

A SIXTEENTH CENTURY LUTHERAN  
DEFENCE OF THE STATE CHURCH

by

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For several years now I have been studying the career of the German reformer, Johannes Brenz (1499-1570), a figure not well known outside Germany. Brenz's career falls roughly into two periods: in the first (1522-1548) he was town preacher in the free imperial city of Schwäbisch Hall and chief theological adviser of the city council; in the second (1550-1570) he was provost of the Stuttgart Collegiate Church and chief theological adviser of Duke Christopher of Württemberg. Brenz's contribution to the Reformation was twofold. He first attracted public attention as the champion, in south-western Germany, of Luther's doctrine of the Real Presence against the views of the Zwinglians, and his subsequent writings, widely read in the 16th century, established him as an eloquent and influential spokesman of Luther's theology in general. At the same time, Brenz also became one of the most gifted and effective organizers of the 16th-century Lutheran territorial state church, his reorganization of the church in Württemberg after the ravages of the Interim being the culmination of his life's work in that field. It is Brenz's career as an organizer of the state church that I am interested in.

Whereas Luther, faithful to the implications of his doctrine of the priesthood of all believers, would tolerate governmental regulation of ecclesiastical affairs only as a temporary expedient, Brenz viewed governmental control of church order as the normal and desirable state of affairs. This fact immediately raises two questions. First of all, why did Brenz, who was otherwise such a faithful and articulate spokesman of Luther's point of view, become the proponent and organizer of an institution which violated the basic principles of the Reformation as Luther understood them? In an article

scheduled for publication in the Archiv für Reformationsgeschichte I have tried to answer that question. Briefly summarized, this is what I said:

Pointing to the well known fact that the development of state control of the church was already far advanced before the Reformation, I argued that two factors made Brenz view this development with approval and to seek to utilize it in behalf of the Reformation. The first factor was Brenz's background as a Christian humanist, which predisposed him to view the moral and religious education of the people as the chief means by which a "Christian magistrate" provides for the "common weal," the peace and order of his territory. It was to this Erasmian-humanist conception of the Christian magistracy, foreign to Luther's thought, that Brenz invariably appealed when assigning to the secular authorities responsibility for church order. This responsibility was not viewed, as with Luther, as one to be exercised only in emergencies but as an integral component of the ruler's office. The Peasants' Revolt and the threatened Turkish invasion of the Empire were to Brenz vivid examples of the sort of punishment God inflicts upon a country whose rulers fail to provide for the preaching of "pure doctrine" and who tolerate "idolatrous worship" (i.e. the Roman Catholic mass).

The second factor was the fact that it was the accumulated powers of the secular government in ecclesiastical affairs that provided the legal pretext for governmental action in behalf of the Reformation. For example, the rights of lay patronage which rulers had been eagerly concentrating in their hands before the Reformation enabled Protestant rulers to appoint Protestant clergymen, like Brenz, regardless of the objections of the Catholic bishops. Furthermore, that part of their territorial sovereignty, defined in imperial law, which obligated rulers to promote the "true faith," was sufficiently vague to enable them to defend actions in support of Lutheranism against the objections of the Emperor. Before the issuance of

the Speyer Recess of 1526, which gave the principle cuus regio eius religio its first tentative recognition in imperial law, Brenz had already utilized these traditional conceptions of territorial sovereignty to defend the principle of territorialism in religion.

In the same article I also pointed out that while Brenz's understanding of the office of Christian magistrate made him an advocate of governmental authority in ecclesiastical affairs, a characteristic fear of disorder, fed by his distrust both of the average clergyman and the average layman, made him a consistent centralist, an opponent of any scheme, such as synods, whereby the congregations and their pastors might have exercised at least some modest influence on the exercise of that authority. Thus Luther's hope, based on his doctrine of the priesthood of all believers, for active congregational participation in the government of the church, had no place in Brenz's thought or in the church orders which he established. For example in the Württemberg church, as reorganized by Brenz, all initiative and decision-making power were narrowly concentrated in the hands of the "ecclesiastical council," a subdivision of the prince's chancery. Thus ecclesiastical affairs, just like secular affairs, were subjected to the fatherly tutelage and bureaucratic control of the increasingly absolutist territorial rulers.

