Render unto Caesar… and unto God

A Lutheran View of Church and State

CONTENTS

Render unto Caesar… and unto God

A Lutheran View of Church and State

Prolog: The American Crisis

This study is designed to examine historic Christian teaching regarding Christians and government and to propose constructive ways in which American Lutherans can participate in the creation of an appropriate public philosophy and a viable American democracy.

The evidence of serious problems in the relationship between Americans and their government is all around us. In fact, sociologist James Davison Hunter has argued that these problems reflect an underlying "culture war":

> America is in the midst of a culture war that has had and will continue to have reverberations not only within public policy but within the lives of ordinary Americans everywhere.
>
> I define cultural conflict very simply as political and social hostility rooted in different systems of moral understanding. The end to which these hostilities tend is the domination of one cultural and moral ethos over all others. Let it be clear, the principles and ideals that mark these competing systems of moral understanding are by no means trifling but always have a character of ultimacy to them. They are not merely attitudes that can change on a whim but basic commitments and beliefs that provide a source of identity, purpose, and togetherness for the people who live by them. It is for precisely this reason that political action rooted in these principles and ideals tends to be so passionate.[1]

What is new about this, argues Hunter, is that in the past American politics took place within a generally *biblical* framework while today that framework is self-consciously *secular.* As a result, according to Hunter, "the older agreements have unraveled. The divisions of political consequence today

---

[1] James Davison Hunter, *Culture Wars: The Struggle to Define America* (New York: Basic Books, 1991), 34; 42.

are … the result of differing worldviews." What is at stake, he concludes, are "our most fundamental and cherished assumptions about how to order our lives—our own lives and our lives together in this society. Our most fundamental ideas about who we are as Americans are now at odds."[2]

Os Guinness also believes that a deep-seated cultural upheaval is now occurring in America, and he calls it "A Crisis of the Mandate of Heaven":

> The reason for this sober examination is that, despite its historic political and economic triumphs, the American republic is entering its own time of reckoning, an hour of truth that will not be delayed. It is nearing the climax of a generation-long cultural revolution, or crisis of cultural authority. Under the impact of modernity, the beliefs, ideals, and traditions that have been central to Americans and to American democracy—whether religious, such as Jewish and Christian beliefs, or civic, such as Americanism—are losing their compelling cultural power. This crisis is not a crisis of legitimacy, like that of the Soviet Union, but a crisis of vitality that goes to the heart of America's character and strength. It therefore threatens to pose questions not only for America's continuing success and world domination, but for the vitality of democracy in America itself.[3]

Like Hunter, Guinness aims to navigate between the two extremes of the culture war: the "reimposers" (who merely want to reimpose traditional Evangelical Protestant hegemony) and the "removers" (who simply want to cleanse Christian faith completely from American public life).[4] For Guinness and Hunter the goal is not reimposing or removing Christianity but creating common ground in the public square.

Because, as Guinness notes, "Democratic liberty … is neither self-derived nor self-sustaining"[5] and because American democracy has been closely associated with biblical principles of liberty and justice, Christians have an important stake in America's cultural crisis. More is involved here than religion, narrowly defined. At stake is the matter of a public philosophy that both promotes religious liberty and draws its strength from it. Yet such a widely-shared public philosophy is not even on the horizon. Thus, its creation is both a challenge and question mark for thoughtful Christians.

These challenges are not entirely new. Problems in the relationship between Christianity and the civil government have existed throughout American history. In fact, they have existed throughout the history of the

---

[2] Ibid., 42. Richard John Neuhaus agrees: "Our present moment and the decades ahead, it is reasonable to think, may best be described as a *Kulturkampf* over the defining of the American experiment." "From Providence to Privacy: Religion and the Redefinition of America," in *Unsecular America,* ed. Richard John Neuhaus (Grand Rapids: Eerdmans, 1986), 60.

[3] Os Guinness, *The American Hour: A Time of Reckoning and the Once and Future Role of Faith* (New York: The Free Press, 1993), 4.

[4] Ibid., 20.

[5] Ibid., 19.

church and can even be traced throughout the Bible. Of course, this study cannot possibly hope to resolve one of the most enduring problems of human history, but it can do several important things:

- *First,* it can help us to understand better the history of church and government and our own place, as American Lutheran Christians, in that history (as George Santayana wrote in *The Life of Reason,* "Those who cannot remember the past are condemned to repeat it"[6]).

- *Second,* it can help us to identify strengths and weaknesses in the ways that previous generations of God's people have dealt with the problem of church and state, so that we can be more informed participants in our contemporary cultural debate.

- *Third,* it can help us to appreciate how the proper distinction between Law and Gospel, as well as the distinction between the two kingdoms, prevents us from confusing the duties of citizenship with the righteousness of faith.

- *Finally,* it also can help us to participate in the important duties of citizenship with greater freedom and confidence.

The first section of this study will provide a very brief survey of the history of church and state, including what the Bible says. This survey will focus particularly on those elements of the story that are a part of the direct lineal history of The Lutheran Church—Missouri Synod. The second section will interpret the history of church and state according to the Lutheran Confessions and the Synod's doctrinal commitments. The third section will provide contemporary practical applications of this confessional Lutheran perspective.

[6] *The Life of Reason* (New York: Charles Scribner's Sons, 1905–6), 1:284.

I. God and Caesar Revisited

In this first section we will review the long, almost tortuous history of Christians and government. This history will illustrate the extremes, both domination of the church by the state and domination of the state by the church, as well as the persistent difficulties that Christians have had in finding a more balanced relationship between church and state. This history will also illustrate the Christian roots of the American democratic experiment as well as America's current struggles to maintain both religious and political liberty in a pluralistic modern world.

A. What the Bible Says

The problems of church and *state* are relatively recent. Through most of recorded history they were problems of church and *empire* or *kingdom.* In contrast to modern states, where power is quite abstract and bureaucratic, the governments of ancient empires were personal and often authoritarian. The emperor (such as the Roman Caesar) or king was in direct personal control of the government and, as the absolute authority in many societies, the royal word was law. Indeed, the kings and queens frequently exercised such tremendous powers of life and death that they often were considered gods.[7]

It is important to begin our study, therefore, by observing that the Bible makes a fundamental distinction between divine and human authority. While from the beginning humans have wanted to be like God and to play god, the Bible persistently proclaims only one God who is sovereign over everything and everyone:

> Remember this and consider, recall it to mind, you transgressors … for I am God, and there is no other; I am God, and there is none like me, declaring the end from the beginning and from ancient times things not done, saying, "My counsel shall stand, and I will accomplish all my purpose." (Is. 46:8–10)

---

[7] See, e.g., Ethelbert Stauffer, *Christ and the Caesars,* trans. K. and R. Gregor Smith (London: SCM Press LTD, 1955); Edward Gibbon, *The Decline and Fall of the Roman Empire* (New York: The Modern Library, n.d.), 1:61.

For although there may be so-called gods in heaven or on earth—as indeed there are many "gods" and many "lords"—yet for us there is one God, the Father, from whom are all things and for whom we exist, and one Lord, Jesus Christ, through whom are all things and through whom we exist. (1 Cor. 8:5–6)

Above the empires and states of history stands *one* everlasting divine authority to whom *all* are accountable—even kings and queens, presidents and dictators. And so, while kings and empires pass from the scene, the church continues to proclaim God's divine authority. As Arthur Cleveland Coxe once penned it:

> O where are kings and empires now
> Of old that went and came?
> But, Lord, thy Church is praying yet,
> A thousand years the same.[8]

Just as basic and enduring as this teaching of the Bible regarding God's sovereignty, however, is the conflict (even war) between the one true God and pretentious earthly authorities. There was, for instance, the contest with the Egyptian Pharaoh over the release of the Israelite slaves (Ex. 5:2, "But Pharaoh said, 'Who is the LORD, that I should heed his voice and let Israel go? I do not know the LORD, and moreover I will not let Israel go' "). There was also the deadly confrontation with Sennacherib, king of Assyria (2 Chron. 32:17, "And [the king] wrote letters to cast contempt on the LORD the God of Israel and to speak against him, saying, 'Like the gods of the nations of the lands who have not delivered their people from my hands, so the God of Hezekiah will not deliver his people from my hand' "). Indeed, the Old Testament overflows with illustrations of conflict between God and earthly rulers who had illusions of sovereignty.

Not all instances of Old Testament conflict were between God and pagan governments, however, for even the kings of Israel became corrupt and moved God to battle against them. This happened already with Saul, the first king of Israel, when the Lord tore the kingdom out of his hands and gave it to David (1 Sam. 28:16–19). It happened as well to King Solomon who, although he was Israel's wisest king, did not always put his wisdom into practice:

And the LORD was angry with Solomon, because his heart had turned away from the LORD, the God of Israel, who had appeared to him twice, and had commanded him … that he should not go after other gods; but he did not keep what the LORD commanded. Therefore the LORD said to

---

[8] *In Excelsis: Hymns with Tunes for Christian Worship* (New York: The Century Co., 1897), hymn 637:1.

Solomon, "Since this has been your mind and you have not kept my covenant and my statutes which I have commanded you, I will surely tear the kingdom from you and will give it to your servant." (1 Kings 11:9–11)

It happened, in fact, with many of the kings of Judah and with most of the kings of Israel. Thus, the rebellious northern kingdom of Israel was conquered by Assyria (2 Kings 17:7–23). When the southern kingdom of promise, Judah, was conquered decades later by Babylon, this also was because Judah's leaders were at war with God (2 Chron. 36:15–21 and Lam. 4:11–13).

In view of this persistently rebellious behavior by earthly emperors and kings, we can understand why God forewarned His people that having an earthly king would be burdensome. Although God granted Israel's request for a king (and, indeed, blessed them graciously through the Davidic royal line from which Jesus came), He spoke sobering words about the persistent abuse of royal power:

So Samuel told all the words of the LORD to the people who were asking a king from him. He said, "These will be the ways of the king who will reign over you: he will take your sons and appoint them to his chariots and to be his horsemen, and to run before his chariots; and he will appoint for himself commanders of thousands and commanders of fifties, and some to plow his ground and to reap his harvest, and to make his implements of war and the equipment of his chariots. He will take your daughters to be perfumers and cooks and bakers. He will take the best of your fields and vineyards and olive orchards and give them to his servants. He will take the tenth of your grain and of your vineyards and give it to his officers and to his servants. He will take your menservants and maidservants, and the best of your cattle and your asses, and put them to his work. He will take the tenth of your flocks, and you shall be his slaves. And in that day you will cry out because of your king, whom you have chosen for yourselves; but the LORD will not answer you in that day." (1 Sam. 8:10–18)

Lord Acton reflected this assessment of earthly rulers in a letter to Bishop Creighton in 1887: "Power tends to corrupt and absolute power corrupts absolutely."[9] Therefore, even in God's own "holy nation" (Ex. 19:6), civil government was a mixed blessing. The king could promote the common good (Psalm 45) and also could perpetrate injustice (Jer. 22:13–17). The king could be extolled as God's chosen instrument (Psalm 2) and also be condemned as a shepherd who scattered and destroyed the sheep of God's pasture (Jer. 23:1–2).

Indeed, it was this marked contrast between the theoretical goodness of the kings as God's chosen ones and their rebelliousness as sinful human

---

[9] John Emerich Edward Dahlberg Acton, *Essays on Freedom and Power* (Boston: Beacon Press, 1948), 364.

beings that fed the yearning for a great king (the Messiah) who was to come. In the face of so many dashed hopes and tragic experiences with their kings, God's people yearned for that "Wonderful Counselor, Mighty God, Everlasting Father, Prince of Peace" who would reign "upon the throne of David, and over his kingdom, to establish it, and to uphold it with justice and with righteousness" (Is. 9:6–7).

When the exiles returned from captivity in Babylon after 70 years, the hopes for a messianic king grew more intense. Yet even after the Maccabees led a successful revolution against the Greeks in 163 B.C. (celebrated in the Jewish feast of Hanukkah), no descendant of King David ruled over God's people. When the Romans conquered Palestine and the Jewish people were forced to submit to their harsh rule, messianic expectations reached a feverish pitch.

And so it was that the Messiah, when He came, found Himself embroiled in dangerous political conflict. Our Lord Jesus Christ was the Davidic messianic king; yet, the Romans controlled Palestine and had installed their own puppet king, Herod. What would Jesus do? A few of Jesus' disciples were political revolutionaries and many of Jesus' enemies feared that Jesus would lead an ill-fated political revolution (John 11:47–48). Eventually, Jesus would be executed as a political revolutionary (Mark 15:26 records the posted charge of treason against him: "the King of the Jews"),[10] in spite of the fact that the Roman governor, Pontius Pilate, knew Jesus to be innocent of that charge (Luke 23:13–14).

But why *should* the Messiah be innocent of such a charge? The people, after all, expected their "messiah" to be a powerful deliverer like Moses, who had led Israel out from Egypt. They expected a great king like David, who had established Jerusalem as his capital city through military force. They expected a conqueror like Judas Maccabeus, who had entered Jerusalem triumphantly to the shouts of "Hosanna!" and the waving of palm branches (1 Macc. 13:51). So, why did Jesus not lead a political revolution against the Romans—a hated, idolatrous government—in order to establish God's kingdom on earth? Why should Jesus not have become the "military messiah" that so many Jews expected?

We now can see clearly that *Jesus came to die*—the very Lamb of God who takes away the sin of the world (John 1:29; 3:14–17). But there is more. Jesus also redefined popular expectations regarding the messianic kingdom:

---

[10] See Richard A. Horsley with John S. Hanson, *Bandits, Prophets, and Messiahs: Popular Movements at the Time of Jesus* (San Francisco: Harper & Row, 1985): "Study of Jewish social banditry may shed some light on the way in which Jesus was arrested (as if a brigand, Mark 14:48) and on the crucifixion scene, in which Jesus was crucified with two brigands. … More importantly, the occurrence of banditry illustrates the disintegrating social conditions in which Jesus' words and actions would have found a resonant response" (256).

> Pilate entered the praetorium again and called Jesus, and said to him, "Are you the King of the Jews?" Jesus answered, "Do you say this of your own accord, or did others say it to you about me?" Pilate answered, "Am I a Jew? Your own nation and the chief priests have handed you over to me; what have you done?" Jesus answered, "My kingship is not of this world; if my kingship were of this world, my servants would fight, that I might not be handed over to the Jews; but my kingship is not from the world." Pilate said to him, "So you are a king?" Jesus answered, "You say that I am a king. For this I was born, and for this I have come into the world, to bear witness to the truth. Every one who is of the truth hears my voice." (John 18:33–37)

The New Testament proclaims to us that the crucified and risen Jesus is indeed a *king:* "He [God] has delivered us from the dominion of darkness and transferred us to the kingdom of his beloved Son, in whom we have redemption, the forgiveness of sins" (Col. 1:13–14). However, the New Testament teaches that Jesus reigns through the power of the Holy Spirit in the baptizing and teaching of His church:

> And Jesus came and said to them, "All authority in heaven and on earth has been given to me. Go therefore and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, teaching them to observe all that I have commanded you; and lo, I am with you always, to the close of the age." (Matt. 28:18–20)

Thus, the rule of King Jesus is spiritual and not temporal.

The relationship between divine and human authority for God's people is, therefore, much more sophisticated in the New Testament than in the Old. By refusing merely to reconstitute the Old Testament rule of God over His people through an earthly king, Jesus demonstrated, first of all, that His kingdom is more universal than any earthly kingdom. The kingdom of our Lord Jesus is open to Jew and Gentile alike through faith. Second, Jesus demonstrated that the Old Testament kingdom was only a shadow of the reality that is found in His church (Col. 2:15–17). Thus, the Apostle Peter takes the language used by God at Mount Sinai regarding Old Testament Israel (Ex. 19:5–6) and applies it to the New Testament church: "But you are a chosen race, a royal priesthood, a holy nation, God's own people" (1 Peter 2:9). Third, Jesus also demonstrated that the greatest power is not temporal force but the power of the Gospel and of faith. Against such power, all defenses give way: "On this rock I will build my church, and the powers of death shall not prevail against it" (Matt. 16:18).

Finally, Jesus demonstrated that even a pagan state deserves respect for its God-given role in preserving and enhancing human life. In response

to a dangerous "trick question" about paying taxes to Caesar, Jesus not only called for submission to God by everyone created in God's image (including Caesar), He also explicitly endorsed the payment of Roman taxes by those engaged in Roman commerce: "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's" (Matt. 22:21).[11]

For the New Testament, then, the church is a kingdom and its king exercises real power. Therefore, even when early Christians met the same fate as their Lord, it was with our Lord's own confidence that God was still in control (John 19:11; Luke 23:46; Acts 7:55–60). Nevertheless, in this New Testament understanding of the church as Christ's kingdom, the Christian's relationship to civil governments has a fundamental ambivalence. On the one hand, even a pagan civil government is God's servant and should be respected (see, e.g., Rom. 13:1–7 and Matt. 22:15–22). On the other hand, there are always clear limits to obedience, for Christians must "obey God rather than men" (Acts 4:18–20 and 5:27–29) whenever it is impossible to do both.

There is tension, sometimes even paradox, in this New Testament understanding of the relationship between God and Caesar. It means that the basic Christian attitude toward all civil government should be positive (since God uses civil government to restrain evil and promote the common good), even though there are inevitably times when Christians must obey God rather than earthly government. It also means that spiritual authority must be distinguished clearly from temporal authority, even though they are *both* under the sovereignty of God. There is a carefully balanced tension here that, as we shall see, has been very difficult for the church to preserve.

---

[11] Martin H. Scharlemann writes in his "Scriptural Concepts of the Church and the State," in *Church and State under God,* ed. Albert G. Huegli (St. Louis: Concordia Publishing House, 1964), 30: "There is nowhere in the words and works of Jesus even the shadow of a suggestion that the state and its authority were institutions He proposed to ignore or to escape. On the contrary, before Pilate He recognized the claims of political authority over Him as a subject of Rome, although He had to remind the Roman procurator that he exercised a power that did not basically derive from his position as a Roman official but from God's will."

B. The Church: From Persecuted to Persecuting

The early church lived in a hostile environment where, in spite of a desire to live in peace and harmony with the Roman authorities, Christians were subject to periodic and sometimes intense persecutions. This occurred despite the fact that, in theory (and with one significant qualification, also in practice), the Romans exercised religious toleration:

> The policy of the emperors and the senate, so far as it concerned religion, was happily seconded by the reflections of the enlightened, and by the habits of the superstitious, part of their subjects. The various modes of worship, which prevailed in the Roman world, were all considered by the people, as equally true; by the philosopher, as equally false; and by the magistrate, as equally useful. And thus toleration produced not only mutual indulgence, but even religious concord.[12]

Yet this apparent toleration masked a mandatory demonstration of Caesar's *de facto* sovereignty. The essentially "divine" role sometimes played by the Roman Caesar was, in effect, as the ultimate authority for life *in this world.* One could believe nearly anything, so long as one submitted to the temporal sovereignty of the Roman emperor:

> The Roman authorities were fundamentally tolerant in religious matters. Every people of the empire could have its own beliefs, and every individual could strive for salvation in his own way. No religious community was suppressed so long as it fell in with public order. Only the worship of the emperor was obligatory on all, for it was grounded on imperial law, and the Roman authorities permitted no laxity in matters of law. The worship of the emperor was therefore not fundamentally a matter of belief, but one of order and discipline.[13]

Unfortunately, this seemingly minimal ritual amounted to deification of the civil government and was to the Christian, therefore, simply idolatrous.

While early Christians had no desire to upset the civil order (observing the dictates of Rom. 13:1–7), they simply could not submit to the emperor in this way. First of all, no Christian can acknowledge that all religions are

---

[12] Gibbon, 25–26. Cf. "Christianity and the Roman Government" (ch. 10) in *A History of the Christian Church,* 4th ed., ed. Williston Walter et al. (New York: Charles Scribner's Sons, 1985).

[13] Stauffer, 210. R. J. Rushdoony, writing in *The Politics of Guilt and Pity* (Fairfax, VA: Thoburn Press, 1978; 304–5), agrees: "The empire was ready to grant 'religious freedom' to the church *provided* the church recognized the right of the state to grant that freedom, which meant a recognition of the state as the principle of order. … All religions and all gods could have their place in Rome, as long as the Roman state and its emperor were recognized as the link between the human and the divine orders."

equally true, false, or useful, because this violates the very core of clear Scriptural teaching (Is. 44:6–11, 24; John 14:6; Acts 4:10–12; Phil. 2:9–11). Second, Christian faith has many implications for life in this world, not only for life in the next (Rom. 12:1–2; 14:7–9; 1 Cor. 5:9–10; Gal. 2:20; 5:16–25; Eph. 4:17–5:20; Phil. 3:17–21; Col. 1:10–12; 3:1–17; 1 Peter 1:13–16). As a result, since Christians are bound to confess that Jesus is their Lord also *in this world,* and not only in the next, the early Christians simply could not perform the perfunctory ritual required by Roman imperial law in which the emperor's divinity (or, more precisely, earthly sovereignty) was proclaimed.[14] Thus, early Christians were considered threats to the established social order and, whenever the Roman authorities insisted upon the traditional sacrifices, Christians were persecuted—sometimes violently.

A revolutionary change in the treatment of Christians occurred when, in response to a vision, Constantine vowed to conquer under the sign of the cross. After he was victorious and had become Roman emperor, Christianity eventually became the officially established religion of his empire. While many good things resulted from the unfettered preaching of the Gospel under Constantinian rule, it also opened the door to extensive corruption of the church's life. Few politically ambitious people had been interested in the church when it was persecuted, but that changed quickly when it was officially endorsed. Furthermore, the doctrinal debate that had always existed to some degree within the church now became a political problem for emperors wishing to use the church as a unifying cultural force. The result, therefore, was a mixing of spiritual and temporal concerns—a confusion of spiritual and temporal authority—which was to afflict the church's history ever after.

The greatest expansion of the church's involvement with government came with the collapse of the Roman Empire, when the church literally stepped in to hold European civilization together. The great church father Augustine had approved of using civil power in service to the church by a ruler who was a Christian, but nevertheless refused to make such an exercise of civil power a *proper* concern of the church. Theologians and popes after Augustine were not so careful. The medieval church became preoccupied with its legal and ecclesiastical structure. There were never-ending battles with emperors and kings regarding issues of jurisdiction and sovereignty, with popes using the spiritual power of excommunication to force the political compliance of civil rulers. One of the most dramatic moments in the history of the western church came when the Holy Roman Emperor Henry IV knelt in the snow at Canossa in 1077. The pope had prohibited lay control over the placing of clergy in the church (particularly the

---

[14] Scharlemann, 36: "The member of the church could not in good conscience render to the state what properly belongs only to God. His faith, expressed most briefly in the formula 'Jesus is Lord,' ran head on into the pagan insistence that 'Caesar is Lord.' "

investiture of bishops) and, by securing the forgiveness of Pope Gregory VII, the emperor was also securing the imperial power that had been jeopardized by his excommunication.

The high-water mark of papal power probably was achieved by Innocent III (1198–1216), who considered himself set between God and man, lower than God but higher than man, judging all and being judged by no one. Innocent III intervened in the imperial election of 1202, forced a humiliating oath of loyalty from King John of England in 1213, and made both the inquisition and the crusades effective weapons against internal religious dissent. Indeed, Innocent III and his successors waged so effective a campaign against the Holy Roman emperors, who unwisely attempted to dominate southern Italy and Sicily, that Germany was left politically fragmented until the 19th century.

With the revival of Roman law and Aristotelian philosophy in the 12th century, however, also came attempts to limit the power of the pope. French attempts to subordinate the power of Pope Boniface VIII (1294–1303) to that of King Philip IV triggered one of the most serious confrontations of church and state in the Middle Ages, from which the papacy (forced to move to Avignon, France) never really recovered. The secular ruler, it was argued, received his authority from the citizenry as a whole, rather than from the church. The teaching of Marsilius of Padua (ca. 1290–1343) also challenged traditional support for the papacy. Marsilius saw authority invested by God in the *people* who, in turn, empowered the king to rule their temporal lives and the pope to direct their spiritual lives.

The most serious medieval attempt to limit papal power was "conciliar theory," which provided religious and legal justifications for the independent power of church councils. When the Council of Constance met between 1414 and 1417, a schism had existed in the church for 36 years. There were three duly elected popes—one in Rome, one in Avignon, and one in Pisa—each supported by his own college of cardinals and political allies. After months of bickering, the council passed a resolution declaring *itself* to be the supreme authority within the church. While this assertion of conciliar power was short-lived (almost half a century), it did constitute a genuine experiment in representative church government. Calvinists later "appealed directly to Constance and its more radical successor, the Council of Basel, as models of the people's right to enforce standards of conduct on both religious and political leaders." Indeed, a political lesson later was to be drawn from this ecclesiastical crisis: "Lower magistrates and parliaments, mindful of the welfare of the larger political community, should resist rulers whose tyranny posed a danger to the body politic."[15]

---

[15] Steven Ozment, *The Age of Reform 1250–1550: An Intellectual and Religious History of Late Medieval and Reformation Europe* (New Haven: Yale University Press, 1980), 156–57.

