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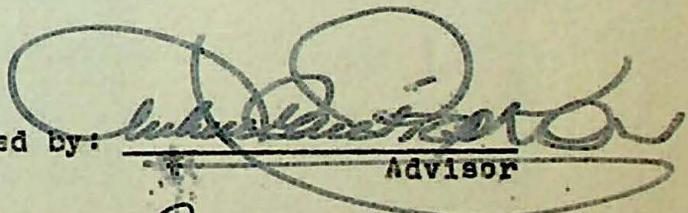
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CURRENT LUTHERAN THOUGHT IN AMERICA
ON CHURCH-STATE RELATIONS

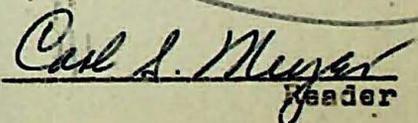
A Thesis Presented to the Faculty
of Concordia Seminary, St. Louis,
Department of Historical Theology
in partial fulfillment of the
requirements for the degree of
Bachelor of Divinity

by
Robert C. Seltz
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Approved by:



Advisor



Reader

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CHAPTER I

INTRODUCTION

In 1947 after returning from the Lutheran World Federation meeting in Lund, Sweden, Conrad Bergendoff stated:

The necessity of international cooperation between states of differing religions, or between states of no religions, presents a problem unknown to the centuries of the Confessions. Lutheran theology has not caught up with political developments. . . . In this field the Lutheran Church needs bold, even original thinking.¹

The purpose of this thesis is to give a summary report of some of the thinking that Lutheran theologians in America have been doing on church-state relations since Conrad Bergendoff made that statement. Representative writers from the various Lutheran bodies have been consulted, although the scope of this report is necessarily not exhaustive.

Lutherans generally agree in their conception of the church and the state and in the difference that exists between them in their authority and function. They likewise agree that the church and the state must remain basically separate. To confound the authority and function of the two would be tragic for the gospel. The degree to which they must remain separate, however, remains hazy in Lutheran thought. Some aver that there should be absolute separation of church and state. Others, however, say that it is desirable that the

¹Conrad Bergendoff, "Lutheran Theology Today," The National Lutheran, XVI (Fall, 1947), 9.

two cooperate to a certain extent. The exact nature of such cooperation is not clearly and consistently defined.

Most Lutherans believe that the state should preserve religious freedom and provide an atmosphere which is conducive to the practice of religion and morality. The church, it is claimed, has definite obligations to the state. Especially through its individual members, the church should support the state and strengthen it through its witness. When the state violates the law of God or tolerates injustice, the church has the obligation to declare the law of God to the state. What role the church plays as an organization or denomination or body in carrying out its responsibilities to the state remains indefinite in Lutheran thought. Secularism is a great evil which is complicating church-state relations in all areas of American life.

Though the church-state problem has not reached a final solution among Lutherans in the United States, this survey has demonstrated that Lutherans have been doing bold, original thinking. They have been aroused to a greater social consciousness.

CHAPTER II

THE TWO KINGDOMS

Definition of Church and State

Edgar M. Carlson points out that Luther referred to the two realms under God as the kingdom of the right hand and the kingdom of the left hand.¹ The kingdom of the right hand is the spiritual kingdom, the church; the kingdom of the left hand is the secular kingdom, especially the state. Before a discussion of the relationship of church and state in America, it is necessary to know what Lutheran theologians understand these two realms to be. For example, is the church a group of people, or is it an organization or a committee? Similar questions might be asked concerning the state.

The church can be defined in various terms. It is a "gathering of people" or "group of people who are God's people and who have been brought into communion and fellowship with God through Christ."² The church is a body of believers.³

According to the Scriptures, says Melancthon, the church in the strict sense is that assembly of the Spirit-filled holy people and true believers in the Gospel of Christ in

¹Edgar M. Carlson, The Church and the Public Conscience (Philadelphia: Muhlenberg Press, c.1956), p. 29.

²Richard R. Caemmerer, The Church in the World (Saint Louis: Concordia Publishing House, c.1949), p. 1.

