

# LUTHER'S VIEWS OF CHURCH AND STATE

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## I. *Luther's View of the Church*

1. *Congregation of Saints.* To Martin Luther the Church in the truest sense comprised a community of saints, a congregation of genuine believers wherever they may be found. Since his central theological tenet was *sola fide*, Luther viewed the Church as the sum total of men who experience a genuine faith-grace relationship with God. As pointed out by William A. Mueller, the Church conceived of in this way "is rather a spiritual entity that is being built, as it were, from above."<sup>1</sup> John M. Headley cites Luther's work *Operations on the Psalms* in which the Church is defined as the spiritual collection of the faithful wherever they may be.<sup>2</sup> Such a Church is not bodily or visible, neither can it be geographically confined. Just as faith is not a tangible entity that can be perceived by the senses or confined within physical limits, so the true Church, as understood by Luther, transcends any natural boundaries. It is primarily a spiritual entity because the relationship that characterizes its members is a spiritual one. This understanding of the Church was reflected in the Augsburg Confession (1530) which stated: "Also they teach that one holy church is to continue forever. But the church is the congregation of saints, the assembly of all believers."<sup>3</sup>

<sup>1</sup> William A. Mueller, *Church and State in Luther and Calvin* (New York, 1965), p. 7.

<sup>2</sup> John M. Headley, *Luther's View of Church History* (New Haven, 1963), p. 31.

<sup>3</sup> Philip Schaff, *The Creeds of Christendom* (Grand Rapids, Mich., 1966), III, 11, 12.

It seems to be the consensus of scholarly opinion that Luther viewed the Church as a spiritual, invisible communion of believers; spiritual because of the primary qualification for membership, and invisible because it is impossible ultimately to determine the presence or absence of faith. J. W. Allen maintains that to Luther "the Church Universal on earth, consists of those only who know and do the will of the Lord." <sup>4</sup> Lewis W. Spitz says:

For Luther the church was the *communio sanctorum*, die *Gemeinde der Gläubigen*. Only true believers in the gospel were actually members of the church, the kingdom of grace, and only God knew who had such faith. . . . The church is not an institution, but a holy people, comprised of specified persons who through faith belong to the body of Christ.<sup>5</sup>

E. G. Schwiebert concurs that Luther considered the Church an invisible body "no longer symbolized by the papacy as in former days." <sup>6</sup> Schwiebert argues that Luther's concept of the Church was the predominant factor requiring a change in the church-state relations which prevailed in the late Middle Ages. <sup>7</sup>

2. *Visible and Invisible Church.* Luther in no way suggested that the Church is a metaphysical entity in the Platonic sense. <sup>8</sup> Wilhelm Niesel rightly argues that Luther's true Church "is not an idea of the church, existing somewhere beyond the phenomenal world, but is here on earth, only we are unable to determine its boundaries because none of us can recognize with certainty the faith of others." <sup>9</sup> Although

<sup>4</sup> J. W. Allen, *A History of Political Thought in the Sixteenth Century* (New York, 1960), p. 23.

<sup>5</sup> Lewis W. Spitz, "Luther's Ecclesiology and His Concept of the Prince As Notbischof," *CH*, XXII (1953), 121.

<sup>6</sup> E. G. Schwiebert, "The Medieval Pattern in Luther's Views of the State," *CH*, XII (1943), 109.

<sup>7</sup> *Ibid.*

<sup>8</sup> Hajo Holborn, *A History of Modern Germany: The Reformation* (New York, 1967), p. 185.

<sup>9</sup> Wilhelm Niesel, *The Gospel and the Churches* (Philadelphia, 1962), p. 244.

the Church is invisible it is manifested perceptibly in time and space. Headley refers to Luther's *Reply to Ambrosius Catharinus* written in the spring of 1521. Thomas Murner had charged that Luther, like Plato, was building a church which was nowhere. In his reply, Luther emphasized the substantiality of the visible church and also the inseparability of the visible from the invisible church.<sup>10</sup> The visible manifestations of the true invisible church, in Luther's view, can be perceived only by faith. "To the believer alone is the Church visible; by faith alone do the signs and means of grace constitute the visible Church."<sup>11</sup> By faith one church member can discern the evidences of faith in another,<sup>12</sup> and by the same means both can recognize the presence of the true invisible church by the preaching of the Word and administration of the sacraments. Gordon Rupp points out:

We misunderstand if we suppose that because a thing is "sola fide perceptibilis" it is therefore purely inward, or in some sense unreal. But it is only faith, Luther insists, which can recognize the Church for what she is. Ernst Rietschel is surely right when he says that Luther's judgments about the Church are "Glaubensurteile"—judgments of faith.<sup>13</sup>

The two salient, visible evidences of the Church are the preaching of the Word and the correct celebration of the sacraments.<sup>14</sup> All those who apparently accept by faith the preaching and take part in the sacraments of baptism and the eucharist are regarded by Luther as members of the visible church. But undoubtedly this number will include some non-believers who are not, therefore, members of the invisible Church of the faithful for, as Headley explains, "the circle in which the means of grace are administered is greater than the one in which they are believed."<sup>15</sup> On the other hand, it

<sup>10</sup> Headley, *op. cit.*, p. 32.

<sup>11</sup> *Ibid.*, pp. 32, 33.

<sup>12</sup> Mueller, *op. cit.*, p. 9.

<sup>13</sup> Gordon Rupp, *The Righteousness of God: Luther Studies* (New York, 1953), p. 317.

<sup>14</sup> Niesel, *op. cit.*, p. 244.