The conciliar theory of church government involved two fundamental distinctions. First, there was a distinction between that church headed by the Roman pope and the universal church headed only by Christ. Second, there was a distinction between the letter of church law and its spirit, or true intention, which was always to serve good and not evil. Conciliar theorists, and Protestant reformers after them, often appealed to fairness, justice and equity when arguing against specific actions of the pope. Popes were to feed the sheep and not run them over a cliff. Thus, papal injunctions could be evaluated according to the common benefit of all.[16]

While the Roman papacy emerged from the turmoil surrounding the Council of Constance with the upper hand, it was a hollow triumph. The popes had to deal realistically with the rising power of the national monarchies. By doing so, however, the papacy itself was viewed increasingly as just another temporal power. Its spiritual authority was compromised. As abuses and church taxes multiplied, it was hardly surprising that the late 15th and early 16th centuries saw the development of intense resentment against Rome, especially in Germany. And it was, in fact, in Germany that the raging fire of reformation was ignited.

C. The Protestant Reformation

Luther is reported once to have said:

I simply taught, preached, and wrote God's Word; otherwise I did nothing. And while I slept, or drank Wittenberg beer with my friends Philip and Amsdorf, the Word so greatly weakened the papacy that no prince or emperor ever inflicted such losses upon it. I did nothing; the Word did everything.[17]

Luther's faith in God's Word did not mean, however, that there was no political dimension to the working out of God's purpose or that Luther devoted no time to politics.

The spark that ignited the Protestant Reformation was Luther's posting of 95 theses against indulgences on the door of the Wittenberg castle church. The recently invented printing press, however, quickly made Luther's academic debate a matter of public controversy. Within four years, spurred by enormous popular response, Luther proceeded from the more narrow matter of indulgences to a wholesale reformation of the doctrine and practice of the Roman Catholic Church. Yet, while Luther may

---

[16] Ibid., 162–63.

[17] Martin Luther, "Eight Sermons at Wittenberg" (1522), *Luther's Works,* American Edition [hereafter *LW*] (Philadelphia: Fortress Press and St. Louis: Concordia Publishing House, 1958–67), 51:77.

have concentrated on the church, the fate of that reformation depended largely on princely politics within the Holy Roman Empire. Indeed, Luther's very survival depended on the protection given him by his prince, Elector Frederick of Saxony.

That Luther was not burned at the stake as John Hus had been 100 years previously (although Luther seems to have expected it) was due to the fact that Frederick did not enforce the condemnation of Luther in the Edict of Worms (May 26, 1521). Instead, he secreted Luther in the Wartburg castle. The Saxon Elector's resistance to pope and emperor seems to have been grounded in two principles. First, he apparently regarded the Edict of Worms as unconstitutional:

> It had been drafted by Imperial councillors as early as 8 May, but its presentation was delayed until so many princes had departed from Worms that it was passed only by a rump Diet. Some of the most powerful princes of the empire challenged its legality and held themselves not to be bound by its terms. From 1521 there was an energetic campaign to have it rescinded. … The failure of the Edict of Worms was largely the failure of German political authorities to enforce it.[18]

Second, influenced by the Renaissance ideal of the Christian prince, Frederick simply would not defer all judgment on theological questions to the church:

> What is remarkable is Frederick's readiness to assume responsibility. He refused to allow the case to pass to Rome. He sought the opinion of Erasmus. The latter's declaration that Luther had only sinned against the privileges of the papacy and of monks must have strengthened his resolve. Later, Frederick attacked the burning of Luther's books and remarked that Luther himself had protested that he would do everything 'consistent with the name of Christian.' Frederick was determined to be the judge of this. … In short, Frederick chose to judge what was true or false in matters of doctrine. Later he was happy to propose the standard by which others should judge. He called this the office of a Christian prince.[19]

One of the major political realities of the Protestant Reformation was the new readiness of civil authorities to adjudicate ecclesiastical questions.

Because of military threats from the Turks and other distractions, Emperor Charles V did not seriously address this resistance to the Edict of Worms until after the Protestant movements had grown enormously. Even though he turned his attention to it in earnest in 1530 (at the Diet of Augsburg), Charles did not actually take military action against the Protestants

---

[18] R. W. Scribner, "Politics and the Institutionalization of Reform in Germany," in *The New Cambridge Modern History,* vol. 2, *The Reformation 1520–1559,* 2nd ed., ed. G. R. Elton (Cambridge: Cambridge University Press, 1990), 172–73.

[19] John Stephens, *The Italian Renaissance: The Origins of Intellectual and Artistic Change before the Reformation* (New York: Longman, 1990), 210.

until after Luther's death in 1546. It was a delay Charles regretted deeply at the end of his life.

At first, at the 1524 Diet of Nuremberg, the German princes sought a Council of the German church, but the 1526 Recess of Speyer allowed each sovereign to regulate religion "as the laws of the empire and the Word of God allowed." This ambiguous provision seemed to establish a "right of Reformation" in the law of the empire, and some German princes used it exactly that way to support the Reformation. It also became a useful tool for those towns seeking independence from the empire. In general, then, the success of religious reform depended upon how far princes and autonomous Imperial cities were willing and able to go in support of it.[20] "The Reformation was directed primarily at religious rather than political concerns," writes Robert Wuthnow. "But in an age when states and religion were so closely intertwined, the Reformation necessarily carried broad political implications and could survive only by receiving some sort of official sanction."[21] While these civil authorities were generally quite sincere in their subscription to Reformation teaching, it is also true that their actions were a continuation of socio-political trends from the Middle Ages—both a drive for wider social control by magistrates and a desire to subordinate the clergy to secular jurisdiction.

The Reformation had upset the balance of power in the Holy Roman Empire and the princes took advantage of the political conflicts aroused by the Reformation to form new bonds between spiritual and temporal authority in Germany. While Luther and the other German reformers had no intention of subordinating the church to civil authorities, the practical measures of reform depended upon the German princes. As a result, the princes became the heads of their territorial churches and enlisted those ecclesiastical resources in support of their territorial interests.

The process of state control was spurred by the German Peasants' Revolt. By 1525, the reforming work of Luther and Zwingli had spawned

---

[20] "Overall, each of the three major regions in which the Reformation proved successful—central Europe, northern Europe, and England—demonstrate the crucial importance of the state in initiating and defending the reforms. Town councils, territorial princes, and centralized monarchies … held control of many of the resources on which the fate of religious reforms depended: influence over the selection and payment of clergy, power to mandate certain styles of public worship, military force or financial leverage capable of intimidating interested parties from the outside and quashing popular upheaval from below, legal authority to convene religious councils and disputations, oversight of publishing and book distribution, and responsibility for doling out public assistance. Where social conditions made it possible for ruling bodies to exercise these functions at their own discretion, their role cast a decisive imprint on the Reformation." Robert Wuthnow, *Communities of Discourse: Ideology and Social Structure in the Reformation, the Enlightenment, and European Socialism* (Cambridge: Harvard University Press, 1989), 81.

[21] Ibid., 116.

many variations, some of which were quite radical, even revolutionary. Most of these radical reformers were distressed at what they perceived to be a lack of moral improvement in society as a result of the work of Luther and Zwingli. They defended free will in religion and resisted any linking together of church and state. When Swabian peasants met in February of 1525, they summarized their grievances in 12 articles. These articles were aimed at religious and secular leaders alike, who disposed of both property and people in an authoritarian manner. The peasants cited and appealed to Luther, who responded with *An Admonition to Peace:*

> This, then, is a great and dangerous matter. It concerns both the kingdom of God and the kingdom of the world. If this rebellion were to continue and get the upper hand, both kingdoms would be destroyed and there would be neither worldly government nor word of God, which would ultimately result in the permanent destruction of all Germany.[22]

When the peasants nevertheless took up arms in defense of their "Gospel," Luther strongly supported the princes in their ruthless suppression of the rebellion:

> For rebellion is not just simple murder; it is like a great fire, which attacks and devastates a whole land. Thus rebellion brings with it a land filled with murder and bloodshed; it makes widows and orphans, and turns everything upside down, like the worst disaster. Therefore let everyone who can, smite, slay, and stab, secretly or openly, remembering that nothing can be more poisonous, hurtful, or devilish than a rebel. It is just as when one must kill a mad dog; if you do not strike him, he will strike you, and a whole land with you.[23]

As a result, Lutheranism never again appealed as much to the social reformers as it had between 1517 and 1525.

After this Peasants' Revolt, the princes realized that religious radicalism linked to social radicalism was a prescription for disaster. They resolved, therefore, with Luther's cooperation, to more aggressively manage the reforms. The Saxon church visitation of 1527 was groundbreaking in that it was the basis for a type of institutionalized reform that had not been explicitly envisioned previously by any of the reformers.[24] Luther acquiesced to this assertion of authority by the princes and called them "emergency bishops"—although Luther later had misgivings about this, when he realized how similarly Protestant princes and Catholic bishops

---

[22] Martin Luther, "Admonition to Peace: A Reply to the Twelve Articles of the Peasants in Swabia" (1525), *LW* 46:18.

[23] Martin Luther, "Against the Robbing and Murdering Hordes of Peasants" (1525), *LW* 46:50.

[24] Scribner, 176.

could abuse their authority.[25] Thus, from a church/state standpoint, the Protestant Reformation was a mixed blessing. On the one hand, there was a genuine renewal of the church, thanks to the often courageous acts of civil authorities; on the other hand, there was increasing control of the Protestant church by princes, towns[26] and national monarchies.[27]

The issue of civil disobedience to the Holy Roman emperor was critical to the outcome of the Reformation. In Switzerland, where the autonomy of cities, and even democracy, was already well established, such resistance could be more easily accepted. For Luther, however, the idea of civil disobedience presented serious difficulties. At first, Luther had subscribed only to passive resistance and a confession of the truth, while submitting to the presumably fatal consequences of disobedience. When his life and liberty were at stake following the Edict of Worms in 1521, Luther counseled his prince not to resist the emperor forcibly. During the Peasants' Revolt of 1525, Luther was adamant in asserting that "Christians do not fight for themselves with sword and musket, but with the cross and with suffering."[28] Luther also opposed the formation of a League of Protestant princes, arguing that only God has the right to punish tyrants. As late as 1530, Luther was still opposing military resistance to the emperor.

[25] "In his exegetical sermons on the first two chapters of the Gospel of John, 1537/38, he fulminated at length against the nobles, princes, and jurists who wish to teach the preachers what they should preach and wish to force people to the sacrament on the grounds that one must obey the secular authority. 'Where the princes in that way mix things together as they now do, God help us that we do not live long and see such a misfortune, for there the Christian religion must fall in ruins, as happened under Popery, when the bishops became secular princes. And if now the secular lords become popes and bishops, so that one must preach for their benefit and say what they gladly hear, then the very devil himself preaches; he will also preach. We, however, may beseech God that both sides refrain from misusing their office in that way.' " Lewis W. Spitz, "Luther's Ecclesiology and His Concept of the Prince as *Notbischof*," *Church History* 22 (March 1953): 133–34. See *LW* 22:228.

[26] The role of the town is particularly clear in the Swiss Reformation. Both Zwingli and Calvin based their reforms in the right of town councils in Zurich and Geneva respectively to act also as church councils. For Zwingli, all doctrinal and ecclesiastical questions were to be settled by the Scriptures and civil government had both the right and the duty to see that the rulings of Scripture were observed: "As Zwingli understood the problem church and society were one; to maintain the unity of the commonwealth was to defend the church." Robert C. Walton, "Was There a Turning Point of the Zwinglian Reformation?" *The Mennonite Quarterly Review* 42, no. 1 (January 1968): 56. Drawing heavily upon Old Testament Israel as a model, Zwingli saw Zurich's social stability as dependent upon a proper obedience to God. Since, even before the Reformation, the town council already supervised the appointment and dismissal of clergy, it has been argued that Zwingli (like Luther) was simply working within the political system he inherited.

[27] "Only in those settings in which the central regimes obtained a substantial degree of financial and administrative autonomy from the landed elite was it possible for Reformation ideas to gain active and decisive support." Wuthnow, 115.

[28] "Admonition to Peace," *LW* 46:32.

But 1530 was the high-water mark of Luther's refusal to countenance such military resistance. When Luther, Melanchthon, and Jonas were summoned to a meeting with the prince's lawyers at Torgau in October of 1530, there was a long and stormy conversation. Luther finally allowed for the possibility that the constitution of the empire might permit resistance to the emperor by princes if the emperor were attacking them solely on the basis of religion.[29] It may have seemed to Luther a small concession; it was not long, however, before the princes were actively preparing for war with the emperor. By 1536, Luther completely accepted the necessity of this military resistance and his mature position is reflected in the Magdeburg Confession of 1550, where so-called "lesser magistrates" are under divine obligation to defend themselves and those in their charge from unjust persecution by a higher authority.[30]

D. Holy War and Religious Toleration

Once Holy Roman Emperor Charles V had turned in earnest to eradicating Protestantism, it did not take long for religious conflict to become military conflict. The outcome of the Schmalkaldic War of 1546–47 was defeat for the Protestants. Finally victorious in Germany, Charles V dictated the terms of peace at the Diet of Augsburg in 1548. The so-called Augsburg "Interim"—it was only temporary, until the Council of Trent could meet—made some concessions to Protestants (such as allowing married priests and communion in both bread and wine) but was otherwise unsympathetic to Protestant concerns. None of the wounds in Germany were healed. The city of Magdeburg became a bastion of continuing Protestant resistance, from which a harsh propaganda campaign against the Augsburg "Interim" was unleashed.

Charles V became embroiled in a renewed religious war in 1552, which resulted in a collapse so rapid that in 1555 he had to acknowledge defeat in the Peace of Augsburg. The terms of that peace were complex and eventually resulted in yet another religious war. But for at least 30 years, a fragile truce was maintained. Both Catholics and those who subscribed to the Augsburg Confession of 1530 were guaranteed full personal and legal security. Princely sovereignty over religion was recognized on the basis that where there is one ruler, there should be only one religion. Thus, the freedom to embrace Lutheranism or Catholicism was granted only to the indi-

[29] See Cynthia Grant Schoenberger, "The Development of the Lutheran Theory of Resistance: 1523–1530," *Sixteenth Century Journal* 8, no. 1 (April 1977): 61–76.

[30] See Oliver K. Olson, "Theology of Revolution: Magdeburg, 1550–51," *Sixteenth Century Journal* 3, no. 1 (April 1972): 56–79.

vidual estates of the empire but not to every German—and even that recognition did not extend to Calvinists or to the Anabaptists. Calvinist princes, therefore, remained a destabilizing element in Germany and eventually set out to shatter the fragile compromise by the end of the 16th century.

The period from 1555 to the outbreak of the Thirty Years' War in 1618 was one of the longest periods of peace in German history. But the war, when it came, was one of the most destructive in German history. It was a struggle between the estates and the monarchy in the Holy Roman Empire that set fire to all of Germany and involved the European continent.[31]

Actually a series of four wars (the Bohemian, the Danish, the Swedish, and the French), the Thirty Years' War left Germany (which was the battleground for the European armies) devastated. After 30 years of war much of Germany lay in ruins, the fields untilled, the forests untended, the towns devastated, their crafts and industries destroyed. One-third of the population had died either in battle or from plague, malnutrition, or similar war-related catastrophes.

The Peace of Westphalia in 1648 turned out to be a confirmation of the long-scorned Peace of Augsburg—only this time the Calvinists were also explicitly included. Once again, the sovereignty of territorial princes was affirmed. While some efforts were made to guarantee individual liberty of conscience to Catholics living in Protestant states, and vice versa, most Germans accepted the creed of their ruler. After 1648, the northern half of the Holy Roman Empire was for the most part solidly Lutheran and the southern half quite solidly Catholic, with important pockets of Calvinism along the Rhine. Anabaptists and members of other sects, however, continued to suffer persecution and thousands of them emigrated to America.

While the war had, in fact, been fought largely over matters other than religion, one outcome of the devastating conflict was widespread revulsion at the notion of religious war (a revulsion that has persisted and had noticeable consequences well into our own time). The Peace of Westphalia ended the wars of religion in central Europe. The philosophers and kings of the succeeding Age of Enlightenment looked back on them as models of how not to conduct warfare. What followed, for two centuries (until our own), was a more controlled style of warfare with armies professional enough to reduce the plundering and pillaging, and objectives limited enough to reduce the bloodshed.

---

[31] "Not until the twentieth century would the Western world again know the wanton pillaging, raping, and killing of a semiguerilla force which no government could command. As the last great war of … those men who hired themselves out to governments, then raised armies which preyed on the peasants and townsmen, the Thirty Years' War stands unique—a series of bloody campaigns in which civilians often suffered more grievously than soldiers." John A. Garraty and Peter Gay, eds., *The Columbia History of the World* (New York: Harper & Row, 1972), 584.

The Peace of Westphalia also clarified the right of the territorial princes to determine the religion of their states. The ruler was not permitted to impose a religious faith on his subjects but only to regulate public religion in his territory. For the first time, the door was open to those rulers who wanted to practice a policy of religious toleration. Indeed, the devastating Thirty Years' War had led many to think that political and social stability in Germany would require transcending religious differences and, among the highest classes of society, a great deal of skepticism about the truth of traditional religion crept in as a result of the war.

Germany at the opening of the 18th century was partitioned, entangled, and confused. The Holy Roman Empire still existed in name, and at its head there was still an emperor, but the individual states were everything and the empire was nothing. Everywhere in Germany, the princes emerged as absolute rulers. For more than a century after 1648, Germany stagnated as political absolutism evolved, including an exacting administration, dependence on a standing army, and oppressive bondage of the peasants. It was in this climate that Prussia rose to prominence among the German states. Exploiting divisions among the European great powers, Prussia began a steady expansion by means of its large and powerful army. In addition to this army, however, Prussia also had the solid support of its Protestant church.

Since the 16th century, Lutheranism had been the predominant religion in Brandenburg and East Prussia. In 1613, however, John Sigismund, the Elector of Brandenburg, converted from Lutheranism to Calvinism. In doing so, he announced that he would not make use of his right to impose his religion upon his subjects and, indeed, that all would enjoy religious freedom—highly unusual in an age of religious intolerance. From then on, Brandenburg-Prussia became a haven for people fleeing religious oppression. Much of the rise and success of Prussia as a great power was due to its ability to attract talented subjects from other European states.

The Calvinist rulers of Prussia, the Hohenzollern dynasty, may not exactly have imposed their religion on their subjects, but they were very interested in improving the relations between Lutherans and Calvinists. They looked upon theological controversy as harmful and sought to prevent it. In 1664, the Great Elector Frederick William demanded a signed declaration from all ministers in Brandenburg-Prussia that they would use moderation in the discussion of controversial subjects, not identify their adversaries by name, and lay aside the Formula of Concord. Strong Lutheran resistance forced a relaxation of the policy, but the handwriting was on the wall.

Permitting no church government independent of the state, the Hohenzollerns sought to mold the teachings of the Protestant churches through control of church appointments. As agents of the state, Protestant clergy were to carry out the orders of the ruler faithfully and unquestioningly, so as to assist in strengthening and consolidating the Prussian state.

By the end of the 18th century, theological differences between the Lutheran and Reformed churches had been downplayed so persistently that there seemed to be little serious opposition to a union of the two. The reorganization and merger of the Lutheran and Reformed churches began in 1808 but it was not until 1817 that a formal union of the two was effected.

After the defeat of Napoleon in 1815, Prussia emerged as a greatly enlarged German state. Within 55 years, Prussia would complete the monumental task of unifying Germany under its headship. The government believed that such unity could be better strengthened by a centrally administered and confessionally united Protestant state church. The Prussian king, Frederick William III, made his own contribution by drafting a new communion liturgy (*Agende*) in 1822. While the king denied that congregations would be forced to use the new rite, the government exerted strong pressure to make the clergy conform and most Lutheran clergy in Prussia were simply unwilling to jeopardize their appointments. By 1830, "the king could congratulate himself upon the fact that the liturgy had been accepted throughout the greater part of his realm."[32] The pockets of strong opposition, mainly in Silesia, were met with force, as the government largely ignored any public outcry against the "Union" liturgy. The controversy was eventually settled by compromise—one unacceptable mainly to the so-called "Old Lutherans" who, in search of religious freedom, helped to create, support, and populate the Missouri Synod in America.

E. The American "Experiment"

The America created in 1776 and 1789 was unique, a risky endeavor in which the government was shackled with checks and balances so that the people might be free. It was an "experiment" grounded in the Founding Fathers' understanding of the liberty and equality that God Himself intended for humankind. America was, as Lincoln said in his address at Gettysburg (1863), "a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal." As a result, according to Richard John Neuhaus, "America is not a fact of nature but a product of human decision. It is a nation on purpose and by purpose." Thus, while all citizens may confront questions about why their own nations exist, for Americans the questions are particularly acute. And they are even more acute today because so many of the old answers no longer satisfy:

Who today, apart from some politicians on ritual occasions, says that America is embarked upon a providentially guided errand into the wilder-

---

[32] Robert M. Bigler, *The Politics of German Protestantism: The Rise of the Protestant Church Elite in Prussia, 1815–1848* (Berkeley: University of California Press, 1972), 38.

23

ness? Lincoln declared that "we shall nobly save, or meanly lose, the last, best hope of earth." What is lost today—meanly or otherwise—is the belief that America is in any way the bearer of a universal hope.

Neuhaus suggests that part of the reason that we have lost confidence in the old answers is that they were unabashedly moral, even religious.[33]

At the time of the American Revolution, at least 75 percent of the population of the colonies had grown up in families exposed to some form of Puritanism. Crucial to Puritanism was its concept of the covenant, an agreement that placed obligations on both parties. The Puritans believed that when God called individuals to salvation, He also placed responsibilities, duties on their shoulders. The Puritans' Massachusetts Bay colony was a Geneva-style Calvinist theocracy without religious toleration. The Bible was the source and norm for both ecclesiastical and civil law. However, weakened by internal conflicts, the "half-way covenant," and the British Parliament's Act of Toleration in 1693, the Puritans' vision of a Christian Commonwealth did not thrive in America as it had in medieval Europe. America was shaped, from the beginning, by a strong dose of individual freedom—in religion as well as in politics. Yet, the notion of covenant—of accountability as well as of blessing—in the American view of God has been an enduring notion. The Puritan notion that America was blessed to be a shining city upon a hill with an evangelical mission to the world is with us still.

Many historians agree that the foundation for the American revolution was laid by a spiritual Great Awakening, begun by Jonathan Edwards in 1734 and carried forward by George Whitefield up and down the Atlantic coast. In this revival, Americans came to believe that their evangelical mission first required political independence:

> But it was the evangelical New Lights of the interior, viewing nationhood as the essential first step in God's plan for America, who rallied the farmers, mechanics, and small-town merchants whose participation was to prove crucial in the struggle for independence. "What do we mean by the American Revolution?" John Adams asked long afterward. "Do we mean the American war? The Revolution was effected before the war commenced. The Revolution was in the minds and hearts of the people; a change in their religious sentiments. …" The change in sentiments that Adams recalled was rooted in the Great Awakening, in the dawn of a new conviction that America, like ancient Israel, was a God-chosen nation, destined, as Edwards wrote, to begin the glorious work that in God's good time would "renew the world of mankind."[34]

[33] Neuhaus, 52–53.

[34] A. James Reichley, *Religion in American Public Life* (Washington, D.C.: The Brookings Institution, 1985), 74.

For many American colonists, the pursuit of political liberty was literally a crusade.

As crucial as the Puritan roots of the American experiment, however, was the early and persistent experience of ethnic and religious diversity. The first "engines" of American pluralism were the middle colonies (New York, Pennsylvania, and Maryland), where most of the world's existing Protestant groups were represented. Such diversity required that political and social unity be based on persuasion, so that "Americans had to invent what Europeans inherited: a sense of solidarity, a repertoire of national symbols, a quickening of political passions."[35] From the beginning, according to Os Guinness, "pluralism with all its opportunities and challenges has been at the heart of 'the first new nation'—so much so that the American experiment can be viewed as a national embodiment of pluralism and persuasion as much as it is of freedom."[36] The only alternative to such consent, as the Civil War demonstrated, is force.

It was in Virginia that the distinctly American notion of religious freedom was formulated. It was Virginia's state constitution, drafted in 1776, that first proposed a bill of rights guaranteeing that "all men are equally entitled to the free exercise of religion according to the dictates of conscience, and that it is the mutual duty of all to practice Christian forbearance, love and charity toward the other."[37] The goal was not to limit Christianity, but to provide for a greater free exercise of it.