The second question raised by Brenz's championship of the state church--the question I want to deal with today--is this: How did Brenz reconcile the practice of governmental control of ecclesiastical affairs with the so-called "doctrine of the two kingdoms"? Did not the territorial state church, as both Catholic and Radical Protestant critics (for quite different reasons) charged, violate the divine world order by confounding secular authority and spiritual authority (or, in more modern terminology: by confounding the distinction between church and state)? If Luther's understanding of the doctrine of the priesthood of all believers be the standard of judgment, the answer is clearly yes. However, the fact that Brenz enunciated the doct-

rine of the two kingdoms in his commentary on the Peasants' Twelve Articles, in which same work he also argued the case for the state church, indicates that his answer was no. It would therefore be most instructive to be able to reconstruct from his works a coherent statement of that understanding of the relationship between church and state which held that church government is the responsibility of the secular authorities.

At this point, however, we run into a bit of trouble. To the best of my knowledge, Brenz wrote no work dealing systematically with this subject. There are, of course, a great many passages in his works which deal with various aspects of the problem either directly or indirectly. It has been my experience however, that one can get the most out of these sources--i.e. a satisfactory, coherent account of the general position implicit in them,--only if one makes use of the device of extrapolation, that is, by supplementing Brenz's statements with interpolations from relevant contemporary evidence. Fortunately, there is preserved among Brenz's own papers some material which greatly facilitate this task.

In volume three of the Brentiana collection in the Schwäbisch Hall municipal archive there is a letter, dated 26 March 1530, from Lazarus Spengler, the secretary of the Nürnberg city council, to Brenz. In the letter Spengler requests Brenz's written opinion of a memorandum written in the course of a controversy in Nürnberg over the treatment of Anabaptists by a person whom Spengler describes as a close friend but whom he does not name. The memorandum, enclosed with the letter, raises the question of whether the secular authorities have the right to punish dissent from the established church order. The author argues very ably that it does not. Following this, the collection contains three other memoranda, at least two of which, and perhaps all three, are rebuttals of the memorandum mentioned above. None of them is signed or dated, and all are written in chancery script. Brenz's 19th-century biographers uncritically assumed that all three were by Brenz, simply because they were preserved

in a collection of Brentiana. They did not even raise the question of why Brenz would have replied two or three times to the same request. Recent work by Martin Brecht of the University of Tübingen, not yet completed and not yet published, has already overturned this assumption. According to Brecht, who has kindly communicated his findings to me, external evidence--the testimony of the 18th-century historian who owned the original manuscript --has established Brenz as the author of the first memorandum. Internal evidence--citations from a letter of Luther to the author--has established Wenceslaus Linck, one of the Nürnberg reformers, as the author of the second memorandum. So far it has not been possible to identify the author of the third, the longest of the three. It could be Andreas Osiander, another Nürnberg reformer, or Linck (the argument and the phraseology are very similar to that used in the second memorandum), or Spengler, or someone else altogether. Somehow or other Brenz came into possession of these two documents, and his copies appear to be the only ones that have survived.

For the purposes of this paper, Brenz's own memorandum is not very useful. While it throws a great deal of light on his relatively humane views on the treatment of religious non-conformists, it throws little light on the larger issue of church-state relationships in the state church. It is the third memorandum, the one of unknown authorship, which is most useful. Whereas Brenz and Linck, particularly Brenz, concentrate rather narrowly on the issue of the treatment of Anabaptists, the author of the third memorandum offers us a general analysis of the relationship between secular and spiritual authority in an attempt to define the limits of secular authority in ecclesiastical matters. Indeed, to judge from its contents (the argumentation being specifically anti-Catholic rather than anti-Anabaptist), the memorandum was not written as a reply to the anonymous memorandum rebutted by Brenz and Linck, and probably did not even originate as part of the controversy which produced the other documents. That, however, is beside the point. What is to the point is this. Whoever he was, the author of the third memorandum was almost certainly one of the Nürnberg reformers, a group whose

views on theology and ecclesiastical polity were very close to Brenz's own. Brenz was soon to work closely with them in the preparation of the Brandenburg-Nürnberg church order of 1533. Moreover, the views expressed in the memorandum dovetail almost perfectly with those to be found in Brenz's works. (This assertion, easily demonstrated by means of footnotes in a written article, cannot conveniently be demonstrated in an oral presentation. I assume that you would rather take my word for it than listen to a tedious recitation of passages in early new high German). What I have done, therefore, is to extract the basic argument found both in the third memorandum and (in somewhat abbreviated form) in that of Linck, and use it as the framework for drawing together all the relevant passages from Brenz's correspondence, memoranda, church orders, and biblical commentaries. The result, I hope, is a reasonably accurate statement of the arguments Brenz and a great many other 16th-century Lutheran reformers would have used to defend the state church against the charge that it confounded the distinction between church and state.

