

THE TWO REALMS (“KINGDOMS”) IN THE LUTHERAN CONFESSIONS

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So as not to dissipate our efforts today over a boundlessly vast topic, I shall stress selected aspects of it which strike me as particularly relevant for our time and place. My argument takes the form of five theses, which are, at a glance:

1. The anti-theocratic distinction between the two realms or governments is not a “Lutheran” invention, but is a central and distinctive feature of Christianity, as opposed to the other two so-called “religions of the Book”: Judaism and Islam.
2. The distinction between the spiritual and the political realms, governments, or powers, differentiates NOT between a purely interior spirituality and outward institutions, but between evangelical and legal institutions.
3. As God’s unique evangelical institution the church is governed by the gospel (faith: doctrine, sacraments!) in Christian liberty (love), not by the law.
4. The legal-contractual fringe of church-life is not a part of its essence, and remains accountable within the civil-political realm.
5. When addressing non-Christians the church’s preachment of the law is bounded by her missionary commission (Mt. 28:19-20), hence limited to the second (“theological”) use. While the Table of Duties (second and third uses) must be proclaimed to all Christians (including rulers), governments and states as such are accountable to God not through the church but through all who have standing under Rom. 13:1-7 (ultimately even the general citizenry), and by way of natural reason and law (first use).

I

The anti-theocratic distinction between the two realms or governments is not a “Lutheran” invention, but is a central and distinctive feature of Christianity, as opposed to the other two so-called “religions of the Book”: Judaism and Islam.

As the chief organs of modern secularism, the Western mass communications media have created the fraudulent bogey of “fundamentalism,” with which to scare a skittish public away from traditional values in general, and Christianity in particular. Violence against abortionists and their business-premises, opposition to public obscenity and to Sodomitic flauntings, and saber-rattling abroad by Muslim extremists,

are all regularly lumped, by the stern moralists of television “news,” into one grim global peril: “fundamentalism” on the march! Never mind that demented assassins of presumably sane baby-assassins put their own grotesque constructions on Christian “fundamentals,” or that our Muslim fanatic would spit on all but one¹ of the five “fundamental” points of Christian doctrine after which “fundamentalists” are named—we are being conditioned in regular two-minute hate sessions to respond with automatic revulsion to every new outrage by religious “fundamentalists” against our cherished civil decencies.

It cannot be denied that in the wake of Constantine, Christianity has often been misrepresented as a temporal, political power. By way of examples one need think only of the Inquisition, of Calvin’s Geneva, of various millennialist sects and excitements, and of modern “ecumenical” meddlings in world affairs. What in the case of Christianity, however, is a self-contradictory aberration and abuse—the confusion of spiritual and political powers—is in fact theoretically correct and normative for both Judaism and Islam.

Having rejected the true fulfillment of the Old Testament in Jesus Christ, modern Judaism essentially continues the Pharisaic amalgam of religion and nationalism. The London University legal scholar J.N.D. Anderson, O.B.E., cites from Joseph Klausner’s *Jesus of Nazareth* (“the most profound treatise ever written on the subject of Jesus by a Jewish authority”):

Judaism is not only religion and it is not only ethics: it is the sum-total of all the needs of the nation, placed on a religious basis. Judaism is a national life, a life which the national religion and human ethical principles embrace without engulfing. Jesus came and thrust aside all the requirements of the national life. ...he ignored them completely. In the self-same moment he both annulled Judaism as the life-force of the Jewish nation, and also the nation itself as a nation. For a religion which possesses only a certain conception of God and a morality acceptable to all mankind, does not belong to any special nation, and consciously or unconsciously, breaks down the barriers of nationality. This inevitably brought it to pass that his people, Israel, rejected him.²

Since millennialist dreams generally revolve about middle-eastern geography and politics, they represent a Judaizing tendency. We are reminded of CA XVII,5:

Rejected, too, are certain Jewish opinions which are even now making an appearance and which teach that, before the resurrection of the dead, saints and godly men will possess a worldly kingdom and annihilate all the godless.³