Later, the authors of religious liberty in Virginia, particularly Madison and Jefferson, liked to trace their ideas to ancient philosophers and the European Enlightenment, but "the core tradition from which the Virginia liberals drew most of their social ideas was that initiated in England during the previous century by John Locke"[38] and Locke was self-consciously Christian. Locke believed that both church and society receive their meaning and direction from God's purpose and design, although each in distinctly different ways. The church was a voluntary society in which the primary considerations are spiritual and moral. The civil government, on the other hand, was designed to advance the material interests of humanity. The legitimate interests of church and state overlapped in concern for moral actions, but Locke did not think that, in a well-ordered society, church and state would necessarily conflict.

Locke's views seem to have been widely shared by the founders of the

---

[35] Joyce Appleby, Lynn Hunt, and Margaret Jacob, *Telling the Truth about History* (New York: W. W. Norton & Company, 1994), 92.

[36] Guinness, 270.

[37] Quoted in Reichley, 86.

[38] Ibid., 90.

American republic. It is part of the paradox of America, as an experiment, that Christianity should be so closely allied to the American way of life while so explicitly separated from state support:

> The founders were determined that the federal government should not become involved with sponsorship or institutional support of any religion. To this end they enacted the establishment clause. But sponsorship or institutional support is not the same thing as acknowledging the dependence of civil society, as of all life, on transcendent direction. The founders' belief in the wisdom of placing civil society within a framework of religious values formed part of their reason for enacting the free exercise clause. The First Amendment is no more neutral on the general value of religion than it is on the general value of the free exchange of ideas or an independent press.[39]

Thus, both those who argue that America was conceived as secular and those who argue that Christianity was in fact the religion of the state overstate their arguments.[40]

At first, some of the states continued to have established state churches,[41] although this quickly faded in the new republic. While most American citizens believed that Christianity was essential to the success of the American system, there was strong resistance to defining that Christianity in terms of any particular creed. George Washington was a conscientious churchman who nevertheless had little interest in doctrinal disputes. Alexander Hamilton strongly believed that religion was a necessary foundation for society, yet rejected the idea that the constitution should even mention God. Thomas Jefferson, in a well-known letter to the Connecticut Baptists in 1802, described the First Amendment[42] as "building a wall of separation between church and state" so that no American could be held accountable to government for his faith or worship. Thus, the founders of the American constitutional republic proposed, somewhat paradoxically, that "functional separation between church and state should be maintained without threatening the support and guidance received by republican gov-

---

[39] Ibid., 165–66.

[40] "The United States of America was not, therefore, a secular state; it might more accurately be described as a moral and ethical society without a state religion." Paul Johnson, "The Almost-Chosen People: Why America Is Different," in *Unsecular America,* 6.

[41] Reichley (96) notes that, "On the eve of the Revolution, only three colonies had no provision for an established church: Rhode Island, Pennsylvania, and Delaware. … In Massachusetts, Connecticut, and New Hampshire, the Congregational church was established, with various provisions permitting Anglicans and dissenters to form their own churches, sometimes with government subsidies. In New York, New Jersey, and the five southern colonies, the Anglican church was established in one form or another."

[42] The First Amendment reads: "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;* or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." US Const, Amend I (emphasis added).

ernment from religion."[43] They believed that religious liberty was good because it aided genuine Christianity; most believed that in a free society Christian truth would prevail. Viewing the First Amendment as a leveling or relativizing of all religions would have been unthinkable for them.[44]

Religion, therefore, has been an integral part of the American way of life. While it presents us now with many difficult problems, as yet unresolved, the founders of our country were not neutral about religion. The First Amendment "no more made America a secular state than its antitrust legislation made it a socialist state."[45] What the Amendment was designed to do was to create a level playing field with fair competition. Regarding religion, the government was to be *benevolently* neutral.

As a result, America has long been a haven for those seeking religious freedom. Jews and Catholics, in particular, have embraced America—and that in spite of the nation's rather Protestant history. It was also to America that many Germans came seeking free exercise of their confessional Lutheranism, and they also quickly embraced the virtues of the new land. Indeed, C. F. W. Walther considered America a place where Luther's Law-Gospel distinction between spiritual and temporal authority could finally be realized.[46] The Missouri Synod convention of 1851 actually authorized a purely political journal (to promote support for the American political system among German Lutheran immigrants), and Walther traveled all the way to eastern Ontario through winter snowstorms to secure its first editor.[47]

One of the most remarkable characteristics of American history is that here such intense religious convictions have caused so little internal strife. Alexis de Tocqueville's traveling companion in the early 19th century

---

[43] See Reichley, 113.

[44] Supreme Court Justice Joseph Story, appointed by Madison, wrote that the First Amendment did not even prevent the government from encouraging Christianity generally (or discouraging Islam, Judaism, atheism, etc.) but only excluded "all rivalry among Christian sects." The general sentiment of the founders, according to Story, was that "Christianity ought to receive encouragement from the state so far as it was not incompatible with the private rights of conscience and freedom of religious worship." Quoted in Benjamin Hart, "The Wall That Protestantism Built," *Policy Review* 46 (Fall 1988): 51.

[45] Johnson, 10.

[46] See, e.g., Walther's address on "Earthly Authorities" to the 26th Western District Convention (1885), *Essays for the Church,* vol. 2, *1877–1886* (St. Louis: Concordia Publishing House, 1992). See also Walther's address on "Church and State" to the Eighth Western District Convention (1862), *Essays for the Church,* vol. 1, *1857–1879* (St. Louis: Concordia Publishing House, 1992).

[47] Robert Kolb, "An Historian's Reflections on Luther's Concept of the Two Governments" (an unpublished paper delivered to a conference on church and state sponsored by the LCMS in Washington, D.C., in 1986). Kolb elaborates: "At least two matters are worth observing: the political and religious were sharply differentiated in Walther's mind; this political activity received his support and the support of the Synod and congregation." See also Arnold F. Krugler, "What If? Missouri Synod's Political Journal," *The Cresset* 38, no. 7 (May 1975): 24–26.

marveled at "how a lively and sincere faith can get on with such a perfect toleration; how one can have equal respect for religions whose dogmas differ."[48] Yet, after the Civil War, with the demise of the "states' rights" approach to the Constitution and the adoption of the Fourteenth Amendment,[49] as well as with increasing pluralism and modernization, church-state conflicts did begin to emerge with greater frequency and intensity.

One major test of the principle of free exercise of religion was Mormon polygamy. In 1878, a unanimous Supreme Court ruled that polygamy was prohibited in the United States not on the basis of sectarian religion, but on the basis of Western moral tradition: "Congress was deprived of all legislative power over mere opinion, but was left free to reach actions which were in violation of social duties or subversive of good order."[50] This notion of the founders, that the will of "nature's God" could be clearly discerned and was consistent with the traditions of western Christendom, remained alive and well in America well into the 20th century.

Beginning in the 1920s, however, and continuing to the present, the Supreme Court has attempted with great difficulty to chart a mediating course between competing moral and religious values by broadly construing the right to pursue one's religion (including non-Christian, even atheistic, religious views) under the First Amendment as well as the Fourteenth, while at the same time broadly construing the establishment clause of the First Amendment, so as to consider almost all government support for religion inadmissible. By the 1980s, the Court—along with the American people generally—had a deeply divided mind: In 1980, the Court ruled 5–4 that a Kentucky law ordering the posting of the Ten Commandments in public school rooms was unconstitutional, while in 1981 the Court refused to hear an appeal of a lower Court decision in favor of religious Christmas decorations in South Dakota public schools. In the ensuing years, these thorny issues have continued to occupy the Court's attention.

---

[48] Alexis de Tocqueville, *Democracy in America* (Vintage, 1945) 1:316. Quoted in Reichley, 113.

[49] The Fourteenth Amendment includes the following: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." US Const, Amend XIV, § 1.

[50] *Reynolds v United States,* 98 US 150 (1878). Quoted in Reichley, 121.

F. Is There a Moral to This Story?

Having followed the long and complicated story of Christians and government this far, the reader may well be asking, "So, what is the point? What is to be learned?" While it is always difficult to draw absolute conclusions from complex historical developments, it is nevertheless often helpful to make some generalizations.

First of all, there is a persistent human tendency to blur the distinction between church and state, a tendency that has also afflicted Christians throughout the history of the church. At times this has resulted in a tyranny of the state, at other times in a tyranny of the church. It is a danger that must be diligently monitored by Christians.

Second, Christianity points to a higher authority to which the state is ultimately accountable and thus introduced checks and balances on the state's age-old tendency toward *de facto* sovereignty.[51] One positive aspect of all the medieval conflict between the church and civil rulers—and its enduring significance for Americans as heirs of western European civilization—was that "the state was stripped of its age-old religious aura and … its overriding claims on the loyalties of men were balanced and curtailed by a rival authority."[52] In other words, it was precisely in the medieval crucible of conflict between civil and religious authorities that the political freedoms we have come to take for granted were forged.

Third, the New Testament understanding of the messianic kingdom as spiritual denies any civil government (even when run by Christians) the sanction of Christ. Therefore, ironically, Christianity has been a secularizing force. Through the conflicts of the Middle Ages and the Reformation-era religious wars, an understanding of the state emerged that did not require the promotion of Christianity in order to promote the common good. This idea came to expression in America, where free exercise of religion stands in deliberate tension with nonestablishment. Christians must resist the temptation to resolve America's church-state problems by attempting to make the state "Christian."

Fourth, while appreciating how secularization of the state has contributed to religious freedom, we must not understand such freedom as

---

[51] "The message that God is on the throne created the fruitful tension basic to Western society, caused the Reformation of the church, guaranteed our own liberties in the Bill of Rights, and holds back the tidal wave of social evils. This message comes from no other source than from the church. In our country's third century it is our turn to say it." Oliver K. Olson, "The Revolution and the Reformation," in *The Left Hand of God: Essays on Discipleship and Patriotism,* ed. William H. Lazareth (Philadelphia: Fortress Press, 1976), 30.

[52] Francis Oakley, *The Medieval Experience: Foundations of Western Cultural Singularity* (New York: Charles Scribner's Sons, 1974), 114.

something purely private. Nonestablishment serves free exercise. A government that refuses the freedom to make one's religious case and present one's religious views in the public square is on the road to tyranny. The American experiment depends quite explicitly, however uncomfortably, on the free *exercise* of religion.

Finally, while there are currently many profound, seemingly intractable, problems with the American system, the history of the church has illustrated the general failure of religious war (of force) for resolving the enduring problem of church and state. The religious liberty of rights, responsibilities, and respect, to which America gave birth, is a public philosophy grounded in persuasion and voluntary consent.[53]

In an age that many are now calling post-Christian, as well as postmodern, it is not at all clear how the ongoing controversy over religion in American public life will be resolved. What is clear, however, is that in America the responsibility for resolving it belongs to each citizen, for in America the government is, as Lincoln said at Gettysburg, "of the people, by the people, for the people."

---

[53] "Covenantalism, or chartered pluralism, is therefore a vision of religious liberty in public life that, across the deep religious differences of a pluralistic society, guarantees and sustains religious liberty for all by forging a substantive agreement, or freely chosen compact, over three things that are the 'Three Rs' of religious liberty: rights, responsibilities, and respect. The compact affirms: first, in terms of rights, that religious liberty, or freedom of conscience, is a fundamental and inalienable right for peoples of all faiths and none; second, in term of responsibilities, that religious liberty is a universal right joined to a universal duty to respect that right for others; and third, in terms of respect, that the first principles of religious liberty, combined with the lessons of two hundred years of constitutional experience, require and shape certain practical guidelines by which a robust yet civil discourse may be sustained in a free society that would remain free." Guinness, 250–51.

II. A Lutheran Two-Kingdom Perspective

In this second section, we will examine briefly how Lutherans have interpreted the relationship between church and state.[54] We will also see how the proper relationship between church and state has become a matter of controversy and debate among American Lutherans in this century.

A. Interpretive Models of Church and State

The history of church and state may seem chaotic, particularly if one includes the many details omitted here. Yet there also have been a number of attempts to search for constants and generalizations—especially with the rise of the social sciences in the 19th century. These generalizations and constants are based upon interpretive models. While models cannot perfectly convey reality in its totality, their value lies in the way that they omit elements of reality in order to enhance our understanding of reality—they simplify what is in fact complex.[55]

Most scholars (whether they are secular social theorists or theologians) use models, often without realizing it. They commonly make general statements about particulars without being aware of the theoretical assumptions that permit them to move from the study of isolated "facts" to gener-

---

[54] Note that the discussion is focused on the *relationship* between church and state and not the *separation*—often understood as divorce—between church and state. See Ernest B. Koenker, "The Two Realms and 'The Separation of Church and State' in American Society," *Concordia Theological Monthly* 27, no. 1 (January 1956): 1–12.

[55] H. Richard Niebuhr writes of the value of interpretive models in his study of the "enduring problem" of Christ and culture: "Yet it is possible to discern some order in this multiplicity, to stop the dialogue, as it were, at certain points; and to define typical partial answers that recur so often in different eras and societies that they seem to be less the product of historical conditioning than of the nature of the problem itself and the meaning of its terms. In this way the course of the great conversation about Christ and culture may be more intelligently followed, and some of the fruits of the discussion may be garnered." *Christ and Culture* (New York: Harper and Row, 1951), 40.

alized conclusions. Very often, hotly debated general assertions in theology or the social sciences derive from fundamentally different assumptions about interpretive models. Careful study of those assumptions can help immensely to clarify a hotly contested argument.

In 1951, H. Richard Niebuhr published *Christ and Culture,* in which he provided five interpretive models by which we might better understand the history of the Christian church and civil government. For Niebuhr, these are the typical answers that Christians have given to the enduring problem of Christ and culture: "Christ *against* Culture," "The Christ *of* Culture," "Christ *above* Culture," "Christ and Culture *in Paradox,*" and "Christ the *Transformer* of Culture."

Niebuhr's first model, "Christ against Culture," is an uncompromising defense of Christ's authority for the Christian. Articulated early in the church's history, this model grows naturally from Scriptural teaching that Christ is Lord of all. Its most vociferous advocate was Tertullian, who urged Christians to shun political life: "As those in whom all ardor in the pursuit of honor and glory is dead, we have no pressing inducement to take part in your public meetings; nor is there aught more entirely foreign to us than affairs of state."[56] Some Amish and Mennonite groups also demonstrate this anticultural approach. While this model obviously reflects the Lordship of Christ, it overemphasizes the purity of the Christian community and underemphasizes the honorable, God-designed functions of civil government.

Niebuhr's second model, "The Christ of Culture," presents Jesus Christ as the fulfillment of the hopes and aspirations of society. Gone is the tension between Christ and culture; in its place are the "Christianized" processes of civilization itself. This model was appealing to many in the early church who interpreted Christ in terms of Graeco-Roman culture. It also appealed to Abelard during the Middle Ages and liberal Protestants in the 19th century. The strength of this model is the God-designed role that human culture plays in mediating Christian faith, primarily through language. Its profound weakness is the loss of any tension (indeed, any real distinction whatsoever) between society and the church.

The three remaining models lie between the two extremes represented by the previous models. While each represents a different emphasis, they all share the conviction that some tension must be maintained—that both Christ and culture have legitimate, although different, claims upon the Christian. The third model, "Christ above Culture," synthesizes Christ and culture so that while Christ "neither arises out of culture nor contributes directly to it," He is "the fulfillment of cultural aspirations and the restorer of the institutions of true society."[57] This was the Christian Commonwealth

---

[56] Tertullian, *Apology,* xxxviii. Quoted in Niebuhr, 54.

[57] Niebuhr, 42.

of Thomas Aquinas and the medieval church. Its strength is the way that both Christ and culture are made to serve one unified divine purpose. Its weakness is the extent to which this unity often must be imposed forcefully on a resistant culture, with the Gospel of Christ as prime casualty.

Niebuhr's fourth model, "Christ and Culture in Paradox," is the model that best preserves and safeguards the Biblical tension. This model acknowledges that humans do not encounter in God a simple unity, that the God of grace and mercy is also a God of judgment and wrath (Is. 45:7). This seemingly paradoxical bonding of wrath and mercy is a major theme in the letters of Paul and in the writings of Martin Luther. The strength of this view is its realistic portrayal of the Christian's actual struggles to "render therefore to Caesar the things that are Caesar's, and to God the things that are God's." Its most pronounced weakness, as we shall see, has been a persistent passivity toward government, since government is acknowledged in its own right as God's servant and is not expected to perform any Gospel-based church functions.

Niebuhr's fifth model, "Christ the Transformer of Culture," also has a hopeful attitude toward the potential of human culture to serve Christ. Where Christ and culture in paradox tend to maintain a largely negative view of the role of civil government, the "conversionists" see potential that can be developed only under the redeeming Lordship of Christ and the sanctifying work of the Spirit. In this view, there is an emphasis on overcoming and overturning the consequences of the fall into sin and judgment. This model draws from themes in the gospel of John and is found in the work of Augustine and Calvin who, more than Luther, look for "the present permeation of all life by the gospel."[58] Its strength is the unity of God's purpose and its weakness, again, is that this unity must often be imposed.

Niebuhr acknowledged that his five models are "partly artificial," since "a type is always something of a construct," but he also believed that they have "the advantage of calling to attention the continuity and significance of the great *motifs* that appear and reappear in the long wrestling of Christians with their enduring problem."[59] Their value in this study is primarily the way they highlight for us the different interpretations of church and state that Christians have utilized over the centuries, as well as the strengths and weaknesses of each model.

It may be tempting to think that one can synthesize these models, culling only the best from each and leaving the flaws behind. But the fact remains that there are some choices that need to be made when interpreting church and state, and there are some profoundly different implications that result from the different choices. We proceed now to a closer examination of the model, with its implications, that has been utilized by Lutherans.

---

[58] Ibid., 217.

[59] Ibid., 43–44.

B. Luther and the Lutheran Confessions

What is here called a "Lutheran Two-Kingdom Perspective" was labeled "Christ and Culture in Paradox" by Niebuhr. The so-called "doctrine of the two kingdoms" is one of the treasures of our confessional Lutheran heritage, a framework for understanding God's total activity in the world that has its origin in the distinction of the Law from the Gospel. Even so, we should note that the shorthand expression "doctrine of the two kingdoms" is of relatively recent vintage, having arisen in the Luther scholarship of the late 19th and early 20th centuries.

Luther himself sometimes spoke of God's rule in the "three orders" (the home, the state, and the church), and at other times of His rule in the "two kingdoms" or "two governments." Unless we are aware of the context in which Luther employs his fluid terminology, we will find it all too easy to misrepresent his intentions. A major point to bear in mind is that the phrase "two kingdoms" has two completely different meanings in Luther's usage. On the one hand, the "two kingdoms" can refer to the warring kingdoms of God and Satan respectively. On the other hand, the "two kingdoms" can refer to the two governments (of spiritual and temporal authority) that God established precisely to thwart Satan's purposes.[60]

Luther's interest in this subject was not philosophical but practical. The Lutheran Reformation was running afoul of emperor as well as pope. At the same time, some lesser magistrates of the empire wanted to support the Reformation. In response to this pressing concern, Luther in 1523 wrote *Temporal Authority: To What Extent It Should Be Obeyed.*[61] In it, Luther sought to define the purpose of secular authority, its proper limits, and the appropriate Christian response to it. Luther began by noting that secular authority is grounded in its creation by God. Civil government was established to enhance our life in a fallen world. This, for Luther, is not a negative function but a very positive one, for it reflects God's gracious concern for His creation. Thus, Luther argued that God remained the Lord of both secular and spiritual authorities, although ruling by different means in each (Law or Gospel). Luther also taught that all Christians live in both kingdoms simultaneously, so that both kingdoms must be clearly distinguished without being separated.[62]

---

[60] See John R. Stephenson, "The Two Governments and the Two Kingdoms in Luther's Thought," *Scottish Journal of Theology* 34, no. 4 (August 1981): 321–37.

[61] *LW* 45:75–129.

[62] See William H. Lazareth, *Luther on the Christian Home: An Application of the Social Ethics of the Reformation* (Philadelphia: Muhlenberg Press, 1960), 102–31.

Luther recognized that there were two kinds of human righteousness. Christian, or spiritual, righteousness was rooted in faith created by the Holy Spirit. Civil righteousness, on the other hand, was rooted in a morality of which all are capable, including non-Christians.[63] Thus, human beings are righteous in relation to God only by faith, while they may be righteous in relation to one another through law-abiding social justice. Christian righteousness is grounded in the Gospel, through which the Holy Spirit works to create faith, while civil righteousness is based on the Law, which always accuses evildoers (whoever and wherever they may be) and rewards those who serve the needs of their neighbor and community.[64] In this way, Luther preserved a tension between resistance and nonresistance to evil. Either response, motivated by love, may be justified, depending upon whether civil or spiritual righteousness is at issue:

> In this way, then, things are well-balanced, and you satisfy at the same time God's kingdom inwardly and the kingdom of the world outwardly, at the same time suffer evil and injustice and yet punish evil and injustice; at the same time do not resist evil and yet resist it. For in the case you consider yourself and what is yours, in the other you consider your neighbor and what is his.[65]

For Luther, the normative principles of the church are faith and love, while the normative principles of the civil order are reason and justice. With regard to spiritual righteousness, Luther had a well-known contempt for human reason. When it came to civil righteousness, "Luther was quite confident that human rationality could and often would find a good set of positive laws and upright customs to serve a society—no matter how many or few Christians lived in it."[66] Luther was confident that natural law

---

[63] For a helpful discussion of civil righteousness, see Holsten Fagerberg, *A New Look at the Lutheran Confessions (1529–1537),* trans. Gene J. Lund (St. Louis: Concordia Publishing House, 1972), 102–11.

[64] Lazareth, *Luther on the Christian Home,* 113: "Christians are voluntarily to submit themselves to the authority and demands of civil officers and rulers for the sake of the general welfare of the community. Believers and non-believers alike are all children of God whom Christians are to look upon as 'neighbors' in need of personal love and social justice. The question of bearing arms on behalf of the civil community—in the light of the non-resistance demands of the Sermon on the Mount—is thereby settled in terms of the two kingdoms. Personally, no man may take up the sword on his own behalf as one Christian acting among other Christians (under the gospel). But socially, he may bear arms as a Christian citizen acting on behalf of others in the larger community of non-Christians (under the law). In a fallen and sinful world, Christian love will often have to do some strange and dirty work (*opus alienum*) in order to protect the good and punish the wicked."

[65] *Works of Martin Luther* (Philadelphia: A. J. Holman Co., 1915–32) 3:241–42. Quoted in Lazareth, *Luther on the Christian Home,* 114.

[66] Robert Kolb, "Christian Civic Responsibility in an Age of Judgment," *Concordia Journal* 19, no. 1 (January 1993): 20.

would provide human reason all that it required for social justice. Social justice, therefore, must be grounded in the Law and human reason rather than in the Gospel and faith.[67]

Luther also recognized that temporal authority, with its coercive powers, was fundamentally ill-suited for preserving and protecting the Gospel: "For [Christ] is a king over Christians and rules by his Holy Spirit alone, without law … all for this reason, that Christ, without constraint and force, without law and sword, was to have a people who would serve him willingly."[68] Thus, Luther clearly distinguished between the exercise of power that was appropriate to the church and that which was appropriate to the state:

> We want to make this so clear that everyone will grasp it, and that our fine gentlemen, the princes and bishops, will see what fools they are when they seek to coerce the people with their laws and commandments into believing this or that. …
>
> Again you say, "The temporal power is not forcing men to believe; it is simply seeing to it externally that no one deceives the people by false doctrine; how could heretics otherwise be restrained?" Answer: This the bishops should do; it is a function entrusted to them and not to the princes. Heresy can never be restrained by force. One will have to tackle the problem in some other way, for heresy must be opposed and dealt with otherwise than with the sword. Here God's word must do the fighting. If it does not succeed, certainly the temporal power will not succeed either, even if it were to drench the world in blood. Heresy is a spiritual matter which you cannot hack to pieces with iron. [69]

It has already been indicated that Luther, nevertheless, permitted the princes to assume control over the church in Germany. It is understandable, then, why C. F. W. Walther might think that Luther's two-kingdom theology was most fruitful in America's climate of religious freedom.

This Lutheran understanding of the priority of the Gospel and its radical distinction from the Law is very different from the Puritan-Reformed model of Christ transforming culture. The Reformed stress the equality of justification and sanctification, faith and obedience. It is as important for the Reformed that all of life be obediently submitted to the Lordship of Christ as that people come to a justifying faith in Christ. The distinction

---

[67] "If, then, we are to do justice to the complexity of Luther's thought, we must carefully distinguish: (1) natural reason, ruling within its proper domain (the Earthly Kingdom); (2) arrogant reason, trespassing upon the domain of faith (the Heavenly Kingdom); (3) regenerate reason, serving humbly in the household of faith, but always subject to the Word of God. Within the first context, reason is an excellent gift of God; within the second, it is Frau Hulda, the Devil's Whore; within the third, it is the handmaiden of faith." B. A. Gerrish, *Grace and Reason: A Study in the Theology of Luther* (Oxford: The Clarendon Press, 1962), 26.

[68] "Temporal Authority," *LW* 45:93.