The working assumptions underlie the position argued in the memorandum. The first of these is the assumption that the secular ruler in question is a Christian. All ecclesiastical matters, even those whose regulation is the prerogative of the secular government, must be conducted in a Christian manner, that is, in harmony with God's word and in the spirit of love, Christian service, and the fear of God. Therefore, church order is the prerogative, not of secular authority per se but of secular authority exercised by a Christian, who desires not to seek his own gain but to serve his fellow Christians by using his office for the "premotion and administration" of spiritual matters.

The second assumption is the definition of the relationship between spiritual and secular authority which Luther had set forth in his pamphlet On Secular Authority (1523). God has instituted spiritual authority to govern the spiritual realm, that is, the realm of men's souls. This is the realm in which consciences are instructed and shown the way to salvation. Its citizens are God's

elect, those who respond to the word in true faith. It is thus something entirely internal, neither bound nor characterized by time, place, or external circumstance. In St. Paul's words, it is "righteousness, peace, and joy in the Holy Ghost." In this spiritual realm God has reserved all authority to himself and governs through his word alone. No human authority may command in the spiritual realm of the conscience. Hence, although God employs officials, such as pastors and bishops, in his realm, he has given them no power to command human consciences but only to serve the community by proclaiming the word through which he himself rules.

To govern the secular realm God has instituted the secular authority. The secular realm is the kingdom of this world, of all things which men can perceive, understand, and judge. Within this realm the secular authority's power is supreme and has divine sanction. Whatever regulations it makes to preserve peace and order and to promote the common good, so long as they are not contrary to the gospel, are to be regarded not as human but as divine ordinances. But the secular government, declares the memorandum in a close paraphrase of Luther, has no power whatever in the spiritual realm: "That which is on earth and belongs to the temporal, earthly realm, God has placed under the power of the secular government. But that which is divine and belongs to the eternal kingdom is solely under the power of the heavenly lord." Thus no one owes obedience to a ruler who interferes in matters of conscience, for in such matters one must obey God rather than man.

What the author of the memorandum had to demonstrate, then, was that the state church did not violate this fundamental distinction. The demonstration consists of two closely related arguments: (1) an analysis of ecclesiastical affairs which comes to the conclusion that the external ordering of the church properly is a matter of secular jurisdiction; and (2) an analysis of the origin and purpose of secular power which comes to the conclusion that God established it primarily for the purpose of upholding and furthering the spiritual realm.

The first argument can be summarized as follows. As Brenz pointed out in one of his earliest writings, "church" is an ambiguous

term which is not necessarily the equivalent of "spiritual realm". In so far as "church" refers to the invisible fellowship of the elect, the two terms are synonymous. But "church" is also used to refer to visible, earthly institutions whose membership includes not only the elect but also hypocrites, and which are characterized by external ceremonies and practices which, though useful and necessary, are not in themselves a part of the spiritual realm. It is this conviction that the visible church is an institution lying partly outside the spiritual realm which underlies the rule according to which the memorandum assigns the affairs of the visible church either to the ministry of the word or to the authority of the secular government:

Although things which pertain directly and of necessity to the spiritual realm should be dealt with in a spiritual manner and entrusted to the clergy, who have the ministry of the word: nevertheless, to the extent that such things are external or temporal and can be separated from the spiritual realm, a Christian magistrate may and should deal with them in the defense and promotion of the truth.

According to this principle certain matters belong "indisputably" in the one realm or the other. On the one hand, the secular government has full responsibility for the administration of church property and income. These things were not established by God in his kingdom. Rather, all church property originated as gifts from lay persons while church taxes are enactments of human law. There can thus be no question that these are temporal and external matters which have nothing to do with salvation and thus belong under the jurisdiction of the secular government. However, as Brenz occasionally had to remind the secular authorities, ecclesiastical property and income must not be expropriated for purely secular uses but, in conformity with the original intention of the donors, devoted exclusively to appropriate ecclesiastical and charitable uses, such as the upkeep of church buildings, payment of the clergy, education of the young and the care of the sick and needy. As for the conduct of the ministry of the word (i.e. preaching, administration of the sacraments, ecclesiastical discipline, judgment in matters of doctrine), it is equally indisputable that this is the



duty of the regularly called and ordained clergy. For the secular ruler to presume to pronounce on matters of doctrine or otherwise to arrogate to himself the prerogatives of the clergy in the cure of souls would be to ignore the office to which he has been called and to interfere in an office to which he has not been called and for which he probably has not been trained.