As for Islam, it “is essentially a theocratic creed. In Islam ...Church and State are one, and the canon law is the law both of the State and the individual, in every respect of life.”⁴ One of the duties of Muslims is religious war or “Jihad.” Mohammed’s own military adventures are well known. The Koran teaches: “War is enjoined you against the Infidels” (Sura II). Sura XLVII has this: “When ye encounter the unbelievers, strike off their heads, until ye have made a great slaughter among them; and bind them in bonds; and either give them a free dismissal afterwards, or exact a ransom.”⁵

There are no analogies to such sentiments in the founding documents of Christianity gathered in the New Testament. Whatever cruelties Christians have inflicted on each other and on non-Christians throughout history, such deeds never expressed, but rather negated and contravened the teaching and spirit of the New Testament (Lk. 9:54-56). Perhaps the most basic text on this head is Jn. 18:36: “My kingdom is not of this world.” It is quoted twice in our Confessions. Here are paragraphs 12-18 of CA XXVIII (following the Latin):

Therefore, ecclesiastical and civil power are not to be confused. The power of the church has its own commission to preach the Gospel and administer the sacraments. Let it not invade the other’s function, nor transfer the kingdoms of the world, nor abrogate the laws of civil rulers, nor abolish lawful obedience, nor interfere with judgments concerning any civil ordinances or contracts, nor prescribe to civil rulers laws about the forms of government that should be established. Christ says, “My kingdom is not of this world” [Jn. 18:36] and again, “Who made me a judge or divider over you?” [Lk. 12:14]. Paul also wrote in Phil. 3:20, “Our commonwealth is in heaven,” and in II Cor. 10:4,5, “The weapons of our warfare are not worldly but have divine power to destroy arguments,” etc.⁶

In this way our teachers distinguish the functions of the two powers, and they command that both be held in honor and acknowledged as gifts and blessings of God.⁷

Similarly, the Treatise on the Power and Primacy of the Pope teaches in par. 31 that:

it is manifest that Christ was not sent to wield a sword or possess a worldly kingdom, for he said, “My kingdom is not of this world” (John 18:36). Paul also said, “Not that we lord it over your faith” (II Cor. 1:24), and again, “The weapons of our warfare are not worldly,” etc. (II Cor. 10:4).⁸

According to William Barclay, “Luther’s ethic of church and state was the greatest disaster in all the history of ethics,” since it “allowed Hitler to come to power and begat

Belsen and Dachau.”⁹ On the contrary, the relentless differentiation between the spiritual and the political powers is part and parcel of that distinction between law and gospel which is “an especially brilliant light which serves the purpose that the Word of God may be rightly divided and the writings of the holy prophets and apostles may be explained and understood correctly” (FC SD V, I).¹⁰ The Roman and Genevan confessions, respectively, do not rightly divide law and gospel, and therefore also confound the two realms or governments. Thereby they deviate not from ethnic Lutheran preferences, but from the gospel of Christ and the faith of the church universal.

II

The distinction between the spiritual and the political realms, governments, or powers, differentiates NOT between a purely interior spirituality and outward institutions, but between evangelical and legal institutions.

In our age of religious and cultural chaos we can ill afford the sentimental notion that the gospel is about a hearty inwardness, while everything outward and “institutional” belongs to the law. We make it too easy for ourselves by imagining a purely inward (“spiritual,” we say) church as the “real thing,” while discounting the “organized church” as secondary. This allows us to project all the high theological honors attributed by Scripture and our Confessions to the church, upon that invisible, “spiritual” construct, while doing more or less as we like in the earthly, “organized church,” since that’s not the real one anyhow! This poor “institutional” Cinderella then becomes the plaything of church politics, bureaucratism, popular whim, and the fads of secular culture. Is there a better way?

The answer lies, I am convinced, in reclaiming quite concretely what our Confessions actually teach about the spiritual realm or power, particularly in CA V and VII. Pietistic “evangelicalism” is not unrelated to the spirit of the Prussian Union (e.g., the Evangelical Alliance of 1846). Confessional ministry and confessional church are both radically at stake in today’s encounter with popular “evangelicalism.” If CA V (of the preaching office) is not really about that, but about a generic “ministry” which really everyone has; and if CA VII is not about the concrete confessing church on earth, but about some nebulous region beyond confessional and sacramental specifics, then our Confessions have in fact no relevant resources for us today. The most honorable course for our church then would be to declare bankruptcy and look for the friendliest receivership available. If on the other hand CA V and VII are not abstract clichés, then church has something quite concrete to confess about the preaching ministry and the church, and then modern Lutherans may with happy consciences gird up their loins and take their stand in the church militant.