[69] Ibid., 105; 114.

between church and state in Calvin, for example, does not preclude the establishment of a Christian state, since the state too can submit to the Word of God. Indeed, with the endorsement of active revolution by the Reformed, one has a church "which is summoned to direct political intervention of a kind which is in fact alien to Lutheranism."[70] For Lutherans, the Reformed approach to the state dangerously confuses Law and Gospel:

> As long as the Law stands "on the same footing" with the Gospel, repentance with absolution, sanctification with justification, obedience with faith, it is no longer the doctrine of Justification which "alone shows the way to the unspeakable treasure and right knowledge of Christ, and alone opens the door to the entire Bible."[71]

Therefore, the two-kingdom distinction, for Lutherans, does not spring from social quietism or flight from the world (although Lutherans have at times evidenced both), but from a deep-seated and fundamental desire to carefully distinguish the Gospel from the creation-serving purposes of civil government. According to the Smalcald Articles, the Gospel is the "first and chief article" and "on this article rests all that we teach and practice." Therefore, "nothing … can be given up or compromised" with regard to the Gospel (SA II, 1). And that Gospel is, strictly speaking, the forgiveness of sins for Christ's sake, through faith alone. Measuring a "true faith" by obedience to the Law—or by how "transforming" that faith has been in the civil realm—compromises the true Gospel.[72]

[70] Helmut Thielicke, *Theological Ethics,* vol. 2, *Politics,* ed. William H. Lazareth (Philadelphia: Fortress Press, 1969), 567.

[71] Herman Sasse, *Here We Stand: The Nature and Character of the Lutheran Faith,* trans. Theodore G. Tappert (New York: Harper & Brothers, 1938), 137. Sasse zeroes in on the essential difference between Lutheran and Reformed: "Both communions wish to distinguish the Gospel from the Law and yet indicate the relation which subsists between them. Both acknowledge that the chief article of the Christian faith is the forgiveness of sins: the Lutherans consider it the *whole* content of the Gospel, while the Reformed consider it the *principal* content of the Gospel. Both know that Christ preached the Law as well as the Gospel, even as the Old Testament contains the Gospel as well as the Law. Both know that the church must proclaim the whole Word of God, both the Law and the Gospel. The difference lies in the fact that the Reformed believe that both Law and Gospel are parts of Christ's real work, and consequently are essential functions of the church; the Lutheran Church, on the other hand, teaches that the preaching of the Law is the "strange," and the preaching of the Gospel is the "real," work of Christ, and that accordingly, although the church must also preach the Law—how else could it proclaim the Gospel?—the only thing which is essential to its nature as the church of Christ is that it is the place, the only place in all the world, in which the blessed tidings of the forgiveness of sins for Christ's sake are heard" (121).

[72] "Franky Schaeffer's approach to abortion … is predicated on the assumption that faith must prove itself in obedience. Therefore, he challenges a Lutheran's 'right' to worship God if the necessary response to abortion is absent. Furthermore, he declares that the 'proof' will be found, not merely in personal conviction or testimony, but in particular political actions such as picketing abortion clinics and writing Congressmen. The Lutheran must respond to these statements with an unequivocal reaffirmation of *justification by faith alone.*" David R. Liefeld, "Abortion and the Two Kingdoms," *Concordia Journal* 12, no. 6 (November 1986): 212.

This was clearest, perhaps, in Luther's unpopular, but highly principled, reaction to the Peasants' Revolt of 1525. Echoing fundamental themes such as the two kingdoms and temporal versus spiritual power, but above all emphasizing the proper distinction between Law and Gospel, Luther tells the peasants that their claim to "teach and live according to the gospel is not true." "Not one of [your] articles teaches anything of the gospel," he writes. "Rather, everything is aimed at obtaining freedom for your person and for your property. To sum it up, everything is concerned with worldly and temporal matters."[73] Luther recognized that some of the peasants' published complaints "are so fair and just" as to ruin the reputation of the princes and lords. Yet for Luther, such things were always to be clearly distinguished from the Gospel.[74]

However, such a radical distinction between Law and Gospel, between spiritual and temporal authority, and between Christian righteousness and civil righteousness, does not mean that for Luther the Gospel, church, or faith have no temporal effects. Indeed, Christians will bring their faith-inspired love for the neighbor *to* all their secular, civil responsibilities:

> Faith finds its sphere of activities in the horizontal relationships which the Creator established as His own means of being present through the love of His people. Faith serves God by giving spouse and children tender care, the kind of care God Himself wants to give them. Faith serves God by performing well those economic tasks which feed, clothe, and comfort others; faith's service in the economic sphere extends to support and help given to fellow workers and to all with whom we have contact on the job, in school, as we conduct our business and offer our labor. Faith serves God by meeting the needs of neighbors and fellow citizens in activities ranging from painting the neighbor's fence or mopping up his vomit as he lies dying, to participation in the activities of community organizations and political parties.[75]

Thus, for Luther, it is *God* to whom Christians respond in *both* kingdoms, and not only in the church, yet in different ways. On the one hand, the Christian is grounded in the freedom of the Gospel and exercises a faith

[73] "Admonition to Peace," *LW* 46:35.

[74] Ibid., 22. On the other hand, Gerhard O. Forde issues a helpful caution against absolutizing Luther's political judgments: "As a medieval man he was entirely caught up in a mythology of the status quo. He was afraid of change and revolution and had no faith in popular movements. This he did not see. If he had been more aware of his own blind spots perhaps his decision might have been different. At least, even though we come to understand his theological reasons, we need not concur with his final decision—especially not in the cruel and intemperate manner in which it was expressed." *Where God Meets Man: Luther's Down-to-Earth Approach to the Gospel* (Minneapolis: Augsburg Publishing House, 1972), 109–10.

[75] Robert Kolb, "God Calling, 'Take Care of My People': Luther's Concept of Vocation in the Augsburg Confession and Its Apology," *Concordia Journal* 8, no. 1 (January 1982): 11.

that justifies apart from works. On the other hand, the Christian is also grounded in the earthly constraints of God's work through civil law and exercises a faith active in love that seeks social justice.

Yet there are profound limits, for Luther, to what Christian good works can accomplish, and the church must not become preoccupied with transforming the civil order. In Luther's way of thinking, Christians are called to operate within different expressions of the emergency orders, which vary in their cultural and social particularities. Christian faith can illumine reason. Love can temper justice. But these transforming virtues cannot create a Christian politics or Christian economics.[76] Good works, for Luther, are done freely by Christians in their daily lives and are not under the control of the church. We are dealing here with the privilege and duty of the individual Christian's vocation.

Luther's two-kingdom ethic was incorporated within the Augsburg Confession. Article XVI, titled "Civil Government," states:

> It is taught among us that all government in the world and all estab-lished rule and laws were instituted and ordained by God for the sake of good order, and that Christians may without sin occupy civil offices or serve as princes and judges, render decisions and pass sentence according to imperial and other existing laws, punish evildoers with the sword, engage in just wars, serve as soldiers, buy and sell, take required oaths, possess property, be married, etc.
>
> Condemned here are the Anabaptists who teach that none of the things indicated above is Christian.
>
> Also condemned are those who teach that Christian perfection requires the forsaking of house and home, wife and child, and the renunciation of such activities as are mentioned above. Actually, true perfection consists alone of proper fear of God and real faith in God, for the Gospel does not teach an outward and temporal but an inward and eternal mode of exis-tence and righteousness of the heart. The Gospel does not overthrow civil authority, the state, and marriage but requires that all these be kept as true orders of God and that everyone, each according to his own calling, man-ifest Christian love and genuine good works in his station of life. Accord-ingly Christians are obliged to be subject to civil authority and obey its commands and laws in all that can be done without sin. But when com-mands of the civil authority cannot be obeyed without sin, we must obey God rather than men (Acts 5:29). (AC XVI, 1–7)

In this brief article there are five of Luther's major themes: first, the recog-nition of divine approval of the civil realm; second, the implication that the earthly welfare of people is a legitimate concern of Christians; third, that

---

[76] Cf. William H. Lazareth, "Lutheran Ethics," in *The Westminster Dictionary of Christian Ethics,* ed. James F. Childress and John Macquarrie (Philadelphia: The Westminster Press, 1986), 360–63.

the civil realm should be governed by reason, justice, and concern for the common good; fourth, that a Christian is called to responsibilities in the civil realm; and, fifth, that there is a danger in perfectionistic notions of Christian spirituality—as if the fallen world were unworthy of serious Christian concern or as if the transformation of the world were required of faith.[77]

Article XXVIII, "The Power of Bishops," also addresses the two kingdoms:

> Many and various things have been written in former times about the power of bishops, and some have improperly confused the power of bishops with the temporal sword. Out of this careless confusion many serious wars, tumults, and uprisings have resulted because the bishops, under the pretext of the power given them by Christ, … have also presumed to set up and depose kings and emperors according to their pleasure. …
>
> Our teachers assert that according to the Gospel the power of keys or the power of bishops is a power and command of God to preach the Gospel, to forgive and retain sins, and to administer and distribute the sacraments. …
>
> This power of keys or of bishops is used and exercised only by teaching and preaching the Word of God and by administering the sacraments. … Inasmuch as the power of the church or of bishops bestows eternal gifts and is used and exercised only through the office of preaching, it does not interfere at all with government or temporal authority. Temporal authority is concerned with matters altogether different from the Gospel. Temporal power does not protect the soul, but with the sword and physical penalties it protects body and goods from the power of others.
>
> Therefore, the two authorities, the spiritual and the temporal, are not to be mingled or confused, for the spiritual power has its commission to preach the Gospel and administer the sacraments. Hence it should not invade the function of the other, should not set up and depose kings, should not annul temporal laws or undermine obedience to government, should not make or prescribe to the temporal power laws concerning worldly matters. (AC XXVIII, 1–14)

Several more of Luther's major themes are also evident here: first, that the power of the church is the power of Word and sacraments, which is the power to forgive sins exercised publicly through the pastoral office; second, that the church does not, and must not pretend to, have temporal authority by interfering in government or prescribing legislation; and, third, that the chief function of civil authorities is to protect human life and liberty from the power of others.

---

[77] John F. Johnson, "Confessional Lutheranism and Civil Affairs: The Contemporary Significance of the Two Kingdoms Doctrine" (an unpublished paper delivered to a conference on church and state sponsored by the LCMS in Washington, D.C., in 1986).

In the Apology of the Augsburg Confession, this Lutheran teaching is grounded in Jesus' own redefinition of His messianic kingdom:

> Christ's kingdom is spiritual; it is the knowledge of God in the heart, the fear of God and faith, the beginning of eternal righteousness and eternal life. At the same time it lets us make outward use of the legitimate political ordinances of the nation in which we live, just as it lets us make use of medicine or architecture, food or drink or air. The Gospel does not introduce any new laws about the civil estate, but commands us to obey the existing laws, whether they were formulated by heathen or by others, and in this obedience to practice love. (Ap XVI, 2–3)[78]

Article XVI of the Apology makes it clear that the Gospel does not have as its task the transformation of society. Indeed, making the Gospel a guide to civil law, according to the Apology, would be as ill-fated for Protestants as it was for the papacy:

> It was mad of Carlstadt to try to impose on us the judicial laws of Moses. Our theologians have written extensively on this subject because the monks had broadcast many dangerous ideas through the church. They called it an evangelical state to hold property in common, and they called it an evangelical counsel not to own property and not to go to court. These ideas seriously obscure the Gospel and the spiritual kingdom; they are also dangerous to the state. (Ap XVI, 4)

So as to make the Lutheran Law-Gospel distinction clear, the Apology repeatedly emphasizes that "the Gospel does not legislate for the civil estate but is the forgiveness of sins and the beginning of eternal life in the hearts of believers" (Ap XVI, 6). Yet, at the same time, the Apology also makes clear that Christians will leaven the whole social loaf in which they find themselves by practicing a faith active in love: "Good works should be done because God has commanded them and in order to exercise our faith, to give testimony, and to render thanks" (Ap IV, 189).

---

[78] This subject is also addressed clearly in Melanchthon's *Loci Communes* of 1543: "The Gospel clearly teaches that the kingdom of Christ is spiritual. Christ sits at the right hand of the Father and intercedes for us, and gives the Holy Spirit and the remission of sins to the church, that is, to those who believe in Him and call upon God with confidence in Him that He will sanctify them, so that He may raise them up on the last day to eternal glory. … The Jewish error of the Anabaptists must be rejected and condemned. They have the notion that the church before the last day will be some kind of civil and worldly state in which the godly will rule, and by force of arms destroy all the ungodly and occupy all the empires of the world." Philip Melanchthon, *Loci Communes 1543,* trans. J. A. O. Preus (St. Louis: Concordia Publishing House, 1992), 176.

C. American Lutherans and the Missouri Synod

These doctrinal commitments of confessional Lutherans have led at times to conflict with Puritan-Reformed Americans. Lutherans were in general less enthusiastic about the American Revolution as a *religious* cause, for instance, than were their Reformed neighbors. The patriarch of American Lutheranism, Henry Melchior Muhlenberg, said: "As far as possible I have stood between both parties, and I could not have done otherwise, for I have had no vocation to meddle in political controversy."[79] This did not mean that Lutherans could not support the Revolution, however. To the contrary, even Henry's son Peter Muhlenberg exchanged his clerical robes for a military uniform, and another son, Frederick, became the Speaker of the House of Representatives in its first and third sessions.

For most of American history, Lutherans have been more content to leave their churches out of politics than were their Reformed neighbors. Lutheran citizens participated in politics and sometimes became as impassioned as any other Americans over issues that concerned them (such as slavery and the Civil War), but they usually resisted that direct connection between political questions and the church that so appealed to the Reformed. Part of the reason for this, no doubt, was the ethnic isolation that characterized much of American Lutheranism, particularly in the Midwest, until the mid-20th century. But most Lutherans were also conscious of the profound theological differences that existed between them and their Reformed neighbors at the beginning of the 20th century: "Deeply suspicious of the optimistic theology of the Social Gospel, Lutherans were also uncomfortable with the requirement that church bodies participate directly in social reform."[80]

---

[79] *The Journals of Henry Melchior Muhlenberg,* trans. Theodore G. Tappert and John W. Doberstein (Philadelphia: Muhlenberg Press, 1958), 3:121.

[80] Christa R. Klein with Christian D. von Dehsen, *Politics and Policy: The Genesis and Theology of Social Statements in the Lutheran Church in America* (Minneapolis: Fortress Press, 1989), 11. Reginald Dietz summarized the perspective of American Lutherans before World War I this way: "Liberals and conservatives alike agreed that personal salvation was the church's basic mission. Liberals were simply a bit more venturesome in staking out for the church in society a somewhat broader area of responsibility for judgment, rebuke, criticism, guidance, and education. All agreed that whatever public action was to be taken to deal with the specific ills was the responsibility not of the church but of individual Christians as citizens, workers and employers. The church as such must eschew the roles of political lobby and reform movement." "Eastern Lutheranism in American Society and American Christianity 1870–1914" (Ph.D. dissertation, University of Pennsylvania, 1958), 255–56. Quoted in Klein and von Dehsen, 12.

Responding to Walter Rauschenbusch's sharp criticism of this Lutheran "social quietism," the president of the General Council, T. E. Schmauk, wrote:

> We do believe in a vigorous and thorough treatment of social questions by Christians in the State, but we believe that this work should be done by them as citizens, and not as Christians. We do not believe it to be the province of the Church to enter as a Church upon the problems of society or of the body politic.[81]

While most mainline denominational members of the Federal Council of Churches had by 1915 established committees or boards to handle corporate social concerns, Lutherans had not done so. The General Synod, however, and the Augustana Synod did begin to move in the direction of political advocacy on the matter of temperance between 1866 and 1917,[82] and some districts of the Missouri Synod had also engaged in direct advocacy with regard to their parochial schools.

Only during World War I did most Lutheran church bodies begin to address the state directly. Twelve Lutheran church bodies banded together in the National Lutheran Commission for Soldiers' and Sailors' Welfare to provide service to Lutheran military personnel, because the government would not work with individual denominations. The Missouri Synod, represented initially, did not participate. In 1918, this wartime cooperation led to the first inter-Lutheran umbrella organization, the National Lutheran Council, which also did not include the churches of the Synodical Conference. One early thrust of the Council was its work in Washington "to keep in constant touch with various government officials and agencies in order to help protect the rights of Lutherans and in order to interpret Lutheran viewpoints in the postwar world."[83] Lutherans wanted to make it clear to the government that they were full-fledged Americans and not merely transplanted Germans or Scandinavians.

For about a decade and a half, the work of the National Lutheran Council consisted largely of overseas emergency appeals and public rela-

---

[81] See George W. Sandt, *Theodore Emanuel Schmauk* (Philadelphia: United Lutheran Publication House, 1921), 279. Quoted in Klein and von Dehsen, 11–12.

[82] "On the issue of temperance, the General Synod learned how to take a corporate activist stance. From 1866 to 1917, this issue dwarfed all other social concerns in the Synod. Three responses demonstrate forms of activity which would become more common in the mid-twentieth century. First, the General Synod was drawn into corporate public advocacy. Second, it organized a committee with funding from the general treasury and eventually hired an administrator. Third, it developed links to a political lobby and came into the orbit of churches which founded the Federal Council of Churches in 1908. Temperance more than the Social Gospel accomplished this shift." Klein and von Dehsen, 12–13.

[83] Frederick K. Wentz, *Lutherans in Concert: The Story of the National Lutheran Council, 1918–1966* (Minneapolis: Augsburg Publishing House, 1968), 31.

tions at home. Yet, in the 1930s, the Council did establish a "Church and Social Trends Committee" and charged it with collecting and studying the social pronouncements of the various church bodies "with a view to presenting the united testimony of Lutherans to the world."[84] But, once again, it took a war to propel American Lutherans into greater cooperation and contacts with government. The Service Commission of the National Lutheran Council facilitated the work of Lutheran military chaplains, established service centers near major military bases, published and distributed huge quantities of literature, and operated with a (then phenomenal) budget of $600,000. The temporary commission became a permanent Bureau of Service to Military Personnel in 1948.

After World War II, inter-Lutheran cooperation was focused on relief efforts in Europe and the resettlement of refugees. But the Division of Public Relations also established a Washington Office in 1948—maintaining channels of communication, informing key churchmen about contemporary events in the federal government, and informing key government officials about current programs and thinking in the Lutheran church.[85] In 1957, a new Social Trends Committee was established as a standing committee, and in 1959 the NLC approved a policy statement titled "Toward a Statement of National Policy" as a Lutheran contribution to the public discussion about definitions of the "national interest." The National Lutheran Council had steadily evolved toward full participation in American public life.

Much of the impetus for greater involvement with American government by Lutherans came from the United Lutheran Church in America, which, in 1918, was the first Lutheran church body in America to organize for the study of social issues. The ULCA contributed about half the total baptized membership represented by the National Lutheran Council and provided much of the Council's leadership over the years.

In 1919, ULCA President Frederick H. Knubel called upon Lutherans to make the Gospel relevant for "an age of labor." During the Great Depression, ULCA church publications showed growing appreciation for the New Deal.[86] In 1946, the ULCA created a new position of secretary for social action with its Board of Social Missions. The American Lutheran

[84] Ibid., 87. In the 1930s, The American Lutheran Conference (consisting of all the members of the National Lutheran Council except the ULCA) also created a Commission on Social Relations, but its mandate was limited to keeping denominational leaders abreast of social issues. During the Depression, there was little impetus for new ventures in cooperative church work in social ministry because Lutherans were not in agreement regarding the New Deal.

[85] Ibid., 124–25.

[86] See Ralph Moellering, "Lutherans on Social Problems, 1917 to 1940," *Concordia Historical Institute Quarterly* 42, no. 1 (February 1969): 27–40.

Church also renamed its Board of Christian Charities the Board for Christian Social Action in 1948, although the ALC remained more resistant to direct social action than did the ULCA.

In 1957, the ULCA published a symposium in three volumes, *Christian Social Responsibility,* based on six years of work by 14 of its pastors, church executives, and theology professors. The symposium contained an essay by a young instructor at the ULCA seminary in Philadelphia, William H. Lazareth, who would play a crucial role in shaping his church body's theology of social ministry.[87] Lazareth's contribution, "Christian Faith and Culture," was a careful exposition of the two-kingdom ethic that faithfully reproduced the sometimes subtle nuances of Luther's thought.[88] But Lazareth also sounded a theme that was relatively new to American Lutherans, although quite familiar to the Reformed:

> Sin corrupts social structures as well as individual hearts; so also must they be judged and redeemed. We must strive to reconstruct our society simultaneously from within—by transforming individual citizens—as well as from without—by reforming institutional structures—so as to permit the conversion of the unsaved and to encourage the stewardship of the reborn.[89]

While Lazareth carefully developed this theme within Lutheran conceptualities, it was still a significant shift in approach.

Another noteworthy shift in the traditional Lutheran approach can be seen in the essay on "Christian Faith and the Political Order" by T. A. Kantonen:

> It is for the church to make clear what belongs to Caesar and what belongs to God, to give Caesar what belongs to him but not what belongs to God, to act as vigilant watchman and critic over the state to see that it remains the state and nothing more, performing its true functions but not transgressing its limits. … Although the church itself cannot legislate for non-Christians, it has a vital stake in all legislation pertaining to human

---

[87] Four men who studied at both Philadelphia's Lutheran Seminary and New York's Union Seminary played key leadership roles in the ULCA: Harold Letts, Rufus Cornelsen, George Forell, and William Lazareth. According to Klein and von Dehsen (39), Lazareth "would become one of the most influential voices, first as a board member and later as the staff director of the unit charged with drafting social statements."

[88] "Let us say it dialectically with St. Paul and Luther in this way: although Christians, as forgiven sinners, are *free in faith* from the religious fulfillment of the divine demands of the law as a way of eternal salvation; they are simultaneously, as social citizens, *responsible in love* for the ethical performance of the civil demands of the law as God's means for their communal preservation (I Cor. 9:20). In short, the Christian is free from the red light in the chancel which presumes to direct traffic to God, but not from the red light on the street corner which directs traffic among men. It is with this latter, nonredemptive expression of God's rule that we are here concerned." William Lazareth, "Christian Faith and Culture," in *Christian Social Responsibility,* vol. 3, *Life in Community,* ed. Harold C. Letts (Philadelphia: Muhlenberg Press, 1957), 54.

[89] Ibid., 71.

welfare, in such issues as clearing slums, feeding the hungry, settling refugees, protecting children, providing for the sick and the aged, conserving health, and promoting peace.[90]

Here Kantonen writes of the "church" ambiguously, so that it is not clear whether the church's "vital stake" as well as its role as "watchman and critic" was to be fulfilled individually by Christians through their vocations and political associations or corporately by church bodies through their national conventions and executive staff.

It is quite clear that the symposium on Christian Social Responsibility was designed to lay a foundation for direct social action by the ULCA. This was explicit in Lazareth's booklet *A Theology of Politics* (1960), in which he spoke of the church or one of its official agencies proclaiming the general norms and guidelines of Christian political ethics in order to provide judgment and guidance for those responsible under God for the peace, justice, and freedom of the world. Although Lazareth did not intend for this to involve partisan politics, his work did ensure that the ways and means for the corporate expression of social concern were well-rooted in the Lutheran Church in America (LCA) already at its formation in 1962.[91]

During the 1960s, the national mood favored social reform to a degree not seen since the administration of Franklin Roosevelt during the Great Depression. The Civil Rights Movement and the War on Poverty, followed later in the decade by the Vietnam War, were the major social concerns. In February 1966, the LCA's Board of Social Ministry adopted a brief statement drafted by Lazareth, "Social Ministry: Biblical and Theological Perspectives." In it, Lazareth went even further than he had in 1960 to speak of the "imperative for Christians, both privately and corporately, as citizens and churchmen, to join hands with all men of good will in working together for the common good of humanity." With the same ambiguous use of "church" as that of Kantonen, Lazareth wrote explicitly of institutional advocacy: "In an age of corporate decision-making, the public witness of official representatives of the church can be particularly effective in expressing and reinforcing the ethical judgments of the Christian community." This argument presumed, on reasonable grounds, that the church could devise a satisfactory mechanism of producing corporate judgments, that institutional advocacy was a successful political tool, and that this was necessitated by our "age of corporate decision-making"—all of which has in fact been a matter of considerable debate.[92]

The American Lutheran Church of 1960 also had a process of policy development on social issues—although only one of the four merging bod-

---

[90] Taito Almar Kantonen, "Christian Faith and the Political Order," in *Christian Social Responsibility*, 143.

[91] Cf. Klein and von Dehsen, 39.

[92] Ibid., 62–71.

ies that created it had a history of developing national church positions. The "old" ALC (1930) had on occasion developed statements addressed to members of the church to aid in the development of their own thinking and as a basis for their individual actions as citizens. But, speaking directly to government or endorsing specific policy proposals was not part of the pattern.[93] Yet, the other three church bodies joining with the ALC had serious reservations about even this limited degree of social action. There was, as a result, considerably more debate in the ALC than in the LCA over the propriety of social statements.