³Conrad Bergendoff, Christ As Authority (Rock Island: Augustana Book Concern, c.1947), p. 95.

which the Gospel is correctly taught and the Sacraments are correctly administered.⁴

"The church exists wherever a church exists; the Catholic Church is the sum total of all the Christian communities and nothing more."⁵ "The Common Confession," a doctrinal statement drawn up by The Lutheran Church--Missouri Synod and the American Lutheran Church, defines the church as follows:

All believers in Christ constitute the one, holy, Apostolic . . . and catholic (universal) Church. Jesus Christ is its Head. Through the means of grace He calls all its members into fellowship with Himself and also unites the members in fellowship with one another.⁶

In their "United Testimony on Faith and Life," the American Lutheran Conference states:

We believe that there is One, Holy, Universal, and Apostolic Church, consisting of all those in every age who have been united with Jesus Christ through faith in Him, have been baptized into His name, and live in fellowship with Him.⁷

The state can be defined as the whole body of people united under one government, the sum total of the citizenry.⁸

⁴Arthur Carl Piepkorn, "What the Symbols Have to Say About the Church," Concordia Theological Monthly, XXVI (October, 1955), 25.

⁵Ibid., p. 8.

⁶"The Common Confession," Proceedings of the Forty-Second Regular Convention of The Lutheran Church--Missouri Synod (Saint Louis: Concordia Publishing House, 1953), p. 505. [Hereafter referred to as Proceedings, 1953.]

⁷"United Testimony on Faith and Life," approved by the American Lutheran Conference, February 13, 1952, The Lutheran Outlook, XVII (March, 1952), 74.

⁸A. D. Mattson, Christian Social Consciousness (Rock Island: Augustana Book Concern, c.1953), p. 232.

According to George W. Forell the state is the authority which the body politic represents.⁹

Church and state are further described by some Lutherans as empirical organizations or institutions.¹⁰ Such a definition is necessary, they say, in discussing the practical problems of church-state relationships. The state, according to this view, is the political body, the institution of government. Whereas the state is broadly defined as the group of people who live under this institution and its authority, it is narrowly defined as the institution through which the political function of the society is discharged.¹¹

Likewise the church is an outward organization or community of churches, and it is this organized church in action that the state confronts.¹² Since the church and the state confront each other as empirical organizations, it is necessary to define them as such. This is furthermore expedient because the state often confronts all religious groups, even non-Christian groups.¹³ Such non-Christian religious groups are best defined as outward organizations.

⁹George W. Forell, "The State as Order of Creation," an essay delivered at Valparaiso University, Valparaiso, Indiana, December 6-9, 1951, p. 7.

¹⁰George W. Forell, Herman A. Preus, and Jaroslav J. Pelikan, "Toward a Lutheran View of Church and State," The Lutheran Quarterly, V (August, 1953), 281.

¹¹Mattson, op. cit., p. 232.

¹²Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 281.

¹³Ibid.

Both Kingdoms Under God's Authority

An important principle that must be emphasized is that both church and state are subject to one authority, namely God.¹⁴ Any authority that either enjoys is purely a gift of God. God has given this authority in accordance with His divine ordinance.¹⁵ If either kingdom abuses the authority and the power which God has given, it must ultimately answer to Him for its actions. God is sovereign. Both church and state are under the dominion of God and serve His eternal purposes.¹⁶ "In the last instance and in all conditions there is no dualism. There is only God. God reigns supreme."¹⁷

Lutherans do not consider the state a mere appendage to society created by man. "Christianity recognizes the state as being a divine institution and having its basis in the divine will."¹⁸ The state, as well as the church, stands "under the authority and judgment of God, is bound by His will. . . ."¹⁹ The American Lutheran Conference made this joint

¹⁴Ernest B. Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," Concordia Theological Monthly, XXVII (January, 1956), 8.

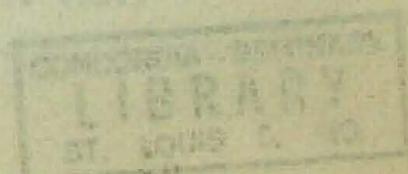
¹⁵Rom. 13:1.

¹⁶Carlson, op. cit., p. 64.

¹⁷Howard Hong, This World and the Church (Minneapolis: Augsburg Publishing House, c.1955), p. 100.

¹⁸Mattson, op. cit., p. 234.

¹⁹ibid.



statement in 1952:

All men must be made to recognize the authority of God's law to which they are responsible and by which they are judged. Those in authority in all areas of life must govern according to God's law which is ordained for the ordering of human society and the welfare of all. So governing they are instruments of God and servants of the common good. Failing to do so they bring God's judgment upon themselves and destruction and disaster to the society which they govern.²⁰

Thus the state too is part of God's created order and as such is subject to the Creator. Because of the important status which God has given to government, Forell, Preus, and Pelikan point out that Luther could speak of it in glowing terms:

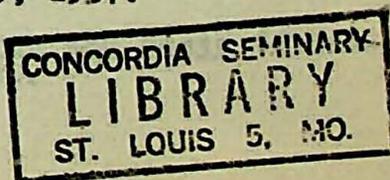
Besides the Gospel and the office of the ministry there is no greater treasure on earth than government. And he who despises government and is disobedient opposes at the same time the true and highest God who speaks and judges through it.²¹

Though God is Lord of both church and state, He exercises His dominion differently in the two realms. In the kingdom of the world and government God rules through His law; in the kingdom of Christ and the church He rules through the word of the gospel and His Spirit.²² In both kingdoms God acts through human instruments. Although unbelievers are not subject to the

²⁰"United Testimony on Faith and Life," op. cit., XVII (March, 1952), 74.