Let us begin with the Apology’s explanation of CA VII. Is the “real” church only an inward fellowship or also an outward, institutional one? AP VII/VIII:5 teaches:

The church is not only an association of outward things and rites like other polities, but she is chiefly an association of faith and of the Holy Spirit in the hearts, which indeed has external marks so that it can be recognized, namely the pure teaching of the Gospel and the administration of the sacraments in harmony with the Gospel of Christ.”¹¹

Here there is not a Nestorian either/or, but a Chalcedonian both/and. Yes, the church is mainly an inward fellowship, but she is also an outward one, precisely because the inward faith is given only through the outward gospel and sacraments. The gospel and sacraments are the outward bonds of her fellowship, because they and they alone are the source of that inward bond of the fellowship which is faith. Both aspects belong inseparably to her one fellowship.

The outward marks identify not some mere external fringe or shell, but the one true church and body of Christ: “and [we] say that this self-same [*dieselbige*] church has these outward signs: the preaching office [*Predigtamt*] or Gospel and the sacraments” (AP VII/VIII, 20, German; my trans.). Here the inner bond between CA is expressly spelt out. Already the wording of CA VII makes it plain that we are dealing with the officially preached (German) or taught (Latin) gospel, and the publicly administered sacraments, in other words with the public gospel ministry in action, not with cross-sections of private opinions! (What sort of incongruities opinion polls or surveys might have dredged up in Luther’s Saxony can be surmised from the quite unflattering prefaces to his Catechisms).

Oddly enough, it is generally the standard translations from the German that create problems. In CA VII the Tappert version for instance omits the important word “*einträchtiglich*,” which means harmoniously or unanimously. In CA V “*Predigtamt*” (literally: preaching office) is not well rendered as “office of the ministry.” But never mind that. The real trouble is the gratuitous insertion of the words “that is,” not found in the German text. The sentence, “God instituted the office of the ministry, that is, provided the Gospel and the sacraments,” collapses the institution of the ministry simply into the provision of the gospel and the sacraments. Reference to the “institution” of an office or ministry then is no more than a roundabout way of saying that God established means of grace—however they are to be administered. The only divinely instituted entities then are the gospel and sacraments, not also an office or ministry for their administration. It is difficult to know whether the unhistorical view of a generic “ministry” coextensive with the general priesthood of all Christians is more a cause or a result of the mistranslation of CA V.

The grammatical problem is this: the German “*Evangelium und Sakrament geben*” is antiquated and ambiguous. To put it in modern German one would have to amplify the phrase either into “*gegeben*” (given) or into “*zu geben*” (to give). Strictly linguistically both constructions are possible, as a perusal of Grimm’s German dictionary shows.¹² If the past “*gegeben*” were meant, then one would expect a “that is,” which Tappert adds, but the original German does not. But then the sentence would also be

at odds with the Latin. If, however, one takes “*geben*” as an infinitive, the clause would run: “...God has instituted the preaching office to give the gospel and sacraments.” This tallies precisely with the Latin: “...the ministry of teaching the gospel and administering the sacraments has been instituted,” and is therefore the right rendering.

As for authoritative early commentaries, neither Calov (1665)¹³ nor Carpzov (1675)¹⁴ take CA V as speaking of anything other than that concrete gospel ministry the right ordering of which is the subject of CA XIV. In other words, the gospel office, into which competent men are to be properly called, is a divine institution. Not merely abstract gospel-functions, but the concrete gospel-ministry is divinely instituted. That is the solemn teaching of the Church of the Augsburg Confession. Hence the complete parallelism in the headings of AP 14 and 16: *De Ordine Ecclesiastico* (Of the Ecclesiastical Order)/ *Vom Kirchenregiment* (Of Church Government); *De Ordine Politico* (Of the Political Order)/ *Vom weltlichen Regiment* (Of Temporal Government). In both cases we face not abstract functions but concrete authorities, in other words, external divine institutions: “Thus our teachers distinguish the two authorities and the functions of the two powers, directing that both be held in honor as the highest gifts of God on earth” (CA XXVIII, 18, German).¹⁵