<sup>15</sup> Headley, *op. cit.*, p. 33.

is also true, in Luther's view, that the confines of the visible church cannot be limited by the presence of preaching and the sacraments. Luther refused to recognize the sacraments as the means of grace. When a true believer is not, for geographical or physical reasons, able to celebrate the sacraments, salvation may nonetheless be his in view of his faith.

It would seem to be Hajo Holborn's misunderstanding of Luther's *sola fide* doctrine that led him to state:

Luther believed essentially that once the Word would be left unimpeded, it would regenerate the world. The visible Church, in his opinion, should not be confined to a group of elect; the Word should reach everyone. He continued, therefore, the medieval idea of a general membership in the Church. . . . For Luther, the congregation was always identical with the political community.<sup>16</sup>

Without doubt Luther included in the visible church others apart from the elect. But this did not involve a continuation of the medieval idea of general membership in the Church. The medieval church could not be defined as the *communio sanctorum*, the invisible community of saints. Spitz nicely distinguishes between the medieval theory of the Church and that of Luther by pointing out that "in its most literal meaning Schleiermacher's famous definition applies to Luther's view of the Church—the relation of the Catholic to Christ is determined by his relation to the Church; the relation of a Protestant to the Church is determined by his relation to Christ."<sup>17</sup> Luther included the non-elect in the visible church only because he saw the impossibility of determining who were the elect and who were not. He did not regard membership in the visible church and participation in its sacraments as the means of grace and salvation. Whatever his later attitude to the territorial church, in the early period up to 1525 Luther's theology ruled out identification of the Church with the political community. A sacramental

<sup>16</sup> Holborn, *op. cit.*, p. 186.

<sup>17</sup> Spitz, *op. cit.*, p. 121.

church may be commensurate with the political community simply by virtue of every citizen's participation in the sacraments. But a theory of the Church of which the *a priori* principle is *sola fide* excludes from membership non-believers except insofar as human insight is unable to discern their lack of faith. Luther was all too aware of the majority of non-believers in the political community.

3. *Priesthood of All Believers*. The hierarchical, sacramental, and sacerdotal character of the medieval church was seriously threatened by Luther's doctrine of the priesthood of all believers. In his tract *To the Christian Nobility of the German Nation*, the first of the three papal walls which Luther attacks is the theory that the clergy (pope, bishops, priests, and monks) comprise the spiritual estate while princes, lords, artisans, and farmers comprise the temporal estate.<sup>18</sup> Luther's answer to this theory is as follows:

All Christians are truly of the spiritual estate, and there is no difference among them except that of office. Paul says in 1 Corinthians 12 [:12-13] that we are all one body, yet every member has its own work by which it serves the others. This is because we all have one baptism, one gospel, one faith, and are all Christians alike; for baptism, gospel, and faith alone make us spiritual and a Christian people.<sup>19</sup>

Thus Luther argued that baptism consecrates all as priests. Papal or episcopal consecration, apart from the divine blessing granted in baptism, could not make a priest. Hence when necessary anyone can baptize and give absolution.<sup>20</sup> Luther refers to the Early-Church custom by which bishops and priests were chosen by Christians from among their own number. Episcopal consecration simply confirmed the popular vote. Augustine, Ambrose, and Cyprian each became

<sup>18</sup> Martin Luther, *To the Christian Nobility of the German Nation*, "Luther's Works," ed. by James Atkinson (Philadelphia, 1966), XLIV, 127.

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*, p. 128.

bishops in this way. Any ruler or common person was, in Luther's opinion, constituted a priest, bishop, or pope by the act of baptism. "For whoever comes out of the water of baptism can boast that he is already a consecrated priest, bishop, and pope, although of course it is not seemly that just anybody should exercise such office."<sup>21</sup>

Schwiebert indicates that in the Middle Ages the Catholic clergy were regarded as belonging to the "geistlicher Stand" while the secular authorities were relegated to the "weltlicher Stand." Luther was at pains to emphasize, on the basis of his understanding of Scripture, "that there is no true, basic difference between laymen and priests, princes and bishops, between religious and secular, except for the sake of office and work [*Amt*], but not for the sake of status [*Stand*]."<sup>22</sup> All believers have the same spiritual status but there is a distinction between them in terms of office. It is the office, not the spiritual status, that distinguishes a clergyman from a prince.

4. *Opposition to Sacramentalism.* Brief mention has already been made of the non-sacramental nature of the Church as conceived by Luther. By "non-sacramental" is not meant the abolition of all sacraments, although Luther did reduce them to two (baptism and eucharist) or three (including the sacrament of penance). Sacramentalism refers to the use of the sacraments as the means of grace. Luther saw the sacraments as aids to faith and evidences of faith, but in no sense substitutes of faith. The *sola fide* doctrine recognizes faith as valid for grace and salvation quite apart from any works, whether sacramental or secular. Luther could write in the *Babylonian Captivity of the Church*:

Similarly, because the priests are servants, they ought to administer baptism and absolution to one who makes the request as of right. If they do not so administer it, the seeker has full merit

<sup>21</sup> *Ibid.*, p. 129.

<sup>22</sup> *Ibid.*

in his faith, whereas they will be accused before Christ as wicked servants.<sup>23</sup>

Mueller comments on Luther's teaching in regard to the sacraments:

Luther, while not denying the sacraments as such, had nevertheless and most consistently emphasized the need of faith on the part of the recipient of baptism, that is, faith in Jesus Christ as Lord and Saviour. Faith and faith alone makes the sacraments efficacious. The meaning of faith is indeed so great that it may replace, should external circumstances prevent a person from receiving either baptism or the Lord's Supper. . . . Man may be saved, the reformer asserted in these earlier writings, even without the aid of sacraments but never without the Word of the Living God.<sup>24</sup>

Holborn sees Luther's attack on the Catholic sacraments as threatening "the very existence of a universal Church led by an intellectual elite."<sup>25</sup> Luther's doctrine of the universal priesthood of believers along with his sacramental teaching was bound to comprise a major threat to the hierarchical, sacerdotal structure of the papal church. His theology undermined the status of the spiritual aristocracy which arrogated to itself the sole right of administering mystical, sacramental rites.