At this point the problem gets a bit stickier. While preaching and the administration of the sacraments are spiritual matters in that they have been instituted by Christ and pertain of necessity to the spiritual realm, they are also external matters in that they are performed at particular times and places according to certain ceremonies. These external aspects of the ministry of the word, it is argued, fall by definition under the jurisdiction of the secular government. Thus it is the government's task to provide for such things as suitable times and places for public worship, for suitable orders of worship for various occasions, for means of training and selecting qualified clergymen, as well as for means of enforcing the regulations thus established. For the government to do so is by no means an interference in the spiritual realm, for it is one thing to say, for example, that preaching is most effective in the morning because at that time people are more alert than they will be after dinner, and quite another thing to say that preaching in the morning is necessary to salvation or that preaching in the afternoon is a sin. The regulation of such external matters is simply a legitimate exercise of the government's duty to provide for the peace, order, and general welfare of its realm. This is a point repeatedly emphasized in Brenz's church orders.

The view that the externals of church order are in themselves neither holy nor binding on the conscience is, of course, a basic principle of Luther's thought. But it does not lead with any logical necessity to the conclusion that the regulation of such matters is therefore the prerogative of the secular magistrate. Luther was far more consistent when, true to the doctrine of the universal priesthood, he denied the right of the government to interfere except in emergencies. The conclusion drawn by Brenz

and by the author of the memorandum was dictated by an a priori commitment to a view of the Christian state which would not admit, as Luther's view implied, that any major area of public activity, ecclesiastical affairs least of all, could possibly lie outside the normal jurisdiction of the secular government. The view of the state in question is, of course, the one which had developed in the one hundred years or so before the Reformation, the one which had been idealized in the thought of the Christian humanists, and the one which Brenz had made his own. As a good Lutheran, Brenz naturally believed and taught the doctrine of the priesthood of all believers and often made effective use of it in combatting the claims of the Catholic hierarchy. Invariably, however, and often in the same breath, he reserved the exercise of the responsibilities involved to the secular government, the guardian of the public weal.

The second argument advanced in the memorandum appears to be an extension of that view of the origin of secular power elaborated in Luther's On Secular Authority and found also in Brenz's commentary on the Peasants' Twelve Articles. If all the people in the world were true Christians, that is, if they were really governed by the word of God, they would keep perfect peace and harmony among themselves. There would be no murdering, cheating, revenge-seeking, suing in court, and the like. Thus the preaching of the gospel alone would be sufficient to govern the world and external force would be superfluous. In reality, however, true Christians are very rare, nor can they all be brought together in one place in order that they may be ruled by the gospel alone. They are a minority of sheep among a majority of wolves, and the evil majority would, unless forcibly restrained, devour the few that are good as wolves devour scattered sheep. In these circumstances the word could not even for long be preached, let alone make any headway in the world. To prevent this, God has established the secular government and given it coercive power, the power of the sword, to be used in the maintenance of peace and order.

For Luther this meant, first of all, that the office of government is a high calling because its rule makes possible the survival of the church, and, second, that when in an emergency the prince

uses his secular authority to reestablish good order in the church he thereby acts to uphold the natural order of the world established by God. However, in a system of ideas uninhibited by the doctrine of the priesthood of all believers, a much more far-reaching conclusion was possible. Thus both the author of the memorandum and Brenz in a number of his church orders and related documents, assert that secular authority was created primarily for the purpose of "serving God's kingdom." This is why St. Paul refers to the secular authorities as God's servants for the benefit of the good and the punishment of the wicked. To be sure, the secular rulers have authority only in the secular realm, but God has commanded them to exercise their rule in such a way as to serve his kingdom and has threatened them with his wrath if they do not (Ps. 2:10-12). Specifically, this means that the secular ruler's first duty is the ordering of the church according to God's word, and that the maintenance of secular peace and order is subsidiary to this and indeed dependent upon it.

While Luther's conclusion is the one more consistent with the implications of the priesthood of all believers, Brenz's is the more consistent with the reality of the inclusive state church. If all the members of the church were true Christians they would conduct the affairs of the church decently and in order simply because Christ has commanded them to do so. However, particularly in a church whose membership is taken to be identical with the population of the state, it is obvious that not all church members are true Christians. On the contrary, many are tares among the wheat, in Christ's kingdom, so to speak, but not of it. Thus the coercive power of the secular ruler is essential to the maintenance of church order for the same reason that it is essential to the maintenance of secular peace and order. Just as the true Christians would be destroyed in a war of all against all if the secular sword did not coerce the non-Christians to keep peace and order, so the ministry of the word would not long survive the assaults of faction, heresy, or just misinformed good intentions, if the secular government did not enforce, by means of devices such as regular visitations, the observance of decent and proper church order on

those of its subjects and fellow church members who do not make such observance freely, in obedience to Christ's command.