The contrary view of Sohm seems to rest on a spiritualizing confusion between legal-judicial institutions, and outward institutions as such. His polemic against the former, as in no way part and parcel of the church as such, was of course totally justified. His first volume still recognized Luther’s stress on preaching and the sacraments as *necessarily outward* aspects of Christ’s kingdom and church.¹⁶ Yet in his (posthumous) second volume we read impossibilities like these: “So the Word and confession of visible Christendom is always only the Word and confession of the Christian *world*, never the Word and confession of the Christian church (the church of Christ).”¹⁷ Or: “But Art. XIV of the Augustana ...treats only of the *public* preaching office, i.e. of the preaching office which does *not* belong to the church in the religious sense”¹⁸

III

As God’s unique evangelical institution the church is governed by the gospel (faith: doctrine, sacraments!) in Christian liberty (love), not by the law.

Therefore everything in the Christian church is so ordered that we may daily obtain full forgiveness of sins through the Word and through signs appointed to comfort and revive our consciences as long as we live (Large Catechism, Creed, 55).¹⁹

This does not mean of course that the law is not to be preached. It means that the preaching of the law must subserve the preaching of the gospel, not the other way around. These relations between God’s “alien” and His own “proper” work are irreversible (see AP XII, 51.158; FC SD V, 11). Also, the gospel is not an isolated “chief

article,” perhaps the second article against all the rest. Rather, it is the entire Christ-centered trinitarian creed, as opposed to the Ten Commandments:

These articles of the Creed, therefore, divide and distinguish us Christians from all other people on earth. ...Now you see that the Creed is a very different teaching from the Ten Commandments. The latter teach us what we ought to do; the Creed tells what God does for us and gives to us. The Ten Commandments, moreover, are inscribed in the hearts of all men. No human wisdom can comprehend the Creed; it must be taught by the Holy Spirit alone (Large Catechism, Creed, 66-67).²⁰

The “purely taught gospel” of CA VII is exactly the same thing as the “doctrine ...in all its articles” (FC SD X, 31),²¹ and that is what “distinguishes our reformed churches from the papacy and from other condemned sects and heresies” (FC SD Rule and Norm, 5).²² Doctrine contrary to the Book of Concord distorts the gospel and therefore “cannot be tolerated in the church of God, much less be excused and defended.”²³

Nothing is more important in the church than the pure, life-giving doctrine of the gospel!²⁴ The whole commission of the spiritual power, that is of the church and her ministry, exhausts itself in the faithful administration of the holy means of salvation:

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. ...In this way are imparted not bodily but eternal things and gifts, namely, eternal righteousness, the Holy Spirit and eternal life. These gifts cannot be obtained except through the office of preaching and through the administration of the holy sacraments... (CA XXVIII, 8.9, German).²⁵

Noting that CA XIV, “Of Church Government” (*Kirchenregiment*), “treats solely and alone of the preaching office,” Sohm was quite right to maintain, contrary to the conventional wisdom of state-churchism:

The Reformers and our Symbolical Books mean what they say. They mean and say that the proclamation of the Word (and the administration of the sacraments) constitutes the *only form [einzigste Art] of church government*, and therefore that the preaching office constitutes the *only office of church government* in the church of Christ, precisely also in the visible church of Christ.²⁶

Beyond that the church has no power to bind consciences. External arrangements and customs neither commanded nor forbidden in God's Word are free. Such regulations as bishops make for the sake of good order ought to be kept for the sake of love and unity, but not as if they were in themselves obligatory (AC XXVIII, 53-68; XV; SA II/II/15; III/XII; Tr., FC X.) Compare Luther's *Propositions Against the whole Synagogue of Satan*,²⁷ and his letter to Melanchthon of 21 July 1530.²⁸ The church is neither a popular democracy nor a clerical oligarchy but a *Christocracy*. This needs to be asserted especially in the face of modern superstitions about "majority vote." Any such "majority vote" in the church which violates faith (doctrine) or love (Christian liberty) is thereby null and void. Pieper: "All government of the Church which does not bind the consciences of Christians to Christ's Word, but to the word of men is pseudo-government."²⁹

IV

The legal-contractual fringe of church-life is not a part of its essence, and remains accountable within the civil-political realm.

