief, and requested that if they were not to be relieved of this burden, then they hoped Georg Albrecht would “moderate” their current tax.<sup>152</sup>

Significantly, the Norden Mennonites also compared their own efforts to enjoy a true exercise of religion with the Augsburg Confession, a document which, according to their invocation of it, worked toward the goal “that everyone might have their **freedom of conscience**.”<sup>153</sup> This comparison was particularly pointed, as the East Frisian princes maintained a Lutheran court and had done so almost continuously since the 1520s. The Norden Mennonites self-presentation was focused, at least in this appeal to authority, on similarities between their own beliefs and that of the majority. The self-fashioning they did in this letter was meant, of course, to highlight the common heritage they shared in the Holy Scripture, and even to make direct comparisons between their own desire to practice a marginalized religion and that of the Lutheran East Frisian princely court in the midst of a Reformed territory and a plural empire.

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<sup>150</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 44.

<sup>151</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 45.

<sup>152</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 51.

<sup>153</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 50: “waß der H Lutherns bey ubergebung der Augspurgischen Confession von Alberto Churfursten zu Mayntz gebetten, namblich daß hoechst erwehnter Churfurst dahin arbeiten wolte, daß jeder seines **gewißens freyheit** haben mogte,” (emphasis mine).

The letter from the Norden Ucowallists was included in the same package of petitions from late January of 1709, and followed in the general aim of reducing the tax burden. The Ucowallists were perhaps more pragmatic in their request for a mere reduction, from six *Thalers* yearly to perhaps, they suggested, four or five, depending on the wealth of the household in question.<sup>154</sup> Moreover, they included a separate sheet with a postscript [“P.S.”] that offered an up-front payment of 200 imperial *Thaler* to a princely treasury, apparently meant as a first offer in the larger *Recognition* tribute that would undoubtedly need to be paid as well.<sup>155</sup>

Over the next few months, figures flew back and forth – as many as 3000 imperial *Thalers* were at one point demanded from the entire community, and the Norden Mennonites at one point suggested 350 instead. Kettler’s role as an intercessor was integral, in part because he could speak to the character and wealth of the community from an outsider’s perspective. In a letter from March of 1709, he backed up claims of decreasing wealth in the community, noting especially that a prominent Mennonite family had converted to Catholicism a few years previously.<sup>156</sup> More surprisingly, he gave voice to Mennonite fears, arguing that the Prince should adopt the naming conventions that Mennonites themselves used, and discard all mention of ‘Flemish’ or ‘Frisian’ influence, especially as this could give the imperial court the opportunity to challenge the toleration Mennonites found in East Frisia. The community for which he interceded “cannot be counted as adherents to Johan von Leiden, Knipperdolling, Munzer and the like” – invoking both the leaders of the Peasants’ War and the leaders of the Kingdom of Münster, twin specters from the scandalous Anabaptist past.<sup>157</sup>

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<sup>154</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 60.

<sup>155</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 62.

<sup>156</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 73.

<sup>157</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 83.



Despite all of this, however, the established payments for economic toleration remained largely the same. The Mennonites settled with an 850 *Thaler* tribute and the Ucowallists with an 1000 *Thaler* tribute – and would also continue to pay six *Thaler* each year per household, though some exceptions were made based on relative income, and now with an additional “writing tax” of twelve *schaf* per household per year.<sup>158</sup> The summary of these final protocols, however, suggest to us again the essentially unequal position from which Mennonites and Jews operated in the protection money system. The Jewish communities had settled with their new territorial ruler *quickly*, by September 1708, either unable or unwilling to engage in a protracted negotiation during which their ability to stay in their homes would be implicitly or explicitly threatened. The Jewish community had paid a 600 imperial *Thaler* tribute as a lump sum, and would continue to pay six *Thaler* every year per household.<sup>159</sup> Jewish communities in East Frisia did not have the latitude for negotiation that Mennonites and Ucowallists felt comfortable exercising.<sup>160</sup>

The final coda of the Kettler story, however, emerged in the petitions of the Mennonite community in Norden in reference to the situation of Mennonites in other parts of the imperial northwest. In their initial petition to Georg Albrecht, the Mennonites of Norden first justified this presumptuous action, to argue with secular authority about the cost of *Schutzgeld* and *Schutzbriefe*, with biblical examples of righteous sovereigns open to virtuous petition. But they

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<sup>158</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 18. According to Luebke, there were 27 *schaf* per *Reichsthaler* in the aftermath of the East Frisian Wochengeld uprising in the 1720s. David M. Luebke, “How to Become a Loyalist: Petitions, Self-Fashioning, and the Repression of Unrest (East Frisia, 1725-1727),” *Central European History*, 38: 3 (2005), 353-383.

<sup>159</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 19.

<sup>160</sup> This was despite their relative growth during this stretch of East Frisian toleration; whereas only 24 men had been assessed in 1645, there were 111 in the records for 1708. See “Anlage: Das Generalprivileg für die Judenschaft in Ostfriesland vom 22. Sept. 1708,” in *Mitteilungen des Gesamtarchivs der deutschen Juden, Zweiter Jahrgang* edited by Eugene Täubler (Leipzig: Buchhandlung Gustav Fock, G.M.B.H., 1910), 51-57.

then invoked a much more *recent* example: those secular leaders who had successfully interceded in the attempted dispossession of the Mennonite community in the city of Rheydt, in 1694, to which we will turn in our final chapter. Their description of the event was vague, and identifiable only through the date and the mention of King William III of England. Yet this lack of detail suggests that the outline of this event was well-known, and no more information was needed to call it to mind. Moreover, their intention was only to highlight the how recently and dramatically territorial rulers had found it prudent to plead on behalf of oppressed Mennonites. Kettler himself had access to this letter, and had included it in some of his other prepared diplomatic documents.<sup>161</sup> Kettler, therefore, was clearly connected to a larger network in the northwestern Holy Roman Empire in which the plight of Mennonites and their property was known – and the Mennonites which he represented to the territorial authorities of East Frisia knew enough to invoke this recent intercession to make their own case. The routine bureaucracy of *Schutzgeld*, *Schutzbriefe* and the negotiations they occasioned had gradually established a meager version of belonging that was legible in discussions over these debts and obligations, and would be deployable when this belonging broke down.

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<sup>161</sup> According to Müller, *Die Mennoniten in Ostfriesland*, 130, fn. 23.

## CHAPTER 5: Negotiating claims of inclusion: the dispossession in Rheydt as crisis and possibility

To understand fully the success of the East Frisian Mennonites, whose hard-fought negotiations ultimately resulted in a favorable Prussian settlement and economic stability for the remainder of the eighteenth and nineteenth centuries, we must consider the alternatives. While *Schutzgeld* incentivized and routinized moderate toleration in both Emden and comital East Frisia, it might just as easily have fueled jealousy for the group's military and civic exemptions. And when Mennonites in East Frisia used either their relative poverty or their financial success to argue for the reduction of fees, both situations might have left them with significantly less room to maneuver. Finally, whereas East Frisians had been able to successfully instrumentalize their perceived obedience, peacefulness, and economic contribution, other Anabaptist groups would find that the correct balance was much harder to strike. Pleasing the majority community was a constant concern for minority religious groups, even for those groups who claimed Christian brotherhood, and the threat of expulsion and expropriation never expired.

The precarity of the situation for Mennonites across the Holy Roman Empire was demonstrated nowhere as clearly as in the small city of Rheydt in 1694. The key events are easily summarized. Following a fire that destroyed a significant section of the city, magistrates rounded up the wealthy Mennonite community, marched them to a place of imprisonment and interrogation, threatened their leaders with execution and extorted from them a large amount of money over and above the confiscation of their property, and finally expelled them from the territory. Yet, even in the midst of this worst-case scenario, there was evidence of the new discursive power of belonging – because the story did not stop with expulsion. A tortured,

threatened, dispossessed and expelled community, a community still referred to as Anabaptists (the derogatory *Wiedertäufer* linked inextricably to Münster), subsequently mustered a cross-continental network of co-religionists and sympathizers to bolster negotiations that would ultimately win the community some measure of recompense.

The dispossession in Rheydt – and especially the outcry it elicited from this network of Mennonites, the Dutch States General and *Stadtholder* William of Orange, also known as King William III of England – shows us the changing religious ground on which they all stood. There was a volatility to identity, a slippage in understanding which allowed Mennonites to make claims on community inclusion based on their presumably shared Christian heritage, to make claims even on the category of Protestantism. This narrative of events spread in the region, and with it spread the possibility that other Mennonites might make use of this slippery ground to gain some further measure of security.

As we saw in the last chapter, East Frisian Mennonites were aware of both the tragedy and the hope that the incident in Rheydt represented. Writing to Prince Georg Albert in January of 1709, in the middle of their extended plea for the lessening of their tax burdens, they combined biblical passages about obedience to secular authority with the evidence of William III of England's intercession on behalf of the Rheydt Mennonites. They invoked Matthew 22:21, the injunction to render to the emperor what belonged to the emperor, as well as Romans 13:1, which declared: "Let every person be subject to the governing authorities; for there is no authority except from God, and those authorities that exist have been instituted by God. Therefore whoever resists the authority resists what God has appointed, and those who resist will

incur judgment.”<sup>1</sup> Mennonites appealed to their common Christian heritage in the New Testament, and drew parallels to the expected behavior of all Christians within early modern communities. This emphasis on compliance and conformity simultaneously drew attention to the concomitant onus placed upon all secular leaders; if they were indeed “instituted by God,” they were bound by a supposedly common understanding of justice. The example of William III was taken as instructive of the best-case scenario. He had, the East Frisian Mennonites reported, seen the “miserable condition of our belief comrades [*glaubnus genossen*] in the Palatinate” and written twice “in his own kingly hand” to intercede on their behalf. This instance of proper and right intercession brought esteem and heavenly glory to both the ruler fulfilling his righteous role and to those who had been subject to injustice, and this righteousness would be recognized universally, by “whatever people or nation” was present to bear witness.<sup>2</sup>

Thus even the dispossession in Rheydt, despite manifesting the fears of every tenuously-settled religious minority, represented a potential path forward for Mennonites living in the northwestern empire. This path was, however, narrow, and it was only available to Mennonites because of their unique placement within the religious history of the Reformation. By the turn of the eighteenth century, their communities were long-standing, and could make claims to the

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<sup>1</sup> *The New Oxford Annotated Bible (New Revised Standard Version) Augmented Third Edition with Apocryphal/Deuterocanonical Books*, edited by Michael D. Coogan with associate editors Marc Z. Brettler, Carol A. Newsom, Pheme Perkins (New York: Oxford University Press, 2007), NT 261.

<sup>2</sup> NLA Aurich, Rep. 4 B II d Nr. 20, 47: “Auß welchem allen ja Sonnen klaerlich zu ersehen ist, daß wir in betrachtung der Vermahnung unseres geliebten Heylandes bey dem *Matt*: am 22 Cap: am 21 V und des *Ap Pauli*, *Rom* am 13 Cap V 1.2. fur keine Christen gesindheit zu weichen, [...] sich auch der Glorwaerdige und Majestaetische koenig von Engelland, *Wilhelmus* der dritte, hochlobl andenckens im vorigen *Seculo*, 1694 denen jammerlichen zustand unserer glaubnuß genoßen in der Pfaltz, welche durch boser leuthe anrathen, unschuldigst in die groeseste jammern gesurbzet werden, gnadigst und so ferne mitleydend angenommen Leben, daß Ihro Koenigl Maj zu zwiyen mahlen mit Eigener koniglichen Hand fur sie geschrieben, bey Sr Churfl Dhl von der Pfaltz *intercediret*, die Churfurstl gnaden erworben und allen harten *procediren* gnaedigst abgewendel haben, wie im nebengehendem, Unterthanigst presentiren dem tractathm (genand, *Verdeediging ger Christenen die Doopsgesind genaemt worden*) im ersten theil Pag 37 biß pag 47 gnaedigst kann vernommen werden Weilen dann alle diejenige so Gott fursten und recht thun Ihm gefallen, waß Volk oder Nation sie auch seind, Ap Geschl.”

early reform period just as Lutherans and Reformed churches did. Those claims would always be met with accusations of Münsterite heresy, but the label of ‘heretic’ stuck to them less and less. Their communities were visible to authorities, and although interior debates had resulted in numerous schisms, these distinctions were largely lost on, or irrelevant to, authorities who had no reason to interfere in what they perceived as internecine squabbles – as long as all taxes and fees were paid. Their communities had been successful, carving out dominance in textiles as both weavers and merchants. And unlike their Jewish fellow outsiders, whose petitioning power rested solely on their ability to prove economically useful while simultaneously non-threatening to Christian society at large, Mennonites could access the discourses of Christian civic obedience and the expectations that Christians had of their rulers. They could, therefore, make claims on community inclusion; even when those claims were vigorously debated, the debate was accepted as plausible. This shift in Mennonite positionality unveils the undeniable change that had occurred since the mid-sixteenth century, even as that change was wrought more by reversible economic settlements than true acceptance; this was a moment in which accusations of heresy had nearly lost their meaning, but where religious difference was ever-hardening. This was a period of entrenchment, of setting the stage for oppositional religious relationships, and Mennonites did their best to position themselves within the Protestant camp.

In an older, heavily confessional Mennonite historiography, the late seventeenth- and early eighteenth-century was the period in which Mennonite status shifted. It was both the birth of the modern, tolerant spirit and the period of their undeniable economic usefulness, and it ultimately signaled the end of their pious, persecuted obedience. Karl Rembert, in his 1899 account of Anabaptist life in the duchy of Jülich, places the shift squarely in the middle of the seventeenth century, in the Netherlands, when authorities first began to think of Mennonites as

community members worth protecting. This acceptance had been won, according to Rembert, by the “common sacrifice of martyr’s blood” and had bound Mennonites to both Zwinglians and Calvinists in their common cause against the Catholic Duke of Alba. Dutch toleration had allowed Mennonites both wider religious freedoms and further prosperity: “Mennonites were no longer forced to waste away spiritually in the half-dark light of conventicles, rather they had achieved an influential position in public life and had become powerful contributors of the culture.”<sup>3</sup> The toehold that Dutch Mennonites had gained in the Netherlands was the closest approximation to routinized toleration that Anabaptists had ever known, and their willingness to wield their power and lean on the Dutch States General was the main factor Rembert attributed to Mennonite success elsewhere.

The pressure and presence of an outside political entity, the Dutch States General, is undeniable in the narrative of Rheydt. Yet it must be considered in tandem with the specificity of the Protestantizing discourse found throughout the many petitions sent in the aftermath of the violent instigating incident, and the magnitude of the violence of the expulsion and expropriation. Dutch Mennonites certainly used a Protestantizing discourse to wield a claim on community that was already substantial. Rheydt Mennonites, in turn, made claims on a possible but not yet actualized Protestantizing discourse to advocate for the return of property, the most substantial marker of material survival and community inclusion. The precarity of the Mennonites position was thus exemplified by the precarity of their property ownership; everything was possible, and everything was vulnerable, 160 years after Münster.

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<sup>3</sup> Karl Rembert, *Die “Wiedertäufer” im Herzogtum Jülich* (Berlin: R. Gaertners Verlagsbuchhandlung, 1899) 533, fn.1.

## **Finding toleration in Rheydt**

The Prince-Bishopric of Münster was bordered to the south by the United Duchies of Jülich-Cleves-Berg, among other territories. This was a large territory, formed in 1521 by the marriage of Maria von Geldern, who held the already combined Duchy of Jülich-Berg as the last remaining child in her line, and her distant relative John III, the Duke of Cleves and Mark. As a result, the United Duchies were held in personal union for nearly one hundred years, never officially or administratively combined, and violently contested after this hereditary line died out in 1609. This violence, known as the War of the Jülich succession, was the first outbreak of hostilities after the formation of the Protestant Union in 1608 and the Catholic League in 1609. It was therefore an ominous precursor to the Thirty Years' War, as the resulting Treaty of Xanten indeed split the territory along religious lines. Cleves, Mark, and Ravensburg went to the Protestant Margraviate of Brandenburg, Johann Sigismund, whose marriage to Anna of Prussia united the wide swath of territory that would become the kingdom of Prussia while ensuring that both Calvinism (Johann Sigismund's inclination) and Lutheranism (Anna's faith) would remain protected therein. Jülich-Berg went to the Count Palatine of Neuberg, Wolfgang Wilhelm, who had converted to Catholicism shortly before the Treaty was declared in 1614.<sup>4</sup> Although Wolfgang Wilhelm's son, Philip Wilhelm, would much later become the Elector of the Rhine

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<sup>4</sup> Because Wolfgang's own father and grandfather had fought for Protestant causes, this conversion was considered suspect and probably only an expediency – and it allowed him to marry Magdalene of Bavaria. This suspicion was further strengthened by Wolfgang's 1628 marriage to Katherina Elisabeth Charlotte of Zweibrücken, who refused to convert to Catholicism – forcing Wolfgang to obtain a dispensation from the Bishop of Utrecht after Pope Urban VIII refused him. See Andrew L. Thomas, *A House Divided: Wittelsbach Confessional Court Cultures in the Holy Roman Empire, c. 1550-1650* (Boston: Brill, 2010), 308-309; Susan Broomhall and Jacqueline Van Gent, "Converted Relationships: Re-negotiating Family Status after Religious Conversion in the Nassau Dynasty," *Journal of Social History* 47: 3 (Spring 2014), 653.