Luther followed Paul and Jerome by equating the bishop (*ἐπίσκοπος*) and the priest (*πρεσβύτερος*).<sup>26</sup> As Spitz points out, Luther considered the ministerial office itself to be the true bishopric.<sup>27</sup> The real bishop is a preacher of the Word, but he lacks juridical power.<sup>28</sup> And the pope is no exception. The pope is not the only one who can interpret Scripture.<sup>29</sup> The keys were not given only to Peter but to the whole

<sup>23</sup> Luther, *The Pagan Servitude of the Church*, "Luther: Selections from His Writings," ed. by John Dillenberger (New York, 1961), p. 264.

<sup>24</sup> Mueller, *op. cit.*, pp. 15, 16.

<sup>25</sup> Holborn, *op. cit.*, p. 143.

<sup>26</sup> Luther, *To the Christian Nobility of the German Nation*, p. 175.

<sup>27</sup> Spitz, *op. cit.*, p. 124; cf. Mueller, *op. cit.*, p. 29.

<sup>28</sup> Holborn, *op. cit.*, p. 132.

<sup>29</sup> Luther, *To the Christian Nobility of the German Nation*, p. 134.

Church.<sup>30</sup> Luther objected to reducing the Church to one man.<sup>31</sup> Not only the pope has the right to call a general council. In fact, he should be subject to a council's rulings.<sup>32</sup> Thus, at least in theory, Luther rejected the monarchical episcopate whether applied locally in the sense of the supremacy of territorial bishops or universally in the sense of the primacy of the pope.

5. *Church Not Superior to State.* Luther's concept of the ministry, the bishopric, the sacraments, and the priesthood of believers implies that the Church is in no sense superior to the state in temporal matters, nor are the clergy a special class who may justly be exempt from those secular controls to which all other Christians are subject. Luther vehemently opposed the canon law stipulation that a bad pope could not be punished or deposed by secular authority.<sup>33</sup> In his address *To the Christian Nobility of the German Nation* he urges that temporal matters should be left to temporal authority and not referred to Rome.<sup>34</sup> Bishops' courts, he argued, should deal only with "matters of faith and morals, and leave matters of money and property, life and honor, to the temporal judges."<sup>35</sup> Luther deplored sentences of excommunication passed by bishops' courts in cases in which questions of faith and morality were not involved.<sup>36</sup>

Luther denied that the pope had any authority above the emperor except in spiritual matters, and then only by virtue of office, not by virtue of superior sanctity or sacerdotal privilege.<sup>37</sup>

<sup>30</sup> *Ibid.*

<sup>31</sup> *Ibid.*, p. 135.

<sup>32</sup> *Ibid.*, p. 136.

<sup>33</sup> *Ibid.*, p. 132.

<sup>34</sup> *Ibid.*, p. 160.

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*, p. 164.



It is not proper for the pope to exalt himself above the temporal authorities, except in spiritual offices such as preaching and giving absolution. In other matters the pope is subject to the crown, as Paul and Peter teach in Romans 13 [:1-7] and 1 Peter 2 [:13], and as I have explained above.<sup>38</sup>

It was childish, in Luther's opinion, for the pope to claim that he was the rightful heir to the empire in the event of vacancy. Pope Clement V's decree to this effect in 1313 was later included in the canon law (Clementinarum).<sup>39</sup> The pope, so argued the reformer, should confine himself to spiritual and pastoral functions and forego all right to temporal authority in such territories as Naples and Sicily, Bologna, Vicenza, and Ravenna.<sup>40</sup> And the church should cease to use secular authority as a means of overcoming heretics. Luther urged, "We should overcome heretics with books, not with fire, as the ancient fathers did."<sup>41</sup>

6. *Autonomy of the Local Church.* In 1520 Luther urged that each town should choose its own minister from among the congregation. He was to be supported at the expense of the congregation, was to be free to marry or not, and was to be assisted by several priests or deacons.<sup>42</sup> In 1523 Luther wrote a tract entitled, "Why a Christian congregation or Church has the right and power to decide all doctrine and to call, induct, and depose teachers, the reasons and cause shown from Scripture."<sup>43</sup> Consistently throughout 1525 Luther responded positively to the first article of the peasants which affirmed the right of the entire community "to choose and appoint a pastor."<sup>44</sup> The peasants also sought the power to

<sup>38</sup> *Ibid.*, p. 165.

<sup>39</sup> *Ibid.*, pp. 165, 166.

<sup>40</sup> *Ibid.*, pp. 166, 167.

<sup>41</sup> *Ibid.*, p. 196.

<sup>42</sup> *Ibid.*, p. 175.

<sup>43</sup> Niesel, *op. cit.*, p. 245.