Even so, the ALC did gradually acquire its public voice. In the 27 years of the ALC's existence, there was a noticeable "shift from an early emphasis on social change through individual action to a later emphasis on the need for the church collectively to work for change."[94] According to Charles Lutz, the last Director of the ALC's Office of Church in Society, the ALC's statements can be characterized as "moderate" within the U.S. political spectrum, with a "tilt" in the past decade toward the "progressive" side. They clearly reflected, argued Lutz, a consensus of those serving on the committees that proposed them, and even the conventions that adopted them.[95] Whether they also reflected the viewpoint of the total membership, he admitted, can be debated.[96]

Lutz acknowledges that advocacy statements have more impact if they are supported by voters expressing that same view directly to their legislators. And he cautions that "the church's social witness is that part of the church's total work on which we as church members will most likely disagree."[97] The ambiguity of "church" is clearly evident here also, and one wonders what exactly the "church's social witness" is, when it may not represent a consensus of the church's members but only a particular convention of the church.

With the formation of the Evangelical Lutheran Church in America in 1988, a well-staffed Washington office was created that carried forward the

---

[93] Charles P. Lutz, *Public Voice: Social Policy Development in the American Lutheran Church, 1960–1987* (ALC Standing Committee for Church in Society, 1987), 3.

[94] Ibid., 10.

[95] After 1970, the ALC had a system of ranking social statements: "comment and counsel," adopted by 51% of the delegates in order to stimulate the thought and action of church members; "judgment and conviction," adopted by 60% of the delegates in order to contribute to societal debate; and "policy and practice," adopted by two-thirds of delegates, in order to determine ALC institutional behavior. Statements of judgment and conviction as well as policy and practice were considered to be a speaking of the church body to the larger society. Between 1973 and 1987, Presiding Bishop David Preus also spoke often to public issues.

[96] Lutz, 10.

[97] Ibid., 25.

advocacy of the ALC and the LCA even more intensively. According to the June 1993 issue of *The Lutheran,* published by the ELCA, the following political concerns were being actively addressed by the ELCA's Lutheran Office of Government Affairs: the Religious Freedom Restoration Act, expansion of the earned income credit, balanced budget amendments, American Indian Religious Freedom Act amendment, aid to Nicaragua, Violence Against Women Act of 1993, the Mickey Leland Childhood Hunger Relief Act of 1993, the Every Fifth Child Act, Civil Rights Amendments Act for Gay and Lesbian Civil Rights, opposing the death penalty, and expanding the definition of conscientious objection to include objection to specific wars.[98] Clearly, this advocacy had moved a long way from Lazareth's vision of teaching the state basic ethical principles.[99]

Social ministry in the Missouri Synod was similar to that in other American Lutheran church bodies in that Missouri first concentrated on social welfare rather than social action. Support for the Social Gospel was never strong in the Missouri Synod, yet already in the 1930s there was a "growing number of Associated Lutheran Charities adherents who were clamoring for a more vital fusion between Lutheran theology and Lutheran action on the American scene."[100] The theological basis for this new vision of social ministry was provided by seminary professor Richard Caemmerer, beginning with a paper presented in 1938:

> In his paper on Lutheran social action, Caemmerer called for a fresh appreciation of justifying grace that always motivates the individual to a new life expressed in a love for the next man, Christian and non-Christian alike. Neither the New Testament itself nor the Reformation era provides the contemporary church with a blueprint for social action. But Caemmerer discerned the need for a revamping and revitalizing of the training of ministers and teachers in the Lutheran church who will see the proclamation of the Gospel in the context of modern human need, and will hold forth that Gospel as the power which sways men in the church to live as Christ lived in the world.[101]

---

[98] Debra Illingworth Greene, "LOGA Gives Lutherans Voice in D.C.," *The Lutheran* 6, no. 6 (June 1993): 36.

[99] Even David W. Preus, the last bishop of The American Lutheran Church, has publicly called on the ELCA to "close Lutheran lobbying offices at national and state legislatures." Well known for his personal involvement in social justice issues, Preus nevertheless wrote: "Synod and churchwide assemblies appear more interested in claiming church legislative majorities on contentious public issues than in providing theological resources to help members do their own wrestling with those issues. In its legislative mode the national church is seen as accepting 'the world's' agenda (social issues)." David W. Preus, "What Is to Be Done? ELCA Responses," *Lutheran Forum* 28, no. 3 (August 1994): 17–19.

[100] F. Dean Lueking, *A Century of Caring: The Welfare Ministry among Missouri Synod Lutherans 1868–1968* (St. Louis: LCMS Board of Social Ministry, 1968), 55.

[101] Ibid., 56.

The Missouri Synod established a Board of Social Welfare in 1950 with Henry Wind as the first executive secretary, although funds were not appropriated until 1953. Its most significant early activity was service to European refugees. Close working ties were established in this work with the National Lutheran Council.

In 1965, the Missouri Synod's "Mission Affirmations" described the church's mission to the whole man: "Wherever a Christian as God's witness encounters the man to whom God sends him, he meets someone whose body, soul, and mind are related in one totality. Therefore Christians, individually and corporately, prayerfully seek to serve the needs of the total man."[102] This emphasis on corporate as well as individual action was elaborated by the Board of Social Ministry for the Synod's 1971 convention:

> We support those programs in public and private sectors that seek to eliminate the causes of poverty and hunger; we support comprehensive medical care for all; and we support all efforts to sensitize legal, social, financial, and educational structures to provide justice and fairness for all. ... We call on the church, as a corporate entity, to use in responsible ways those channels that are open to it to influence other structures and institutions such as government, business, and labor, to sensitize them to the task of improving the quality of life at every level.[103]

This "Blueprint for the '70s" demonstrated that the views on church and state then developing among other Lutherans were present also in the LCMS.

These views were significantly restrained during the synodical conflicts of the 1970s, and the "Social Ministry Blueprint for the Decade Ahead," which was presented to the 1986 Missouri Synod convention, more clearly articulated traditional Lutheran teaching. The 1986 Blueprint called for careful distinctions between Law and Gospel—decrying their confusion in both the Social Gospel and Liberation Theology. It also spoke primarily of *Christians* working through the political process and warned that "units of the Christian community … do not often attain consensus on public policy issues," so that "no unit of the Christian community can speak for all its members on these matters." The focus was on Christians acting "individually and collectively … *with other like-minded citizens*— Christian and non-Christian—to accomplish the changes in social regulation and policy to which they are committed."[104] There was still, however,

---

[102] 1965 Res. 1-01E (1965 *Proceedings,* 81).

[103] 1971 Res. 9-07 (1971 *Proceedings,* 192).

[104] *Social Ministry Blueprint for the Decade Ahead,* Convention Edition: Wichita 1989 (November, 1984; revised November, 1985, January, 1988, and December, 1988: LCMS Board for Social Ministry Services), 13 (emphasis added). Cf. 1986 *Workbook,* 345–46 and 1986 Res. 7-02A (1986 *Proceedings,* 209).

some ambiguity as to how "church" is here defined or understood (whether it denoted the sum of individual Christians or corporate structures), particularly in one general objective adopted by the Board for Social Ministry Services: "Follow the prophetic role in pleading the cause to alleviate human need with justice and mercy." This is explained by a more specific objective, yet without providing clarity concerning the identity of the "church": "Promote advocacy that will encourage and support legislative and administrative changes that will provide for preservation of life and resources and care for the poor."[105]

The gradual agreement on social welfare in the mid-20th century among the leadership of American Lutheran churches led to frequent contacts and cooperation among Lutheran church bodies. A major factor in this cooperation was the problem of interface with the new governmental welfare agencies that arose in the 1930s. In Chicago, on Nov. 17, 1936, new ground was broken in inter-Lutheran cooperation when the Lutheran Church Charities Committee was formed, representing six synods, including the Missouri Synod. The technical term used in the Missouri Synod for such a joint effort is "cooperation in externals." Yet those supporting the emerging view of social ministry were quick to point out that "the welfare ministry itself was by no means an external matter to the Christian faith and the life of the church; it was an essential sign of the presence of divine grace and the necessary fruit that grew from the root of faith."[106]

After the mergers of 1960 and 1962, which had created the American Lutheran Church (ALC) and the Lutheran Church in America (LCA) respectively, a new organization of Lutheran cooperation to replace the National Lutheran Council became operational in 1967. This time the Missouri Synod, already cooperating with the National Lutheran Council in Lutheran World Relief, Lutheran Service Commission, and Lutheran Immigration Service, was a member. The new agency was called the Lutheran Council in the United States of America (LCUSA) and was chartered with two main purposes: theological discussion and cooperation in specified areas of Christian service. All participating bodies were required to take part in the theological discussion, but each could choose whether or not to participate in other areas of activity. One of those areas of cooperative work was the Office of Government Affairs in Washington, D.C.

In 1979, LCUSA adopted a statement on "The Nature of the Church and Its Relationship with Government," in which the role of the church in direct social action, long promoted by the LCA and also accepted by many in the ALC and LCMS, became the policy of LCUSA. The statement declared that "God also calls the church to be a creative critic of the social

---

[105] *Social Ministry Blueprint for the Decade Ahead,* 14–15.

[106] Lueking, 65.

order, an advocate for the needy and distressed, a pioneer in developing and improving services through which care is offered and human dignity is enhanced, and a supportive voice for the establishment and maintenance of good order, justice and concord." The role of the church includes "informing persons about, advocating for and speaking publicly on issues and proposals related to social justice and human rights." Furthermore, the statement declared, "Advocacy on behalf of justice is an integral part of our churches' mission."[107]

By the 1980s, with this mandate, LCUSA's Office of Government Affairs was actively lobbying on a wide-ranging list of social concerns. Leaders of the Missouri Synod became concerned by what they perceived to be an increasingly partisan approach to Christian social concern. As a result, early in the 1980s, the Missouri Synod withdrew funding and support from OGA—although remaining a member of LCUSA itself until it was dissolved in 1988.

The Missouri Synod's 1983 convention requested a study by its Commission on Theology and Church Relations (CTCR) on the relationship between church and state, giving special attention to "who speaks for the church," "when," and "on what basis."[108] Also in 1983, synodical executives (Samuel Nafzger, H. James Boldt, and John Schuelke) prepared a "catechism" on proposed tuition tax credit legislation:

> There are times when the Scriptures speak so clearly and directly to a particular issue that it is possible and may even be necessary for the church to take a corporate stance on it. This is the case with respect to such problems as abortion and euthanasia. In some cases it may only be possible for the church to speak to the morality of a given issue without coming out in favor of or opposition to legislation in this area, e.g. homosexuality or divorce. In still other cases, sensitive questions may arise for public debate concerning which God's Word provides even less specific guidance. Even here, however, these issues may have important implications for the church as an institution, or may have a potential for depriving individuals of religious rights or liberties. In these cases it may be helpful for the Synod, while recognizing that Lutheran Christians equally committed to following God's will as revealed in Holy Scripture may come to different conclusions, to keep its members informed and offer guidance to them as they determine their own positions.[109]

Clearly, the "catechism" was articulating a considerably more restrained approach to social action by the church than that of LCUSA. The emphasis

---

[107] "Statement of Affirmation," II.A.3; III, prologue; "Public Policy Recommendations," VIII.

[108] 1983 Res. 3-06A (1983 *Proceedings,* 155–56).

[109] "Tuition Tax Credits and The Lutheran Church—Missouri Synod," Board for Parish Services, The Lutheran Church—Missouri Synod, Information Bulletin #32283.

was not on developing some sort of common statement in areas where Christians may disagree, but on informing and guiding those Christians "as they determine their own positions." The "catechism" articulated the more traditional Lutheran view.

During 1984, the Missouri Synod's Board of Directors studied and discussed establishing an alternative "presence" in Washington. In 1985, they authorized a government information services project to assist the President and other synodical leaders in acquiring timely information and providing liaison on government issues and activities involving the Synod. In 1986, a church-state conference was held in Washington, D.C., to discuss the establishment of a full-time Office of Government Information (OGI). The Board of Directors placed OGI in the President's office in 1987.

Already in 1978 the Missouri Synod's Board of Directors had resolved that, for synodical entities, speech directed at government was the responsibility of the synodical President. In 1980, this policy had been amended to say that, in general, relations and contacts with legislative and executive branches of government also should be established through the office of the President. In 1986, this Board of Directors' policy was amended again to incorporate the establishment of OGI as a part of the Missouri Synod President's office. All official position statements on governmental matters by any board, commission, department, or administrative unit would now be prepared in consultation with OGI for action by the President. This made OGI an advisor to those with responsibilities for ministry in the Missouri Synod—not a "lobby" or the "voice" of the Missouri Synod. OGI was to gather information, communicate it to decision-makers in the Synod (including the Christian citizens in its congregations), and advise those, particularly the President, who must make decisions about what words and actions are appropriate. Occasionally, when the President deemed it appropriate, OGI would communicate those words and actions also to civil authorities.[110]

[110] 1. The President of the Synod shall be responsible for communicating the official position of the Synod to all branches of the federal government. He may do this directly or through the Office of Government Information of the Synod, or through another synodical staff person as he deems appropriate. It shall be the general policy of all departments and administrative units of the Synod that relations with federal legislative and executive branches of the government be established in cooperation with the OGI … Continuation of such contact may then occur with the knowledge and approval of the office of the President.

2. All official position statements by any board, commission, department or administrative unit to the federal legislative, executive or judicial branches of government shall be approved by the President of Synod or his designated representative and reported to the Board of Directors. If any emerging issue goes beyond established policy of the Synod, the synodical President shall be consulted and his approval requested. The Office of Government Information will assist in the development of such statements by reviewing pertinent legislation and regulation and by providing information and counsel. All such statements shall be in harmony with policies of the Synod adopted in convention as well as the Lutheran theology of the two kingdoms. (Policy Statement—Board of Directors: F-8, "Relations with Governmental Units")

The Office of Government Information's work has been limited both by its mandate and its funding. Most of its attention has been devoted to the Missouri Synod's major concerns in the areas of abortion, family, and education. Its principal task has been acquiring information in these areas and sharing it with synodical leaders and congregations.

D. Is There Really a Lutheran Perspective?

At the conclusion of this survey of Luther and Lutherans, the reader might credibly ask whether there really is a *Lutheran* view of church and state. Clearly, if such a perspective requires widespread agreement among Lutherans, it is currently lacking. On the other hand, it is also clear from the Lutheran Confessions (and the analysis of theologians such as Niebuhr) that there *is* a distinctively Lutheran emphasis.

The Lutheran perspective is grounded finally in that radical distinction between Law and Gospel that both establishes and affirms the distinction between church and state. While there is unity in the Lutheran view—since God rules in both kingdoms, both church and state—it is also true that this unity is and always will be visible only to the eyes of faith. Christians cannot, and must not attempt to, force this world to become what it can never be, since force will only create the appearance of Christ's kingdom and never the substance.

The Lutheran model is, admittedly, complex. Thus, even Lutherans have often succumbed to the simplicity of other models—models that resolve the tension either by pursuing a more this-worldly kingdom of Christ or by ignoring this world's problems. Yet, the difficulty with which Lutherans hold to their perspective does not invalidate it. Indeed, the Scripture provides ample support for the contention that authentic Christianity is a hard teaching, difficult to bear (John 6:60). The issue is not whether Lutheran teaching is easy to understand; the issue is whether it properly reflects what the Bible says.

The Lutheran perspective is also, admittedly, difficult to apply. Even when agreeing, for instance, that the church does not have a Gospel-based responsibility to promote the transformation of the civil realm, Lutheran theologians and church bodies have disagreed about whether the corporate church (and not just the individual Christian) has a Law-based duty to teach the state ethical principles. Theologians and church bodies have also disagreed about the most prudent and effective means by which the church might actually teach those ethical principles in a pluralistic and democratic society. The paradoxical tensions of the Lutheran perspective,

therefore, make its practical application in diverse cultural and political systems a challenging task.

As we turn now to the problems of practical application, it is important to keep in mind that there is in fact a Lutheran perspective—and that the Lutheran theological model can and will make a practical difference. Puritan-Reformed Christians really do have a different social agenda than do confessional Lutherans, and Lutheran Christians need to be careful of uncritical alliances with politically active Reformed Christians.

On the other hand, the reader should also be cautioned to understand that American Lutherans are still struggling to apply their theology—created and nurtured in a culture of emperors and princes—to the challenges of the modern American democratic "experiment." It is not surprising that there should be changes in thinking as this application progresses, although not all such changes finally can be viewed favorably.

III. Practicing What We Preach

While Lutherans have often agreed on the theological fundamentals that underlie their approach to the state, they also have disagreed frequently on what those fundamentals mean in practice. As a result, for Lutherans today, there is not only confusion because of different theological models in use among Christians generally but there is confusion also because of different ideas about how to implement a Lutheran two-kingdom model.

A. The Failure of Two Extremes

Critical to the debates among Lutherans, as we have seen, are questions about how directly and how substantially Lutheran churches should become involved in addressing the state. Two diametrically opposed approaches have been evidenced in the 20th century, with largely negative results: uncritical acceptance of the state and political lobbying.

The German Church Struggle against Naziism

After the unification of Germany in 1871, the state Protestant churches saw themselves as helping the state build and maintain German society (Niebuhr's "Christ of Culture" model). When Imperial Germany was defeated in 1918, it was therefore a crisis of major proportions also for the church.[111] Americans may look upon the creation of the democratic Weimar Republic in Germany after World War I as a good thing, but many Germans did not. In fact, given the close association in their minds

---

[111] The opening speech by President D. Moeller at the Dresden *Kirchentag* captured the spirit of this crisis: "We can do nothing else here but bear solemn witness to what rich blessings have issued from the previous close relations between state and church upon both state and church, and through both of these upon the people and the fatherland. Moreover, we can do nothing else here but in deep grief bear solemn witness how the churches of our fatherland owe a deep debt of gratitude to the rulers who have been their patrons." See *Verhandlungen des Deutschen Evangelischen Kirchentags 1919* (Berlin: Deutscher Evangelischer Kirchenausschuss, 1920), 57–58. Quoted in Klaus Scholder, *The Churches and the Third Reich,* vol. 1, *Preliminary History and the Time of Illusions 1918–1934,* trans. John Bowden (Philadelphia: Fortress Press, [1977] 1988), 4.

between religion and culture, Christianity and morality,[112] German Protestants saw the creation of a "secular" Weimar Republic as opening the floodgates of immorality in the 1920s. German Protestants "faced a crisis in Germany in the 1920s and 1930s in which they felt personally vulnerable and in which they believed the future of their nation might hang in the balance."[113]

Many German Protestants supported the re-establishment of a more traditional German state, a state organized in submission to a sovereign leader (*Fuehrer*). Even eminent German theologians such as Gerhard Kittel and Paul Althaus supported the rise of Adolf Hitler. They did not see in Hitler what we, with 20/20 hindsight, see now in terms of the war and the Holocaust. These bright and talented German intellectuals saw in Hitler the restoration of German culture:

> The theology that Althaus developed contains no single unacceptable element, but in retrospect it is apparent that one of his emphases proved very suitable for National Socialism. In his 'orders of creation' theology, he concerned himself with law more than gospel. This focused his attention on morality, order and stability and allowed him to view the Weimar Republic as a breakdown of God's intended order. By equating the traditional, pre-Weimar order of society with God's will, Althaus opposed progressive and revolutionary ideologies of the left which hoped to remake society in a new and better form, and he affirmed the authoritarian and paternalistic emphases of National Socialism.[114]

Althaus realized too late the evils of Naziism because he valued social stability more highly than political and religious liberty. "The crucial element" in Althaus' support for Hitler was "the crisis of modernity, which produced in him fear of an unstable, modern, secular world."[115]

When Hitler came to power on Jan. 30, 1933, he moved immediately to consolidate the various Protestant state churches into one Reich church. The so-called "German Christians" who spearheaded this drive proclaimed weakly Christianized Nazi mythologies. They also proclaimed a perversion of Lutheran two-kingdom theology:

> The totalitarian state controls all law, all morality. The church has all that concerns the kingdom of heaven. … Law and order in the church are sub-

---

[112] Scholder, 37: "The solemnity of this view, which has become alien to us today, should not cause us to overlook the fact that at the time it represented a vital claim—of undoubted truth and seriousness. The connection between religion and morality formed the centre of this common Protestant world-view. The conviction was that the meaning of individual human existence and of humanity as a whole lay in the development of an ever higher, ever more perfect morality; and that the Christian religion was the goal as well as the instrument of this development."

[113] Robert P. Ericksen, *Theologians under Hitler: Gerhard Kittel, Paul Althaus and Emanuel Hirsch* (New Haven: Yale University Press, 1985), 26.

[114] Ibid., 117–119.

[115] Ibid., 119.

ordinate to the state. What must be conceded to the church is that its members should be able to gather undisturbed in the name of Jesus Christ, that the gospel should be properly preached to them and the sacraments correctly administered. Even how that happens, and under what order and law is a secular matter. … Does that mean that the state not only can but 'may' do with the church what it wishes, and the church may not say a word to rebel? Certainly the state can do that. It can appoint bishops when it likes, and as many as it likes. It can establish community boundaries as it likes. It can transcend the Landeskirchen and organize a Reich church to suit itself … in short, it can exercise the most rabid control over the Landeskirchen.[116]

This kind of thinking immediately provoked some spirited opposition, including that of Dietrich Bonhoeffer and Hermann Sasse, two young German Lutheran theologians who saw more clearly than most the danger in the Nazi "leader" principle and racial theories. Bonhoeffer and Sasse drafted the Bethel Confession in June of 1933, which some consider more brilliant and insightful than the better known Barmen Declaration of May 1934. Bonhoeffer also helped to create the "Confessing Church" of Lutherans and Reformed, which proclaimed that the creed of the "German Christians" was apostate.

Yet, while a Reich church was created and a Reich bishop elected, it never succeeded in setting aside the traditional state churches and their well-entrenched administrative machineries. Thus, many German Protestants were content to "look the other way" when Hitler chose to forego (or at least postpone[117]) any serious confrontation with the churches. Because, at first, Hitler brought renewed vitality to German national life, many German Lutherans simply ignored the early, ominous signs of catastrophe. More importantly, however, their traditional view of church and state simply did not provide for a church that opposed the government. Even those, like Martin Niemoeller, who had initially opposed Hitler (when the Reich church was being created), never joined the active resistance to Hitler once it became apparent that Hitler wanted to avoid a confrontation with the churches.

While there was potential for resistance to Hitler by German Christians (as Hitler himself saw from the beginning), no German bishops—Protestant or Catholic—were arrested for political reasons. Both Hitler and the church leaders sought to avoid a direct confrontation.[118] After the war,

---

[116] Wilhelm Stapel, *Die Kirche Christi und der Staat Hitlers* (Hamburg, 1933), 65–70; Stapel, *Volkskirche oder Sekte?* (Hamburg, 1934), 57. Quoted in Scholder, 422.

[117] "At the latest after 1941 the National Socialist leaders were clear about the need to annihilate Christianity in Germany because of the ideological rebellion of the churches. … However, tactical considerations meant that this aim had to be kept back until the end of the war." Klaus Scholder, *A Requiem for Hitler and Other New Perspectives on the German Church Struggle,* trans. John Bowden (London: SCM Press, 1989), 116.

[118] Scholder, *A Requiem for Hitler,* 130–39.

the highly controversial *Landesbischof* Ludwig Marahrens defended his collaboration with the Hitler regime: "For me the decisive thing was this: I achieved my aim of bringing the church through the threats uttered by the state and maintained the preaching of the Gospel in the communities, peace in the manses [parsonages] and tranquility at work."[119] The two-kingdom ethic had become a rationalization for looking the other way when the state became demonic: as long as the beast did not seek to devour the church, the church would refrain from inciting the beast.

Karl Barth's criticism of Lutheranism in Germany in 1940 may have been harsh, but it largely was justified:

> To a certain extent, Lutheranism has provided a breathing space for German paganism, and has allotted it—with its separation of creation and law from the gospel—something like a sacral precinct. It is possible for the German pagan to use the Lutheran doctrine of the authority of the state as a Christian justification for National Socialism, and it is possible for the German Christian to feel himself invited by the same doctrine to a recognition of National Socialism. Both have in fact occurred.[120]

Yet, Barth's alternative was simply traditional Reformed teaching (with a "Christ the Transformer of Culture" model). He called for the church "to set in motion the historical process whose aim and content are the moulding of the state into the likeness of the Kingdom of God."[121]

There is consensus among Lutherans now that two-kingdom teaching must not be applied as German Lutherans had learned to do.[122] It is also generally agreed, however, that this was *not* the failure of Lutheran two-kingdom teaching *per se,* so much as the failure of a particular application of it. Indeed, it was in Norway during the Nazi occupation that Bishop

---

[119] J. Beckmann, ed., *Kirchliches Jahrbuch 1933–1944* (1976), 146. Quoted in Scholder, ibid., 139.