Palatinate in 1685, these different territories were held only in personal union.<sup>5</sup> This meant that the city of Rheydt, which fell within the Duchy of Jülich, was under the jurisdiction of the Palatine-Neuberg during the events of 1694, and it was ruled by Catholic Johann Wilhelm, the Elector Palatine.

Significantly, however, the nearby city of Krefeld – to which many Rheydt Mennonites fled, and eventually settled, after they had been released from their ordeal of imprisonment – was within the county of Moers. Though once contested by the rulers of Cleves, the county had passed at the beginning of the seventeenth century into the House of Orange and remained there until 1702. Ruled and influenced by the Dutch, it remained a small pocket of Dutch-style “toleration” throughout both the 1694 dispossession and the period of counter-petitioning. In 1702 it was transferred to the Kingdom of Prussia, the descendants of those Protestant Brandenburg-Prussia Electors of nearly a century before. Here, as in so many places within the empire, the lines of confessional difference stuck even as leaders converted to gain or retain political power. The political and religious balance of the area was predicated on the Xanten treaty, which considered only Protestants and Catholics. This left room to maneuver for those in between, those willing to migrate between these two poles in order to negotiate toleration.

The interconnections of Anabaptists and Mennonites in the area around Rheydt (today part of the North Rhine-Westphalian city of Mönchengladbach) to those in both the Münsterland and East Frisia are well-documented in the historiography though somewhat contested.

Rembert’s work on the Jülich region began with a clear acknowledgment that some interest in local Anabaptists must be attributed to the “Münster Tragedy” and its hold on the fearful popular

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<sup>5</sup> This is not what is commonly known as the Palatinate. Palatine-Neuberg and the Palatinate would later be joined in the rule of Wolfgang Wilhelm’s son, Philip William (ruled Palatine-Neuberg 1653-1690, and the Palatinate from 1685-1690). It is worth noting here that the Xanten split reproduces imperial dynastic antagonisms as well: Brandenburg to the Hohenzollerns, the Palatine-Neuberg to the Wittelsbachs.

imagination. He analyzed the enduring stain of Anabaptism vividly, pointing to the stigma that resulted from the undeniably unsettling aspects of this “wild parody of the Kingdom of David....where the fire of Münster fanaticism was drowned in its own blood.”<sup>6</sup> Such colorful language concealed, however, a rather more empathetic attitude than one might expect from a turn-of-the-century Lutheran.<sup>7</sup> Rather than condemning the whole of this fanaticism, Rembert bemoaned the prevailing literature’s tendency toward wholesale, simplistic condemnation, and exhibited his own willingness to recover laudable aspects of the Kingdom: “it has still not been possible to recognize the better principles that were obscured under the loathing of the subjects of the Münster terrorism.”

Rembert’s rehabilitative efforts ran counter to two separate strains in the literature, the first being of course the simply sensationalized. After Hermann von Kerssenbroch’s history of the Kingdom was suppressed by the Münster city council in the second half of the sixteenth century, it found its audience first in Latin and then in German over the course of the eighteenth and nineteenth centuries. This narrative of outrage and heretical mob rule dominated in the collective memory, with a first printing in 1771 and subsequent German translations released in 1888 and 1929.<sup>8</sup> The second strain in the historiography was the elaborate distancing found in confessionalized works. Rembert’s preoccupation with distinguishing the “fanatics” from the peaceful was remarkable only because he did not come from a confessional Anabaptist or

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<sup>6</sup> Rembert, *Die “Wiedertäufer” im Herzogtum Jülich*, 2.

<sup>7</sup> Rembert was baptized in the Kreuzkirche in Herne in 1868. Though it was not clear that he was a NSDAP party member, his sympathies, and later racist and anti-Semitic writing, must be held in conversation with the relatively high esteem in which he held Mennonites. This is, of course, not surprising; Mennonites, in their quest to Protestantize themselves, were exactly the sort of religious minority group that could be included by Lutheran Nazi sympathizers. See “Karl Rembert,” in *Wiki der Herne Stadtgeschichte* <[https://wiki.hv-herwan.de/index.php?title=Karl\\_Rembert](https://wiki.hv-herwan.de/index.php?title=Karl_Rembert)>.

<sup>8</sup> Driedger, “Against ‘the Radical Reformation’: On the Continuity between Early Modern Heresy-Making and Modern Historiography,” 153.

Mennonite perspective. This emphasis on the non-violent, obedient threads of Anabaptist theology and thought made up much of the nineteenth-century confessional Mennonite historiography, and would continue to do so for much of the twentieth century. The primary method for preserving this distinction, however, was to remove Münsterites from the story entirely, to reject their Anabaptism wholesale. But because Rembert was not involved in that confessional project, his distinctions could be made at a more personal level, or perhaps, in a way that rendered Anabaptists more like Lutherans. His inclination toward recovery still reproduced the methods nineteenth-century confessional historiography, however, and he spent a great deal of time delineating who should be esteemed as a true Christian and who should not. It was merely his scales of judgment that were calibrated differently.

Rembert's perspective and positioning followed what Ralf Klötzer has identified as the critical-historical interpretation emanating from C.A. Cornelius's 1853 work on Münster.<sup>9</sup> Rembert himself acknowledged the influence of Cornelius, which focused on the mechanisms of both social and religious revolution. Consequently, his account of the period between 1525 and 1533 charted the complex web of political and religious happenings while nevertheless using the florid language of the late nineteenth century. His passionate case for studying the admittedly less dynamic Jülich Anabaptists accordingly relied on a close interconnection with the more notorious Münsterites. The Jülich Anabaptists, he argued, had an equally important literary role to that of their forebearers: "We may already declare it here: if one justly named the Münster rule of the Anabaptists a tragedy, then the Anabaptist movement in Jülich forms the 'Exposition' until 1534"<sup>10</sup> – a direct connection that confessional Mennonite historians were loath to make.

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<sup>9</sup> Klötzer, "The Melchiorites and Münster," 217-219.

<sup>10</sup> Rembert, 5.

Many connections between the Anabaptists of Jülich and Münster actually predated the Anabaptist Kingdom. The Wassenberg preachers were active in the city of Jülich in the period between 1528 and 1532, at the end of which they lost the protection of the reform-minded Wassenberg bailiff and subsequently moved on to contribute to the blossoming movement in Münster.<sup>11</sup> This was but one well-documented instance of radically-inclined preachers moving throughout the region, also evident in visitation protocols that seem to show the exchange of books and tracts between the communities of Jülich and Münster, and even a “fully organized community” in Jülich with adult baptisms taking place before 1533 – that is, before they were first recorded within the city of Münster.<sup>12</sup> That the city of Jülich saw adult baptism before the city of Münster should indicate both the wide existence of this practice in the region as well as the true possibility for social and religious upheaval in this community. The turmoil resulted in executions of Anabaptists in Jülich during the sixteen months of the Kingdom, after the city had been put under strict watch by the Archbishop of Cologne. Recognition of Jülich’s importance in the movement was not limited to fearful authorities, however. Münsterites themselves considered the region as a possible location for the expansion of the Kingdom and – eventually, when things in Münster turned grim – as a possible substitute for what had become of the now hungry, now decaying “New Jerusalem.”<sup>13</sup>

Nor was the spread of Anabaptism in the region limited to those moving decidedly towards Münster. Menno Simon’s influence was evident in bureaucratic reports on Anabaptist presence in the duchy, suggesting variability in the local Anabaptist community’s response to the

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<sup>11</sup> Rembert, 343.

<sup>12</sup> Rembert, 350 and 369-70.

<sup>13</sup> Rembert, 388, 390-391.

eventual violence of the Kingdom as well as the uprisings which took place in Amsterdam and Oldeklooster in West Friesland during the lengthy occupation of Münster.<sup>14</sup> Menno himself visited the northern Rhine region from 1544 to 1546 during which he was likely based in Cologne, but also stayed near Oderkirchen and Kempen. While there, he worked with Anabaptist leaders like Dirk Phillips, and with a sizeable community that already existed: Karl Koop estimates there to have been about 1,000 Anabaptists in Gladbach and the surrounding areas.<sup>15</sup> Anabaptists communities in both Rheydt and Krefeld flourished in the 1540s, communities which had likely been seeded by the same fervor that drove Münster but which evaded the same fate.

The ability of what was later regarded as Anabaptism to spread was aided by those enthusiastic for reform but not yet specifically aligned. The bailiff who had protected both the Wassenberg preachers and other Anabaptists in Jülich, Werner von Pallant, was “reform-minded” enough to refuse repeated attempts at interference by the Duke of Jülich and to provide a safe haven for believers before his 1534 removal from office.<sup>16</sup> Interest in more moderate reforms was prevalent in eastern Westphalia, such as Jülich and Cleves, with strains of what would become both Lutheran and Reformed theological inclinations. Even in the post-Münster

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<sup>14</sup> Rembert, 413. For an important discussion of Menno Simons’ role in the events at Oldeklooster, see James M. Stayer, “Oldeklooster and Menno,” *The Sixteenth Century Journal* 9:1 (Apr., 1978), 50-67.

<sup>15</sup> Koop’s assessments rely on the work of early twentieth-century Mennonite historian Jacobus ten Doornkaat Koolman, which may mean these numbers are optimistic. Yet, given that this number was said to be spread through a series of communities (“towns like Kempen, Krefeld, and Rheydt west of the Rhine River between Duisburg and Düsseldorf”), there was clearly a relatively vibrant Anabaptist landscape in the lower Rhine region. Karl Koop, “Worldly Preachers and True Shepherds: Anticlericalism and Pastoral Identity among Anabaptists of the Lower Rhine,” in *Mennonite Quarterly Review* 76: 4 (Oct 2002), 399-411. See especially 406-407.

<sup>16</sup> Rembert, 146-152.

period, this impulse toward reform was nurtured by Cologne Archbishop Herman von Wied, whose tenure lasted for the duration of the early Reformation, from 1515 through 1546.<sup>17</sup>

The Duchy of Jülich had been home to Anabaptists both before and after the Kingdom of Münster, and had been an environment of relative tolerance or with the potential for toleration. Rheydt was no exception. The von Bylandt family who ruled the city had extended a number of privileges to reformers in general and Anabaptists in particular; this was made possible by Otto von Bylandt's close and trusted position within the Düsseldorf court of Wilhelm, Duke of Jülich-Cleves-Berg.<sup>18</sup> Rembert labelled von Bylandt's a "Reformation-friendly attitude," which in the mid-sixteenth century meant that various preachers were there welcomed and a number of expelled Dutch Calvinists found shelter.<sup>19</sup> Anabaptists were noted as present in 1584, and by 1594 "their number had grown considerably; they held their services at nightly gatherings with song and sermon."<sup>20</sup> Anabaptist presence in Rheydt, therefore, was tolerated about as much as any Anabaptist group could hope to be at the turn of the seventeenth century. Secular authorities limited the free exercise of their faith – they gathered at night to limit the publicity of their worship – but the frequency suggested here points to some security in their position and trust in the benevolence or benign negligence of the von Bylandt family.

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<sup>17</sup> Hermann von Wied was open to evangelical reform, going so far as to advocate for the lay use of the chalice; see David Luebke, *Hometown Religion*, 35 and 89.

<sup>18</sup> The von Bylandt jurisdiction had previously been autonomous, which explains the exceptional degree of latitude given the Mennonites; Ralf Klötzer, "Verfolgt, geduldet, anerkannt. Von Täufern zu Mennoniten am Niederrhein und die Geschichte der Mennoniten in Krefeld bis zum Ende der oranischer Zeit," in *Sie kamen als Fremde: die Mennoniten in Krefeld von den Anfängen bis zur Gegenwart* (Krefeld: City of Krefeld, 1995), 48.

<sup>19</sup> There are also references to von Bylandt's public interest in reform, and his willingness to stand up for Reformed changes within Wilhelm's court. See Rembert, 158, fn. 2.

<sup>20</sup> Rembert, 158. Rembert is here quoting at length from Ludwig Schmitz-Kallenberg, *Geschichte der Herrschaft Rheydt* (1887), 142; Keussen, *Stadt und Herrlichkeit Krefeld*, 179.

The situation changed with Wolfgang Wilhelm's conversion to Catholicism in 1614, which won him control over Jülich-Berg and at the same time instituted a greater measure of persecution within the wider jurisdiction.<sup>21</sup> Anabaptist meetings were forbidden within the duchy of Jülich in an edict from February 1619, and within Berg from April of that same year.<sup>22</sup> Yet this edict prompted pushback that demonstrated the breadth of rhetoric to which Mennonites felt they had access. Citing a 1609-1610 allowance (presumably propagated by Wolfgang Wilhelm's Protestant father, Duke Philipp Ludwig), Anabaptists in Jülich claimed the right to go about their business without hindrance and even to hold their own public services, the same as "the Roman Catholic like other Christian Religions, as they both in the Roman Empire as in these principalities...in every place in public practice."<sup>23</sup> This position reflected both a skillful reading of Wolfgang Wilhelm's recent (1614) conversion to Catholicism, and a push to see Anabaptists as one of many "other Christian Religions" trying to survive in this piecemeal religious landscapes, in these temporary coincidences of political power and religious orientation. Couldn't Wolfgang see the precarious situation that might suddenly overtake *any* believing Christian? Although this petition made no claims on Protestant identity (hardly a selling point when appealing to Wolfgang), it did assert the bold, pre-Westphalian Peace claim of a near-marketplace of Christian religious adherences.

In these first years of the seventeenth century, during the first pangs of the Thirty Years' War, the territory was squeezed by the wreckage of war and attendant economic decline.

Rembert narrates:

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<sup>21</sup> Rembert, 443.

<sup>22</sup> Christian Neff and Ernst Crous, "Jülich (Nordrhein-Westfalen, Germany)," in *GAMEO*, 1957.

<sup>23</sup> Rembert, 444.

For 25 years [following 1592] the continuous march of troops, the plundering, the taxes of the Spanish and Dutch standing armies bore down on these regions; roads were blocked, trade faltered, the safety of movement dwindled, merchants and artisans were without occupation; the best forces of the land were devoured by the war.<sup>24</sup>

Jülich hemorrhaged wealth while occupied by foreign troops, marginalized religious groups were obvious targets for further persecution. This antagonism ultimately prompted the richest Mennonites in the area to leave for nearby Holland, where official toleration existed from 1626, as well as England.<sup>25</sup>

That Mennonites from this area settled in Holland only strengthened the networks between these marginalized communities that would prove so decisive in the 1694 episode. Rosalind Beiler, in an article arguing that cooperation and information-sharing was widespread in this period among a number of disparate radical religious groups, places the origin of a letter-writing network in the 1630s and primarily prompted by the Swiss expulsion of Mennonites from Zurich. While providing an antecedent to the organizing efforts in the 1690s, Beiler fails to mention that this 1630s crisis was lost from the start, with the petitioning of the Dutch government by Dutch Mennonites apparently restricted to monetary gifts and resettlement aid to place Swiss Mennonites in Alsace or the Rhine Palatinate. No mention is made of recompense for dispossession, or of property concerns at all.<sup>26</sup> Both moveable and immoveable property

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<sup>24</sup> Rembert, 535-536.