<sup>44</sup> Luther, *Admonition to Peace, A Reply to the Twelve Articles of the Peasants in Swabia*, "Luther's Works," ed. by H. T. Lehmann and R. C. Schultz (Philadelphia, 1967), XLVI, 10.

depose the pastor where necessary and stipulated that his function was to preach the gospel. Addressing the princes in his *Admonition to Peace* Luther wrote: "In the first article they ask the right to hear the gospel and choose their pastors. You cannot reject this request with any show of right."<sup>45</sup>

If the pastors were chosen in a Christian way Luther could see no reason why the local community should not exercise this function.<sup>46</sup> On the other hand, Luther opposed the second article of the peasants requesting that they be permitted to appropriate the tithe. This, he said, belongs to the ruler and appropriation of it by the peasants would be tantamount to deposing him.<sup>47</sup>

Again in 1526 Luther presented the idea of the autonomy of the local church and "expressed the ideal of the church as a voluntary group of committed Christians. . . ."<sup>48</sup> According to Franz Spemann, Johannes Warns, Friedrich Heitmüller, Roland Bainton, A. H. Newman, and William Mueller, in his *German Mass and Order of Worship* (1526) Luther came closest to the idea of a "free, separatist, congregationally organized church."<sup>49</sup> Mueller suggests that it was Luther's lack of confidence in the majority of professed Christians that caused him to hesitate to institute his ideal.<sup>50</sup> He feared disorder, disunity, and revolt; and he reacted violently to the Anabaptists, whose church polity, in fact, more nearly approximated what he regarded as the New Testament order. Such a *Freiwilligkeitskirche* (voluntary association of believers) was certainly very consistent with Luther's theology. To whatever extent he later contributed to the ascendancy of the territorial church in Germany, the fact remains that Luther's theology of the Church pointed clearly in the direction of the autonomy of the local congregation.

<sup>45</sup> *Ibid.*, p. 22.

<sup>46</sup> *Ibid.*, pp. 37, 38.

<sup>47</sup> *Ibid.*, p. 38.

<sup>48</sup> Mueller, *op. cit.*, p. 23.

<sup>49</sup> *Ibid.*, p. 24.

<sup>50</sup> *Ibid.*, pp. 24-26.

## II. *Luther's Concept of Secular Authority*

1. *Civil Order Ordained by God.* Martin Luther was not a political scientist. He always spoke as a theologian. In the few instances in which he set out to define his attitude to secular authority, it was always in the context of a specific situation which was of real concern to the Church and to individual Christians.<sup>51</sup> Commenting on the relationship between Luther's theology and his political theory, Rupp says:

No teaching of Luther has been more misrepresented than his teaching about the nature, extent and limits of temporal power. Partly this has been due to an attempt to by-pass Luther's theology.<sup>52</sup>

Rupp continues by emphasizing that Luther cannot be explained in terms of classical political philosophy. Luther was primarily a theologian and a preacher. His theology of politics results from an application of the Word to the concrete situations which he was obliged to meet.<sup>53</sup>

Luther's understanding of natural law was basic to his concept of secular authority. Natural law was not for him, as it was for Thomas Aquinas, an area of knowledge attainable by man's unaided reason. Rather, Luther thought of natural law as based on divine law and as a divinely implanted expression of the will of God.<sup>54</sup> To him, natural law is described in the Epistle to the Romans, chapters 1 and 2 (especially Rom 2:15). Natural law conceived of in this way, then, underlies all positive law which is the conditioned, ever-changing law of man. Therefore human government, though instituted and sustained by positive law, is, in fact, firmly rooted in natural law, which is an expression of the divine will.

<sup>51</sup> *Ibid.*, p. 38.

<sup>52</sup> Rupp, *op. cit.*, p. 287.

<sup>53</sup> *Ibid.*

<sup>54</sup> Mueller, *op. cit.*, pp. 46 ff.

Luther's view of temporal authority was distinctively theocentric. Gustav Törnvall stressed that Luther's idea of secular rule must be considered from the aspect of God's own rule.<sup>55</sup> Secular authority is, to Luther, one of the ways in which God manifests his justice and love to men. God rules through earthly rule. Thus the secular order is an expression of the government of God.

Writing *To the Christian Nobility* in 1520, Luther argued that, inasmuch as secular rulers are baptized Christians they belong to the Christian body and therefore comprise a spiritual estate, even though their work is secular.<sup>56</sup> Although the 1523 tract *Secular Authority: To What Extent It Should Be Obeyed* placed definite limits on the power of rulers, it strongly emphasized the divinely ordered nature of worldly government. "We must firmly establish secular law," Luther wrote, "and the sword, that no one may doubt that it is in the world by God's will and ordinance."<sup>57</sup> Speaking of John the Baptist's instruction to soldiers, Luther said:

If the sword were not divinely appointed he should have commanded them to cease being soldiers, since he was to perfect the people and direct them in a proper Christian way. Hence it is sufficiently clear and certain that it is God's will that the sword and secular law be used for the punishment of the wicked and protection of the upright [1 Peter 2: 14].<sup>58</sup>

Perhaps the most pertinent reason for Luther's opposition to the rioting peasants in 1525 was his view that this was rebellion against God, who had ordained secular rule. It was irrelevant, in Luther's opinion, to argue that princely rule was corrupt. No peasant was qualified to decide that; and, even if it were true, no Christian has been given a divine mandate to purge temporal authority. What God ordains he is perfectly well able to punish and purify. As we shall see,

<sup>55</sup> Rupp, *op. cit.*, p. 289.

<sup>56</sup> Luther, *To the Christian Nobility of the German Nation*, p. 131.

<sup>57</sup> Luther, *Secular Authority: To What Extent It Should be Obeyed*, "Luther: Selections from His Writings," p. 366.

<sup>58</sup> *Ibid.*, p. 367.