Implicit in the argument summarized in the last few paragraphs is the assertion that the welfare of the spiritual realm depends on the proper functioning of the secular authority. This assertion, along with its obverse, that the welfare of the secular realm depends upon the proper functioning of the spiritual authority, is implicit in some of Brenz's earliest writings on church order. In the memorandum, both assertions are made explicit in the attempt to demonstrate that although the two realms are distinct, each governed by its proper authority, they are nevertheless inextricably bound together like law and gospel or body and soul, each performing its appointed task not merely for its own sake but also for the welfare of the other. Through the ministry of the word the spiritual authority seeks not only to bring consciences to the saving faith but also to cause men to conduct themselves unimpeachably in all civic affairs and in general to render Caesar his due. On the other hand, the secular government uses its authority not simply to promote civic peace and welfare but also to facilitate and to maintain the preaching of Christian doctrine. In doing so each authority remains in its own realm where it belongs, Moses stands by Aaron and all is in order.

With respect to religious non-conformity, the authors of all three of the memoranda in the Schwäbisch Hall collection argue that it is the duty of the Christian magistrate to take action against false preaching and worship in those cases in which true preaching by itself does not eliminate them. To be sure, the secular government does not have authority to destroy unbelief by force. Indeed, it cannot, for, like faith, heresy is a spiritual thing which no iron can hew, no fire burn, no earthly power destroy. Only "divine power and the spiritual armor of God's word" can combat it. Nevertheless, if the secular ruler, "enlightened by the spirit of the true faith," finds that false preaching or worship threatens the welfare of the spiritual realm, the love of God and of his neighbor compels him to follow the example of the pious kings of ancient Israel by using his secular authority to end

the abuse and reestablish good order. Nor should he be intimidated by the spurious claims of the Catholic or sectarian clergy that such action is an infringement upon their spiritual jurisdiction or a violation of conscience. For just as every Christian is obligated to test all spirits and doctrines, receiving that which is profitable and rejecting that which is harmful, so the Christian magistrate, "as guardian of his subjects," should use his power to assure that true, saving doctrine is preached and false doctrine eliminated. While personal belief is a matter of individual conscience and thus of no concern to the secular authorities, public preaching of false doctrine is an external deed--indeed, an evil deed--which is the proper concern of the secular government. Furthermore, since the preachers of false doctrine are themselves "completely carnal, material, and brutish, without the spirit of God and understanding nothing of that spirit," they can claim no exemption from temporal jurisdiction. So when a secular ruler acts to abolish false preaching or worship, he does not invade God's kingdom or violate individual consciences. On the contrary, he acts within his own sphere in conformity with the purpose for which God created secular authority: the furtherance of God's kingdom.

However, as Brenz and the other authors emphasize at great length and with considerable vigor, the ruler must not act hastily in such matters but "thoroughly examine the matter" (i.e., consult the theologians) beforehand in order to make absolutely sure that it is error and not truth which he is combatting. He must not be guilty of condemning Jesus and freeing Barrabas. For he has power not to encourage or forbid this or that doctrine as suits his individual pleasure but only to serve God's kingdom by defending the truth, that is, the Christian gospel as the Lutheran reformers understood it.

In its sixteenth-century context Brenz's view of the office of Christian magistrate, despite the logical and theological flaws which can easily be found in it, was a persuasive statement of what the princes and pastors of the emerging state churches wanted to believe so that they could go about their tasks with a good Lutheran

conscience. With the benefit of hindsight we can see that Brenz contributed to that process which eventually made of the Lutheran Church the servile handmaiden of the absolutism and particularism of the German princes. But Brenz himself neither foresaw nor desired that development. Not only was he anything but servile in his attitude toward his own princely employers, he saw his defence of the state church as an attempt to get the secular authorities to accept the role of humble custodians of a heavy burden of responsibility toward their subjects and toward the church. Rulers, like Duke Christopher of Württemberg, who exercised their responsibilities in this spirit, made a vital contribution to the Protestant cause by making possible the growth of a church both "pure" in doctrine and at the same time able to survive in a hostile world. In the process, of course, the implications for church government of Luther's doctrine of the priesthood of all believers were cancelled out. The average Christian was viewed not as an active agent in the life of the church but as a passive subject of the secular government in ecclesiastical and secular affairs alike. Jesus Christ, wrote Brenz in 1535, has earnestly commanded everyone to serve the building of his church: the government by supervision of the clergy and church order, the pastors by preaching and administration of the sacraments, and the common people by saying their prayers.