<sup>25</sup> It may be that Rembert was here merely repeating a lamentation of Mennonite refugees; other sources indicate that Wolfgang Wilhelm, the Count Palatine of Neuberg during the Thirty Years' War, had spared his lands some of the devastation found elsewhere – through his 1614 conversion to Catholicism, and through his attempts at neutrality. The Palatinate itself was not so lucky, and is widely acknowledged as suffering extreme devastation. That the Palatinate-Neuberg perhaps evaded that fate does not negate some measure of suffering, however, especially for a marginalized religious minority group.

<sup>26</sup> Rosalind J. Beiler, "Dissenting Religious Communication Networks and European Migration, 1660-1710," in *Soundings in Atlantic History: Latent Structures and Intellectual Currents, 1500-1830*, ed. Bernard Bailyn and Patricia L. Denault (Cambridge, MA: Harvard University Press, 2009), 210-236. See 215-216.



paled in importance for minority refugee groups as they fled both persecution and the permeable chaos of war in the region, and the negotiations strategies necessarily differed.

In the aftermath of the devastation of the Thirty Years' War, when the Treaty of Westphalia enshrined compulsory mutual recognition for Catholics, "followers of the Augsburg Confession" and "the Reformed," Mennonites in the duchy of Jülich were once again targeted by authorities in a manner foreshadowing the late 1694 saga. Following a decree from the Duke of Jülich in 1652, the Mennonites of Gladbach, the largest city near to Rheydt, were forced in 1653 to make the case for their own toleration. Leaning on their dominance of the weaving trade in the city, they claimed over a century of continuous residence in the city, despite various edicts and actions against them. This socio-economic utility did not protect them, however, and in 1654 they were expelled from the city. In the document that listed the approximately 142 families or individual households, along with their dependents and property, they described themselves as "those who have themselves baptized upon their confessed faith," eschewing all other labels.<sup>27</sup>

Those expelled from Gladbach were allowed to sell their property, but this was a complicated matter and even in 1669 there were some 65 who had not done so – nearly one half of the originally expelled group.<sup>28</sup> The fact that property had not been confiscated perhaps encouraged some optimism among the group, some of whom settled in nearby communities, such as Rheydt and Krefeld, with the hope of one day returning to Gladbach.<sup>29</sup> The 1652 decree that had expelled the Gladbach Mennonites did not have the same effect in Rheydt; Rembert quotes sources who found a solid, comfortable community of Mennonites in the city in 1646 who

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<sup>27</sup> Wilhelm Niepoth, "Mönchengladbach (Nordrhein-Westfalen, Germany)," in *GAMEO*, 1957.

<sup>28</sup> Niepoth, "Mönchengladbach (Nordrhein-Westfalen, Germany)," *GAMEO*, 1957.

<sup>29</sup> Rembert, 441 fn.2. See also Rainer Kobe, "Die Krefelder Mennonitengemeinde vom Beginn des 17. bis zum Ende des 19. Jahrhunderts," *MennLex V*.

possessed even their own system of poor relief.<sup>30</sup> This network of financial security for co-religionists may have been somewhat limited, however, as in 1664 a list of “Mennonites staying in the domain of Rheydt” contained only four who owned homes.<sup>31</sup>

The toleration Rheydt Mennonites enjoyed was both noticed and detested by Philip Wilhelm, Count Palatine of Neuberg, who had succeeded his father Wolfgang Wilhelm in 1653 and who wrote in anger to Baron von Bylandt in 1669. The Baron’s toleration of local Rheydt Mennonites included allowing them to live within his castle walls, which had in turn attracted even more refugee Anabaptists from the region into this community.<sup>32</sup> These populations influxes, in turn, facilitated the expansion of the economic endeavor of the Rheydt Mennonite community. Mönchengladbach and Rheydt were the center of a flax growing region that had developed in the region over the seventeenth century, first in tandem with Dutch producers but increasing as a standalone, highly elaborated and economically robust industry.<sup>33</sup> Weavers of all religions backgrounds were attracted to the work in the area, but the Mennonite regional specialty in weaving and linen-producing techniques continued to justify the Baron’s toleration of the community – as did the collection of protection fees. Unfortunately, such success also

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<sup>30</sup> Rembert, 158.

<sup>31</sup> Wilhelm Niepoth, “Rheydt (Nordrhein-Westfalen, Germany),” in *GAMEO*, 1959.

<sup>32</sup> Rembert, 158 and 530, and repeated in Niepoth, “Rheydt (Nordrhein-Westfalen, Germany),” *GAMEO*, 1959. This is a highly suggestive throwaway line within Rembert; the gifting of property “within the ramparts of the castle” must have been a very rare event indeed for Mennonite communities in the seventeenth century, but was presented as the beginning of settlement in the area. However, internal community records are limited; Wilhelm Niepoth reports that the “inheritance book” of Rheydt covering 1670-1694 went missing and is presumed lost. Wilhelm Niepoth, “Prerequisites to Research on the Ancestors of the Mennonites Who Emigrated from the Lower Rhine Country to the United States in 1863 and Later,” in *MQR* 28 (1954), 59.

<sup>33</sup> Herbert Kisch, “Variations upon an Eighteenth-Century Theme: Prussian Mercantilism and the Rise of the Krefeld Silk Industry,” in *From Domestic Manufacture to Industrial Revolution: The Case of the Rhineland Textile Districts* (New York: Oxford University Press, 1989), 56. Kisch also identifies jealousy among Catholic neighbors in the mid-seventeenth century: “Mennonites, by virtue of their capital, were buying up flax still standing in the field, thus establishing a monopoly ‘that took the bread, as it were, out of Catholic mouths,’” 57.

attracted the envy of the local Reformed community, according to a nineteenth-century Mennonite family chronicle:

The origin of this persecution I heard from a reliable source as follows: the flourishing linen business of the Mennonites there was coveted by the Reformed. The Mennonites gave money to the lord of Rheydt for protection and freedom from military service. The Reformed therefore had to render more guard and military service; therefore they sued their lord. The Mennonites would not contribute to the cost of the suit. All of this embittered the Reformed to such an extent that they besought the Palatine elector, their feudal lord, to persecute the Mennonites, as can be seen from their petition full of lies.<sup>34</sup>

Mennonites were used to their status on the margins, and anticipated jealousy from other inhabitants and targeting from authorities even when longstanding economic arrangements, such as the paying of *Schutzgeld* or the ownership over homes and businesses, signaled stability. That practical negotiations had become routine did not mean that Mennonites were tolerated.

### **The failure of routinization: the Rheydt expulsion and its aftermath**

The von Bylandt family had favored the Mennonite community in Rheydt, and provided a stable enough foundation for the growth of a number of textile industries. Yet the situation became tenuous after a fire destroyed approximately fifty houses within the city, including a monastery, on 16 May 1694. The Mennonite community was accused of starting the blaze. In 1705 Johan Scheiffart, an official involved in the dispossession, was “asked if he knew that this Sect had the teaching to make secret blazes [*heimliche Feuersbrünste*], in such a way that it would burn the goods of their neighbors?” He was forced to concede that this had been reported to him by others in Rheydt, along with other reasons he could no longer recall.<sup>35</sup> From the

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<sup>34</sup> Quoted in Rembert and Wilhelm Niepoth, “Elten, von, family,” in *GAMEO*, 1956. This entry does not, however, cite the family chronicle itself.

<sup>35</sup> Quoted in Rembert, 410, in a footnote beginning on 409 (fn. 2).

wording of this question it is clear that the accusation of fire-starting was linked to the still somewhat clandestine nature of Mennonite worship in even a tolerant community and to the threat posed by conventicles assumed to be hidden because of the necessity for discretion.<sup>36</sup> The ability to play upon fears about the unknown component parts of Mennonite life meant that even though this same magistrate acknowledged that he had no good evidence for a connection between Mennonites and this devastating fire, it had proved durable as an inciting accusation even as it faded away in the ensuing expulsion and dispute over property.

The expelled Mennonites of Rheydt narrated their own story more clearly. An extraordinary document, known as the *Instrumentum Publicum*, was presented to a notary on the evening of February 9, 1696, in the house of Peter Janssen within the city of Krefeld.<sup>37</sup> The Mennonites had prepared the document ahead of time and presented it to the imperial notary public, Herman Marthens, as well as some “Gentleman witnesses”: Johann Reiners and Johann Bruckmanns, “both Bürgermeisters and Justices of the City and manor of Krefeld as especially called and required credible witnesses.”<sup>38</sup> These men confirmed and attested to

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<sup>36</sup> Fears of ‘conspiratorial arson’ had long been associated with both Anabaptists – and witches. See Gary K. Waite, “Sixteenth-Century Religious Reform and the Witch-hunts,” in *The Oxford Handbook of Witchcraft in Early Modern Europe and Colonial America* (Oxford: Oxford University Press, 2013), 501.

<sup>37</sup> The original document, prepared by a notary, was printed in Krefeld in 1696. A Dutch copy was made in 1771 by Godschalk Godschalks, and the original version was “found by an unknown person in an old library” in Krefeld and printed in 1803; Ernst Weydmann, “Über die Vertreibung der Mennoniten aus Rheydt und deren Einwanderung in Crefeld im Jahre 1694,” in *MB* (1891): 21-6. All quotes here are taken from the English translation, made by N.B. Grubb, and checked against the German version printed as an addendum to Schmitz-Kallenberg’s *Geschichte der Herrschaft Rheydt*. I use the names found in the German version, however, as the English version was translated from the Dutch and has retained names modified for a Dutch audience. N.B. Grubb, *Pro Copia Instrumentum Publicum, Concerning That Which was Considered in Facti, by the Lord Commissioners of the Palatine Electoral Prince in Reference, To the Protestant Mennonites at Reijdt in the Year 1694, and what Transpired* (Philadelphia, Pennsylvania: 1909). German: Franke, “Instrumentum Publicum wegen desjenigen, was bei denen Churfl. Pfaltzischen Herren Commissarien gegen die Protestante Menoniste zu Rheydt in Anno 1694 in facta vorgenommen und sich zugetragen,” edited by J. H. Franke; in Ludwig Schmitz (-Kallenberg), *Rheydter Chronik. Geschichte der Herrschaft Rheydt, Erster Band* (Rheydt: Verlag von D. Rob. Langewiesche, 1897), 265ff.

<sup>38</sup> Grubb, 23; Franke, 275.

contents of the document, a *species facti* that allowed Mennonites to tell their side of the story. The Mennonites established their truth by explaining what presumably took place before all of these notable men had signed: “with the request and prayer that they be questioned and examine individually as well as altogether in the presence of the above mentioned gentlemen witnesses as to whether they could well and sufficiently remember, and if they knew that everything occurred in deed and truth and took place as told in writing.”<sup>39</sup>

The document covers events between July 16 and August 28, 1694. The Mennonites begin by protesting their absolute innocence and civil obedience within the city of Rheydt, claiming that their life in Rheydt had been unobjectionable for over thirty years, a reference that would take their origins back only a generation. Though there is clearly evidence for the community prior to that (the 1654 migration of some Gladbach Mennonites to Rheydt, the establishment of their own poor relief fund in the 1640s, etc.), it seems plausible that this timeframe was predicated on the lives of the adult members present. Their own coexistence within Rheydt had been exemplary, which they support with descriptive words of obedience (“peace,” “tranquility”) and the consistency of their payment of taxes and fees.<sup>40</sup>

According to the Mennonite version of the narrative in the *Instrumentum Publicum*, the violence of the Elector’s commissioners broke both this peace and the reigning economic settlement. Those explicitly in the service of Elector Johann Wilhelm were Baron van Bongart of Paffendorf, Doctor Heyden and Doctor Scheiffart. Others, however, such as “Captain of Horse, Mr. Wedding” and Paulus Katz of Jüchen lent their aid to the violent dispossession despite the fact that they were not electoral agents. All six of these leaders arrived in Rheydt with “large

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<sup>39</sup> Grubb, 4; Franke, 266.

<sup>40</sup> Grubb, 5; Franke, 266.

number of armed peasants,” clearly ready for a fight.<sup>41</sup> The unnamed peasants interrogated the inhabitants of Rheydt about the Mennonites and where they lived. It seems likely that these peasants lived in the area surrounding Rheydt and owed loyalty and taxes to the Baron von Bylandt; the favored position of the Mennonites might have rankled the economically-tenuous farmers. In any event, the peasants identified Mennonites houses, pounded and broke down doors, and even struck one Mennonite man with a pistol, rendering him “so severely wounded that blood streamed over his clothing.”<sup>42</sup> The peasants then dragged Mennonite men, women and children together and left them to be “guarded” by the Commissioners’ forces, with the exception of a few nursing infants allowed to remain with servants or neighbors. While this group of Mennonites huddled together, four peasants from within Rheydt took all valuables from their person or in their pockets.

Lord Doctor Scheiffart then interrogated prominent members of the community, and focused specifically on any “money or bonds” that they may have owned.<sup>43</sup> This line of questioning (and resource gathering) went on all afternoon and into the evening, while simultaneously the rest of the Commissioners dealt with the issue of Rheydt Castle. Baron von Bylandt, whose family had long protected Mennonites, was absent but the “fortress” appeared impassable, as it was “fortified with ramparts and moats and the gates of which remained closed.”<sup>44</sup> The commissioners convinced Herr Gangelt to appear before them, and then compelled him to lower the bridge and allow the Elector’s forces access to the area inside –

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<sup>41</sup> Grubb, 6; Franke, 266-267.

<sup>42</sup> Grubb, 6; Franke, 267.

<sup>43</sup> Grubb, 7; Franke, 267.

<sup>44</sup> Grubb, 8; Franke, 268.

access to those Mennonite homes that had been particularly protected by von Bylandt's favor. After this chaotic day of invasion and interrogation, the commissioners split the community into two main groups. About thirty of those within the city who had been interrogated, and who had their valuables pillaged by the Commissioners and their followers, were put in restraints and marched from Rheydt to Jüchen, a distance of about ten kilometers.<sup>45</sup> Of those within the castle compound, many of the men appear to have escaped during the delay. The women and children left were threatened by peasants and commissioners for another week or so, at which point thirteen or fourteen of them were chosen to be marched and held in Jüchen along with the others.<sup>46</sup>

Imprisonment in Jüchen lasted for two weeks. Guarded and detained by a Werner Jelisen, along with more of the ubiquitous but unnamed peasants, the Mennonite community was first interrogated by Scheiffart, who accused them of possessing "an accursed and damnable faith," and threatened them with death if they did not convert to Catholicism. The Mennonites were careful to emphasize in their introduction that they had a long history of peaceable life within Rheydt, but Scheiffart responded that "they had undoubtedly lived and sojourned a long while under the authority of his Electoral Princely Grace of the Palatinate, and as this had now for the first time occurred to his Electoral Princely Grace it was, therefore purposed by him to weed out such a damned sect if they would not change their faith."<sup>47</sup> Although the impetus for the confiscation and expulsion was here presented as something akin to an idle thought, the threat

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<sup>45</sup> Grubb, 8; Franke, 267.

<sup>46</sup> Grubb, 9; Franke, 268.

<sup>47</sup> Grubb, 10; Franke, 269. The German version includes the adjective "Gülischen"/Jülichen when describing the Elector Palatine's authority, and which even further confuses the issue of longstanding peace. As Johann Wilhelm had been the Elector Palatine for only four years, some oversight could be genuine; he had, however, been the Duke of Jülich since 1679. Fifteen years of oversight or ignorance is much harder to justify.

remained: convert or die. Further interrogations followed, largely individually, in the Jüchen home of Paulus Katz and in the presence of multiple of the Elector's Commissioners.

Mennonites were repeatedly threatened with the 1529 mandate proclaimed at Speyer which specified death by fire or, in special circumstances, by the sword.

This threat of death had clearly always hung above Mennonite communities, even as their stable existence in a particular place stretched from decades into centuries. Moreover, it was not just Mennonites threatened with the outstanding imperial ban; others associated with the Rheydt Mennonite community were similarly gathered up and threatened. Johann Floh, whose safe passage had been the one exception to the 1654 expulsion of Mennonites from Gladbach, had married a non-Mennonite woman who had a child from a previous marriage. This child, now a 43 year-old man named Peter Schloter and still living in Gladbach, likely worked in the same bleaching business that his stepfather had fought to protect decades earlier. His association with previous expulsion, however, gave the Elector's forces the pretext to arrest him outside of Gladbach and bring him to be imprisoned and interrogated alongside the Rheydt Mennonites in Jüchen – despite the fact that he was “of the Reformed religion.”<sup>48</sup> Another man, Peter Tomps, was reportedly of the Reformed faith, but this did not spare him either from threat or interrogation.<sup>49</sup> These interrogations were repetitive, and at some points nakedly avaricious. In one instance commissioners questioned each member of the community, and asked on “whether they still had outstanding money, cotton thread and pieces of linen on the looms and where the weavers lived.”<sup>50</sup>

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<sup>48</sup> Grubb, 15; Franke, 271. The Franke text provides “und reformirter religion,” which Grubb translated as “of the protestant religion.” I have removed the equation of Reformed with Protestant.