[120] Karl Barth, *Eine Schweizer Stimme, 1938–1945* (Zollikon-Zürich, 1945), 113. Quoted in William Lazareth, "The Twentieth Century Recovery of Lutheran Political Responsibility," in *The Ethic of Power: The Interplay of Religion, Philosophy, and Politics,* ed. Harold Lasswell and Harlan Cleveland (New York: Harper & Brothers, 1962), 127.

[121] Karl Barth, *Community, State and Church: Three Essays* (New York: Doubleday Anchor, 1960), 80. Quoted in William Lazareth, "Luther's 'Two Kingdoms' Ethic Reconsidered," in *Christian Social Ethics in a Changing World: An Ecumenical Theological Inquiry,* ed. John C. Bennett (New York: Association Press, 1966), 121.

[122] Even leaders of the Confessing Church in Germany, which had done the most among the German churches to resist Naziism, admitted their guilt in October 1945: "True, we have struggled for many years in the name of Jesus Christ against a spirit which found its terrible expression in the National Socialist regime of violence, but we accuse ourselves for not witnessing more courageously, for not praying more faithfully, for not believing more joyously and for not loving more ardently …" Translation from Stewart Herman, *The Rebirth of the German Church* (New York: Harper and Row, 1946). Quoted in Lazareth, "The Twentieth Century Recovery of Political Responsibility," 128–29.

Berggrav's *Man and State* (written while in prison) pointed to resources in Luther himself for asserting the limited claim that secular authority has upon Christian conscience. Since World War II, most Lutherans have recognized that "Luther's intention was to demonstrate God's twofold rule of the whole world by law and Gospel, and not to separate it into two divorced realms of the 'sacred' and the 'secular.'"[123] Most Lutherans now affirm the need to prevent two-kingdom theory from merely legitimating the state.

Big Government and Religious Lobbies

What some American Lutheran church bodies have done since World War II, in order to implement a more socially conscious two-kingdom ethic, is what most other American church bodies have done since then: establish a Washington lobby. A 1951 study identified 16 church offices operating in Washington and also surfaced a complaint that would eventually become commonplace: "In many cases … church lobbyists promote the causes in which groups of church leaders are interested rather than the views of church members in general."[124]

At first, the church-body Washington offices operated at relatively low levels of activity, but with the election of John F. Kennedy, the pace quickened. While the initial motivation might have been to establish a listening post for church leaders or perhaps to do some lobbying on issues that most affected churches, those meager efforts soon mushroomed into full-fledged lobbying on all sorts of issues. In the 1960s, the political advocacy was mostly by mainline churches, but by the 1980s, religious conservatives also had weighed in with their own lobbying efforts.

For many mainline church bodies, the emergence of "Liberation Theology" coincided with their own advocacy interests. Several Latin American theologians, notably Gustavo Gutierrez, Juan Luis Segundo, and Jose Miguez-Bonino, argued that the strategy of liberation must supersede the strategy of development, because poverty exists primarily as a result of political and economic oppression. "Liberation theology" was admittedly sympathetic to Marxism and voiced distinctly anti-American sentiments. After 1970, liberation themes and ideas were common in the social statements of mainline American churches. A delegation of seven churchmen returned from a visit to Cuba in 1977 with the recommendation that its "process of creating a society without beggars, starvation, or illiteracy is a

---

[123] Lazareth, "The Twentieth Century Recovery of Lutheran Political Responsibility," 130.

[124] Luke Eugene Ebersole, *Church Lobbying in the Nation's Capitol* (New York: Macmillan, 1951), 25. Quoted in Reichley, 246.

revolution that deserves our respect and support." In 1978, the Committee on Justice and Service of the World Council of Churches gave a grant of $85,000 for humanitarian aid to guerrilla forces fighting to overthrow the government of Rhodesia—a government headed at that time by Bishop Abel Muzorewa, a black Methodist who was supported by the dominant white minority. Also in 1978, the Washington office of the United Church of Christ issued a congressional report card based on 20 votes, which were graded positive or negative depending upon whether the position was recommended by the church's Washington Office.[125]

The emergence of the New Christian Right in the late 1970s, however, gave religious conservatives an opportunity to use the same approach to oppose the Equal Rights Amendment, the Panama Canal treaty, *Roe v. Wade,* evolution, and secular humanism while calling for family values and prayer in the public schools. Activists created "biblical scorecards" that identified representative votes in Congress by which to judge office holders' worthiness for re-election. Some, like Paul Weyrich, said flatly: "We're radicals working to overturn the present structure in this country—we're talking about Christianizing America."[126]

Prominent religious leaders have recognized that this has gone too far. Charles Colson has concluded, "Both liberals and conservatives have made this mistake of aligning their spiritual goals with a particular political agenda." The danger, he warned, is that political alignment compromises the Gospel:

> Because it tempts one to water down the truth of the gospel, ideological alignment, whether on the left or the right, accelerates the church's secularization. When the church aligns itself politically, it gives priority to the compromises and temporal successes of the political world rather than its Christian confession of eternal truth.[127]

For Colson, only a church free of political alliances can be the conscience of society.

Dutch theologian H. M. Kuitert agrees that politicizing the church will ruin it, because politics brings the church into contradiction with itself, saddles the church with a role for which it is not equipped, and promotes a partisan intolerance among its members. Christians must not be afraid to participate in politics, Kuitert admits, because it is the only way to achieve social justice; but the church *as church* will lose itself if it participates in politics.[128] Kuitert argues that this is so because, in a modern democratic polit-

---

[125] See Reichley, 265; 268.

[126] See ibid., 327–31.

[127] Charles Colson, *Kingdoms in Conflict* (Grand Rapids: Zondervan, 1987), 310–11.

[128] H. M. Kuitert, *Everything Is Politics but Politics Is Not Everything: A Theological Perspective on Faith and Politics,* trans. John Bowden (Grand Rapids: William B. Eerdmans, [1985] 1986), 146–51.

ical system, it is inevitable that a church that makes social statements must choose one partisan option or another:

> In a society like ours, a church which expresses itself through official statements about controversial political and social questions automatically falls into one political category or another. There is no escaping this unless the statements are put in the most general way possible and are therefore as vague as possible. But those who are keen that the church should make statements—often the church leaders themselves—are against precisely that. What is left is that by speaking out, the churches can only approve or reject, and in so doing make their entry into the political arena.[129]

In fact, for Kuitert, doing politics through church channels actually contributes to the decline of democracy itself, because church assemblies—which have no real accountability to anyone—usurp the work and responsibilities of genuinely political institutions.

Thus, there are practical and not only theological reasons to question the wisdom of American religious lobbies. A. James Reichley believes that church bodies that "advocate detailed positions on particular pieces of legislation or administrative policies … risk squandering their moral authority on questions on which their technical competence will usually be slight."[130] Robert Zwier, a political scientist, also believes that there are even serious questions as to when political advocacy by churches becomes an imposition or "religious establishment":

> The respondents in this study were undoubtedly engaged in advocacy resting on moral or ethical premises, but they were very insistent that they were not guilty of imposition. How do they perceive this fine line? How do they avoid crossing it? …
>
> The typical recourse for these religious groups is to claim that they are advocating measures that are in the best interest of all people in society, with a particular concern for the poor and oppressed. They claim to be arguing for social justice. Yet, their argument is at its roots a religious or biblical argument, with which others may disagree. Others may have a different conception of what is in the best interests of society, a different view of social justice. Each group in the debate is then asking Congress or the White House to adopt its view of social justice. Inevitably someone will win or at least dominate; someone's view of morality—or social justice—will come out on top. Isn't that imposition, especially from the perspective of those who lost?

Unfortunately, according to Zwier, Washington church-body advocates do not have time to think about these seemingly peripheral questions, because "most of the respondents were too busy … worrying about how to support

---

[129] Ibid., 142.

[130] Reichley, 354.

or oppose tomorrow's congressional actions to reflect much about whether and when successful policy advocacy leads to religious establishment."[131]

"Why don't the churches just shut up?" Lutheran sociologist Peter Berger once asked.[132] He was expressing the exasperation of many Americans who are faced with a flood of social and political statements issuing from church bodies and church leaders these days. It is becoming clearer that the churches, if they wish to preserve the credibility of their voices, are going to have to be more careful with their speaking than they have been lately.

B. Moral Authority without Political Partisanship

Reichley (following the suggestion of Berger) proposes that instead of concentrating on social action, the church should broker honest and probing dialog on the issues for the benefit of its members as Christian citizens: "By very reason of their broad and varied memberships and the moral standing they should naturally possess, the churches are well suited to act as mediators or fact-finders on many issues over which technical experts disagree." In order to do this, according to Reichley, the churches "would have to cultivate reputations for objectivity and openmindedness as to means. These qualities are hardly compatible with the positions that some churches have recently been taking as partisan combatants or propagandists for the political left or right." If the churches become "too involved in the hurly-burly of routine politics," argues Reichley, "they will eventually appear to their members and to the general public as special pleaders for ideological causes or even as appendages to transitory political factions."[133]

Os Guinness agrees. For him, a civil public square requires "principled participation" and "principled persuasion."[134] Thus, people of all faiths and worldviews, transcendental or naturalistic, should freely and fully engage all others concerned with the affairs of public life. The public square may, as a result, become "crowded and noisy," according to Guinness, but this is simply essential to a vital democracy. Equally essential, however, is a commitment to persuasion rather than imposition. Inner con-

---

[131] Robert Zwier, "Church and State: The Views of Religious Lobbyists," a paper presented to the Annual Conference of the Society for the Scientific Study of Religion, November 14–16, 1986.

[132] Quoted in Reichley, 350.

[133] Ibid., 355; 359.

[134] "The first [principle], dealing more with action, is the expression of the freedom that is central to the civil public square, whereas the second, dealing more with communication, is the expression of the duty that is central to the civil public square." Guinness, 259.

viction and conscience must be respected, because religious liberty is the most fundamental liberty of all. Therefore, in a principled democratic society, the church's powerful public influence is from the *bottom up:*

> Under either the "total state" or the "total church," the chief movement of an ideology or religion is, socially speaking, always direct and from the top down. But in a democratic society where principled participation is flourishing, their chief movement is always indirect and from the bottom up. … Thus in a pluralistic democracy each faith, whether transcendent or naturalistic, Western or Eastern, modern or traditional, exercises its primary shaping power morally and indirectly rather than politically and directly. Instead of any faith being promulgated from above, each must penetrate and influence from below.[135]

It should also be noted that the church must have a "stomach for disagreements" as well as respect for differences of conscience. Also in the church, and not only in the public square, civil but principled debate on social ethics must be encouraged.[136]

The critical questions, therefore, are not whether the church *should* be involved with politics, or whether it can even *avoid* being involved with politics, but *"how* church and politics are and ought to be related" and "how each kind of political involvement affects the nature and mission of the church."[137] As a result, the remainder of this section will be devoted to characterizing three aspects of the church's *inevitably public* voice: the message, the messenger, and the means.

The Message

It is tempting to say that the church's public message is simply the Word of God. But given that God's Word is both Law and Gospel, with both spiritual and temporal concerns, we must self-consciously evaluate exactly *what* the church has to say. We must pay attention to principles, purpose, priority, and prudence.

---

[135] Ibid., 266–67.

[136] "To try and bring a corrective to this [current sorry] state of affairs based on a weak stomach for disagreements or on a reluctance to play political hardball would be useless. Either principled persuasion is tougher-minded and more realistic than realpolitik or it will not work. To say this is not bravado. Debate and persuasion are so incontrovertibly central to liberal democracy that if freedom and justice are its lifeblood, debate and persuasion are its oxygen. Not only that, in America's case the centrality of persuasion grows directly out of three impulses that are both deeply American and fundamental to religious liberty—conscience, pluralism, and the First Amendment." Ibid., 268.

[137] Robert Benne, "The Church and Politics: Four Possible Connections," *This World* 25 (Spring 1989): 27.

First, the two-kingdom distinction of Lutheran confessional theology requires that the basic *principles* of the church's public message be carefully discerned. Is the message concerned with spiritual righteousness or with civil righteousness? Is it focused on sin and grace or on the neighbor and social justice? Is it grounded in the revelation of God in Christ or in human reason and natural law as well? As we have already seen, for Lutherans the normative principles of the civil order are reason and justice. When speaking to different audiences, the church's message must be sensitive to the biblical principles that are most appropriate to each audience.

Second, the Lutheran two-kingdom distinction also requires that the *purpose* of the church's message be carefully discerned. When God's Law convicts the sinner and prepares the way for forgiveness of sins through faith in Christ, it also seeks to restrain harmful behavior and enhance our life in a fallen world. Speech to the government regarding sinful behavior is less appropriate than speech regarding the social consequences of sinful behavior. The Bible addresses both subjects and, for the Christian, there is a profound connection between them. Yet, in the complex diversity of the modern public square, it is the consequence and not the sinfulness that is the focus. The church must clarify its public speech in order to speak most helpfully to what is actually at issue.

Third, the church's messages also must be consciously *prioritized,* given the profound limitations of human existence. Even our Lord willingly subjected Himself to these limitations (Phil. 2:6–8; Heb. 2:17–18; 4:15) in such a way that, when confronted by the magnitude of human need, He accomplished only so much within a given time-frame. When Martha was upset because Mary used her precious moments with the Lord to hear His teaching rather than to "help out in the kitchen" (with what were, admittedly, also important human tasks), Jesus spoke clearly regarding the importance of priorities: "Martha, Martha, you are anxious and troubled about many things; one thing is needful. Mary has chosen the good portion, which shall not be taken away from her" (Luke 10:41–42). The issue is not good and bad, but better and best. The church must never let its eternally significant witness to faith in Jesus Christ be eclipsed by the enormity of human temporal concerns. When church conventions, for instance, literally become preoccupied with social issues—however important these may be—Christ's "one thing needful" is lost. The church simply cannot speak with equal effectiveness to all human concerns. To say that all human needs are *equally important* is simply an evasion of the prioritizing that human life (and Christian stewardship) requires.

Finally, the church's message must be shaped by *prudence.* With an eye always toward the goal of the church's ministry, our Lord has advised us to "count the cost" before we begin (Luke 14:28) and to be "wise as serpents and innocent as doves" (Matt. 10:16). These considerations should

not be interpreted as in any way compromising the integrity of the church's message. They are, rather, a reflection of the church's desire to avoid misunderstandings and petty, fruitless controversies.[138] The church may well find it prudent to heed the axiom suggested to the CTCR by Richard John Neuhaus: "When it is not necessary for the church to speak, it is necessary for the church not to speak."

In the final analysis, the church's message must always be drawn from God's Word, which is its only authoritative speech. But in drawing from God's Word a specific message for a particular time and circumstance, the church must carefully identify the principles it considers most relevant, the purpose for which it is speaking, the priority of the message it is bringing, and the most prudent way to frame and deliver that message.

The Messenger

To say that the "church speaks" is to beg the question of who exactly it is that speaks. Individual Christians speak for themselves. But when and on what basis do pastors, officers, or congregational assemblies speak for congregations? And on what basis do officers, staff, and conventions speak for the members of church bodies? The answers to these questions are not self-evident, and may even vary considerably between church bodies on the basis of both theological and organizational differences. What is important here is that we become conscious of the ambiguities and intentionally address them when pondering the role of the church as public messenger.

"Who speaks for the church?" surfaces the fundamental ambiguity in the term "church." It makes a great deal of difference, for instance, whether the term church is used to refer to the universal, spiritual body of God's people; a national or international church body; a congregation; or individual Christians generally. It also makes a difference whether one is referring to distinctively spiritual and ecclesiastical functions or to an institution that operates under secular law as property holder, employer, deliverer and purchaser of services, or investor.

---

[138] David Liefeld writes of the need to handle highly charged social issues with pastoral sensitivity: "Pastors do not need to compromise their personal convictions, or the truthfulness of God's Word, in order to listen sympathetically as people describe their personal odysseys of wrestling with the moral dilemmas of our time. In fact, pastors can be much more effective by entering into that struggle with them, sympathetically, than by only standing over and against them, judgmentally. … Pastors *can* incorporate controversial issues within sermons in ways which acknowledge both God's truth and the fact that listeners are wrestling with an extremely complex social problem. Effective pastors will also rely most heavily on dialogical classroom situations and one-to-one conversations for the most controversial, and most easily misunderstood, elements of the problem." David R. Liefeld, "A Pastoral Approach to the Politics of Abortion," *Concordia Journal* 17, no. 3 (July 1991): 256.

We have already seen how, for Lutherans, the church is fundamentally spiritual. With Luther, Lutherans confess in the Smalcald Articles of 1537, "Thank God, a seven-year-old child knows what the church is, namely, holy believers and sheep who hear the voice of their Shepherd" (SA XII, 2). The voice of this Shepherd is heard by means of "the office of the ministry, that is … the Gospel and the sacraments," through which God "gives the Holy Spirit, who works faith, when and where he pleases, in those who hear the Gospel" (AC V, 1–2). Article VII of the Augsburg Confession, therefore, defines the church simply as "the assembly of all believers among whom the Gospel is preached in its purity and the holy sacraments are administered according to the Gospel" (AC VII, 1). This church asks publicly for the freedom to proclaim the Word and to administer the sacraments.

But the church is also a social organization—in the Missouri Synod, congregations, districts, and Synod. While it is tempting to assume that these groupings are synonymous with that church defined by Word and sacrament, they actually have one new characteristic: they are also institutions of the temporal kingdom. They usually incorporate, adopt constitutions and by-laws, and conduct business according to *Robert's Rules of Order.* While the church of the Word is not subject to civil law, since even in totalitarian societies that Word can still be preached or read "underground" and cherished in faith even in the isolation of a prison cell, the church as an institution of society is subject to civil law. The church as institution can be created and abolished, it can sue and be sued, and it can address other legal entities, including government, regarding its institutional interests or concerns.

The institutional church will be concerned about zoning laws that affect the location of church buildings and church schools. It will be concerned about legislation that may encourage or discourage the work of the church (such as tax exemptions, tuition tax credits, or voucher plans for child care and private education). The church as an institution of society has as much right as any other institution to make its concerns known to those who enact legislation, and law-makers should be as concerned about the impact of their legislation on churches as they are about individuals and for-profit corporations.

Between these two understandings of church, of course, lie individual Christians pursuing their vocations ("callings") to serve God in all things—the church also in the broad sense of the word. Here there are numerous social concerns: for civil and human rights, for economic and political justice, for world peace, and so on. And Christians must address these subjects in order to avoid the kind of social quietism that resulted in the submission to Naziism of the German churches. But this understanding of church actually involves an intersection of the two kingdoms, because it is the *individual Christian* who lives *simultaneously* in *both* kingdoms.

This church, grounded in Word and sacrament, works in society from the "bottom up." It is the individual Christian, both as member of the church and citizen of the state, who is duty bound to become the primary "speaker" of the church's many social concerns. It is the individual Christian who works from the "bottom" in the public square, guided both by God's Word and by the principled persuasion of the institutional church. Therefore, individual Christians can, and must, learn to translate the concerns of God's Word into arguments appropriate for civil government. And the institutional church needs to provide opportunities for believers to study and discuss the application of their faith to the issues that confront them in daily living.

Also of great assistance to the Christian in performing the duties of citizenship in the modern nation-state are the mediating structures of voluntary association (such as public interest groups and para-church ministries). The modern world has an unprecedented dichotomy between public and private life. Without mediating structures, "the political order becomes detached from the values and realities of individual life."[139] Yet, in addressing values, mediating structures often cut across ideological and political lines. They help to develop the compromise and consensus that is so essential for democratic government, without compromising the integrity of either political or religious institutions: "*Mediating structures are essential for a vital democratic society. … Public policy should protect and foster mediating structures* and *Wherever possible, public policy should utilize mediating structures for the realization of social purposes.*"[140] The advantage is precisely that Christian citizens can work together on common social concerns with non-Christians as well as Christians outside their church body—and can even work *against* fellow Christians of the same denomination—without their church body itself entering into such potentially destructive conflict.

The Means

When analyzing the message to be proclaimed and the most appropriate messenger to proclaim it, it will be helpful also to consider the manner in which the church relates to the world. Robert Benne has described the four "possible connections" for the institutional church and politics: the ethics of character (indirect and unintentional influence); the ethics of conscience (indirect and intentional influence); the church as social conscience (direct and intentional influence); and, the church with power (direct and

---

[139] Peter L. Berger and Richard John Neuhaus, *To Empower People: The Role of Mediating Structures in Public Policy* (Washington, D.C.: American Enterprise Institute for Public Policy Research, 1977), 3.

[140] Ibid., 6.

intentional *action*). Benne's four "connections" are especially helpful considerations for implementing the Lutheran two-kingdom distinction.[141]

Benne's first connection is **indirect and unintentional influence.** This means, according to Benne, that the church as an institution does not get involved in public, political decision-making. Its influence on politics is indirect, through the members of its congregations. Furthermore, its influence is unintentional. It has no specific design for society, no social policy. What it does is simply to preach and teach the Word of God, letting the Word speak for itself and accomplish its own purposes. In this connection, the church relies upon the power of God's own Word, the work of His Holy Spirit, to shape and direct believers as they work out their calling to serve God in the neighbor. It is a powerful connection with great potential:

> Affecting people in this way is arguably the most important, fundamental, and potentially the most effective way the church influences the public order—its politics, economics and social life … religious communities are capable of forming a powerful ethos among people who participate. These people then shape the world about them, as political leaders but also as those who condition the political climate around them.[142]

This is the connection between religion and politics that has predominated among Lutherans and is, in fact, most congenial to the two-kingdom model and to Luther's teaching on Christian vocation.

Yet, no one supposes that the institutional church has ever been bound to merely *reading* God's Word, as if it were somehow inappropriate to explain or apply it to practical problems and issues of everyday life. The preaching of a sermon, the teaching of a Bible class, or a conversation with a fellow citizen, presume prior training at the hands of other Christians—usually through the work of the institutional church. In other words, even teaching about the two-kingdom model or the Christian's call to exercise faith through love, is based on *intentional* influence by the institutional church. It is difficult to conceive of the church ever operating *only* with a model of indirect and unintentional influence.

Therefore, Benne's second possible connection between the church and politics, **indirect and intentional influence,** has also been an important part of the Lutheran two-kingdom model, since the Lutheran Church is self-consciously a "teaching church." This second connection adds intentionality to the first connection. Here the institutional church mobilizes its biblical and confessional resources deliberately, aiming "to form the con-

---

[141] In addition to Benne's article "The Church and Politics," see also chs. 8 and 9 (184–224) of Benne's book *The Paradoxical Vision: A Public Theology for the Twenty-first Century* (Minneapolis: Fortress Press, 1995).

[142] Benne, "The Church and Politics," 28.

science of its own people regarding public issues."[143] The church's influence remains indirect; it does not seek a public role for itself. Nor does it presume to speak for its members. But, it does presume to speak *to* its members on the basis of its religious and moral traditions.

Because the institutional church has authority with its own members, grounded in their desire to hear and learn God's Word, it can even challenge its members to address unpleasant social problems that they might prefer to evade. But in doing this, the church does not seek to bind the consciences of its members so much as to sensitize them. For the church is ever conscious of the potential for polarization whenever social issues arise, and the church's goal is never to endanger the flock (through political polarization) but to nurture it carefully with lovingly persuasive speech. As with the first connection, the church relies primarily on the power of the Holy Spirit and the Gospel for motivation to deal with social issues (faith active in love).

It is absolutely necessary for the church to "do its homework" on the problems to be addressed. Broad-based consultations with church members who have expertise in the areas of concern are essential. The church also should refrain from presuming to dictate specific *means* by which certain goals are to be achieved, since selecting the means is often the most difficult and controversial political task.

Benne's third possible connection is **direct and intentional influence.** "Direct" here means that the church speaks publicly in addition to the indirect efforts through its members. There may be some social issues about which the Scriptures speak so explicitly and clearly that the institutional church deems it necessary to speak directly on the basis of God's Word. But there are great risks, as we have seen, in such direct speaking. Often this speaking is not appreciated, let alone heeded, by those outside the church. Moreover, it *always* carries the risk of politicizing the church. And so, from a practical standpoint and from the standpoint of the Gospel, direct speaking should be done *infrequently,* only on the basis of clear and unambiguous teachings of Scripture, where the church's *most fundamental* concerns are at stake.

The fourth possible connection between the church and politics, for Benne, is highly controversial and risky—it is **direct and intentional action.** The church no longer relies on persuasion, as all three of the previous connections do. The church now directly *acts* to change policy or reshape society. It commits funds and applies political leverage—perhaps even lending its support to particular candidates. Direct action by the church is dangerous. It runs all the risks associated with "religious establishment" that have so dogged the church since the days of Emperor Con-

---

[143] Ibid., 30.

69

stantine. Direct political action by the institutional church involves the exercise of civil power and that power has always had a corrupting influence on the church:

> Generally speaking, when direct action is called for it is much better for the church to let that be carried on by laity in their worldly roles or by voluntary associations that are distinct from the church. Bonhoeffer had an accurate intuition when he insisted that the assassination plot on Hitler in which he was involved—what a form of direct action!—be carried out by a loose association of Christians, not the church itself.[144]

Confessional Lutherans will find it very difficult to maintain their confessional subscription and engage the institutional church in direct political action.