Rudolph Sohm was, despite his misunderstanding of Luther on the ministry, completely correct in his argument that according to the Lutheran Reformation the church, as the realm of the Gospel and of the Spirit, cannot be governed by legal, juridical compulsion of any sort.³⁰ Although the church has made use of such forms in the Constantinian age, she had preaching, ministry, and sacraments long before she enjoyed legal establishment. The legal-juridical elements so taken for granted by state-churchism—but also by the corporate bureaucratism of modern America—cannot belong to the church's nature or essence.

With Luther (and Sohm!) we must note that it is precisely the earthly, "visible" church that is to be governed with the gospel:

Therefore you must not interpret "above" anagogically, as the sophists do, applying it to what they call the church triumphant in heaven; you must apply it to the church militant on earth.³¹

This entails the all-decisive, over-riding priority of the *pure doctrine and confession*, that is, of the purity of and unity in all public preaching, teaching, and sacramental life. Confession—not constitution!—is the true bond precisely of outward church-life! *Everything* else must subserve that.

The proper distinction of the two governments or powers also means that while political rulers may not usurp spiritual authority, neither may gospel-ministers violate civil laws. There is no "benefit of clergy" exempting churchmen from ordinary civil justice and jurisdiction. The attempt to portray contractual ecclesiastical by-laws as "spiritual" mysteries beyond the ken of civil and criminal courts is irresponsible. One

may as well claim exemption from financial audit on the grounds that the church has her own “Christian” or “spiritual” accountancy, which secular auditors cannot fathom or assess! That way lie cultism and corruption—especially given a bureaucratic organ dispensing oracular opinions in response to any “specific question of doctrine or doctrinal application,” opinions which “must [!] be followed” by ecclesiastical courts,³² whose “final decisions” are “binding” and “not ...subject to further appeal.”³³

It is a Schwenkfeldian error “that no Christian may with an inviolate conscience use an office of the government against wicked persons as occasion may arise, nor may a subject call upon the government for help” (SD XII, 19).³⁴

V

When addressing non-Christians the church’s preachment of the law is bounded by her missionary commission (Mt. 28:19-20), hence limited to the second (“theological”) use. While the Table of Duties (second and third uses) must be proclaimed to all Christians (including rulers), governments and states as such are accountable to God not through the church but through all who have standing under Rom. 13:1-7 (ultimately even the general citizenry), and by way of natural reason and law (first use).

The argument of the thesis is self-contained. Note that the fundamental purpose of the first use of the law is to coerce (FC Ep. VI, 1, Latin; SA III/II/2 Latin) the ungodly into outward decency. For a clear explanation of the “double use of the law” see Luther on Gal. 3:19.³⁵ Finally, here are Pieper’s succinct words:

The Kingdom of Grace is synonymous with the Church of God on earth (*ecclesia militans*). ...The principles of Christ’s rule over His Church are subverted by those who intermingle the secular realm with the Kingdom of Grace, that is, who intermingle Church and State. This includes (1) those who turn the Church into a worldly kingdom by attempting to build the Church with earthly, or worldly, means (external power, natural morality, culture, etc.) instead of employing solely the Word of God, thus *eo ipso* destroying the distinctive character of the Church; (2) those who would make of the State a spiritual kingdom by attempting to rule the State not by reason, but by the Word of God, by “Christian principles.”³⁶