<sup>49</sup> Grubb, 16; Franke, 271.

<sup>50</sup> Grubb, 11; Franke, 269.



Indeed, while these ordeals played out in Jüchen agents of the Elector were hard at work converting Mennonite possessions into cash. The houses, initially pillaged on July 16 for cash and small valuables, were in the next twenty days “stripped” of all furniture and “the floors, ceilings and tiles were destroyed and the boards carried away.”<sup>51</sup> The commissioners made detailed lists of possessions for each family, with expected values totaled. Everything of value was sold at markets in Jüchen, Rheydt and Gladbach. Whatever could not be taken or sold was given to the Franciscan monastery, which was perhaps the same monastery that had burned in the May fire. The loss of possessions was swift, but this was not the end of the Elector’s attempt to squeeze money out of the Mennonite community. In the course of the interrogations, the attitude of the commissioners hardened into an explicit extortionate threat: pay 12,000 imperial *Thalers* or face execution.<sup>52</sup>

It is unclear whether the Elector and his commissioners demanded such a sum because they believed the Mennonites to have hidden some of their own money elsewhere, or if they had prior knowledge of the communication networks that existed among Mennonites in the area – and that therefore the Rheydt Mennonites might be able to avail themselves of the riches of nearby the Dutch Mennonite community.<sup>53</sup> In any event, this was an exceedingly large sum of money, even for a community whose goods and property had *not* just been confiscated by the same extorting power. Smaller sums were suggested by the imprisoned Mennonites (1,200 *Thalers* as a first offer, then 4,000) before the still exceedingly high price of 8,000 *Thalers* was

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<sup>51</sup> Grubb, 9-10; Franke, 268.

<sup>52</sup> Grubb, 12; Franke, 269.

<sup>53</sup> It seems probable that, as Elector Palatine – even one relatively new to the office – he would have been aware of the efforts of Dutch Mennonites on behalf of expelled Swiss Mennonites who settled in the Palatinate in the 1670s. See Beiler, 215-216, for a general overview of that period.

agreed upon.<sup>54</sup> Yet, when the Mennonites agreed to this sum they believed themselves to have been granted access to any of their own furniture or goods still remaining, and this did not come to pass. They had no personal assets at all, and a bill of 8,000 *Thalers* due to preserve their lives.

The imprisoned Mennonites hoped to write to their Dutch co-religionists, they claimed, but before the money could be collected they were threatened again. Baron von Bongart, a commissioner involved since the beginning, returned from the Electoral seat of Düsseldorf with two orders of execution. Two men of prominent families, Jan Klaasen van Aachen and Godschalk van Elten, were to be put to death.<sup>55</sup> This did not immediately occur, however, and instead the whole of the community was moved again on August 1, 1694. Roughly bound together, the Mennonites were marched to Paffendorf, about twenty-one kilometers away from their former place of imprisonment in Jüchen.

In Paffendorf, events turned violent. Peter Schloter, the “protestant” stepson of Johann Floh, was “found...dead with his head cut off...the dead body was dragged out like a dead carcass (or carrion) to the place of execution and left under the gallows under the blue heavens until the [next] day and was kept with a guard, but was afterwards hanged like a dog with the limbs aloft on the gallows standing there.”<sup>56</sup> This gruesome scene was used to further intimidate prominent Mennonite men, three of which were brought to the gallows, threatened with similar treatment if

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<sup>54</sup> Grubb, 12; Franke, 270.

<sup>55</sup> Grubb, 13-14; Franke, 270. They were to be executed by the sword and the rope respectively. The meaning of these execution methods is unclear, but perhaps reflected differentiated status.

<sup>56</sup> Grubb, 16; Franke, 271-272. The death of Peter Schloter is a bizarre episode that hangs in the middle of the story without much explanation. Much remains unclear, but his death was used by the commissioners to put fear into a population that had been detained for economic reasons. A report from the Elector to his commissioner Baron van Bongart of Paffendorf mentioned another Mennonite death while in prison, this time in November 1694. It was reported to be a suicide and they released the body to the family to be buried. See LNW-Rheinland, Jülich-Berg Nr. 257, 107r: “Ihr sollet den Jenigen Menschen, so Juengstens in der gefangnuschaft in seiner kranckheit sich selbstern ermordet, vnd ein Menonist zue seyn vermeinet worden, dessen bey euch derentwillen sich angebanden befreundeten: oder anderen ohn verlangt außfolgen, vnd Ihne gleich wolen nach ihrem belieben begraben zulaßen.”

any of them tried to escape, and then again threatened with this punishment if they did not recant their faith or pay the 8,000 *Thaler* within three days. The gallows were also used to intimate Gertrude Fieten, a servant “of the Reformed religion” who had been imprisoned in an effort to gain information on her rich Mennonite master’s property.<sup>57</sup>

The conditions in Paffendorf were dire for everyone, however, and stretched on for weeks despite the fact that both William III of England, in his capacity as the Duke of nearby Mörs, and Lord Bildebeq of the Dutch States General petitioned forcefully throughout August.<sup>58</sup> Yet these outside intercessions bore no immediate fruit. On August 28, the Rheydt Mennonites were compelled to pay those 8,000 *Thaler* – plus 800 *Thaler* in “expenses” related to their own imprisonment – with the threat that the fee would double to 16,000, and the imprisonment conditions worsen, if this payment did not come through.<sup>59</sup> The obsession with payment showed the Elector’s hand, exposed the ordered executions as empty threats, even though the suffering endured during this extended imprisonment was significant. It was a hostage situation, and one the Elector only permitted to come to a close when his coffers received that dearly desired influx of cash.

By September of 1694, then, the Mennonites of Rheydt had lost their property, all savings and anything of value, and had been officially exiled from the territory: “the prisoners were finally set free and conducted to the frontier of the country [where] they were banished and

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<sup>57</sup> Grubb, 19-21; Franke, 273-274. Her employer, Cornelius Floh, lived within the castle walls of Rheydt and had presumably been one of the men who escaped and left women and children behind. Floh was eventually compelled to pay 150 imperial *Thalers* to free Gertrude, who was kept in Düsseldorf for weeks longer than the rest. Floh’s account books were also part of this deal.

<sup>58</sup> Grubb, 18; Franke, 273.

<sup>59</sup> Grubb, 19; Franke, 273.

exiled with forfeiture of person, life and property should they return.”<sup>60</sup> Though negotiations over the property, debts associated with the property, and their restitution continued for years, the *Instrumentum Publicum* ends here with the major payment made and the community without a place to stay or any material resources. Many of the impoverished and exiled Mennonites ended up in the city of Krefeld, forty-eight kilometers north of their last place of imprisonment, a city where much of the money for their release had been raised, and where a group of formerly-Rheydt Mennonites came together two years later to produce this extraordinary document. The names of these Mennonites close out the document, with twenty-six men and women signing their names. This document was not just produced but also printed that same year within the city of Krefeld, a place where Mennonites had evidently gained a new home and a feeling of stability.

This was largely due to the fact that Krefeld lay within the duchy of Mörs, and was therefore ruled by William III of England, who was also the *Stadtholder* of the Netherlands. As Dutch toleration was nearly seventy years old, the expelled Rheydt Mennonites found themselves in a comfortable position, and they had been rescued by both the resident Krefeld community and their contacts in Amsterdam. Anna Brons, in her 1884 work meant to educate children on their spiritual history, made a passing mention of the expulsion of Rheydt Mennonites in connection to an earlier wave of Palatinate Mennonite persecution beginning in 1690. She did not describe the Rheydt episode in much detail, but she did lay out the plea sent from Krefeld Mennonites to their wealthy Dutch co-religionists: with around forty families in peril, they needed 10,000 imperial *Thaler* in order to buy their freedom.<sup>61</sup> The community was permitted to build a church in 1695, thus making their inclusion concrete through both property

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<sup>60</sup> Grubb, 19; Franke, 273.

<sup>61</sup> Anna Brons, *Ursprung, Entwicklung, und Schicksale der Taufgesinnten oder Mennoniten*, (Norden, 1884), 227.

and public worship. The community had celebrated the first wedding within those church walls in January 1696, just a few weeks before the remnant of the Rheydt Mennonites came before the notary to create the *Instrumentum Publicum*.<sup>62</sup>

The history of Dutch (relative) religious tolerance also appeared within the document, illustrating an eagerness to identify these dispossessed Mennonites with other Protestants, especially as the Elector and his Commissioners were Catholic and had specified the return to the Catholic faith in order to avoid punishment. Indeed, at both the beginning and the end of the *Instrumentum Publicum* the community in Rheydt was referred to as “Protestant Mennonites” [*Protestanten Mennonisten*], a term that may have referred to their protesting position but was certainly read by Grubb as a religious indicator.<sup>63</sup> Though much of the body of the work may have been a rather close paraphrase of the documents the Mennonites had brought to the proceedings, these bookended sections are firmly in the voice of notary public Harmen Marthens. And the final invocation of these “Protestant Mennonites” comes as Marthens described the procedures he had undertaken to ensure the veracity of the account:

the aforesaid Protestant Mennonites as a whole and also those individually concerned (or affected) being present, have carefully and distinctly read all the foregoing, and all the deponents having been examined in specie one by one in reference thereto, each and all have, according to their usual pure and upright truth, assured and declared that all that which truly and without the slightest simulation or concealment taken place and happened.<sup>64</sup>

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<sup>62</sup> Karl Rembert and Wilhelm Niepoth, “Elten, von, family,” in *GAMEO*, 1956. See also Hermann Keussen, *Die Stadt und Herrlichkeit Crefeld, historisch-topographisch dargestellt: Mit einer Karte von Crefeld a. d. J. 1736* (Krefeld: Druck und Verlag von J.B. Klein, 1865), 182.

<sup>63</sup> Grubb, 4, 22; Franke, 266, 274. As noted previously, Grubb translates “reformirte religion” as “Protestant religion,” and his choices may have been part of an early twentieth-century Mennonite political project. Grubb, 21; Franke 274.

<sup>64</sup> Grubb, 22; Franke, 274.

If we follow Grubb in his translation of this adjective, it was therefore added to emphasize the truth of their story and the moral righteousness of their character, to associate them with the religious majority. This was a powerful identification between Mennonites and the more generally recognized Protestant community dominated by the Reformed in Krefeld, and an identification not only accepted by the Mennonites but co-signed, quite literally, by the Krefeld notary public and two prominent citizens. Pulling Mennonites into their religious camp, then, was possible in a Krefeld ruled by the House of Orange, and beneficial when considering the larger Protestant/Catholic antagonisms of the area. These antagonisms are clear in the many letters and petitions sent during the dispossession in Rheydt itself and the three years of struggle that would come after. Because although the Mennonites now residing in Krefeld printed their side of the story in early 1696, it was not until the latter half of 1697 that they won any recompense.

### **Rheydt negotiations: Mennonite passability and the beginnings of Protestant claims**

The negotiations that followed the expulsion of the Rheydt Mennonites were extensive. Rather than detail the vicissitudes of the argument, which stretch from August 1694 through August 1697 and developed into an extended legal fight through the first decade of the eighteenth century, we will consider some of the most striking rhetorical themes. Supporters emphasized their common Christianity and distanced the Mennonite community from Münsterite heresy. Detractors made connections to the Münsterite Kingdom, and insisted that Mennonites had been banned by the empire since 1529, a position only confirmed by the 1648 Peace of Westphalia.<sup>65</sup>

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<sup>65</sup> The archival documentation of this negotiation period is voluminous, and the COVID-19 pandemic pushed extensive research later.

The arguments are here grouped by the persons who made them: Mennonites themselves; those extra-confessional allies from the Electorate of Brandenburg, the Dutch States General, and England; and finally, the hostile court of Elector Palatine Johann Wilhelm. Each camp did its best to exert pressure on the others, triangulating support through letter writing and making arguments both economic and religious while debating what was owed to Rheydt Mennonites. In the course of these negotiations both the violent, heretical past and the aggressively optimistic capitalist future were invoked. Rheydt Mennonites might have been either an heretical threat or an economic boon, or perhaps some mixture of the two, and this perceived malleability had proved both essential to their survival and inherent in their persecution. The targeting of a flourishing minority group was far from unique, but in the case of the Rheydt Mennonites their claims on Protestantism are key to understanding the degree of toleration they experienced in the later eighteenth and nineteenth centuries, as well as their peculiar buy-in to the economic progress of the burgeoning industrial age in northwestern Germany.

The *Instrumentum Publicum* represented the most concerted and unified negotiation effort of the Rheydt/Krefeld Mennonites at the center of the dispossession, but Mennonites from other communities appeared in negotiation documents as well. This is unsurprising given the extensive communication networks that Beiler finds amongst and in-between all “radical” religious Christian minority groups during this period. These networks of mutual aid were anchored in the stable toleration of places like Amsterdam or London, but extended across the continent and eventually to North America, making intercession possible by “a larger transnational religious community” on a distinctly international scale.<sup>66</sup> The Mennonites of

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<sup>66</sup> Beiler, 218. A letter written on behalf of the Rheydt Mennonites by the Mennonite community in Amsterdam on 31 July 1694, in the midst of the violent interrogation and expulsion, can be found in LNW-Rheinland, Jülich-Berg II Nr. 257, 5-6.

Rheydt received help in their petitions from their imperial neighbors, neighbors who lived under different rulers and contributed to a growing discourse of a common Christianity. The collective “baptism-minded” [*tauffgesindt*] community of the duchy of Cleve were involved in raising funds to free Rheydt Mennonites, and in turn petitioned their elector, Frederick III of Brandenburg, to intercede on their behalf. They began their September 1694 letter with an emphasis on their common Christianity, introducing this argument by declaring “that those, who are of our opinion in the matter of baptism but otherwise faithful to Christian beliefs based on God’s Word” had been “attacked without warning.”<sup>67</sup> The community linked Menno Simons and his Mennonite followers to a peaceable strain of Anabaptism, so defined “because of the administration of baptism and other points that do not in any way challenge the common ground of Christian religion.”<sup>68</sup> These Mennonites were those for whom “the carrying of weapons among them was held to be prohibited, but that nothing else was sought other than to live a quiet and peaceful life under their Christian authority, to honor themselves by honest dealings, to live in Christian love and unity with their neighbors and to contribute to the common good all that appertains to a faithful subject and citizen,” and that such obvious Christianity and responsibility had led, “not only in England and Holland but also in various provinces of the Holy Roman

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<sup>67</sup> Geheimes Staatsarchiv Preussischer Kulturbesitz [GSPK], I. HA Rep. 34 Nr. 2112, 6r: “Wie landtkundig geschehen, das dieJenige, welche von unserer meinung in [stuck] der tauff sonsten aber [warhafftig] dem Christlichen in gottes worth gegründeten glauben [zugethan] seindt, vnd sich im Julischen landt vnter duldung der gnadigsten Herschafft, Niedergesetzt haben, erleben mußen, daß Sie ungewarnet, von einigen dazu angeordneten Commissarys angegriffen, auf leib und leben gefänglich hingese[tz]et, ihre guther aber, alß dem [Ficeo] verfallen, erklaret, und öffentlich verkauffet worden, dergestalt sie vor ihr leben einige sichere summ erlegen, im ubrigen aber all das ihriger dran geben, und nebst ihren [armen] weib und kinder, in der Fustersten armuht abweichen mußen.”

<sup>68</sup> GSPK, I. HA Rep. 34 Nr. 2112, 7r: “Zwarn seind auch einige von den protestierenden, worundter Menno Simons (von welchen man Sie Mennonisten genennet) wegen administration der tauffe und anderer den Gemeinen Grundt der Christlichen Religion keines weges anfechtenden puncten in besondere meinung gerhten, Es hat obe gl Menno durch öffentlich ausgelastene [scripta] sich erklehret.”