Many believe that much of the so-called "advocacy" by church-body Washington offices is really direct political action. It certainly is controversial and has deeply divided the church bodies involved. Often, it has led to the withholding of badly needed funds for other essential tasks of those churches. Advocacy is usually more than persuasion (mere "speaking out," as in connection three above). Advocacy is usually a "working" of the machinery in our democratic political system. As such, it flirts with imposition and violation of conscience. Furthermore, this advocacy is not infrequent (as in Benne's third connection) but regular and on a long list of concerns—so regular, in fact, that it tends to desensitize recipients to the church's voice and jeopardizes principled participation from the "bottom up."

This does not mean that congregations or church-wide assemblies cannot take a position on social issues, but only that such speaking has its limitations. It is limited primarily to those who have already agreed to speak and hear God's truth in love. It is also limited by the threat of polarization, since all public speaking on social issues in a democracy is partisan (that is, associated with one of the "parties" in the debate).

Christians will never be of one mind on exactly how to implement their faith in good works—nor must they be, since the true unity of the church does not lie in such agreement. Yet neither can such agreement among believers be treated as irrelevant, and therefore ignored, since what is at issue is precisely those good works that God has commanded us to do. The "mutual conversation and consolation of brethren" spoken of in the Lutheran Confessions (SA IV) will contribute to Christian life in the world as well as to the strengthening of our faith in Christ.

---

[144] Ibid., 36.

C. For Example

General principles often become more clear and meaningful when applied to specific, concrete issues and situations. However, the practical implementation of the principles discussed above will require the church (or some representative of the church) to make a decision about the "means" of influence or action that are most appropriate in a given situation. Therefore, the following section is organized according to the four "means" outlined by Benne by which the church may "connect with" and thus influence the state (see "The Means" in fig. 1). As we consider various examples of the LCMS's application and implementation of these means, we also will have opportunity to discuss how principles related to "the message" and "the messenger" are pertinent to these applications.

Three points must be emphasized at the outset:

- First, our purpose in this section is illustrative, not evaluative. Our goal is to show how the Missouri Synod has sought and is seeking to apply (consciously or unconsciously) the Lutheran two-kingdom perspective to specific church-state issues.

- Second, there is a practical consideration that applies in all of the following illustrations, namely, the need for prudent sensitivity to the politicization of the church. There are no moral absolutes in a Lutheran two-kingdom perspective that can be addressed without sensitivity to particular circumstances and potential consequences. In each and every instance of social concern, Christians must discern the speaking that will best preserve the church's unity in the Gospel. This will require diligent study of God's Word, along with the exercise of God-given common sense, prudence, and self-restraint.

- Finally, Benne's four "connections" must not be viewed as precisely defined and narrowly circumscribed "categories" into which each form of ecclesial speaking or acting can be definitively placed. Thus, the question of where a particular example may best "fit" in this model is also open to fraternal debate. Furthermore, the use of one "means" by the church in speaking to a certain issue ought not be viewed as excluding the use of one or more of the other "means" in speaking to the very same issue. In fact, it may be helpful to conceptualize Benne's four "connections" in pyramidal fashion (see fig. 2). In this way, it is clearer that there is a progressive relationship between the connections. One cannot effectively speak directly to the state unless one has already spoken effectively (and persuasively) to one's own members. It is also clear that each step up the pyramid increases the risk of politicizing the church, because it

A Lutheran Two-Kingdom Perspective

The brokering of honest, probing dialog regarding social concerns based on principled participation, principled persuasion, and social influence from the "bottom up."

THE MESSAGE

- **Principles**
  Differentiate Law/Gospel and two-kingdom concerns
- **Purpose**
  Distinguish between convicting of sin and restraining sin
- **Priority**
  Not all concerns are equally important
- **Prudence**
  Beware of politicizing the church

THE MESSENGER

- **"Church" as Spiritual Body of Christ**
  Located by Word and Sacrament
- **"Church" as Social Institution**
  Incorporated entities
- **"Church" as Christians Generally**
  Individual Christians pursuing their vocations

THE MEANS

- **Indirect and Unintentional Influence**
  Lets the Word speak for itself
- **Indirect and Intentional Influence**
  Teaching resources aimed at own membership
- **Direct and Intentional Influence**
  Infrequent, based on clear and fundamental Scriptures
- **Direct and Intentional Action**
  Always flirts with the establishment of religion

Figure 1

A Pyramid Approach
to the Means of Speaking

Increasing risk of polarizing controversy

Decreasing ease of consensus building

Direct & Intentional Action

Direct & Intentional Influence

Indirect & Intentional Influence

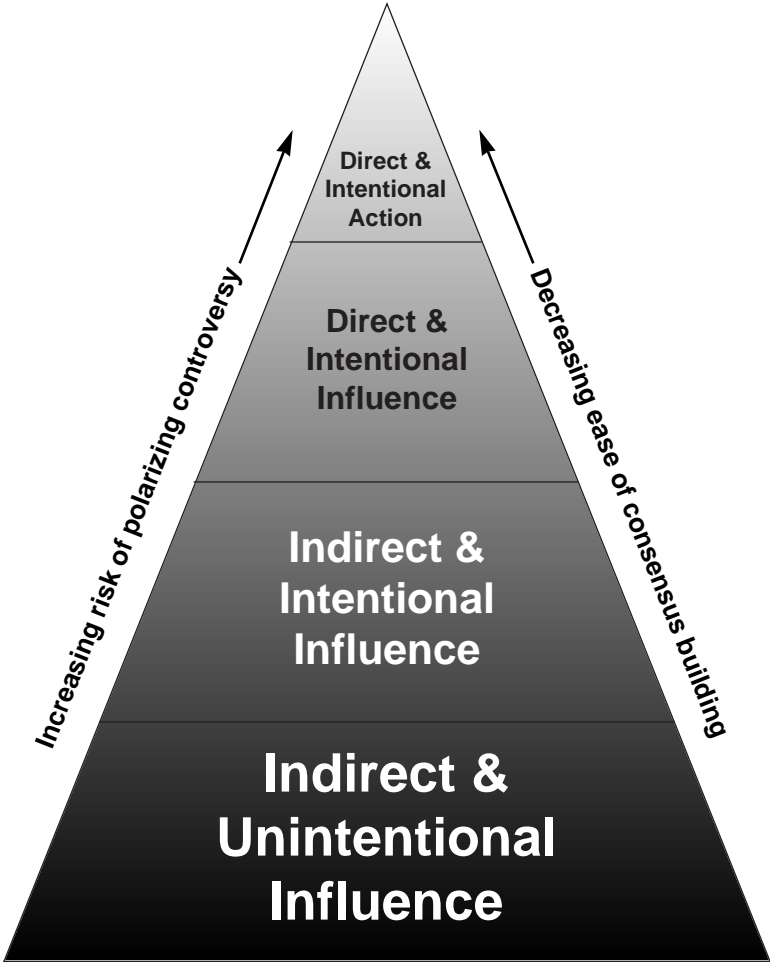**Indirect & Unintentional Influence**

Figure 2

is increasingly hard to achieve consensus. It is prudent, therefore, to stay with the lowest level of speaking that will accomplish what is necessary.

Indirect and Unintentional Influence

The first means, by which the church speaks to and influences the state indirectly and unintentionally, has predominated in the Missouri Synod because of its congeniality to the two-kingdom model of Lutheran theology. It involves simply preaching and teaching the Word of God and trusting the Holy Spirit to work through that Word to shape the lives and characters of individual Christians who will, in turn, have a transforming affect upon the society in which they live. This approach is summarized well by Carl Mundinger:

> Keeping strictly within her sphere, the Church must put forth every effort that the nation within whose boundaries she exists become more and more permeated with the principles of social life laid down in the Word of God, the principles of righteousness, of justice, of tolerance and forbearance, of mutual helpfulness and co-operation.
>
> She must do this not by futile efforts to control legislation or to direct the administration of government, but by laboring patiently and persistently to increase the number of those within the nation whose hearts have been regenerated by the Spirit of God and whose lives are directed by that Spirit. Not by invading political assemblies, but by entering the pulpit with an emphatic and convincing proclamation of the whole Gospel of Christ can the Church make a real contribution to the political well-being of our nation. The fact that the State and the Church are two separate and distinct organisms, that they have two separate and distinct spheres of influence, does not imply that they should assume an attitude of complete indifference toward each other; on the contrary, a mutual friendly recognition and a readiness on the part of each (within the limitations of its own scope and sphere) to aid and serve the other is indispensable to the peace and prosperity of both.[145]

Thus, for example, a pastor faithfully and consistently proclaims the Good News that God "shows no partiality" in granting forgiveness and salvation in Christ (cf. Acts 10:34). As a result, his members not only take this message to heart personally, but strive—by the Spirit's power—to embody this "divine impartiality" in their own lives and behavior toward others. The specific results are multi-faceted, from changes in personal atti-

[145] "Dangers Confronting the Church Today," *The Abiding Word,* ed. Theodore Laetsch (St. Louis: Concordia Publishing House, 1946), 1:503–4.

tude and behavior, to changes in congregational attitudes and behavior toward those of differing racial or ethnic backgrounds, to involvement in social and political efforts against racism and its effects on our society. Or, a pastor leads a Bible study regarding "the sanctity of life" that touches the hearts and the lives of the participants in a variety of ways. One person arrives for the first time at a clear understanding of what the Scriptures teach regarding the value of the human persons affected by abortion and euthanasia. Another is moved to write letters to key political leaders urging support for specific legislation concerning "life issues." Still another decides to initiate the formation of a local Lutherans for Life chapter, and yet another offers to volunteer services at a nearby crisis pregnancy center. All of these things happen apart from any *direct* or *intentional* "plan" on the part of the pastor, the congregation, or the Synod to effect societal change or influence governmental policy.

The great advantage of this approach, of course, is that it enables the church to keep both the "message" and the "messenger" sharply in focus. It allows the pastor to focus on his primary responsibility of proclaiming Law and Gospel, sin and grace, and faith and love. His purpose is not to change society, but through Word and sacraments to transform sinners (2 Cor. 5:17–19). This approach helps pastors and congregations to keep their priorities straight by focusing on "the one thing needful" and avoids politicizing the church. It also avoids the ambiguities implicit in the identity of the church as "messenger" by emphasizing that the church is a spiritual body in which individual members pursue their God-given vocations. Last but not least, it is a highly potent means of influencing the state, since its potency is rooted solidly in the power of God's own Spirit to change the hearts and lives of the people who constitute society and state.

But there are also dangers associated with the *exclusive* use of this approach. The most obvious, perhaps, is the potential for the "quietism" of which the Missouri Synod has frequently and not always unjustly been accused (or at least suspected). There are times when, due to certain social and political realities (such as German Naziism), concrete issues must be addressed specifically by the church in one way or another (particularly in speech addressed to its own members), and the church cannot avoid this responsibility simply by appealing to the obvious strengths and advantages of an "indirect and unintentional" approach to influencing society. To say that this approach is and even must be the predominant and most important connection between church and state, therefore, is not to say that it ought to be the *only* connection. As noted above, this first means of influencing the state neither contradicts nor precludes the other three means—although this first means is foundational and must undergird the effective use of the others (see fig. 2).

One additional point must be underscored. Precisely because this first approach is *indirect* and *unintentional* and therefore depends ultimately on

the sanctifying efforts of the Holy Spirit who, like the wind, blows where (and how) He wills (cf. John 3:8) as He works through the means of grace, it should be expected that individual Christians equally committed to the same Word and moved by the same Spirit may respond to God's Word in many different and sometimes even conflicting ways in the "public square." For this reason, Christians who share the same theological convictions and confession must learn to tolerate—indeed, even to welcome—some differences and disagreements when it comes to convictions about social and political priorities, positions, and strategies. Theological solidarity is not necessarily inconsistent with political diversity, nor do disagreements concerning specific political issues necessarily imply theological disagreement. In fact, to insist upon complete agreement in political matters (as if the church were a political party) would be to undermine or deny the validity of the very principles underlying the Lutheran understanding of the "two kingdoms."

Indirect and Intentional Influence

Whenever and wherever the church faithfully carries out its God-given duty of proclaiming the Gospel and administering the sacraments, it will also indirectly and unintentionally influence the society in which its members live, work, and interact with others. At the same time, societal issues and situations will inevitably arise concerning which the church will feel the need to influence its members *intentionally*—though without necessarily presuming to speak for them and without the church in convention (whether synod, district, or circuit) taking a partisan stand. The goal here, in Benne's words, is "to form the conscience of its own people regarding public issues"[146] by bringing God's Word to bear upon issues of vital importance to Christians, to the church, and to society itself.

One way in which The Lutheran Church—Missouri Synod speaks *intentionally* to public issues is through official resolutions adopted by the Synod in convention. While it is often difficult to determine precisely and unambiguously *to whom* the Synod is speaking in adopting resolutions on social issues (see also "Direct and Intentional Influence," which follows), our concern here is with those resolutions that appear to be directed specifically or primarily to the pastors, congregations, and institutions of the Synod itself and to the members of the Synod's congregations and institutions.

The Synod, for example, has adopted numerous resolutions over the years regarding racism and racial discrimination. Typical is 1992 Res. 3-03, in which the Synod

---

[146] Benne, "The Church and Politics," 28.

Resolved, That The Lutheran Church—Missouri Synod urge its members to repent of any attitude or practice of racism as individuals and congregations; and be it further

Resolved, That the Synod repudiate all racism and urge its members to celebrate God's love in Christ and their forgiveness and acceptance as God's children by loving and serving all their fellow humans as they have been loved and served, without any exception of persons, and to work toward social justice in their neighborhoods and workplaces and all areas of society. …[147]

The speaking that takes place in this resolution is "intentional" in that the church here deliberately and specifically brings Scriptural truths and principles to bear upon a contemporary issue that is not only of ecclesial but also of social and political concern (and controversy). It is "indirect" in that the Synod's repudiation of racism is directed primarily to its own members (not to the state) and in that its call "to work toward social justice in their neighborhoods and workplaces and all areas of society" stops short of advocating any specific political agenda or strategy for achieving "racial justice" in the secular realm.

Similarly, the Synod has adopted a significant number of resolutions addressing the problems of poverty and world hunger.[148] In 1986 Res. 7-01A, for example, it was "Resolved, that The Lutheran Church—Missouri Synod in convention urge its congregations to seize every available opportunity to minister to total human need through intentional social ministry activity."[149] As with its resolutions on racism, the Synod here *intentionally* urges "intentional" action in response to problems of human need, but its urging is directed expressly to "its congregations" (not to politicians or political entities) and does not advocate any specific social or political program.

In order to underscore the conscious and deliberate nature of the "indirect" aspect of this means of influencing the state, it might be helpful to consider several examples of issues concerning which the Synod expressly *declined* to take a specific public position even when urged by some in the Synod to do so. In 1981, for example, the Synod adopted Res. 8-10, "To Decline to Support Documentation for Undocumented Aliens." This resolution reads:

WHEREAS, On the one hand, Christ has commanded us to love our neighbors as ourselves, and for many of us undocumented aliens are residents of our local neighborhoods; and

WHEREAS, On the other hand, to support documentation for undocumented aliens involves political decisions for which the church has neither adequate knowledge nor divine mandate on which to make a judgment; therefore be it

---

[147] 1992 *Proceedings,* 113–14.

[148] Examples include 1967 Res. 9-15; 1969 Res. 9-11, 9-20; 1981 Res. 8-02, 8-12; 1983 Res. 1-07; and 1986 Res. 7-01A, 7-10A, 7–12A.

[149] 1986 *Proceedings,* 209.

> *Resolved,* That the members of the Synod be reminded of their duty to show Christian compassion to undocumented aliens and not to exploit them but to help them seek legal documentation; and be it further
>
> *Resolved,* That the overture to support documentation for undocumented aliens be respectfully declined.[150]

Note, first of all, that the Synod did *not* say that Scripture has no application whatsoever to this issue. On the contrary, the first "Whereas" reflects a clear recognition that certain passages of Scripture may indeed be brought to bear upon this issue, and the very wording of this resolution indicates that the concerns addressed here were sympathetically received by the convention. Ultimately, however, it is apparent that the decision not to take a specific public position was made on the basis of principles related to both "the message" and "the messenger." First, reasoned the Synod, while Scripture speaks clearly regarding the need to show love to one's neighbor, it contains no unambiguous principle (no "divine mandate") on governmental policy regarding "documentation for undocumented aliens." Second, this lack of a clear Scriptural principle also impacts the priority of this issue for the church and the need for prudence in addressing it. The Synod argued that taking a position on this particular issue would be inappropriate because in this case the messenger (the Synod itself) was ill-equipped to do so, since it lacked the knowledge and expertise necessary for such speaking. To take such a position, said the Synod, would necessarily involve "political decisions for which the church has neither adequate knowledge nor divine mandate on which to make a judgment." The Synod may also have felt that this particular issue (as important as it may have been) did not impact critically enough upon the life of the church (either as the spiritual body of Christ or as a social institution) to justify the risks associated with taking a public position.

In view of the above, it is equally important to note that at this same convention the Synod strongly supported (as it had done in previous years) efforts "To Intensify Resettlement of Refugees."[151] Although the "action" focus of this resolution was to develop and support "programs of Lutheran Immigration and Refugee Service," the Synod also resolved to "commend the governments of the United States and Canada and call upon them to continue their involvement in the resettlement of many refugees from around the world." This resolution begins to involve Benne's third connection, *direct* and *intentional* speech by the church to the state. However, the way in which this issue is addressed indicates that the convention's primary concern was not so much to "influence" governmental policy in a specific way or to take a specific "position" as to express support for refugee resettlement in general—primarily at the congrega-

---

[150] 1981 *Proceedings,* 206.

[151] Res. 8-01 (1981 *Proceedings,* 203).

tional level (cf. the final "Resolved" concerning individual and congregational "sponsorship" of refugees).

In 1983, a number of overtures were submitted to the synodical convention regarding the issue of nuclear arms and "the nuclear freeze." One read:

> *Resolved,* That the LCMS declare that arms escalation and nuclear proliferation are against the best interest of the United States and the world, since they threaten to diminish, rather than enhance, the prospects for national and global security and peace; and be it further
>
> *Resolved,* That we urge our government to invite the Soviet Union and other nations to join us in a freeze on the development of any new nuclear weapons systems and on the production of any additional warheads or delivery vehicles within already developed weapons systems.[152]

Other overtures expressly urged the Synod *not* to take a partisan position on this issue, but rather to encourage its members to acquaint themselves thoroughly both with the theological principles underlying the Lutheran two-kingdom model and with the relevant political issues, and to exercise their own moral judgment in responding to this matter. The Synod's response to these overtures came in Res. 3-06:

> *Resolved,* That we acknowledge the cause of all human contention and war to be man's sinful nature, and that we therefore intensify our efforts to call all people to repentance and to proclaim reconciliation in Christ as the only means of achieving true and lasting peace with fellow human beings; and be it further
>
> *Resolved,* That the Synod urge its congregations and members
>
> a. to study what the Scriptures and the Confessions have to say about world peace and the respective responsibilities of the state and its citizens, giving special attention to Luther's doctrine of the two kingdoms and the nature of just wars (AC XVI, XXVIII, Ap. XVI);
>
> b. to carry out their duty as Christian citizens by becoming knowledgeable about issues such as the arms race, the nature and the results of the use of nuclear weapons, and the state of world affairs and by working within the framework of responsible participation within the political process to effect those policies which enhance the prospects for world peace;
>
> c. to support the efforts of our duly elected and appointed governmental authorities to carry out their constitutional and God-given responsibility to provide for the safety and welfare of the citizens of our country;
>
> d. to pray, both as individual Christians and in our congregations, that God in His mercy spare humankind from the horrors of nuclear war and guide the rulers of the nations to lead us in the way of world peace; and be it further

---

[152] Ov. 1-43 (1983 *Workbook,* 39; cf. Ovs. 1-44 through 1-47).

> *Resolved,* That The Lutheran Church—Missouri Synod in principle oppose the adoption of conscience-binding pronouncements which are not based on the clear teachings of Holy Scripture; and be it finally
>
> *Resolved,* That the Synod request the Commission on Theology and Church Relations and its Social Concerns Committee to carry out a basic study of the various aspects of the relationship between church and state, giving special attention to issues such as "who speaks for the church," "when," and "on what basis."[153]

The second "Resolved" reflects the Synod's decision to speak to its own congregations and members regarding the issue, *not* directly to the government. The third "Resolved" confirms the deliberate nature of this "indirect" speaking and the Synod's reluctance to bind the consciences of its members by attempting to speak *for* them instead of *to* them regarding an issue concerning which Christians equally committed to God's Word may in good conscience disagree. The final "Resolved" illustrates the Synod's awareness of the need for further careful study and discussion of the principles underlying the position taken in this resolution—the most concrete result of which has been the preparation of this very report.

There are many more examples of synodical conventions bringing "indirect and intentional influence" to bear on social and political concerns. However, this means of influencing the state is not limited to convention resolutions, nor are such resolutions necessarily the most effective form of such influence. Various documents, statements, and resources have been developed by synodical entities regarding each of the issues discussed above, and these resources may well be more effective means of "speaking to" and influencing members of synodical congregations than convention resolutions (though in many cases the latter have undoubtedly given rise to the former).

In 1994, for example, the CTCR adopted and distributed a report on *Racism and the Church* that addresses such topics as "Racism and the Necessity of a Christian Response," a "Biblical Perspective on Racism," and principles for "Combatting Racism in the Church." As with synodical resolutions addressing this topic, the CTCR's report is based on the presupposition that racism involves fundamental principles to which the Scriptures speak clearly, but that society's response to racism involves any number of political complexities that require the church to be careful in its speaking. This report speaks, therefore, primarily to individuals within the Synod itself, and it does so on the basis of biblical and confessional resources without specifically addressing the question of what specific governmental policies and regulations are best suited to dealing with racism as a social malady.

---

[153] 1983 *Proceedings,* 155–56.

Individual Christians, of course, must address such questions and make such decisions, and are free—even obligated—to participate in the partisan politics necessary to implement such measures. The underlying assumption of the CTCR's report, however, is that what the church can do best—and what should be its priority—is to address the root causes of racism within its own membership. Typically, therefore, such "indirect and intentional" speaking is best and most effectively carried out at the local level, through sermons, Bible classes, and congregational activities *intentionally* focused on combatting the problem of racism in church and society *without directly advocating* specific social or political means of dealing with this problem. As individual Christians are moved to respond in various ways to this issue, social change will be effected among those predisposed to listen to the church's message and to look to its example:

> We in The Lutheran Church—Missouri Synod have before us a wonderful opportunity to commit ourselves to strive toward making racism a thing of the past, and to demonstrate before a watching world how people of all cultures and groups can become one in Christ, who has made of many one body for the edification of all.[154]

Similarly, a wide variety of programs and resources have been developed within the Synod (and in cooperation with other Lutheran churches) addressing the problems of poverty, human suffering, settlement of immigrants and refugees, and "war and peace" issues. Such programs and resources allow members of the Synod to focus intentionally on these issues on the basis of Scriptural principles, while leaving necessary room for individual Christians to form their own opinions about the wisdom of specific governmental policies and to make decisions about personal involvement in ecclesial and/or social efforts and activities in these areas.

Obviously, there is subjectivity involved in determining when and how to speak indirectly but intentionally to social issues. This will become even more evident in the next section, as we discuss situations and issues concerning which the Synod *did,* in fact, decide to take a partisan position ("partisan" in the sense that it does, admittedly, side with some and not with others in social and political debate). Again, that Christians equally committed to the same principles may disagree about the most appropriate means to employ in a given situation, well illustrates the *inevitable complexity and ambiguity of the Lutheran two-kingdom model itself.* Indeed, if the Scriptural validity and practical value of the two-kingdom model is to be maintained, we must learn to view such "inconsistencies" and disagreements not only as inevitable, but as a positive and healthy outgrowth of Scripture's teaching regarding the relationship between church and state.

---

[154] *Racism and the Church,* A Report of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 1994, 58.

Such differences, when there is agreement in principle, actually serve to clarify our grasp of what is truly essential to Christian fellowship and service (cf. AC VII).

Direct and Intentional Influence

In the previous section we discussed examples of issues concerning which the Synod, at various times, has considered it appropriate or even necessary to speak intentionally (though indirectly) regarding specific social issues, despite the ambiguity and risks involved in such speaking. Obviously, even greater risks are involved when the church speaks not only intentionally but also directly to the state—when the church aligns itself publicly with a specific social or political position or strategy or when it speaks directly to the state regarding matters that, properly speaking, are the responsibility not of the church but of the state. Such risks notwithstanding, the Synod has chosen to engage in this type of speaking on a *limited number of occasions* regarding issues that it deemed to be of critical importance for the church's life and work, its witness, or its own moral responsibility (as *church*) to seek and promote the welfare of the state and its citizens.

