

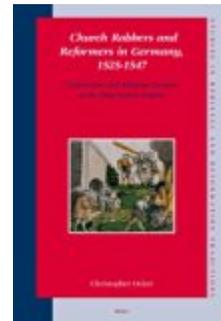
# H-Net Reviews

in the Humanities & Social Sciences



Christopher Ocker. *Church Robbers and Reformers in Germany, 1525-1547: Confiscation and Religious Purpose in the Holy Roman Empire*. Leiden and Boston: Brill, 2006. xx + 338 pp. \$139.00 (cloth), ISBN 978-90-04-15206-9.

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## All Property Is Theft ... Justified!

This is a fascinating book, and a versatile one—not bad, for what the author, Christopher Ocker, modestly calls “an interim report.” As the title indicates, the volume covers developments in the empire during the crucial years from the outbreak of the German Peasants’ War to the end of the Schmalkaldic War. In actuality, however, the author also reaches way back in time to explicate both Roman law and medieval canon law, especially as they applied to Church properties. He lays out in painstaking—though only occasionally painful—detail the complex particulars of pre-modern conceptions of property, ownership, domain, etc., and describes the diversity and sheer extent of ecclesiastical properties on the eve of the series of events commonly known as the Reformation. To that end there are many informative citations of primary sources and classic secondary works, which those of us who work far from major research libraries (and must rely on inter-library loan and document delivery services) will find especially useful.

To *seiziémistes* or scholars of the Holy Roman Empire many of the details that comprise the descriptive or narrative “body” of the volume—such as those concerning the magisterial reformers’ responses to the Peasants’ War, the eucharistic controversies, the politics of princes and cities in the 1530s—will ring familiar. What is significant about the volume, nonetheless, is the attempt to integrate and synthesize materials from what have become established as discrete historiographical domains. Here the author has done well to follow the path pioneered by Thomas Brady Jr. in his *Turning Swiss: Cities and Empire, 1450-1550* (1985). Like Brady, Ocker has wisely chosen to structure his work around a single interpretive theme.

Also like Brady, Ocker’s represents a challenge to currently dominant modes of imagining the past. I think it is safe to say that when Brady chose the notion of “turning Swiss” as his theme, he was making a departure from the then regnant anti-idealist/materialist norms in professional historiography. Today, Ocker’s decision to “follow the money” appears to mark an equally clear challenge to now dominant idealist modes. Indeed, as an interpretation of the Reformation, this book may strike one as quite radical for this very reason: it appears to be materialist in a way that has not really been seen since the demise of a distinct GDR historiography nearly two decades ago.

At the very center of Ocker’s story is the well-known tendency of secular authorities in the empire to use their ruling authority (*Obrigkeit*) to appropriate ecclesiastical properties, primarily lands and other endowments, in the course of the Reformation. To be perfectly clear, however, this book is not so much about property as it is about the *idea* of property. It is, moreover, about the work of a very select and privileged few in developing such an idea. Thus Ocker remarks that his story begins not with the depredations of church properties by the peasants in 1525-26, which he deems “opportunistic,” but with the much more concerted and sustained efforts of secular patrons, as protectors of church properties and of their own *Obrigkeit*, to gain control of these properties. Such acts of “church robbery” (*Kirchenraub*) were then transformed after the fact by theologians and confessional polemicists into acts of Christian duty and piety. Thus the titular church robbers and reformers were actually one and the same, or as the author puts it, “church robbers thus became reformers” (p. 18). Here it becomes clear that the broader import of Ocker’s work actually

takes the form of a two-pronged argument.

First, one finds a sustained critique of secularization narratives, especially those linking secularization to modernization as processes both unleashed by Lutheran reform. Lest one think that Ocker is flogging the dead horse of nineteenth-century historiography (what *does* one call a German Whig, by the way? ), he points out that a wide range of more-or-less contemporary British, American, and German historians (including the late Bob Scribner, Steven Ozment, and Peter Blickle) have all subscribed to some version of this “property confiscation equals modernization equals secularization” model. Ocker advances the counter-argument that confiscation, far from being the outcome of reform, and thus the first evolutionary stage towards a fully post-medieval, post-religious, fully secular modernity, was actually the trigger of reform. At least, that is how I read his claim that property confiscation spelled “an Empire of two Churches” (p. 16). Indeed, in this way, Ocker’s book seems a natural fit for the series in which it appears (founded by Heiko Oberman and now edited by Andrew Gow), especially with his arguments that sixteenth-century reformers were generally medieval in their outlooks, particularly in regarding church property as a collective benefit, and that they therefore invented a Church rather than a state to administer such common goods. This impression is reinforced by the author’s consistent claim that the Reformation was yet another schism in a long line of such splits.

One can also detect, however, a significant departure from the classically Obermanian sense of the influence of late medieval theology and, indeed, from the view that theologians were at all influential. For it is the second prong of Ocker’s argument that the theologians of the Reformation, who are so often cast as the busy instigators of reform, were instead merely providing the after-the-fact rationalization of property confiscations conceived, planned, and executed by their secular patrons and masters. No matter that they thereby articulated theological warrant for such confiscation founded in the canonical differentiation of secular and spiritual spheres: their historical agency, unlike their theological or even historiographical productivity, was minimal. In a particularly

adroit formulation, Ocker thus calls the theologians “the technicians of religious legitimacy” (p. 13).

Inasmuch as there are criticisms of Ocker’s work, they fall into two categories: superfluous and trivial. In the first instance, having said that the book already covers an astonishing amount of material, it would seem odd to suggest yet more things to consider. Nevertheless, this reviewer would have liked to have seen two further issues addressed. First, since Ocker appears to be reconstructing a key moment in the ongoing and peculiar debate about what exactly is or is not properly “religious,” it would have been good had he included some synthesis or conclusion on this important topic. It is worth noting that Ocker did permit himself a very odd comment comparing sixteenth-century Protestant clergy to the clergy in post-revolutionary Iran (p. 231), which seems to imply that he knows what might be at stake—socially, politically, culturally—in debates about what properly constitutes the religious sphere. If that is the case, however, a reader might further wonder why there are no references here to the emergence of so-called resistance theory.

On the trivial side, some readers may be irritated by what appears to be poor proofreading. At one point, I counted three errors in four pages, which really is too many, even for an “interim report.” A reference to “Clarion and Melanchthon” is also potentially humorous (p. 270, n. 35). One should also note, however, that such minor defects in production should in no way be seen as indicative of the author’s care in other areas of scholarship, especially in reading and reproducing his sources. Here the work appeared to be of excellent quality. Indeed, it is one of the great strengths of this work that Ocker is able to communicate clearly the results of a very careful reading of extremely complex texts. The end result is the sort of historical work that, while it does not provide a single coherent narrative explanation, nevertheless affords real historical insight. This is especially true of chapter 4, which deals with the theologians’ *Gutachten*. In fact, the author’s accomplishment in bringing to life and situating the work of sixteenth-century theologians is such that the appearance as an appendix of an edition and translation of the theological recommendation “On Church Property” of 1540 seems almost unnecessary.

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