Empire [to]...freedom of residence, trade and commerce like other Christian inhabitants.”<sup>69</sup> They insisted on their common Christianity by alluding to theological issues such as the primacy of the word or the baptism of infants, but ultimately grounded their appeal for toleration in practical, economic successes in nearby communities and territories.

Indeed, the 1648 Peace of Westphalia had recently redefined the relationship between Christian communities and the state. Calvinism now joined Lutheranism and Catholicism as a legitimate territorial religion, and rulers were no longer allowed to compel dissenting Catholics, Lutherans, or Calvinists to leave their home. The Cleve community acknowledged that they had heard others talk about their exclusion from the three imperially-recognized religions: “In the meantime, we hear that we, not belonging to the three religions admitted to the Roman Empire, are to be feared as heretics and therefore our property, wherever it may be, is to be confiscated.”<sup>70</sup> Explicitly linking their tenuous toleration to the ability to own property, this Cleve group identified the vulnerability that their extra-Westphalian status accentuated, even as they acknowledged some distance between their own doctrine and that of the Rheydt Mennonites. The community stopped short of making any claims on Protestant identity: “So it should be noted that we are not looking for any rights dedicated to these three religions in the same statutes, but rather we are asking for nothing more than what we, under your Serene

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<sup>69</sup> GSPK, I. HA Rep. 34 Nr. 2112, 7v: “[...] das auch waffen zutragen unter ihnene vor unzuläßig gehalten, hingegen aber nichts andere gesucht worden, als unter ihre Christliche Obrigkeit ein ruhiges stilles leben zu führen, sich durch Ehrliche handlung zu nehren, mit ihren nachbarn in Christliche lieb vnd einigkeit zu leben, vnd zu dem Gemeinen wesen, alles dasjenige so einem getrewen underthanen und mitburgern zustehet, willig beyzutragen vnd dieses ist die ursache warumb nicht allein in Engelland und Hollad, sondern auch in unterschiedlichen provinien, des Heyl Rom Reichs Ihnen und uns (die wir gleeicher meinung seindt) nach ihnen, der freyer auffenthalt, handel und wandel gleich andern Christlichen einwohnern nicht verhundert, Ja selbiger zu beforderung den Commerciën sehr gerne verstattet worden”

<sup>70</sup> GSPK, I. HA Rep. 34 Nr. 2112, 8v: “Zwarn vernehmen wir, es wolle davor gehalten werden daß wir, [als] unter die drei ein Romische Reich zugelaßene Religiönn nicht gehorig, vor Ketzler zu achte vnd derowegen unser [guht] woh es auch ist, confiscabre seyn”

Electors' Merciful protection live peacefully...so that our mere things, without some fault of our own, may not be taken."<sup>71</sup> This plea for toleration is underscored by the accusation that the commerce available to "heathen, Turks and Jews" had become impossible for Mennonites, a reminder that the economic success of Mennonite communities was of benefit to territorial rulers as well – and an implicit claim to status that ought to be favored than these more obviously exogenous groups.

The Mennonites' insistence on their common Christian status under the Peace of Westphalia is striking in its audacity, especially when considered next to the still requisite defense against accusations of heresy and connections to the Kingdom of Münster. The Cleve community was explicit in its denunciation of heretical strains of Anabaptism, acknowledging "a certain sect of people, which one calls re-baptizers, that also committed varying severe errors, and in particular have tried to bring about turmoil and insurrection [*unruhe und Emperung*] in ecclesiastical and secular rule [...] out of which formed in the city of Münster an almost terrifying example."<sup>72</sup> These "pernicious heretics" were dealt with justly, according to the laws of the empire, with strict punishments doled out to both ringleaders and followers to make clear the penalty for following along with the heretical strain of Anabaptism.<sup>73</sup> It was well known, this

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<sup>71</sup> GSPK, I. HA Rep. 34 Nr. 2112, 9r: "So ist woll anzumercken, daß wir auch keine in [glu] satzungen diesen dreyen Religionen zu gewidmete verRechten suchen, sondern nichts mehr verlangen, als das wir, da unter Ew Churf Dlgndsten schutz Ruhig leben und niemand beleidigen uns das unsrige welches wir im Julichschen vnd sonsten justo titulo erworben, so bloßer dinge, ohne einiges unser verschulden nicht genohmen werden moge."

<sup>72</sup> GSPK, I. HA Rep. 34 Nr. 2112, 6v: "Waß gestalt zwarn nicht ohne, daß in vorigen Seculo eine sichere Secte von leuthen, welche man wiedertaufer nennet entstanden, daß auch selbige vnterschaedtliche schwere irthumen geheeget, insonderheit aber in kirchlich- und weltlichen Regiment unruhe und Emperung zu stiften bemuhet gewesen, gestalt sich davon in der Stadt Munster ein fust erschreckliches exempelp eranget."

<sup>73</sup> GSPK, I. HA Rep. 34 Nr. 2112, 7r: "Diehenige welche selbiger zugethan gewisen, alß schadtliche Ketzler zu traditen vnd zu ihrer gentswiser ausreutung schaffte Edicta ergehen, auch solche nach und nach erwiedern zu laßen, vnd zwarn solches mit dieser wirkung, daß nicht allein die Redelsfuhre andern zum abscheulichen Exempel ein hartes ende gehabt, sondern auch ihr anhang vorlengst gentszlich verschwunden, gleich solches auß den historie Jedermanniglich bekand ist."

Cleve community argued, that Menno and all peaceable Anabaptists who followed him had willingly chosen a faith and a life that distinguished themselves from their “unruly” brethren – and exonerated them, in turn, from accusations of heresy. “[Menno] does not have the slightest community with those of Münster,” they argued, and “instead they have as their first and main maxim that they do not interfere with matters of spiritual or secular rule, and prove themselves to be against all turmoil [*unruhe*].”<sup>74</sup> This letter from the “baptism minded” of the duchy of Cleve was longer than most petitions, perhaps indicating both the gradually increasing space for, and the ongoing character of, negotiations around Anabaptist identity.

The grounds for Cleve’s Mennonites’ repeated insistence on both their essentially Christian character and their willingness to live as obedient subjects is best illustrated by the exceptional example of one individual. Johan Floh had certainly experienced turmoil in his life, but only because of the inherent instability of Mennonite toleration.<sup>75</sup> Forced to leave Gladbach as a young man (married just four years earlier) in the 1654 expulsion, he had found shelter in Rheydt for decades afterward. He reportedly had great economic success as a linen dealer, and had been allowed to return to Gladbach in 1687 in order to build and manage a workshop devoted to a Dutch bleaching process.<sup>76</sup> His letter of protection named him as “a certain Anabaptist named Johan Floh” and emphasized the economic benefit of his toleration, “because he has offered to introduce the Dutch bleaching plant there for the special use and promotion of commerce.” Addressed to the *Vogt* of Gladbach, the *Schutzbrief* provided both Johan and his

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<sup>74</sup> GSPK, I. HA Rep. 34 Nr. 2112, 7r: “daß Er mit denen von Munster die geringste gemeinschaft nicht habe, sondern Sie zumahlen vewerstte, auch Er so wol als die Nachfolger, ihre erste und hauptmaxime sein laßen daß sie sich in keine geist- oder Weltliche Regimentssachen eingemischet, vnd aller unruhr so gar entgegen erwiesen.”

<sup>75</sup> Wilhelm Niepoth and Nanne van der Zijpp, “Floh family,” *GAMEO* (1956).

<sup>76</sup> Kisch, “Variations upon an Eighteenth-Century Theme: Prussian Mercantilism and the Rise of the Krefeld Silk Industry,” 56.

children with electoral protection, and was signed by Johan Wilhelm himself at the end of December 1687.<sup>77</sup> Despite this promised protection, Floh found himself under arrest and in prison following the events at Rheydt. He appeared in the *Instrumentum Publicum* only as the stepfather of Peter Slooter, the Reformed man who had been “seized at Leurop near Gladbach, by some of the armed guard as he was on his way to Krefeld” and was found brutally murdered after his imprisonment.<sup>78</sup> Ralf Klötzer argues that Slooter’s death occurred in the course of an interrogation aimed at uncovering his stepfather Floh’s whereabouts and valuables.<sup>79</sup> Floh himself had apparently been imprisoned separately from the rest, as he was only released in November 1694 following the issuance of a letter of safe conduct.<sup>80</sup> Originally arrested “because

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<sup>77</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 67r: “Wir haben auß deinem vorhin erstatteten unterthugsten bericht, betreffend, daß wir einen sichern wiedertauffern *Johan Flohe* genant, umb weilen derselbe sich unterthugst erbotten hat, die hollaendische Bleiche daselbst zu sonderbahren nutzen und befurderung der *Commerciën*, einzufuhren, in unserm dir gndgst mit anvertrawten Ambt mit seinen kinderen den Unterschleiff gndst gestatten wolten mit mehreren gehrsmbst *referiren* laßen; [...] Versehen uns deßen Dußeldorff den 30 Decembd 1687. Johann Wilhelm ChurPrintz, An Vogtei zu Gladbach.” Another version of this letter: *Ibid.*, 17r.

<sup>78</sup> Grubb, 15; Franke, 271.

<sup>79</sup> Klötzer, “Verfolgt, geduldet, anerkannt,” 48. It is not clear what he is basing this assertion on, as he cites only Floh’s *Schutzbrief*.

<sup>80</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 31r [13 November 1694]: “Thun kundt undt zeugen hiemit jeder manniglich zu wißen, demnach uns vorzeiger dieses *Johan Flohen* vnderthanigst zuerkennen, gegeben, daß er nehmbhuden, weilen derselbe der *mennonistischer Sect* zugethan, von unseren vogten zu Gladbach arrestirt worden, dahero uns gehorsambst gebetten; wir auß Churfurstl gnadenzu trost und underhaltung der seinigen deß *arrests* zu entlaßen und unser Landtsfurstl glaidt mit zutheilen ggst geruhen wolten, daß wir sothanen seinnen vndtschten suche, und bitten ggst statt gethan, und ihme gegenwertigen vnseren *Salvum conductum* auß besunderen gnaden wurcklich mitgetheilet haben, maßen wir hiemit und krafft dieses thun, also und dergestalt daß Er in hiesigen unseren beeden herzogthumben Gulich und Berg den freyen zu tritt haben, isch darin biß auff unsere fernere gnadigste verordnung manniglich vngehindert auffhalten solle und moge: und befehlen wir solchen nach allen und jeden unseren Gulich und Bergl beambten, fohrt Burgemeistern, Scheffen und Rath auch gemeinen Obunterthanen sambt und sunders hiemit ggst und ernstlich, gegen Obged Johan Flohe nichts wieder wertiges vorzunehmen, noch anderen sulches zu thun zu gestatten, sondern denselben bey diesen unsern ihme auß Landsfurstl Macht und authorithat ertheiltem *Salvo conducto* zu schutzen und handthaben, auch aller ohrten, freysicher und ungehindert *pass* und *repassiren* zu laßen, darahn geschucht unser gnedigster will und befehlch.” Another copy: *Ibid.*, 56r. It is unclear when Floh was arrested, and does not appear that he had been in prison since the initial mass arrest in August. There are letters between Floh, commissioners and elector from September 1694; Nr. 257, 66-69.

he belongs to the Mennonite sect,” he was released and given freedom to travel unencumbered and protected throughout the territories of Jülich-Berg, likely to keep up his business.

It is probable that both Sloomer and Floh had been specifically targeted by von Bongart because of their lucrative bleaching business. In the summer of 1695, electoral commissioner Scheiffart had to explain the arrest of Floh and the confiscation of his property in a letter that preceded Floh’s own supplication.<sup>81</sup> Scheiffart claimed ignorance (“I especially did not know the nature of the case”) as well as some confusion over the protection issued to Floh’s person and to his goods. Scheiffart had demanded a report from his subordinates, and acknowledged to the elector that while the sale of property had begun, they had now slowed the process to sort out the protections owed to Floh,<sup>82</sup> claiming that a number of “Anabaptist families” lived within Floh’s home (although it is unclear whether these were the families of his children or others).<sup>83</sup>

Floh’s own narration of events emphasized his special exception and ignored the explicit identity negotiation tactics that the Cleve community had employed.<sup>84</sup> He acknowledged that this

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<sup>81</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 30r [22 Aug 1695]: “Scheiffart wegen deß wiedertauffers Johann Flohe vnterm [17] May jungst erstattetes gutachten Sich Vnderthanigst haben Vorbring laßen; Alß beehln die selbe darauff ersagten dat: Schleiffart hiemit g[[]], daß Er von G[[]] Flohe die von Ihmevorm Jahr einer *tolleranz* halber erhaltene gste *concession* vnterzuglich abfordern, In deßes aber Ihne Folhe dagegen biß auff weitere gste verordnung nit allein, nit beschweren, sondern auch daß Jenig, waß geg mehrersagten Flohe vnd die Seinigen Vnkeranten Rechtens verhandelt vndt ve[[]]gestellt worden, wiedern in vorig standt bring, vnde stellen solle.”

<sup>82</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 32r [12 May 1695]: “Eß ist mir am 3 d dieses Ewre Churfursth dienstl van 26 April vber des Johann Flohen Suppliciren gesetzter gnadigster befelch aller[nost] vberlieber[t] vnd hab ich solchen mit vntherthanigsten respect erboochen, weilen ich aber sonderlich der sachen beschaffenheit nicht gewist, aus erhalb das des Flohen vorelt[ern] aus heutigen Landen vnweisen, deren gutten vor confiscabel erklahet, so dan das vor seine person, nicht aber das vor seine gutter, glaidt haben solte.”

<sup>83</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 32r [12 May 1695]: 32r: “welche bey ihnen Flohe in seiner wohnbehausung im ledige standt sich vffgehalten, vnd solches vmb desto mehr dass vnther dem nahmen de[r] Folgen Kinden weile widertauffersche familien wurden eingereissen sein, [vnd] sich der Churfursth gnaden auff solche weiss bedrinnen wollen; Welches zum vntherthanigsten anbefohlenen bericht erstatten, von Ewre Churfursth dinstl vntherthanigst anheimb stellen sollen, was daruber zu verordnen gnadigst geruhen wollen, der ich dieselbe gottes starcken schutz zu langwirigen bestrudige vnd glucklicher Regierng mich aber deroselben gnaden vntherthanigst empfehl[en] vnd mir gnadigst zu erlaubten bitte das bin.”

<sup>84</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 33r-34v: “Copeylich hiebey gefugte gnadigste Concession von denen zu der vnlangst vorgenomener *execution* uber die *Mennonisten* in der Herrschafft Reidt, verordneten *Commissarien*

dispossession had been a widespread action against Mennonites, but explained that his complaint was based on his own arrest despite his letter of protection. He had thereafter been ordered to sell his moveable property, while losing access to his immovable property. This was all despite the fact that “neither I, nor my children has as yet, nor will be, convicted of any crime, and therefore my innocence is manifest.”<sup>85</sup> His reference to the “untrue pretext” of the confiscation of goods indicated some dispute over the interpretation of his letter of protection, as Scheiffart had also acknowledged. Floh also underscored his obedience, insisting that the officials of Gladbach would confirm his social and economic utility as both a representative of his community and a prosperous business owner and employer.<sup>86</sup> This egregious blow to his character jeopardized this status, and he was adamant in his demands for restitution. Though he assured the elector that he understood the commissioners to have acted out of ignorance, “through no fault of their own,” all goods should be returned or paid for as a condition of his return to the profitable bleaching business. He had sunk a considerable amount of money into his workshop, and expected to

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ich mit meinen kinderen mit ein begriffen persönlich verfolget, vnnndt die guther arrestiret [...] daß gegen hochstgedachte *Concession* ich vnnndt meiner kinder (welcher vnnter dero handt vnnndt Siegel damit wurcklich versehen, vnnndt beglaltet gewesen) in solche *execution* mit eingezogen werden sollen, sonderen daß auff fingirte vnwahre pratexten, vnnndt austiffung meiner mißgonnert, der *Commissary* angemuntert mich durch vergleichen bericht vnschuldig in vngnaden bracht vnnndt dergestalt die *execution* nachgehents ehist auff mich mit getrungen.”

<sup>85</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 33r-34v: “vndt vngeachtet von mir beschehener vor zeigung des von Ew Churfurstl Dhltt erhaltener vndt eigenhandig vnderschiebener gnadigster *Concession*, mir verschiedene effecten angehalten wurcklich verkaufft, vndt die *immobilia arrestiret* haben, wiewohl dieselbe inhalts hochstgl gnadigst *Concession* nit *arrestabel* gewesen, aber von denen selben so wohl als Jemanden, weder ich, weder meine kinder bisher einigen verbrochens nit uberzeuget worden, noch werden können, vndt darauß meine vnschuld *manifest* ist.”