Luther's theory of war as revealed in his 1526 work *Whether Soldiers, Too, Can Be Saved* was firmly rooted in the theology of the sovereignty of God. He wrote:

Thus, in the end, all authority comes from God, whose alone it is; for he is emperor, prince, count, noble, judge, all else, and he assigns these offices to his subjects as he wills, and takes them back again for himself.<sup>59</sup>

This same doctrine was quite consistently reiterated by the Augsburg Confession (1530), "Concerning civil affairs, they teach that such civil ordinances as are lawful are good works of God. . . ." <sup>60</sup>

2. *Duty of Princes to Rule Justly.* Because in his view secular authority is ordained of God, Luther stressed that princes, and indeed all secular rulers, are under a compelling obligation to rule justly and with due regard to the welfare and happiness of their subjects. Christian princes are to be subject to Christian principle as non-Christian princes are subject to natural law.

Luther was as much concerned in *Admonition to Peace* (1525) to correct princely abuses as he was to restrain the peasants. The first part of the tract was an address to the princes urging them to take the threatened rebellion seriously, to attempt conciliation, to modify their demands on the peasants, and to reform their way of life. Luther pointed out that the princes had no one on earth to blame for the rebellion but themselves.<sup>61</sup> He refers to them as "dictatorial tyrants" and blames them for inviting the wrath of God by their treatment of the peasants. He urges the princes to try conciliation before blows:

Do not start a fight with them, for you do not know how it will end. Try kindness first, for you do not know what God will do to prevent the spark that will kindle all Germany and start a fire that no one can extinguish. . . . You will lose nothing by kindness; and

<sup>59</sup> Luther, *Whether Soldiers, Too, Can Be Saved*, "Luther's Works," ed. by Lehmann and Schultz, XLVI, 126.

<sup>60</sup> Schaff, *op. cit.*, III, 16, 17.      <sup>61</sup> Luther, *Admonition to Peace*, p. 19.

even if you did lose something, the preservation of peace will pay you back ten times.<sup>62</sup>

Even in his rather violent tract, *Against the Robbing and Murdering Hordes of Peasants*, written later in 1525 after the revolt had developed to dangerous proportions, Luther could urge, "Now the rulers ought to have mercy on these prisoners of the peasants. . . ." <sup>63</sup> He was referring to genuine Christians among the peasants who had been inveigled into revolt by more extreme spirits. Later still in 1525 Luther defended his earlier book *Against the Robbing and Murdering Hordes of Peasants* by issuing *An Open Letter on the Harsh Book Against the Peasants*. He reminded his critics that he had enjoined mercy toward those peasants who relented.<sup>64</sup> He refused to take blame for the lords' and princes' misusing their swords and punishing too cruelly.<sup>65</sup> The same ambivalent attitude is evident in this document as in the earlier two dealing with the same episode. Luther sees faults on both sides. He is thoroughly aware of the undue cruelty of the princes and vehemently repudiates it, but he is also aware of the gross wrong perpetrated by the peasants. This ambivalence appears in the following statement:

I had two fears. If the peasants became lords, the devil would become abbot; but if these tyrants became lords, the devil's mother would become abbess. Therefore I wanted to do two things: quiet the peasants, and instruct those pious lords.<sup>66</sup>

Luther knew that he had failed with both groups. There is, however, throughout the three 1525 documents a consistency of political theory. Both peasants and lords have duties and responsibilities, and both are at fault. Albert Hyma saw no inconsistency in the 1525 tracts.<sup>67</sup>

<sup>62</sup> *Ibid.*, pp. 21, 22.

<sup>63</sup> Luther, *Against the Robbing and Murdering Hordes of Peasants*, "Luther's Works," ed. by Lehmann and Schultz, p. 54.

<sup>64</sup> Luther, *An Open Letter on the Harsh Book Against the Peasants*, "Luther's Works," ed. by Lehmann and Schultz, p. 69.

<sup>65</sup> *Ibid.*, p. 74.

<sup>66</sup> *Ibid.*, p. 84.

<sup>67</sup> Albert Hyma, *Christianity and Politics* (Philadelphia, 1938), p. 117.

Although Luther saw it as mandatory Christian duty for princes to repress sedition and rebellion, in the early years of the Reformation he argued that they have no right to enforce any particular belief. Their authority is strictly limited to matters temporal. A prince should not force the conscience of any man. This motif appears in the 1520 address *To the Christian Nobility*<sup>68</sup> and again in the 1525 *Admonition to Peace*.<sup>69</sup> The latter document contains a statement which in the light of Luther's later attitude to the Anabaptists is surprising indeed, but a statement nonetheless thoroughly consistent with the theologically based political theory enunciated in his earlier works. He wrote, "Indeed, no ruler ought to prevent anyone from teaching or believing what he pleases, whether it is the gospel or lies. It is enough if he prevents the teaching of sedition and rebellion."<sup>70</sup>

As late as 1528 Luther strongly opposed the brutal persecution of religious radicals, insisting that every one should be allowed to believe according to his conscience; that the most that might be done to a "false teacher" was to banish him.<sup>71</sup>

3. *The Question of Civil Obedience.* The Augsburg Confession stated succinctly Luther's teaching on the question of civil obedience:

Christians, therefore, must necessarily obey their magistrates and laws, save only when they command any sin; for then they must rather obey God than men (Acts v. 29).<sup>72</sup>

Luther's consistent position during the peasant revolt was that rebellion against divinely constituted civil authority is rebellion against God. It is the Christian duty of lords and princes to punish sedition and revolt with death. As Rupp

<sup>68</sup> Luther, *To the Christian Nobility of the German Nation*, pp. 125, 126, 196.

<sup>69</sup> Luther, *Admonition to Peace*, p. 22.