In the preceding discussion we made reference to the Synod's various resolutions on racism as an example of Benne's second connection between church and state. In 1986, however, the Synod adopted a resolution on racial discrimination in which it expressly denounced a specific political system and publicly declared its position as a church body concerning this form of government. Res. 7-08A reads:

> *WHEREAS,* Christ commands His disciples to love everyone (Mark 12:31, Matt. 5:44); and
>
> *WHEREAS,* Racial discrimination occurs throughout the world; and
>
> *WHEREAS,* This discrimination is particularly fostered by the system of apartheid in the Republic of South Africa; and
>
> *WHEREAS,* We abhor racial discrimination wherever it occurs; and
>
> *WHEREAS,* Christians have a moral responsibility to advocate for victims of racial discrimination; therefore be it
>
> *Resolved,* That all Lutheran Church—Missouri Synod members be encouraged to undertake a self-examination with respect to their attitude toward all people; and be it further
>
> *Resolved,* That congregations through worship, prayer, and Bible study groups assist in sensitizing members to evils of racial discrimination so that they may through the love of Christ respond to the needs of the oppressed; and be it further
>
> *Resolved,* That The Lutheran Church—Missouri Synod declare publicly that it denounces apartheid as well as other forms of racial discrimination; and be it finally

>   *Resolved,* That The Lutheran Church—Missouri Synod continue to
>   develop ways and means to share the love of Jesus Christ in all parts of the
>   world and to bear witness to the reconciliation that is possible in Christ.

That this was a controversial issue for the delegates to the 1986 convention is reflected in the notation accompanying this resolution. Two amendments were debated (and ultimately declined), one calling for the deletion of the specific reference to "apartheid" and the other suggesting the inclusion of a qualifying phrase indicating that the Synod does not "countenance the use of any violence against those who support apartheid in South Africa."[155]

This resolution raises a number of questions pertinent to our discussion. Was it necessary for the Synod to speak directly to this issue and not only *to* its members, but *for* them? Was such speaking worth the risks referred to earlier? There are no easy answers, and compelling arguments could undoubtedly be adduced on various sides of this issue. Perhaps more fruitful for our purposes, however, is to attempt to discern the Synod's reasons for deciding to employ such direct speech in this case. These reasons appear to be linked closely to concerns about "the message" that the Synod would be sending by adopting—or by not adopting—this resolution. Obviously, the Scriptures do not address specifically the political system called "apartheid." Scripture does, however, speak clearly regarding the sinfulness of racial discrimination and the "moral responsibility" (cf. the final "Whereas" of Res. 7-08A) of Christians to speak and act in behalf of the victims of such discrimination. In the case of racial discrimination, furthermore, there is an obvious responsibility of government itself to act justly and impartially. It is clear that the focus of Res. 7-08A is not so much on apartheid as a "sin" but on the social consequences of the racism perpetuated by this form of government. Thus the purpose of this resolution is not to call the nation of South Africa to "repentance" but to make clear the Synod's concern for those victimized by an inherently unjust system of government.

The foregoing discussion assumes, moreover (as does the resolution itself), that in the case of apartheid it is simply impossible to separate "political system" from "racial discrimination," since this system itself is inherently racist. The Synod undoubtedly recognized that its *failure* to speak on this issue when specifically challenged to do so (and when other churches sensitive to the risks were also speaking out on this issue) would also send a clear message, whether accurate or not: The Lutheran Church—Missouri Synod tolerates, does not care about, or perhaps even advocates racial discrimination. Confronted with this set of circumstances, those representing the Synod at this convention apparently felt that racism

---

[155] 1986 *Proceedings,* 212.

83

was indeed a "priority issue" requiring direct speech, and that it was more prudent to speak than not to speak in this specific instance. It should be noted, however, that the final "Resolved" of this resolution puts the focus back on the *church* and its responsibility, through its members, to fight racial discrimination by means of the Gospel: "Resolved, That The Lutheran Church—Missouri Synod continue to develop ways and means to share the love of Jesus Christ in all parts of the world and to bear witness to the reconciliation that is possible in Christ."

Another interesting (and also problematic) aspect of speaking to apartheid is that, strictly speaking, the "state" to which the Synod was speaking in Res. 7-08A was not its own government. However, by speaking publicly on this issue the Synod was also, in effect, communicating its concerns to anyone who might be interested in listening (including other concerned church bodies, businesses, and politicians).

A second example of "direct and intentional influence" brings us a bit closer to home, as we consider the Synod's response to the issue of child care. The Scripture and the Lutheran Confessions view the family as the basic social unit. Yet, as a social unit, family life will vary considerably from culture to culture and from generation to generation. Therefore, in spite of a priority concern for the family, the Synod nevertheless has exercised great care with its speaking to specific family issues. For example, in 1989, when Congress was debating the passage of various child care bills, the Synod's Office of Government Information (OGI) worked together with the Schools Department of the Board for Parish Services to draft basic guiding principles underlying the Synod's concerns about federally funded child care. Of particular concern was the effect of legislation on the Synod's many schools and early childhood education centers (a legitimate institutional concern). The principles were disseminated to members of congregations through synodical publications as well as to district education staff.

The speaking to government that the Synod did on the basis of these principles was careful and restrained, stressing the potential for adverse effects on religious child care providers. The purpose of the Synod's speaking on these matters was *not* the advocacy of federal child care legislation, but the enunciation of *concerns about federal involvement* in an area of *significant ministry* by synodical congregations. The "messenger" in this case was not the church as "spiritual body of Christ" but the church as a "social institution"—an institution with legitimate concerns about specific legislation that would have a real impact on it and other churches *as institutions.* In effect, the Synod was advocating the so-called "Kurland rule," a Supreme Court decision that states that "if a policy furthers a legitimate secular purpose it is a matter of legal indifference whether or not that policy employs religious institutions."[156]

---

[156] Berger and Neuhaus, 29.

When federal child care legislation was passed in 1989, it authorized states to provide funding to parents who utilized religious child care providers. Unfortunately, confusion about, and even disagreement with, that legislation or its implementing regulations jeopardized the implementation of this option. As a result, OGI organized a project by which districts and congregations with early childhood ministries were given the rather extensive information they needed to work with their own state education departments on implementing the child care legislation.

While it might be argued that the Synod's concerns in this area, too, are best handled by speaking to its own members as they then address their own legislators, the child care law and regulations touched on fundamental concerns for the family and for congregational education ministries on behalf of families. Therefore, the Synod President deemed it necessary in this case to speak directly to government regarding this issue, although he did so very carefully and informationally. The primary focus always remained on assistance to congregations and the problems they actually faced with the implementation by states of this federal legislation.

Once again, fruitful discussion might be stimulated by mentioning an important issue concerning which the Synod has *not* produced a study document or taken a partisan position in convention—namely, prayer in public schools. In response to a constitutional amendment on voluntary school prayer proposed by Sen. Everett M. Dirksen in 1966 (Joint Resolution 148), the Synod's Board for Parish Education issued the following statement:

> The Board of Parish Education of the Lutheran Church—Missouri Synod feels that the Dirksen [prayer] Amendment fails to recognize fully the religious pluralism of the American scene. We believe that Christians cannot join with non-Christians in addressing God in circumstances that deny Jesus Christ as Savior and Lord. We believe likewise that non-Christians should neither be expected to participate in Christian prayer nor should they expect Christians to join them in prayers that deny Christ.
>
> The concept of voluntary participation in prayer provides either a coercive force or an embarrassing situation for both Christians and non-Christians. Under these circumstances we believe that it is best for the public school not to engage in prayer or other religious worship exercises.[157]

This statement, while expressing the opinion of the BPE at this time toward this specific piece of proposed legislation, was never officially adopted by the Synod, nor has the Synod to date taken an official position on this matter. In 1982, in fact, LCMS President Ralph Bohlmann publicly expressed "general support" for Ronald Reagan's proposed prayer

---

[157] The Board of Parish Education of the LCMS, "Statement on the Prayer Amendment Proposed by Senator Everett M. Dirksen," July 29, 1966.

amendment, which read: "Nothing in this Constitution shall be construed to prohibit individual or group prayer in public schools or other public institutions. No persons shall be required by the United States or any state to participate in prayer." Bohlmann said:

> This is a highly nuanced and sensitive issue, more so than many realize. And as citizens, we have to be careful that the constitutional principle of separation of church and state is upheld. The founding fathers never intended, I don't believe, that there be a separation of God and state. I find [President Reagan's] proposal to restore a greater consciousness of God in the schools of our nation a good one and one I can support.

Despite his general support for the amendment, Bohlmann readily conceded that "there are some questions that have to be answered."[158] While it seems clear that the President of the Synod in this case was not intending to speak for the Synod but simply expressing his own opinion, he was undoubtedly aware that his personal position would be associated (to some degree or another) with the position of the Synod itself. His speaking on this issue, therefore, is noticeably guarded and nuanced to avoid the impression that members of the Synod ought to feel in any way "bound" by his personal statements on this matter. This issue will undoubtedly receive increased political attention and discussion in the days ahead, and the Synod will face the challenge of discussing honestly and fraternally the various possible means of addressing this sensitive issue and the principles pertinent to this debate.

Direct and Intentional Action

The Lutheran Church—Missouri Synod has rarely, if ever, ventured into the arena of Benne's fourth connection between church and state by taking "direct and intentional action" with the explicit goal of changing or effecting policy in the civil sphere. The reasons for this (whether or not always expressly stated) are precisely those mentioned earlier: not only does such action have great potential for dividing, politicizing, and even corrupting the church, it also runs the risk of compromising and undermining the unique and primary mission of the church as defined by Scripture, and thus compromising and undermining the Gospel itself. Nevertheless, the Synod has at times taken specific actions that (it might be argued) go beyond Benne's third connection of "direct and intentional *influence.*"

One of the few social issues concerning which the Synod has been willing to take a (more or less) "activist" role is abortion. While presumably

---

[158] "Bohlmann Comments on Prayer Amendment," *Reporter* 8, no. 20 (May 24, 1982): 3.

recognizing the risks and dangers of such an approach, the Synod has nevertheless concluded that the question of abortion is addressed so clearly by Scripture, that it is such an extraordinary social problem, and that this problem is so fundamentally tied up with what Scripture says about the God-given duty of the state,[159] that failure to speak and under certain circumstances to *act* would be tantamount to the failure of the German church under Hitler.

Even before *Roe v. Wade,* the 1973 Supreme Court decision legalizing abortion, the Synod's Commission on Theology and Church Relations addressed the subject in a 1971 document, *Abortion, Theological, Legal, and Medical Aspects.* It spoke again in a 1984 document, *Abortion in Perspective.* Convention resolutions have also been adopted over the years urging congregations, pastors, and individuals to remain informed regarding this issue and to respond in appropriate ways. In most cases this speaking was done primarily to the Synod's own members, an example of Benne's second connection, "indirect and intentional influence." But the Synod has also adopted resolutions of support for Lutherans for Life, a pan-Lutheran organization with an educational ministry that promotes legal protection for the unborn. Also, the Synod has clearly, publicly, and repeatedly stated its position on abortion, declaring it to be "not a moral option, except as a tragically unavoidable byproduct of medical procedures necessary to prevent the death of another human being, viz., the mother" and expressly encouraging Christians "to speak and act as responsible citizens on behalf of the living but unborn in the civic and political arena to secure for these defenseless persons due protection under the law."[160] In short, abortion is an issue on which the Synod has laid a strong foundation for direct action.

To the extent that such speaking is directed beyond the church itself and is intended, at least in part, as a "statement" that may well influence decision-making in the realm of the state, such speaking is an example of Benne's third approach, "direct and intentional influence." The Synod's

---

[159] The importance of the church's awareness of the state's own God-given responsibility ought not be underestimated, but this has not been the focus of this report. For a helpful examination of Scripture's teaching regarding the God-given role of government (see, e.g., Rom. 13:1–7; 1 Peter 2:13–17) and the responsibility of the church to remind the state of its God-given role, see *Guidelines for Crucial Issues in Christian Citizenship,* A Report of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod (1968). This report says, for example, "the Creator instituted government as a means whereby He wills to preserve and order life in community among fallen men … Our Scriptures assign to it the twofold task of rewarding the good citizen and punishing the evildoer. (Romans 13:3–5; 1 Peter 2:15)" (3). It goes on to point out that one of the ways Christian citizens, "as members of a church body," bear witness to Scripture's teaching regarding the role of government is by "reminding rulers that they are under God and the Law and that they too must give an account of their stewardship (Romans 13:4–5)" (5).

[160] 1979 Res. 3-02A (1979 *Proceedings,* 117; cf. 1983 Res. 3-04B; 1989 Res. 3-09A and 7-14; 1992 Res. 3-10).

speaking becomes particularly "direct" in 1979 Res. 3-02A when, in the final "Resolved," pastors, teachers, officers, and boards of the Synod are "earnestly encourage[d] … to support the efforts to secure the human life amendment to the United States Constitution."[161] This is a direct attempt on the part of the Synod to help to effect, albeit through its representatives, specific governmental policy. It is also worth noting in this context that the Synod's Washington Office has given a high priority to this issue since 1987.

In 1988, however, the Synod went so far as to file a friend-of-the-court (*amicus curiae*) brief with the United States Supreme Court to support the Missouri state law that was at issue in *Webster v. Reproductive Health Services.* Depending on how one defines "action," it could be argued that in filing this brief the Synod, for one of the few times in its history, determined that "direct and intentional action" was appropriate, or even necessary.

Interestingly, however, while the *amicus* brief began by acknowledging the Synod's "profound belief that human life begins at conception"[162] and its opposition to willful abortion, it continued with reasonable arguments grounded in American constitutional principles. The brief argued that, under the U.S. constitution, a state legislature is the proper body to determine whether a state has a protectable interest in the life of an unborn human being.[163] The brief also argued:

---

[161] 1979 *Proceedings,* 117.

[162] "Brief of The Lutheran Church—Missouri Synod, The Christian Life Commission of The Southern Baptist Convention, and the National Association of Evangelicals as *Amici Curiae* in Support of Appellants," No. 88-605 in the Supreme Court of the United States, October Term, 1988, William L. Webster, et al., Appellants, v. Reproductive Health Services, et al., Appellees, 2.

[163] According to the brief: "The Missouri legislature acted within the scope of its police power in enacting a statute stating that life begins at conception. Nothing in the Constitution prohibits the state from reaching the factual conclusion that life begins at conception and codifying it. The Supreme Court generally does not require legislatures to prove their assumptions or that the means which the legislature chooses will achieve only the ends which the legislature hopes to obtain. … Legislatures properly may rely on scientifically unprovable assumptions when protecting the broad social interest in order and morality. …

"The difficult determination of when human life begins depends upon the adequate collection and analysis of facts. Legislatures are better suited than courts to investigate factual matters. …

"When the Supreme Court declared the Texas statue unconstitutional in *Roe v. Wade,* 410 U.S. 113 (1973), the Supreme Court violated its own precedent defining its role relative to the sovereignty of the state legislature when reviewing an exercise of police power. The cardinal rule of the Supreme Court when reviewing state statutes is that the judges on the Court 'do not sit as a super-legislature to determine the wisdom, need and propriety of laws that touch economic problems, business affairs, or social conditions.' *Griswold v. Connecticut,* 381 U.S. 479, 482 (1965). The Supreme Court failed to observe this standard in *Roe v. Wade,* and, in essence, violated the federal separation of powers, when the court created a federal abortion 'statute' after, in effect, declaring all anti-abortion statutes unconstitutional.

"The regulation of abortion demands the resolution of conflicts of value, and assessments of the competing worth of the lives of the unborn human being and of the mother, all very sensitive issues that involve differences of feeling. As Mr. Justice Frankfurter wrote, 'Obviously the proper forum for mediating a clash of feelings and rendering a prophetic judgment is the body chosen for these persons by the people,' the legislature." Ibid., 6–8.

> The state's interest in protecting human life from its earliest stages is not absolute and must be balanced against the rights of the pregnant woman. However, because the state's interest is in the preservation or protection of a human life, only the protection of another human life, i.e. the mother's, may outbalance the interest of the state in prohibiting abortion.

The so-called "right of privacy," argued the brief, "should not be considered sufficient, absent the need to save the life of the mother, to outweigh the state's interest in protecting life from its early stages through laws prohibiting abortion."[164]

In other words, the Synod's speaking was grounded firmly in its beliefs based on the clear teachings of Holy Scripture about abortion. Yet its action in this case was shaped by the realization that it needed to address the government on its own terms, as a temporal rather than spiritual kingdom.[165] Appeals were made to constitutional principles and historical precedent, particularly the role of representative legislative assemblies.[166]

Whether one agrees or disagrees with the wisdom or necessity of the Synod's taking such action, its rationale for doing so (as discussed above and in the brief itself) should be carefully considered. First, it should be re-emphasized that although this action by the Synod was rooted ultimately

---

[164] Ibid., 16.

[165] According to the brief: "The foregoing statements opposing abortion except as necessary to save the life of the mother indicate that the positions of the Synod and other churches represented in this brief and the aforementioned resolutions of The Southern Baptist Convention express profoundly held religious beliefs. However, we do not advocate the imposition of our religious views by law in order to impose upon others our religious beliefs. Rather, those religious beliefs are also deeply seated in the moral and ethical system that forms the basis of much of the civil and criminal law of this nation and, therefore, if the state legislatures so decide, may coincidentally be expressed in legislation.

"The fact that a state's law coincides with a deeply held religious belief does not render that law unconstitutional under the First Amendment." Ibid., 20–21.

[166] David R. Liefeld writes: "Christian citizens can expose the logical fallacies in the pro-abortion rhetoric regarding 'freedom of choice'—since no one ever has an unlimited right to self-expression. Christian citizens can show how the truism, 'you can't legislate morality,' is contradicted by the very definitions of law and morality—since every law is a formal expression of the community's most important, shared moral values. And Christian citizens can also challenge those who adamantly defend abortion while vehemently promoting 'animal rights' or opposing the killing of baby seals—since it is logical that, for them, a fetus at least should have the rights of an animal and should not be subjected to the agonies of abortion.

"Now, of course, such debates can be lengthy and complicated, and the process of lawful social change never moves quickly or always satisfactorily. But, if Christians jump to the simplistic notion that what is required is simply a preaching of the Scriptures, they will not only confuse spiritual and temporal authority but also foment a temporal backlash. It is interesting to see how the Missouri Synod's amicus brief was used in the Supreme Court's Webster decision: it was cited two times in the personal opinion of Justice Stevens as 'proof' that the abortion issue is a matter of religious belief. I disagree with that superficial evaluation of a brief so clearly addressed to the proper exercise of temporal power, but it still demonstrates the ambiguity which attaches to the church's role in society." "A Pastoral Approach to the Politics of Abortion," 260.

in clear and fundamental teachings of God's Word, this consideration alone did not constitute the basis for the Synod's decision to take such a clear position and public action on this issue.[167] Other considerations, such as the critical life-or-death nature of this issue and the church's awareness of the state's own God-given and self-professed (i.e., constitutional) responsibility to ensure the "right to life" of its own citizens, played a central role in the Synod's decision. Moreover, it is clear from the careful wording and reasoning of this brief that the Synod was extremely sensitive to the ambiguities and even potential dangers of this action even as it was engaging in it. Such sensitivity, together with a clear understanding of the principles that need to be considered in a case like this, are critically important to any discussion about which issues and circumstances may call for similar "actions" by the church.

We stated earlier that "direct political action by the institutional church involves the exercise of civil power and that power has always had a corrupting influence on the church." It is necessary to emphasize, therefore, that even with an issue as critical and "clear-cut" as abortion, the church cannot avoid the serious consequences of direct political action. This fourth connection between church and state must be regarded as a "last resort" when all other forms of influencing the state have clearly proven to be inadequate, and when it is clear that direct action in a particular situation is necessary. Even then, such action will very likely not have the intended effect unless the other "means" of influence are also being used consistently and effectively. Finally, such action must always be characterized by great restraint, prudence, and studied readiness on the part of the church "to give an answer" to those who would (and no doubt will) question the necessity or propriety of such action.

[167] It might be noted that while the Scriptures speak unambiguously regarding the sinfulness of divorce (except in cases of unfaithfulness and malicious desertion), the Synod has not felt compelled to speak directly to the state regarding this issue or to urge the state to enact legislation that reflects Scripture's teaching on this matter. Similarly, the Synod has clearly stated its position on the sinfulness of homosexual behavior (1973 Res. 2-04) but it has not entered into debate in "the public square" about whether such behavior should be legally prohibited. The CTCR has stated: "The question whether homosexual acts between consenting adults should be legally prohibited is one about which Christian citizens may disagree. Not all matters of morality are fit subjects for legislation" (*Human Sexuality: A Theological Perspective,* A Report of the Commission on Theology and Church Relations of The Lutheran Church—Missouri Synod, 1981, 35). To stimulate further discussion, it might be noted that in addition to Scripture's clarity on these issues, both divorce and homosexuality have obvious social consequences that need to be considered as the church wrestles with how best to speak to the state on these matters.

Epilog: "Who Speaks for the Church?"

The original impetus for this study was the 1983 Synod convention resolution (Res. 3-06A) that asked, "who speaks for the church," "when," and "on what basis" on issues of social concern. We have seen what complicated questions these actually are, and how difficult it is to give simple answers or even *any* answer that adequately addresses all of the many elements that constitute the enduring problem of church and state.

One of the important elements of an answer for confessional Lutherans is our understanding of the church. The church is a precious institution for us, which dare not be jeopardized by immersion in secular politics. The Law/Gospel distinction of Luther and the Lutheran Church has helped us to see that the *primary* concern of the church must always be the Gospel of the forgiveness of sins, for Christ's sake, through faith alone. From this perspective, the church speaks most appropriately through the preaching of the Gospel and the administration of the sacraments. While this is certainly "public" speech, it is also spiritually persuasive, rather than temporally coercive, for it is addressed to those with "ears to hear" (Matt. 11:15; cf. 13:11–17).

Another important element of an answer for confessional Lutherans is our understanding of Christian vocation. The church, as body of Christ, involves the daily work of all believers as they engage in the many occupations that, together, constitute human communities and meet human needs. The church reaches out with the love of God for a suffering world primarily through the words and deeds of its members. From this perspective, the church speaks most appropriately through the voices of Christian citizens, as they participate in the political pursuit of liberty and justice for all. While this, too, is "public" speech, it is also distinctly individual rather than corporate. Christians may certainly band together with other citizens to make their voices heard through the mediating structures of voluntary association, but it is often dangerously counter-productive to politicize the institutional church for this task. When the institutional church does wish to speak on social issues, it ought usually speak to its own members and in disciplined, dialogical fashion.

Still another important element of an answer for confessional Lutherans is our understanding of the church as a participant also in the temporal kingdom. The church participates as an institution of the society in which it exists. It has a legal existence and is directly affected by a wide variety of civil legislation. From this perspective, the church speaks appropriately when it informs civil authorities of its concerns and the impact of legislation on its work. But here, in particular, the church must speak self-consciously and pursue its interests prudently.

The final element of an answer for confessional Lutherans is a clear process by which the institutional church may speak and accountability for that speaking.[168] The previous elements imply that a decision will be made regarding appropriate public speech, but who should make that decision? It is tempting to say that, in our democratic polity, such decisions should be made in the various ecclesiastical assemblies: congregational voters' meetings, district and synodical conventions. But we have already noted the great danger in turning these assemblies into political conventions that, finally, are not accountable for the political solutions they propose. There is probably no way to preclude the institutional church from becoming politicized in this way if it chooses to do so, since self-restraint is what is required. Both coercion and policy restrictions can be undermined according to the adage "where there's a will, there's a way."

It may very well be that, in such a cumbersome process, the institutional church will miss many opportunities to say important things. But the day-to-day political process does *not* depend upon the church. If The Lutheran Church—Missouri Synod is to avoid the failures of those church bodies where the advocacy agenda is so full that their voices are simply dulled by overuse, it must be willing to accept such limited speaking and the cumbersome process of checks and balances that produces it.

That the church must speak the Word of God to the various crises of contemporary human existence is self-evident. But the complexities involved in such a simple assertion require that Christians pay close attention to their choice of message, messenger, and means. Failure to do so will only compromise the deep moral conviction that emerges from the timeless Word of our everlastingly faithful God.

---

[167] Benne's book *The Paradoxical Vision* supplies an excellent rationale for this approach. Writes Benne (206–9): "Credibility is one of the essential characteristics of adequate public theology … First, credibility increases as the frequency of church social statements decreases … Similarly, the church should speak only when it has something unique to offer from its own theological-ethical heritage … Finally, the credibility of statements is enhanced by the weight of authority … [G]enuine authority only accrues to a statement when the bishops or assemblies recognize and affirm the intrinsic truth of the argument made by the bearers of the tradition. They perceive that something of the light of religious and moral truth is shining through."

back cover   no CPH logo