<sup>86</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 33r-34v:” Sie geruhen (pfals ahn meiner vnschuld noch einiger zweiffel gemacht werden wolle) dero beamtten zu Gladbach, alwohe ich meine m[u]gte *trafique* mit dem Leinen Handel gefuhret, vndt etliche Thausendt dero vnderthanen zum Brodt vnnndt bezahlung der stewren kundtbahrlich mit gehalten habe, vnnndt in der Natur so wohl der beamtten als vnderthanen gethan, da miht vor begehret habe zugemessen, gnadigst zu befehlen, daß Sie solchen faß uber mein vnnndt meiner kinder Handell vndt wandell *inquiriren*, Ja auff das mein vnschuld der gantzen welt demehr bekandt gemacht werde, durch öffentlichen kirchenrueff *publiciren* zu laßen, daß der, oder die Jenige welche mich oder meiner kinderen einigen verbrochens gegen Ew Churfurstl Dhltt oder dero vnderthanen mit der warheit solten anklagen koennen, sich bey denenselben anmelden.”

recoup it fully in order to continue in his role as an economically-beneficial tolerated Mennonite.<sup>87</sup>

Floh was a prosperous Mennonite who readily acknowledged his marginal legal status while making no claims to a communal identity. Instead, he focused on his own individual story, his singular exception and his personal utility, but the positioning of his argument was similar enough to that of the Cleve community. His spotless, “innocent” reputation aligned with broader claims to a common Christianity, and his obedience and prosperity had largely protected him against other “untrue pretexts.”<sup>88</sup> While it might be tempting to see Floh’s petition as entirely self-serving, the role he played in establishing an industry which employed other Mennonites certainly had a communal function. His home had functioned as a safe haven, until 1694, for either the growth of his own family or perhaps the benefit of other Mennonite weavers. Floh and others like him had succeeded within the limitations of *Schutzgeld* and *Schutzbrieife*, and therefore had helped to establish the physical presence of a Mennonite community through property ownership and business ventures. Like other interactions between marginalized religious communities and secular authorities, economic, social, and religious arguments were spread across different actors and indeed depended upon a variety of community claims made in

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<sup>87</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 33r-34v: “Sie werden dadurch bewegt werden, nur recht zu verschaffen, vndt nit allein mich bey hochstgl einmahl gnadigst ertheilter Concession ihres inhalts zu Manuteniren, vndt ggst zu befehlen, daß in asehung deßen die von den Commissarien vnverschuldter dingen hingenohmene vnnndt arrestirte guthere mir vndt den meinigen restituiret vnnndt erlaßen werden, in ausehung des nutzens, so dero landen darauß entstehen kan, sonderen auch ggst zuerlauben, daß ich den mit dero ggst permission angefangenen Bleich platz, warzu ich bereits ein großes anverwendet, vndt noch Theils Materialia darzu im Gladtbachischen im vorrhat habe, vollentz verfetigen, vndt zur volliger perfection bringen, vnnndt also dero laengsten geschapffe ggst intention volbringen laßen moege.”

<sup>88</sup> Floh, or his son, apparently continued to find the favor of non-Mennonite authorities given their utility to the textile industry; Max Lehmann, *Presuusen und die Katholische Kirche seit 1640, Nach den Acten des geheimen Staatsarchives Erster Teil* (Verlag von S. Hirzel: Leipzig, 1878), 903, Fn. 1: “Henrich Jakob van Beckeraedt und Johann Flohe, Kaufleute aus Krefeld, welche durch ein vom 1 Mai 1716 datirtes koenigliches Schutz-Patent die Erlaubniss zur haeuslichn Niederlassung in Viersen erhalten hatten.”

tandem. But even as the material mechanisms of toleration in Rheydt fell apart, it was the existence of those properties and goods that facilitated ongoing negotiation – and gave space for more significant religious claims to be made. If secular authorities did not respect the religious beliefs of Mennonites, they were occasionally compelled by property rights and wealth retention. And within negotiations over money and material goods, there was space for extra-confessional allies to advance more radical claims on explicitly religious inclusion.

### **Rheydt negotiations: extra-confessional allies and oppositional authorities**

Extra-confessional support of the Rheydt Mennonite community was the defining feature of the Rheydt fallout, and a significant development in the long history of Anabaptist negotiation with secular authorities. Previous negotiations occurred between secular authorities and either individual Anabaptists or Mennonite communities, and because Anabaptists were extralegal in the empire they were at the mercy of individual whims or cold bureaucracy. To be able to depend upon intercession from other rulers meant that Mennonites might have a form of appeal. A letter from William III of England was decisive in establishing that Rheydt Mennonites were worthy of Christian defense. He began his 11 August 1694 letter with the onus he felt to intercede “on behalf of all Christians,” particularly, against the poor treatment of “some Protestants called Mennonites.”<sup>89</sup> In denouncing the violence of their expulsion, William explicitly praised their economic usefulness, as Mennonites were known to have a “peaceful and hardworking life, and

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<sup>89</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 27r: “Mon Frere, La charité avec la quelle Je suis porté envors tous les Chrétiens, et les representations qui m’ont esté faites des mauvais Traitement que de certains Protestants appellés Mennonittes viennent de souffrir dans votre Pais de Juliers, m’obtient d’interceder pour eux auprès de tous afin que vous trouvier fon de vous faire donner des informations procises et exactes des procedures violentes Sont on s’est seroi contre eux, dont Je m’apure que vous serer fort sensiblement touché a légard de leur innocence.” All accents in original are reproduced here. See also Grubb, 25-27.



[be] willing contributors to the tasks of state and country.”<sup>90</sup> He urged their immediate release, and the return of all their moveable and immoveable goods.

The Baron de Kinsky, governor of Moers, continued to write on the Rheydt Mennonites’ behalf. In a letter from 25 September 1694, he tried to suggest a distinction between the *auffruhr* of the past and the present modesty of Mennonites. Though he granted that the imperial constitution contained penalties for “the former Anabaptists, because of their many riotous [*auffruhrischer*] quarrels, free spiritedness [*Freygeisterey*], as those who did not want to know any authority, as well as other very vexing doctrines [...] I leave it to the discretion of your ear, how far the same may be applied to the [...] Protestant Mennonites, who behave so modestly, quietly, and as loyal subjects.”<sup>91</sup> The invocation of a rebellious past, including the late-seventeenth century invocation of “free spirituality/thinking,” was resurrected in order to be disregarded. But the demonstrated distance from this rebellious and heretical past only strengthened de Kinsky’s argument, and helped him to assert how reasonable it was to accommodate these particular Mennonites.

Kinsky, like other extra-confessional, politically-powerful petitioners, had been moved to intercede because some of his own subjects, particularly one Zacharias Jaspers, had held property within the city of Rheydt.<sup>92</sup> The city council of Frankfurt also wrote in early September

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<sup>90</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 27v: “une vie pacifique et laborieuse, et contribuant volontiers aux charges de l’Estat et du Pais”

<sup>91</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 56v-57r: “Im ubrigen alß viel die straffen der *Constitutionum Impery* ahnbelangt, welche auff dahmahlige wiedertäuffer, wegen dero vielfaeltiger auffruhrischer Händel, freygeisterey, alß welche keine Obrigkeit kennen wolten, alß sonsten gar ärgerlichen lehren, in misbrauch der Ehr, fort anderen, verhanget seind, laße ich seines ohrts hingestellet sein, wie weit selbe auff jetzige weyfeltsche *Protestante Mennonisten*, die sich so sitsamb, still, und alß trewe unterthanen bezeigen, und gegen die *policey* nirgent mishandlen, sich äignen”

<sup>92</sup> Johann Wilhelm addresses this in a number of drafted letters; see LNW-Rheinland, Jülich-Berg II Nr. 257, 97r. For Zacharias Jaspers, see LNW-Rheinland, Jülich-Berg II Nr. 257, 44r.

1694 in support of a “relaxation” of these repressive measures against Mennonites, cited the petitioning done by King William III and the Dutch States General, and pointed to the interruptions in commerce that would result from a mass dispossession of an economically-important population.<sup>93</sup> In the spring of 1695, the commissioners of Krefeld were still attempting to intercede on behalf of Mennonite inhabitants who had lost property.<sup>94</sup> The States General of the Netherlands were still in talks as of November 1696 on behalf of Dutch Mennonites.<sup>95</sup>

This drawn-out conflict was a function of the unsurprisingly obstinate attitude of Elector Palatine Johann Wilhelm, especially as he and his court attempted to fight off the first wave of accusations and opprobrium. In August 1694, Conrad Hogers pressed a plea to the council of the city of Cleve on behalf of his family members in Jülich, because their property had been confiscated “under the pretext that they belonged to the Mennonites.”<sup>96</sup> Hogers was surprised, he claimed, that the Elector would transgress so brazenly upon the rights of subjects who had done no wrong, and demanded the immediate restitution of his goods. The council, in turn, lobbied Johann Wilhelm for a response on this confiscated family property.<sup>97</sup> As Cleve, within the duchy

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<sup>93</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 25 r/v.

<sup>94</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 13-14.

<sup>95</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 95-96.

<sup>96</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 33r: „Ich alß Meinem gnaedigsten Landes Herrn wehmuechtigst Klagend vorstellen, was gestalt von meinem verwanten in eusserster bestuertzung vernehme; Ob solle ein *Commissarius* von Sr Churfl Durchl zu Pfaltz Meine im Lande von Jueglich liegende gueter in zu schlag gelegt haben, auch befahren werden daß man selbigen woll gar einziehen dorfte; Und zwarn solches Unter dem vorwandt, daß sie Mennonisten zu gehoeren.“

<sup>97</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 31: “und hiesiger Stadt Cleve Buerger Conrad Hogers, wegen des auf seint im Juelichschen gelegene gueter verhengten *arresti* klaget und bittet; Gleich nun der *Supplicant* sich nicht erinnert, gegen Ew Churfurstl Durchl dergleichen verdienet zu haben, Wir auch da[v]or halten, E Churfurstl Durchl werden dero beruhmter *aquanimitaet* gemaeß, nicht zugeben, daß jemanden, ob er schon der Mennonistischen meinung zugethan, wan er sich in dero Landter wieder Verbott nicht aufhelt, oder es sonsten durch mißverhalten nicht verdienet, angefochten werde: Also zweifelen wir zwarn nicht, Ew Churfurstl Durchl werden dieser klage, falß sie sich also verhelte, auff unterthanigstes *remonstriren* von selbst gnaedigst abhelffen.“

of Cleves, had been ruled by the Electors of Brandenburg since the Treaty of Xanten in 1614 (with some Dutch intervention within the city itself during the Thirty Years' War), a lack of movement on the issue prompted further intercession by Elector Frederick III of Brandenburg, shortly to be King Frederick I of Prussia, in early September 1694.

Johann Wilhelm's response to Frederick, sent on 5 September 1694, was curt. Dismissing the suggestion that his confiscation had overstepped his legal authority, he instead emphasized the "mischief" of Mennonites (the "damned Sect") who had been allowed to carry on undisturbed for so long as a result of his own supposed ignorance. This could go on no longer, especially as he had the solemn responsibility to uphold the Imperial Constitution. Mennonites were to be run out of his territory, and confiscation of property naturally followed. A suspicious tone pervaded this short letter, as he referred repeatedly to a "so-called Conrad Hogers" who he had not found any reference to in the registers of confiscated goods *in specie*. The suggestion was that these were merely the imagined or even fabricated complaints of those who resisted his authority to enforce more strictly the legalities of the imperial constitution.<sup>98</sup>

Johann Wilhelm continued to insist on his right to confiscate property under the imperial constitution. In a response to a letter from Baron de Kinsky, the governor of Moers, the elector reiterated that he was enforcing rules that emanated from the empire and had been upheld by his forefathers. His decision was therefore justified and clear: "I do not mean to tolerate Anabaptists

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<sup>98</sup> GSPK, I. HA, Rep. 34, Nr. 2112, 4r/v: "Waß ahn uns ihr auff ahmmaßliches *Suppliciren* eines so genanten Conraden Hogens gelangen laßen, darauff haben wir Euch un verhalten wollen, daß alß Unß unter[ ] [ ] [ ] verborcht daß der *Mennonisen* Sect in unserem Furstenthumb Gulich haeuffig jedoch zeimlich, undt vnser unwißend eingeschlichen, Wir genoetiget worden seindt noch anlaß der Reichs Constitutionen undt darauff in unseren landen außgelaßener Pollicey ordnung, wieder solche vom Romischen Reich verdampfte Sect versahen zu laßen; [...][unß] ist sonsten von einen so genandten Conraden Hogens in specie nichts vorkommen, solte aber derselbe, wie ihr in [norem] schreiben selbsten angebet, obgl Sect zugethaen sein undt in Vnserem Fuerstenthumb Gulich einig effecten wieder der klarm einhalt der *Reichs Consitutioner acquirirt* haben so wirdt undt muß auch wie der denselben alß weith sich die bottmeißigkeit unserer landen ertragt, gleichs anderen *Mennonisten* verfahren werden."

in my land any longer.” The 1648 peace treaty signed in Münster had been unambiguous, “that only the Catholic, Lutheran and Reformed Religions were to be tolerated” and as a result “Anabaptists, who are none of these religions,” had no basis for a claim of inclusion.<sup>99</sup> Holy Roman Emperor Leopold I addressed this argument within the week, however, writing to the Elector Palatine that the States General of the Netherlands had written to him and made the case for dispossessed Mennonites, particularly those who had some property within the elector’s domain.<sup>100</sup> While Leopold acknowledged that the Peace of Westphalia made no allowances for Mennonites, and that the elector therefore had the right to confiscate property, he urged Johann Wilhelm to “reflect” upon the intercession of the Dutch States General, and to give relief as he was able.<sup>101</sup> Leopold cited the community’s long-standing, forty-year history in Rheydt, a fact provided by the Dutch but worth including as a reminder to the elector that precedent meant something.

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<sup>99</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 79r: „es ist aber Vberflusig bekant daß vermog Munsterischen Friedens Schluß Im Heyl Landes nur die Catholisch, Lutherisch und Reformierte Religion zu tolerieren woraus der Schluß das die Anabaptisten welche von keine dieser dreyer Religionen sein mit frey keineswegs geduldet worden können von selbsten sich machet.”

<sup>100</sup> The triangulation of letters from William of Orange/King William III, the Dutch States General, and Emperor Leopold III all reflected worry over the ambitions of French-backed Catholics; Christoph Kampmann argues that Leopold was the source of (fictional) information that pushed William of Orange to invade England during the Glorious Revolution. They were both interested in keeping Louis XIV at bay, even as that meant a Catholic emperor conspired with the Protestant *Stadtholder* to overthrow Catholic James II. Kampmann, “The English Crisis, Emperor Leopold, and the origins of the Dutch intervention in 1688,” *The Historical Journal* 55:2 (2012), 521-532.

<sup>101</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 81-82: “Aus beyverwahrttem *memoriali* werden Ew Edl. mit mehrerm vernehmen, was an uns die *general* Staaten der vereinigten Nederlanden wegen einiger in Ewer Edl Bottmaessigkeit bey nahe Vierzig Jahrlang wohnhaft gewesener, nun aber mit *confiscirung* Ihrer Guetter undd aufflegung einer geldstraff vertriebener *Ministen* gelangen lassen. Nun ist Uns genugsamb wissend, dass vermoege *instrumenti Pacis Westphalica* nur drey *religionen* im Reich zu laessig, und gedachte *Ministen* darunter nicht begriffen seynd, daher Wir auch Ew [ ] gegen sothanen friedenschluß nichts zu muethen wollen noch koennen: haben jedoch obangezogenes *memoriale* deroselben zu ihrer nachricht und dem Ende beyzuschliessen nicht umbhin seyn moegen, damit Sie dero eigener hoher vernunft nach entschliessen, wie weil Sie diesfalß auff ermelter G’ral Staaten *intercession* zu *reflectiren*, und denen vertriebenen etwa in linderung oder nachlaß der Straff und *confiscation*, dero Landts fuerstliche milde verspuehren zu lassen haben moegen.”