<sup>70</sup> *Ibid.*

<sup>71</sup> Harold J. Grimm, *The Reformation Era, 1500-1650* (New York, 1954), pp. 230, 231.

<sup>72</sup> Schaff, *op. cit.*, III, 16, 17.

explains, "Luther's doctrine of obedience to authority is rooted for him in the Biblical doctrine of Christian obedience and Rom. 13 is its locus classicus."<sup>73</sup> On the other hand, R. H. Murray takes the position that Luther's application of this principle in his hard book against the peasants (1525) "sacrificed liberty to order."<sup>74</sup> But Luther did not conceive of liberty as the right of subjects to depose and murder rulers not according to their liking. He saw the danger of the subjective judgment that existing rulers are unjust. Only God has ultimate wisdom in such matters, hence only God can depose and punish princes and lords. Christian freedom, to Luther, was not physical freedom, freedom from serfdom. He saw it as freedom of the spirit which renders the Christian patient under suffering or duress.<sup>75</sup>

There were circumstances, so Luther taught, in which civil rulers should be disobeyed. Heinrich Bornkamm regards the 1523 treatise *On Secular Authority: To What Extent It Should Be Obeyed* as "a protest against what we today would call the totalitarian claims of the State. . . ." <sup>76</sup> The immediate occasion of Luther's writing this document was the banning and burning of his translation of the NT in the Duchy of Saxony and other territories. Luther essayed to answer the question, whence did the territorial rulers derive this right? His investigation of the nature of secular authority thus became at the same time an inquiry as to its limits.<sup>77</sup>

Holborn represents Luther's demand that Christians render complete civil obedience as in conflict with human rights. He argues:

Submission with complete obedience was the supreme and absolute law that Luther preached, in all matters except one,

<sup>73</sup> Rupp, *op. cit.*, p. 301.

<sup>74</sup> R. H. Murray, *The Political Consequences of the Reformation* (New York, 1960), p. 74.

<sup>75</sup> Luther, *Admonition to Peace*, p. 39.

<sup>76</sup> Heinrich Bornkamm, *Luther's Doctrine of the Two Kingdoms in the Context of His Theology* (Philadelphia, 1966), p. iv.

<sup>77</sup> *Ibid.*, pp. 5, 6.



namely religious conviction. Adherence to and open confession of the Christian faith could not be limited by any secular authority. But this faith could not establish any right of the individual either.<sup>78</sup>

Allen disagrees on the grounds that opposition to armed resistance is not repudiation of resistance in any form, nor does it lead logically to the absolutism of the State.<sup>79</sup> Carlson reminds us that Luther stressed the duty of preachers to rebuke rulers "publicly, boldly, and honestly."<sup>80</sup> Spitz points out that in Luther's order "oral protest could be voiced against injustice, even if the hand could not be raised against it."<sup>81</sup> It seems to the present writer that Holborn has overlooked the power and effectiveness of passive Christian resistance. Matters of Christian conscience can involve numerous issues apart from mere questions of doctrine and theology.

4. *The Question of War.* Holborn says, "Luther could understand that a Christian might hesitate to participate in the functions of governments as rulers, judges, soldiers, or hangmen."<sup>82</sup> Quite the contrary, Luther not only condoned but strongly urged the Christian's participation in these functions. His attitude was reflected in the Augsburg Confession:

Concerning civil affairs, they teach that such civil ordinances as are lawful are good works of God; that Christians may lawfully bear civil office, sit in judgments, determine matters by the imperial laws, and act as soldiers, make legal bargains and contracts, hold property, take an oath when the magistrates require it, marry a wife, or be given in marriage. They condemn the Anabaptists who forbid Christians these civil offices.<sup>83</sup>

<sup>78</sup> Holborn, *op. cit.*, p. 190.

<sup>79</sup> J. W. Allen, *A History of Political Thought in the Sixteenth Century* (New York, 1960), p. 19.

<sup>80</sup> Edgar M. Carlson, "Luther's Conception of Government," *CH*, XV (1946), 265.

<sup>81</sup> Spitz, *op. cit.*, p. 126.

<sup>82</sup> Holborn, *op. cit.*, p. 188.

<sup>83</sup> Schaff, *op. cit.*, III, 16, 17.

The definitive statement of Luther's attitude to war is contained in his 1526 work *Whether Soldiers, Too, Can Be Saved*. He argued that war and the sword were instituted by God to punish evil-doers and so preserve peace.<sup>84</sup> The work of the soldier is, therefore, the work of God. Luther distinguished three kinds of people who make war.<sup>85</sup> First, an equal may make war against an equal. Second, an overlord may fight against a subject. Third, a subject may fight against his overlord. Luther could see no instance in which the third kind of war could be justified. He ruled out unequivocally not only peasant rebellion against princes but princely rebellion against the emperor. Even the emperor was a subject of God and therefore required to rule with equity.<sup>86</sup>

On the question of whether equals may war against equals, Luther ruled that whoever starts a war is in the wrong. Princes should wait until the situation compels them to fight and then to fight only in self-defense.<sup>87</sup> It is interesting to note that Luther does not extend to the individual Christian the same right to use the sword in self-defense.<sup>88</sup> The Christian may justly join in a defensive war conducted by his prince. In fact, it is his duty to so support the secular powers. But he has no right to use physical force in defending himself from the personal attacks of evil-doers. It is the function of God and the secular powers to so protect him. As a Christian he is duty-bound to abide by the Sermon on the Mount. A Christian may kill only in cooperation with punitive measures adopted by the secular authorities. Such a war is just only when a prince is forced to defend his realm. That is, the war must be one of necessity as distinct from a war of desire.<sup>89</sup>

To the question whether an overlord has the right to go to

<sup>84</sup> Luther, *Whether Soldiers, Too, Can Be Saved*, p. 95.