NOTES

1. Oddly enough the Koran, while denying our Lord's divinity, maintains His virginal conception. Liberal "Lutherans" who prefer biblical criticism to the virgin birth thereby sink to a sub-Islamic level of Christology.
2. qtd in J. N. D. Anderson, *The World's Religions* (Grand Rapids, Michigan: Eerdmans, 1972) p. 37.
3. Tappert, p. 38.f
4. Anderson, *The World's Religions*, p. 93.
5. See George Sale trans., *The Koran* (Boston: T.O.H.P. Burnham, 1864).
6. Tappert, p. 83.
7. Tappert, p. 83.
8. Tappert, p. 325.
9. William Barclay, *Ethics in a Permissive Society* (London: Collins, 1971) p. 187.
10. Tappert, p. 558.
11. Tappert, p. 169.
12. Jacob and Wilhelm Grimm, *Deutsches Wörterbuch* 4 vols. (repr. Munich: Deutscher Taschenbuch Verlag, 1984) IV:cols. 1665-1725. I have not undertaken a systematic search of Luther's usage, but came across this in a sermon of 1534: "Wer hat dich geheissen, wasser und wort zusammen geben?" (WA 37:636). Here "geben" cannot possibly be construed as "gegeben" but can only mean the infinitive, "zu geben."
13. "Ministerium est status sacer, a Deo institutus, Ut vera divini verbi doctrina et legitima Sacramentorum dispensatione homines peccatores fidem consequantur, et per fidem aeternam salutem" ("The ministry is a sacred estate, instituted by God, in order that by the true teaching of the divine Word and the legitimate dispensing of the Sacraments human beings, sinners, might attain faith and through faith eternal life"). Abraham Calov, *Exegema Augustanae Confessionis* (Wittenberg: Borckard, 1685) p. 451.
14. The definition of the ministry as a divinely instituted "*ordo ac status*" (245, order and estate) is similar to Calov's. Carpzov also holds that the working of faith is rightly attributed to the ministry as its ministerial cause, as is shown by various titles of the ministry, such as *synergoi* (co-workers) of God, I Cor. 3:9, spiritual parents, I Cor. 4:16, etc. John Benedict Carpzov, *Isagoge in Libros Ecclesiarum Lutheranarum Symbolicos* (Leipzig: Joh. Wittigau, 1675) p. 248.
15. Tappert, p. 83.
16. Rudolph Sohm, *Kirchenrecht* (Leipzig: Duncker & Humblot, 1892) pp. 465-473.
17. Rudolph Sohm, *Kirchenrecht* (Leipzig: Duncker & Humblot, 1923) p. 136f.
18. Sohm, *Kirchenrecht* (1923), p. 140n.
19. Tappert, p. 418.

20. Tappert, p. 419f.
21. Tappert, p. 616.
22. Tappert, p. 504.
23. Tappert, p. 503.
24. “Therefore Sarah, or Jerusalem, our free mother, is the church, the bride of Christ who gives birth to all, she goes on giving birth to children without interruption until the end of the world, as long as she exercises the ministry of the Word, that is, as long as she preaches and propagates the Gospel; for this is what it means for her to give birth. Now she teaches the Gospel in such a way that we are set free from the curse of the Law, from sin, death, and other evils, not through the Law and works but through Christ. Therefore the Jerusalem that is above, that is, the church, is not subject to the Law and works; but she is free and is a mother without Law, sin, or death. And as the mother is, so are the children to whom she gives birth. Therefore this allegory teaches in a beautiful way that the church should not do anything but preach the Gospel correctly and purely and thus give birth to children” (on Gal. 4:26; AE 26: 441).
25. Tappert, p. 82.
26. Sohm, *Kirchenrecht* (1892), p. 484f.; my trans.
27. WA 30 II:42.
28. AE 49:378-390.
29. Francis Pieper, *Christian Dogmatics*, 3 vols. (St. Louis, Missouri: Concordia Publishing House, 1950-1953) II:394
30. Sohm, *Kirchenrecht* (1892), pp. 460-542.
31. AE 26:439; on Gal. 4:26.
32. Lutheran Church—Missouri Synod, *Handbook of the Lutheran Church—Missouri Synod* (St. Louis, Missouri: Lutheran Church—Missouri Synod, 1992) Bylaw 8.21i.
33. LC-MS Handbook (1992), Bylaw 8.09e.
34. Tappert, p. 634.
35. AE 26:308f.
36. Pieper, *Christian Dogmatics* II:385, 392-393.