The elector would not be so easily dissuaded from his insistence on the imperial statutes against Anabaptism, however. A month later he drafted a letter to the emperor with similar points, beginning this time with a violent reference to the 1529 mandate before again reiterating the exclusionary power of the 1648 Peace of Westphalia: “since not only the imperial statutes force me to persecute Mennonites with fire and sword, and to confiscate their goods, but also the Münster peace treaty that only three religions are to be tolerated in the Holy Roman Empire, among which the Mennonites are not included.”<sup>102</sup> The elector repeatedly cast doubt on the religious character of Mennonites, leaving ambiguous their ties to heresy. In a letter to Baron de Kinsky from the end of September 1694, he dismissed the distinction made between the “Anabaptists” of the past and the current Mennonite population, instead declaring that “it remained to be seen how far the reported Mennonites deviated from the Anabaptist error.”<sup>103</sup>

But a few years later, as Johann Wilhelm began to concede in April 1697, he pointed directly to the intercession of the States General and King William III and their characterization of Mennonites as part of his change of heart.<sup>104</sup> He “had been informed” that the subjects for whom these authorities interceded “do not follow the same articles and confession of faith of the old sect of Mennonites” for whom the confiscation of property had been proscribed.<sup>105</sup> Most

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<sup>102</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 89r: „aß mich hier zue nicht allein die heilsahme Reichs Satzung krafft deren sie Menonisten aller orthten, mit feuer und schwert zu verfolgen, und ihre gueter zu confisciren, beynebends [der] Munstrischen Friedenßschluß inhalt diesen nur drey Religionen worunter die Menonisten nit mit begriffen [im] Heyl Romische Reich zu *Tollerieren*.“

<sup>103</sup> LNW-Rheinland, Jülich-Berg II Nr. 257, 79v: “und laße ich dahin gestelt sein in wie weil berichte Menonister von den Vormahligen Wiedertauferischer Irrthumb abweichen.”

<sup>104</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 99-102. In draft form: *Ibid.*, 103 and 106.

<sup>105</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 100r: “Comme Son Altesse Electorale Palatine a toute son d’égard pour Sa Majesté Britannique et pour Messieurs les Etats Généraux, Elle a bien voulu avorder a Leur instance aux Mennoniste Protestants, Leurs Sujets lesquels, selon que son Altesse Electorale s’est laissée informer, ne suivents pas ses memes articles et confession de foy de la vieille secte des Mennonistes que leurs Maisons et biens immeubles vendus.”

intriguingly, his use of the term “old sect of Mennonites” had clearly gone through revisions, as a draft of this proclamation originally blamed his mistake on a confusion over who these Mennonite subjects were and how they ought to be treated. Johann Wilhelm first described his assumption that the group he had dispossessed was “like the old Anabaptists,” which was in turn replaced by “the old sect of Mennonites,” and then appeared to have decided on “the old sect of Anabaptists of Münster.”<sup>106</sup> The elector seemed to be attempting to express his own experience of the fundamental shift that the dual definition of Anabaptism had facilitated over the past 150 years, from a rebellious, seditious and heretical group into something else, even if still a “sect.”

Although Johann Wilhelm had dispossessed the Mennonite community in Rheydt, with a violence both reminiscent of Münster and reflecting the suspicion that Mennonites were indeed Münsterites, three years of petitioning eventually forced him to recant this decision, repay the Mennonites and return what property he could.<sup>107</sup> Unlike the expropriation that Münsterites had faced in the aftermath of the Kingdom, these Mennonite communities had benefitted from their tenuously established place on the margins of society – paying taxes, negotiating how they practiced their faith, and attempting to justify their position through successful economic ventures. They had achieved this marginal place simply through practical negotiation and time, gaining the smallest discursive space in which to argue for their right to property and toleration. Even as the Peace of Westphalia shut them out from imperial protections, it had widened the definition of official Christianity and allowed, strikingly, for an emperor to dismiss its narrowest

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<sup>106</sup> LNW-Rheinland, Jülich-Berg II Nr. 258, 103r: “ne suivent pas les memes articles et Confession de foy, ~~comme~~ les lieux Annabaptists (de la vieille secte des Mennonistes Annabaptistes de Munster, que leurs Maisons.”

<sup>107</sup> Also decisive was the dramatic mishandling of this attempted cash grab. The dispossessed Mennonite community estimated the value of their property to be 53,755 *Reichsthaler*; the sale of property recouped somewhere between 10-25% of that amount. In addition, the Elector had agreed to take on the debts of the Mennonite textile merchants but did not realize how high those debts were (approx. 15,000 *Reichsthaler*). See Klötzer, “Verfolgt, geduldet, anerkannt,” 48.

interpretation. As violent as this dispossession was, as much as it revealed the inherently unstable position that Anabaptists and Mennonites faced throughout the early modern period, its outcome undeniably reflected a gradual change.

Although perhaps an extreme example, this development falls in line with what David Luebke has identified as a tendency of seventeenth-century territorial states to “*increase and codify* confessional heterogeneity.” He points specifically to the post-1648 period as a moment of particular possibility for Mennonites, when some secular authorities “institutionalized plurality deliberately by granting religious minorities the right to worship in public.”<sup>108</sup> But the Peace of Westphalia was a double-edged sword. Though toleration could be extended in this new religious universe, it could also be viciously and violently denied – and the Peace was the justification for either situation. Elector Johann Wilhelm was perhaps an ideal embodiment of this reversible sense of toleration, both in his invocation of the Peace as a cudgel and in the eventual softening of his stance. Luebke describes the effect, overall, as a hardening: “The Peace of Westphalia, in short, made nebulous boundaries sharp and porous identities less permeable.”<sup>109</sup> But we do see, in this rare Rheydt example, some permeable negotiability around the identity of Mennonites. They were outsiders, but their identity and status could be likened to Protestants – even if this was a point that extra-confessional allies made more readily than Anabaptist or Mennonite groups themselves.

By the time of this relative success in 1697, however, the Mennonites of Rheydt had resettled, some in Krefeld, where the *Instrumentum Publicum* has been published, and others further afield. Some found a particularly favorable situation in Krefeld under William as

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<sup>108</sup> Luebke, *Hometown Religion*, 216.

<sup>109</sup> Luebke, *Hometown Religion*, 217.

*Stadtholder*. The 1696 construction of a Mennonite church in the city would lead its members, as Klötzer put it, “to become a recognized Protestant denomination in the city” over the next one hundred years.<sup>110</sup> This assimilation into Protestantism was never a sure outcome, especially given, as Michael Driedger notes, that the toleration of Catholics, Lutheran and Calvinists in the Peace of Westphalia in 1648 had been enshrined in a city hall just across the market square from the place where Münsterite leaders’ corpses were gruesomely hung in cages.<sup>111</sup> Even as Driedger’s grim point stands, this chapter has suggested that the Peace of Westphalia had some room within it for Mennonites and nonconformists – not in its language or legality, but in its appeal to coexistence built upon centuries of practical, ad hoc negotiations.

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<sup>110</sup> Klötzer, “Verfolgt, geduldet, anerkannt,” 48.

<sup>111</sup> Driedger, “Thinking inside the Cages,” 55.



## Conclusion: a practical story, with ominous implications

Thereafter, in the first half of the eighteenth century, Mennonites in Emden and East Frisia continued to navigate their *Schutzgeld* system, now over a century old. Notably, the systems covering Mennonites and Jews had grown increasingly separate. Records detailing the collection of *Schutzgeld* from Jews in 1729 now included all of East Frisia, including both the city of Emden as well as its surrounding rural district.<sup>1</sup> The collection of *Schutzgeld* from Mennonites within the city of Emden is attested to by surviving records from 1737 and 1749.<sup>2</sup> Though Prussia took control of the county of East Frisia in 1744, and in theory rights were then restored to Mennonites, the continued payment of *Schutzgeld* within the city suggests that this settlement took time to develop. Moreover, the marginal imaginary which had grouped Mennonites and Jews had almost entirely dissolved.

In Krefeld, for the Mennonites refugees from Rheydt, the Prussian takeover had come earlier. When the Hohenzollerns took control of the city from the House of Orange in 1702/1703, they extended tentative rights to the numerous Mennonites who lived there. Mennonite families had grown their textile businesses to the point of extreme wealth and prominence, and under the terms of an extraordinary tax agreement in 1721, allowed Mennonite men to avoid military service in return for paying a full half of the 500 *Reichsthaler* yearly fee (despite the fact that they shared this burden with six other nearby congregations).<sup>3</sup> The Krefeld Mennonites,

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<sup>1</sup> StA Emden, I. Reg. Nr. 417: 1-16, r/v. For the specification that this included the city of Emden, see 12v.

<sup>2</sup> StA Emden, I. Reg. Nr. 415, 134-136, and 141-144.

<sup>3</sup> Rainer Kobe, "Die Krefelder Mennonitengemeinde vom Beginn des 17. bis zum Ende des 19. Jahrhunderts," *MennLex V*.

including the exceedingly rich von der Leyen textile family, had established a strong case for economic toleration.<sup>4</sup>

One piece of twentieth-century evidence demonstrates how economic strength had become a rhetorical pose necessary for Mennonites, a pattern familiar to any minority group that must justify its continued existence to a wider community. This nineteen-page pamphlet, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland [The Cultural Achievements of the Mennonites in East Frisia and the Münsterland]*, written and published by Pastor Abraham Fast of Emden in 1947, began by explaining the common experience of Mennonites in what was now northwestern Germany: “In East Frisia and the Münsterland the Mennonites were, from the beginning, much less a segregated non-resident settlement community than later in the eastern part of the Empire or further in Russia.”<sup>5</sup> This integration was made easier by what Fast described as “blood and language,” common membership in a so-called “Saxon-Frankish-Friesian tribe” as those in the East Frisian and Westphalian communities to which they immigrated.<sup>6</sup>

Predictably, in a publication dedicated to an elder of the Mennonite community in Gronau, Fast was effusive about the positive role Mennonites had played. This was both genuinely celebratory and an expedient means of justification. Fast argued that Mennonites had a small but nonetheless integral role as “economically and spiritually a good leaven for this

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<sup>4</sup> Kisch, “Variations upon an Eighteenth-Century Theme: Prussian Mercantilism and the Rise of the Krefeld Silk Industry,” 86.

<sup>5</sup> Abraham Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland* (1947), 3. An editorial note on the inside of the front cover indicated that the text had been prepared in 1939 but its publication had been delayed by the Second World War.

<sup>6</sup> Fast’s observation was perhaps colored by his own early childhood in a German/Russian Mennonite colony along the Molotschna River in what is now Ukraine, and only moved to Emden after the outbreak of World War I. See Heinold Fast, “Abraham Fast,” edited by Hans-Jürgen Goertz, *MennLex V*.

region.” Drawing on archival sources from the sixteenth, seventeenth and eighteenth centuries,<sup>7</sup> he highlighted the irony of sixteenth-century economic toleration: “This fact is simply appealing when one observes how the sharpest memories of the edicts against the Mennonites fade, while at the same time [they were] negotiating with these forbidden heretics over leases, money borrowing or even gifts for the princely court.”<sup>8</sup> His ironic use of the term “heretic” [*Ketzer*] is striking. Most significant for Fast, however, was the clear economic advantage to business dealings with Mennonites even as they were singled-out for religious nonconformity. Authorities recognized this advantage early on, he argued, and sought to bring Mennonites into these territories despite religious difference.

Remarkably, Fast harkened back to that 1577 letter from the Emden council, and quoted from the complaint by Emden authorities that Anabaptists were taking up the most prominent houses and prominent roles in the wider business and merchant community. It is notable that Fast was comfortable citing a letter that only ever referred this group as Anabaptists [*Wiedertäufer*], and one in which their social position was made explicitly analogous to that of Jews. Fast then included language from a 1688 protection letter, in which authorities warned that the expiration of Mennonite protections would have a significant financial strain on the area, as well as from a 1708 petition that expounded upon the benefits of Mennonites to the larger community, especially for the poor.<sup>9</sup>

In his sparse use of early modern evidence, Fast meant only to set the stage for the more impressive economic achievements of Mennonites in the nineteenth and twentieth centuries.

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<sup>7</sup> That same editorial note indicated that he used a number of well-known nineteenth century works to gather this evidence, particularly J.P. Müller, *Die Mennoniten in Ostfriesland*.

<sup>8</sup> Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland*, 3-4.

<sup>9</sup> Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland*, 4-5.

However, the addition of the letter from 1577 does two unique things. First, it uses a hostile account as evidence for prosperity. The latter two pieces of early modern evidence appear to be neutral if not complimentary, but the 1577 letter was clearly pejorative. And secondly, it naturalizes the economic strength of the Mennonite community: it has always been so, and the community's industriousness has paved the way for its inclusion.

Fast similarly listed a number of western Münsterland industrial concerns begun by Mennonites, most of which had been founded only during the nineteenth century but which had grown out of the tradition of Mennonite weaving and cloth-trading that began in the early modern period.<sup>10</sup> The relative wealth of Mennonites compared to wider society was a commonality amongst Mennonites in both East Frisia and the Münsterland, as shown by the saying, "only rich people belong to the Mennonites."<sup>11</sup> This pride in the relative wealth of the community is a prominent theme of Fast's pamphlet, and he noted that Mennonites gave generously to the poor of other confessions, as well as contributed significantly more to school taxes.

But Fast also acknowledged some differences between the two communities, closing his pamphlet with a striking conclusion:

Worth mentioning, however, are the following peculiarities. In contrast to the families from Emden and Norden, the Münsterlanders did not appear on the political stage. But they built up all the more zealously as entrepreneurs that which gives public life its basis and its freedom of movement: the economy. On the other hand they revered, as did the East Frisian Mennonites, a religious inwardness and the free cosmopolitanism associated with it, as had always belonged to the tradition of these communities. Most of the above-mentioned, significant business founders in East Frisia and the Münsterland and their successes have put their forces at the service of local communities as church councilors and as deputies in the service of the Association of the German Mennonites, where the

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<sup>10</sup> Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland*, 13.

<sup>11</sup> Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland*, 7-8.

community in Emden shaped the spiritual center of the whole group and still shapes it until today.<sup>12</sup>

Of course, the absence of Münsterlanders “on the political stage” is not at all surprising if we are willing to see a link between the Anabaptist Kingdom and the separatist Anabaptists and Mennonites who came later. It is, similarly, not at all surprising that confessional writing of the mid-twentieth century was uninterested in drawing those conclusions, but was exceedingly interested in fitting Mennonites into the story of Protestant capitalism. Both “religious inwardness” and “free cosmopolitanism” evoke western modernity, if not the specifically American democratic jingoism of Harold Bender. Fast himself was known for developing the Emden Mennonite church into a community for religious seekers, and this openness was perhaps a post-World War II expression of optimism and possibility.

Despite the clear utility of these legal and political negotiations in carving out some sort of toleration, the ultimate success of Mennonites was not based *only* on economic prosperity. A look back at the past few years might have revealed these uncomfortable truths to Fast himself. There were, instead, undeniable advantages inherent to the negotiability of Anabaptist identity, to the tacit understanding that, once accusations of both heresy and rebellion had worn away, Anabaptists themselves might not be terribly “Other.” Indeed, Fast had acknowledged this with his language of “blood” and “tribes,” language uncomfortably but unquestionably close to imagined Aryan racial groups. At the risk of collapsing the unruly early modern Anabaptists into the vanishing point of German history, the racial implications of negotiable Anabaptist identity have been the subject of Benjamin Goossen’s ongoing work to reassess the role of Mennonite

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<sup>12</sup> Fast, *Die Kulturleistungen der Mennoniten in Ostfriesland und Münsterland*, 18-19.

sympathizers during the Third Reich.<sup>13</sup> Goossen argues that those “Nazi-oriented Mennonites” made belonging to a German racial identity part of the allure of the party, while Nazi bureaucrats themselves were happy to welcome those they could claim, regardless of past separation:

Identifying with one or more of many subsets of Germanness allowed [Mennonite] members to assert belonging within the Nazi racial community while also accounting for their coreligionists’ diverse histories and global demographics. For National Socialist rulers, such language facilitated the group’s enrollment in propaganda and empire building without legitimating theology as an alternative identity source.<sup>14</sup>

The construction of this essentially German identity depended on the exclusion of those of “Polish, Jewish, Negro, or other blood.”<sup>15</sup> This was particularly notable, Goossen argues, as comparisons with Jews had endured into the twentieth century: “The strongest allegations associated them with antisemitic tropes. ‘Like the Jews,’ read a scathing report on Paraguay’s settlers to the German Foreign Office, ‘Mennonites believe the bonds of blood make them not just a *single* race, but the ‘chosen race’ of God.’”<sup>16</sup> Mennonite identity was thus inherently unstable, four hundred years on, and held within it a volatile triangulation of religious, civic, and racial belonging. Even as some Mennonites adapted their racial identity to find a place in the Nazi state, “misinformed or outdated bureaucratic reports could elicit sudden, unfavorable verdicts.”<sup>17</sup> They were, Goossen tells us, still likely to be considered an outsider “sect.” This was, in ways that should sound very familiar, an ongoing and clearly never-ending process of negotiation: “maintaining privilege necessitated constant modification by supposed racial

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<sup>13</sup> Benjamin W. Goossen, “Terms of Racial Endearment: Nazi Categorization of Mennonites in Ideology and Practice, 1929–1945,” *German Studies Review* 44:1 (February 2021), 27–46.