<sup>85</sup> *Ibid.*, p. 103.

<sup>86</sup> *Ibid.*, p. 116.

<sup>87</sup> *Ibid.*, p. 118.

<sup>88</sup> *Ibid.*, pp. 121, 122; cf. Luther, *Secular Authority: To What Extent It Should Be Obeyed*, pp. 372 ff.

<sup>89</sup> Luther, *Whether Soldiers, Too, Can Be Saved*, p. 121.

war with his subjects, Luther answered that if the subjects rebel it is right and proper for the ruler to forcibly suppress them. But the ruler must be sure of the justice of his cause.<sup>90</sup> Wars motivated by selfishness are never just. Should a prince, however, attack his subjects for any other motive but to suppress evil-doers he is not to be forcibly resisted. "If injustice is to be suffered, then it is better for subjects to suffer it from their rulers than for the rulers to suffer it from their subjects."<sup>91</sup> Vengeance in such cases Luther saw as belonging solely to God.<sup>92</sup>

5. *Secular Authority in Relation to the Church.* In 1523, Luther took the position in *Secular Authority: To What Extent It Should Be Obeyed* that government is to keep order, protect property, enforce the laws of the land, care for the poor, punish the wicked and generally maintain those conditions conducive to the happiness of the people and well-being of the church. Secular authority however, has no qualification in matters of the soul. Temporal matters which are related to the prosperity of the Church are to be regulated by secular power, but the Church is to maintain its autonomy in matters of polity, choice of ministers, doctrine, and spiritual emphasis.<sup>93</sup>

This was in no way a contradiction of the position taken in the 1520 address *To the Christian Nobility*. In 1520, Luther was seeking to motivate the secular powers to take control of those temporal matters related to the health of the Church in Germany. In 1523, he was seeking to define the limitations of such intervention. The earlier work does not enjoin secular assumption of prerogatives which Luther elsewhere relegated to the local congregation. Rather, he urges the German princes as Christian members to break the power of a cramping

<sup>90</sup> *Ibid.*, p. 125.

<sup>91</sup> *Ibid.*, p. 106.

<sup>92</sup> *Ibid.*, p. 107.

<sup>93</sup> Mueller, *op. cit.*, pp. 41, 42.

episcopate by calling a general council, by refusing to support so many cardinals, by repudiating payment of annates, by passing laws against the papal months and by restoring to the German bishops "their right and responsibility to administer the benefices in the German nation to the best of their ability."<sup>94</sup> Luther admitted that such general reform of the Church properly belonged to the clergy.<sup>95</sup> But such was the political involvement of the late medieval papal church that only legal, governmental interference was sufficient to relegate to their rightful provinces the secular and spiritual kingdoms.

### III. *Luther and the Medieval Concept of Church-State Relations*

1. *The Medieval Two-Sword Theory.* It seems important to distinguish between the traditional medieval concept of the Church-State and the extreme papal theory of the ecclesiastical empire. W. Ullmann represents Gelasius I (died 496) as teaching that the "final authority in a Christian society was the pope's alone."<sup>96</sup> The Church-State, according to Gelasius, was not a dichotomy consisting of two equal realms, the secular realm ruled by the emperor and the spiritual realm ruled by the pope.<sup>97</sup> There was, indeed, in Gelasius' theory a division of labor, but real sovereignty concerning basic and vital matters remained with the pope.<sup>98</sup> Philip Schaff agrees with Ullmann that Gelasius "clearly announced the principle, that the priestly power is above the kingly and the imperial, and that from the decisions of the chair of Peter there is no appeal."<sup>99</sup> Roland Bainton, on the other

<sup>94</sup> Luther, *To the Christian Nobility of the German Nation*, p. 158; cf. pp. 123, 137, 142, 143, 145, 156, 157.

<sup>95</sup> *Ibid.*, p. 123.

<sup>96</sup> Walter Ullmann, *A History of Political Thought in the Middle Ages* (Baltimore, Md., 1965), p. 43.

<sup>97</sup> *Ibid.*, p. 41.

<sup>98</sup> *Ibid.*, p. 42.

<sup>99</sup> Schaff, *History of the Christian Church* (Grand Rapids, Mich., 1964), III, 324.

hand, represents Gelasius as insisting on the mutual independence of spiritual and civil powers, although stressing the superiority of the Church in spiritual matters.<sup>100</sup> Whether Gelasius intended to describe a monolithic ecclesiastical empire in which the pope was supreme, or a Church-State in which, as Bainton suggests, the two swords were equal and mutually independent, it would seem that both concepts were held through the Middle Ages and both were current in the early 16th century.<sup>101</sup>

It seems to the present writer that the real difference between the medieval Church-State theory and Luther's theory resulted from their divergent doctrines of the Church. The medieval view of the Church may be summarized as follows: (1) The Church is a visible entity only; (2) This visible entity consists of the sum total of political entities; The Church transcends political and geographical barriers and is virtually equivalent to human society wherever it is to be found; (3) The Church is bound by sacramentalism and sacerdotalism; (4) The hierarchical concept is based on the idea of apostolic succession; (5) The primacy of the pope of Rome is undoubted.

This doctrine of the Church could lead logically to the position of the late medieval papacy that the Church, and specifically the pope, is supreme over secular authorities. The subjects' first loyalty is to Rome since Rome rules the visible society-church. Rome's political aspirations could be represented as spiritually motivated and Rome would justifiably rule the world.

More conservative medieval theorists adhered to the two-sword theory which put Church and State in separate and virtually watertight compartments. But given the medieval concept of the Church, there was bound to be endless tension. What is a purely secular issue for the State, and a purely spiritual one for the Church? Where does the spiritual begin

<sup>100</sup> Roland H. Bainton, *Christendom* (New York, 1966), I, 158.

<sup>101</sup> Allen, *op. cit.*, pp. 12, 13.

and the secular end ? Luther faced the same problem but did not attempt a separation of the two spheres on the basis of sacerdotal and sacramental concepts.

2. *Luther's Two-Sword Theory.* Luther also distinguished between the kingdom of God and the kingdom of the world.<sup>102</sup> As we have seen, both are branches of God's rule. Secular authority would not be necessary if all were true Christians, but even most professed Christians are not always impeccable in conduct. Therefore the restraining, controlling secular power is essential. Luther emphasized the divinely ordained nature of secular authority to a degree not generally accepted in the Middle Ages.

It is Luther's doctrine of the Church which sharply distinguishes his two-sword theory from that of the Middle Ages. His view of the Church may be briefly summarized as follows (1) The Church is an invisible community of saints; (2) The visible church is manifested to the faithful by certain signs; (3) All believers are priests; (4) The Church is non-sacramental, non-sacerdotal, and non-hierarchical; (5) The Church is not to rule the State, nor is it to be ruled by the State.

Certain conclusions may be drawn from this. Luther did not conceive of a *Corpus Christianum* in the medieval sense of a society-church. His church was a spiritual unity of believers everywhere. Luther did not adhere to a two-sword theory in the medieval sense of entirely separate spiritual and secular realms. In Luther's theory there is much greater interaction between the two swords without one ruling the other. If a prince influences doctrine he does so only as a Christian, not by virtue of princely authority. If a Christian takes part in secular government and enforcement of law and order, he does so as subordinate to secular laws and as an instrument of secular order. The prince is not to force uniformity of belief, nor is the individual Christian to take part in secular rule for

<sup>102</sup> Luther, *Secular Authority: To What Extent It Should Be Obeyed*, pp. 368, 369.

the sake of enforcing the teaching of his church. Faith is a spiritual matter to be engendered by spiritual weapons. Secular order is ordained of God but concerned with matters temporal as distinct from matters spiritual. Here, at least in theory, would seem to be the roots of later separation of Church and State. Society is a monolithic structure under God, but it is compartmentalized into secular and spiritual offices; not monolithic by virtue of the supremacy of one sword, and not compartmentalized in the sense of exclusion of Christian interaction between the two kingdoms.

3. *Luther's Dilemma*. According to Leonard Verduin, Luther's dilemma was that he was torn between his desire for a confessional church and a territorial church including all in a particular locality.<sup>103</sup> Schwiebert explains that the territorial church was well-established in Germany before the time of Luther.<sup>104</sup> By the time of Charlemagne, the *Eigenkirche* was well-recognized throughout Germanic lands.<sup>105</sup> The medieval investiture controversy from the time of Pope Gregory VII (1073) to the Concordat of Worms (1122) revolved about this *Eigenkirche* tradition "which had almost completely secularized the Roman Church in Germanic lands."<sup>106</sup> The German princes were the real victors in the Concordat of Worms and the *Eigenkirche* survived as the territorial church.<sup>107</sup> By the second half of the 15th century the power of the Holy Roman Emperor had virtually been broken in the German lands, and the territorial princes were substantially sovereign in their areas.<sup>108</sup> When the Diet of

<sup>103</sup> Leonard Verduin, "Luther's Dilemma: Restitution or Reformation," *The Dawn of Modern Civilization*, ed. by Kenneth A. Strand (Ann Arbor, Mich., 1962), p. 167.

<sup>104</sup> E. G. Schwiebert, *Luther and His Times: The Reformation from a New Perspective* (St. Louis, Mo., 1950), pp. 613 ff.

<sup>105</sup> *Ibid.*

<sup>106</sup> *Ibid.*

<sup>107</sup> *Ibid.*

<sup>108</sup> *Ibid.*, p. 614.

Speyer in 1526 sanctioned the principle *cuius regio eius religio*, it recognized a principle which had been applied for centuries.<sup>109</sup>

Luther's theology of the church was, therefore, in conflict with the political situation in which he found himself. Verduin argues that Luther hesitated to institute the confessional church which was his ideal because of the political and social circumstances with which he was confronted.<sup>110</sup> In 1523 and again in 1526 he wrote of his desire for a gathered church of believers but expressed hesitancy because the people were not yet ready for it. Finally he settled for the *Landeskirche* and, according to Verduin<sup>111</sup> and Holborn,<sup>112</sup> launched Germany on the course that led to the authoritarian state and the tragedy of Nazism. Spitz, on the contrary, argues that Luther never regarded the prince as anything but a *Not-bischof* (emergency bishop), temporarily invested with certain controls over the Church until such time as the latter could stand on its own feet as a spiritual community separate from the State.<sup>113</sup>

Suffice it to say, Luther's theology up to 1526 is clearly in conflict with the concept of a state-church. One gains the distinct impression that he was attempting, despite the political situation of 16th-century Germany, to extol the virtues of the first-century confessional congregation of true believers in Christ.

<sup>109</sup> *Ibid.*, p. 615; cf. Spitz, *op. cit.*, pp. 114, 115.

<sup>110</sup> Verduin, *op. cit.*, pp. 175, 176.

<sup>111</sup> *Ibid.*, p. 188.

<sup>112</sup> Holborn, *op. cit.*, p. 193.

<sup>113</sup> Spitz, *op. cit.*, pp. 126-134.