<sup>14</sup> Goossen, “Terms of Racial Endearment,” 28–29.

<sup>15</sup> Quoted in Goossen, “Terms of Racial Endearment,” 30.

<sup>16</sup> Goossen, “Terms of Racial Endearment,” 32.

<sup>17</sup> Goossen, “Terms of Racial Endearment,” 33.

experts.”<sup>18</sup> Just as the parallel *Schutzgeld* systems suggest, the practical economic successes of the Mennonites were at least partially predicated on an understanding that their racial identity was assimilable.<sup>19</sup>

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These most ominous implications of an inherently unstable Anabaptist identity reflect the weight that each instance of legal or political petition took on. In negotiations over property and dispossession, over taxation and protection, accused Anabaptists and self-proclaimed Mennonites fought for the material basis of their survival in a community. They deployed narratives of religious innocence and protested their connection to either heresy or rebellion, they argued over the justice of the taxes they paid, and they pushed at the boundaries of their *Schutzbriefe*. Even as they were perhaps unlikely to call themselves Protestants in the early modern period, their extra-confessional allies began to associate them with this powerful religious and civic majority. This was of the utmost importance after the 1648 Peace of Westphalia, and even more so as the communities in which they lived were subsumed into Prussia.

Locke’s definition of property – “life, liberty, and estate” – laid the table for discussions of what constituted the “pursuit of happiness,” what was owed to each member of society and should be enshrined by protections from the state. As the practical negotiations of Anabaptists and Mennonites show, debates over property rights had begun in the sixteenth century and required near-constant revision and reiteration through the eighteenth. The practicalities of tolerance were local, focused around ownership and taxes, and therefore had undeniably

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<sup>18</sup> Goossen, “Terms of Racial Endearment,” 39.

<sup>19</sup> Goossen, “Terms of Racial Endearment,” 39: “By identifying as an ethnic subgroup or series of subgroups within Germanness, Mennonites could justify themselves as distinct yet still within the bounds of racial acceptability.”

economic motivator that nearly always held some religious reasoning or religious claim-making within.



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Stadtarchiv Emden [StA Emden]  
I. Reg.  
Nr. 176a  
Nr. 414  
Nr. 415  
Nr. 417  
Nr. 501  
Nr. 560b  
Nr. 666c  
Nr. 674  
Nr. 835b

Stadtarchiv Münster [StA Münster]  
Causae civiles  
Gerichtsarchiv, Acta criminalia  
Gerichtsarchiv, Acta judicialia  
Ratsarchiv, A XIV  
Ratsarchiv Landessachen, A XV  
Testamente

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## Appendix

### Description of *Schutzgeld* documents

The earliest list, dated 1601, exists as a booklet containing twenty-four bound pages.<sup>1</sup> The front cover initiates the pattern that most pages thereafter follow: a title proclaims this the “Receipt of Mennonite money forfeited through Michaelmas,” indicating that the collection of money had culminated on the feast of St. Michael at the end of September, one of the two major days of financial reckoning and obligation within the early modern calendars. Below this title is a name, preceded by the shortened form “Hop” for *Hopleudenn* or *Hauptleuten*, the various captains of the guard in charge of gathering the protection money from all those listed underneath; those remitting money were excused from service in the watch. There are thirteen such captains, and 166 individuals or families from whom they collected money.<sup>2</sup> The total amount collected from this group was given as 943 gulden, eight schap and ten witten – and represented a sum collected in “the past six months.”<sup>3</sup> A second section indicates that an additional lump sum of 400 gulden was sent directly to treasurer, bringing the final amount remitted to 1343 gulden, eight schap and ten witten. In comparison, Menso Alting had been paid a generous annual salary of 600 gulden in 1595.<sup>4</sup>

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<sup>1</sup> Grochowina explains the lack of documents concerning *Schutzgeld* in particular in her opening chapter. In the years of antagonism between the city of Emden and the comital powers, a group of 600 men from Emden raided the bureaucratic archives in Aurich and brought documents back with them. They were never fully restored to Aurich, and a good deal were destroyed by both Count Enno II and then by the Prussian regime. See Grochowina, *Indifferenz und Dissens*, 31; she takes her information from Karl Herquet, 1879.

<sup>2</sup> This differs from Fehler’s count of 158, which Grochowina replicates, and this number apparently comes from Reeken. Both are thus only counting Mennonites, and not Jews.

<sup>3</sup> The construction of Emden gulden, schap and witten is taken from the Appendix of Fehler, *Poor Relief and Protestantism*; “During the last two-thirds of the sixteenth century, the ‘Emden gulden’ was standardized to 10 schap or 200 witten. A daler was introduced which equaled 1.5 Emden gulden.”

<sup>4</sup> Fehler, *Poor Relief and Protestantism*, 292.

Skipping over these twelve pages of names and figures for just a moment, we move to the final prose section which elaborated on the receipt that came before it. This section narrates the particulars of 1601 and part of 1602, and was signed in 1603 by six officials, who appear to have been involved in only the certification of the report and not the collection itself. As we will see from the 1602 records, it is notable that all households listed, with one exception, were both still residing in the city and able to pay – only one man, Peter Peterßenn, is listed as having left the city prior to the collection of the money.<sup>5</sup> It seems probable that it is this late certification of the receipt, in 1603, which accounts for such clean records, and is further evidence that this record represents something close to the first such endeavor.<sup>6</sup>

Of the 166 names listed as responsible for *Schutzgeld* in 1601, almost none pay the full amount, presumably as a result of the report covering only a half year. In just one small section, that listed as “Johan Jacobß Company,” three out of the five men owed fifteen thaler and six schap. One of those men, Mewus Joris, paid the full amount, and the completion of his obligation is noted. The other two, Hanß de Weertt and Hanß de Boser, pay only half. A fourth man, Claes Hodemaker, pays half of his obligation of nine thaler, and a fifth man, Henrich Holdtrichter, pays 3 thaler out of an unspecified obligation.

The 1602 list covered money collected “from the year 1602 which on Easter and Michaelmas were payable.”<sup>7</sup> Fehler notes that the list has increased, despite some who have left

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<sup>5</sup> StA Emden, I. Reg., Nr. 415, 58.

<sup>6</sup> Fehler confirms that 1601 is the first extant list; *Poor Relief and Protestantism*, 239.

<sup>7</sup> StA Emden, I. Reg., Nr. 415, 74: “Entfanck en wider Vitkernnghs des Mennissten geldes von denn Jare 1602 welckes op Oistern en Michaelis fellig gewehen.”

town, with the total number of names listed is 193.<sup>8</sup> Grochowina accounts for the relatively large jump in paying Mennonites as an increased faith in the Emden city government; perhaps it seemed as though this ‘protection money’ might “actually mean protection.”<sup>9</sup>

Perhaps the most intriguing aspect of this lists is the notation of those who had “departed,” or emigrated.<sup>10</sup> Those who departed throughout the year 1602, seventeen in all, largely do not appear elsewhere in the archive register. One notable except is Hans Kock. Obligated to pay two thaler, he had by Easter of that year remitted one thaler five schap, and “thereby departed.”<sup>11</sup> He left as the escort of Henrica Ripperda, the widow of the current Lord of Dornum, on 30 June 1602. A boatman by trade, Kock provided the means of transport to Hamburg both for the widow of Dornum and two brothers bearing a load of butter and cheese.<sup>12</sup> The timing of course suggests that this Hans Kock is the same as found in the *Schutzgeld* lists, as does the von Dornum’s long history of Anabaptist sympathies.<sup>13</sup>

Of those listed on the 1601 account, seven are not actually Mennonites but Jews, denoted by the simple appellation “the Jew” after each of their first names. It is certainly intriguing that Jews were included on the same lists as Mennonites, but as both were required to pay protection money it may have been more of a bookkeeping convenience than anything else. Fehler notes that, although the Jewish population of the city was small to begin with (and they had long lived

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<sup>8</sup> Fehler counts only 171 – only those who actually *paid* in this year. I have chosen the larger number because I think it speaks to the change in the creation of the document, i.e., that it may have been drawn up prior to the collection.

<sup>9</sup> Grochowina, *Indifferenz und Dissens*, 258.

<sup>10</sup> In the records, *vertrocken*; modern Dutch, ‘vertrokken.’

<sup>11</sup> StA Emden, I. Reg., Nr. 415, 80: “*Hanß Kock Ad 2 dhr soluit vp Oisterenn darmitt vertrockenn.*”

<sup>12</sup> StA Emden, I. Reg., Nr. 176a.

<sup>13</sup> The lords of Dornum and Oldersum had ongoing feud in the early seventeenth century, potentially worth mining in the future for references to religious allegiances: StA Emden, I. Reg., Nr. 824.

outside of the city walls, in the Faldern district, though that area had been subsumed into the city itself in the 1570s) a number left the city following the 1595 revolution because they derived their protection from the protection letters [*Schutzbriefe*] of the count, and feared the instability of protection by the city itself.<sup>14</sup> The seven Jewish men included on this record are scattered throughout the various groups and pay a variety of obligations which were calculated in the same manner as those of the Mennonites, based on their own household worth. (Jewish inhabitants did hold some property in the city; one man, Simon, who appeared on both the 1601 and 1602 registers, was listed as a member involved in a contract transfer case that lasted from 1605 to 1609<sup>15</sup>). Of the increasing number of payees on the 1602 list, eight are Jews, including the seven men assessed the previous year and one new resident, Calman. This new resident, however, is designated a “Pauper” and unable to pay.<sup>16</sup> Another resident, Jacob, who paid only two thalers and four schap the previous year, had also fallen into poverty and is not required to pay his three thaler obligation.<sup>17</sup> There are eight other Mennonites who, in 1602, were designated as a “Pauper” or “*verarmt.*”

Another undated *Schutzgeld* list confirms that this tax was collected at least once more during this immediate post-revolution period beyond this aggregate, and retrospective, 1603 accounting. Comparing the makeup of the various captains’ companies, there was a good deal of overlap between those named in 1601 and 1602. In Johan Jacobs company, for instance, we see the same five men listed in 1601 and 1602.<sup>18</sup> In the undated list, there is only one change; Hans

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<sup>14</sup> Fehler, *Poor Relief and Protestantism*, 241.

<sup>15</sup> Potentially useful StA Emden, *Kontraktenprotokolle*: Simon, Jude, 24, 1605-1609, 174.

<sup>16</sup> StA Emden, I. Reg., Nr. 415, 79.

<sup>17</sup> StA Emden, I. Reg., Nr. 415, 81.

<sup>18</sup> StA Emden, I. Reg., Nr. 415, 55 and 78.

de Weert is gone, and was replaced by Samuel “*in die drie Packlackens.*”<sup>19</sup> One simple exchange, however, cannot determine whether this register was in fact earlier or later than 1601; for that, we need a more complicated change. Heinrich van Letten’s company, for example, there underwent a significant shakeup between 1601 and 1602.<sup>20</sup> While both years include five men, only two from 1601 are included in the 1602 list. The additions to the 1602 list, however, include Michael the Jew – who also appears on the undated list. The undated list comes from the post-1602 period, then, and in fact includes another three Jews within Lettens company.

Though these records suggest a perhaps surprising mechanism of toleration, especially as they represent the first bureaucratic acknowledgement of Mennonites within a militarized and Calvinized city, they do not provide evidence of the process of negotiation. The unique political constellation between Emden and Enno III made economic toleration advantageous in the middle of extended skirmishes and the assertion of political autonomy, but in these records neither Mennonites nor Jews appear to have been able to negotiate these payments or anything about the marginalized status these payments indicate.

The 1626 Emden *Schutzgeld* records were clearly functional, as owed amounts were crossed out and replaced, red scratches along the edge denoted fulfilled obligations, and the slim bound booklet generally displayed marks of use and wear.<sup>21</sup> The obligations were divided among 22 different geographic sections, named companies, each with a corresponding responsible captain. These captains were not Mennonites, but the leaders of the city or night watch – a communal obligation that this tax exempted Mennonites from performing. The numbers in these

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<sup>19</sup> StA Emden, I. Reg., Nr. 415, 43.

<sup>20</sup> StA Emden, I. Reg., Nr. 415, 56 and 78.

<sup>21</sup> StA Emden, I. Reg. Nr. 415, 45-52.



‘companies’ varied from as few as one man or household (Dirck Simons, in Hindrich Busert’s company, who owed three Emden gulden) to as many as nineteen. There are 175 names overall, of which nineteen were noted as Jews. Another three names were stricken from the record; as two of the three names stricken were widows owing only one gulden, it seems likely that these were either the recently dead or the benevolently omitted. Unlike the *Schutzgeld* records from a quarter-century before, however, none are here designated as ‘paupers’ and thus exempt from payment. That left 153 paying Mennonite households, nine of which were headed by widows and three of which appear to have been headed by underage sons. The density and prosperity of the Mennonite community in Emden held steady in the quarter century between 1602 and 1626. The total amount remitted by that Mennonite community came to 654 Gulden and five Schap, an amount figured through an informal sum on the back of the well-worn booklet itself.

The 1638 *Schutzgeld* records, by contrast, are much cleaner and show no evidence of their use as a working document – but they also include no figures at all.<sup>22</sup> There is no indication of amounts owed, the vagaries of collection, or indeed that money exchanged hands at all. This, then, is a list that named Mennonites and Jews, but shared little else in common with the list from just twelve years prior. This lack of consistency could perhaps be evidence for haphazard or even intermittent collection within the city of Emden, but it is more likely that this document represented a different stage in the process than the worn document of 1626. Additionally, the helpful numbering along the left edge of this document drops off in the middle of the second page, after ‘40,’ which confirms further that this is merely a draft of a later, more useable register.

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<sup>22</sup> StA Emden, I. Reg. Nr. 415, 95-98 and 101-103.

There are twenty-one companies in the 1638 record, and a total of 176 names – almost no change in the overall number of marginalized residents sharing this tax. However, the number of Jews has dropped significantly for such a small population, from nineteen to eleven. That leaves a modest increase in the number of Mennonite households, now at 165 and up from 153 in 1626. Of those 165 households, a steady number – eight now, in comparison with the 1626 count of nine – are widows. For the first time, a ‘doctor’ appears in the register: a ‘Doctor Eilde’ residing in the company of Captain Eggo Hermans. Without amounts, however, it is impossible to determine how prosperous this Mennonite doctor was, or indeed, whether the fortunes of the community had changed in aggregate.

Four captains’ names remain the same from the 1626 collection to that of 1638, a comparison that allow us to consider the nature of community change. The company of Viet Hindricks grew from five to ten in those twelve years, and only two of the names remained the same: Nonne Aggen and Johan Jacobs ‘Flet,’ neither of whom appear in the index of the city archive. In Herman Gerrits’ company the growth was more modest, from eleven to thirteen, but a full seven of the names remained the same. This was perhaps a younger set of taxed households, and an area of the city with more Jewish inhabitants (four were designated as Jews in both 1626 and 1638). The company of Jeldrich Taken grew from seven to twelve, with four names remaining the same. The number of Mennonites shrunk in the company of Johan Horstman, from seven to five, and there are two instances of family name matches but no individual persons who appear on both records.

These comparisons are perhaps more suggestive than anything else. Twelve years represents half a generation, and the 1638 records leave open the question of economic growth, prosperity, or burden. *Schutzgeld* was a yearly tax, as it replaced watch service that was

continuous for other male adults, but the lack of sources leaves confusing caesura in the historical record.