²¹Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 289.

²²Oswald Hoffmann, "Church and State," an address delivered at Concordia Seminary, January 29, 1957.



gospel, they are subject to God's dominion in the secular kingdom. Christians are, of course, subject to God in both kingdoms. God is supreme.

Functions of the Two Kingdoms

Lutheran theologians add clarity to the meaning of church and state by defining these institutions according to their functions. All seem to agree that the function of the church is to proclaim the living word of the gospel and thereby bring people into the fellowship of God; and that the function of the state is to maintain law and order, justice and peace. In carrying out its function of maintaining order and peace, the state provides an atmosphere which is conducive to the function of the church. Agreeing with Luther, American Lutherans consider the church to be primarily an agency of the gospel and the state an agency of the law of God.²³

"The great Christian concern is to teach people to know God so they may live with Him eternally."²⁴ In order to do this the church proclaims the gospel to as many people as possible. It does not preach the gospel to the state, thus converting the gospel into a kind of law. However, the church proclaims both law and gospel. It announces the law first to itself, for it too must live by the forgiveness of sins. Then

²³Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 288.

²⁴g. Elson Ruff, The Dilemma of Church and State (Philadelphia: Muhlenberg Press, c.1954), p. 20.

the church proclaims the law to all men, even to political rulers. No one is exempt from the preaching of the law.²⁵ Nevertheless, the church is chiefly an agency of the gospel.

In carrying out its function, the church runs into opposition in the form of cosmic sin, man's evil nature, and the devil. The devil is at work in the world trying to thwart God's redemptive will and His creative activity. The focal point of the conflict between God and the devil is man's selfish ego.²⁶ Man and man's heart are the real center of resistance to the sovereignty of God. This is the opposition with which the church must contend as it tries to bring men into the fellowship of the gospel.

It is interesting to note that the "United Testimony on Faith and Life," approved by the American Lutheran Conference in 1952, has nothing to say about the functions of the state.²⁷ "The Common Confession," however, affirms:

The Church recognizes governmental authority as ordained of God, as subject to the will of God, and as designed to seek the good of its citizens. It is the function of such government as God's representative to punish those who do wrong, to approve those who do right, and to protect all from injustice.²⁸

Government is a servant of God for the good of the people.²⁹

²⁵Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 289.

²⁶Carlson, op. cit., p. 34.

²⁷"United Testimony on Faith and Life," op. cit., XVII (March, 1952), 71-79.

²⁸"The Common Confession," Proceedings, 1953, p. 514.

²⁹Rom. 13:4.

As such government is to punish the evildoer but give praise to them that do good.³⁰ Carl S. Meyer asserts that the praise which is given to them that do good is a synonym for agathon, for the good or welfare of citizens. "Hence it is not doing violence to Scripture to maintain that governments are God's servants for the temporal welfare, for the social and economic good of the citizen."³¹ The rulers, therefore, are to pursue the welfare of society. This function, however, is limited in sphere to the external, physical existence of people and cannot extend to their spiritual life.³²

One of the most important ways in which the state pursues the welfare of society is by maintaining external peace. "The government should make peace the supreme good for which it strives. The church can carry out her mission best in times of peace."³³

It has been advanced that the state is an agency of God's law. God addresses His law to men through many mediums, through the forces of nature, for example. But one of His principal agencies of law is the state.³⁴ George W. Forell

³⁰1 Pet. 2:14.

³¹Carl S. Meyer, "The Functions of the State," Concordia Theological Monthly, XXVII (November, 1956), 843.

³²H. Richard Klann, "Luther on War and Revolution," Concordia Theological Monthly, XXV (May, 1954), 353.

³³Carl S. Meyer, "The Church Speaks to the State," The Lutheran Witness, LXXVI (February 26, 1957), 106.

³⁴Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 288.

maintains that the state acts as an agency of God's law primarily in three ways.³⁵ First, political authority expresses God's law in the form of positive laws. These are based on the Golden Rule or natural law as it is written in the hearts of men. Second, the state enforces these laws; and finally, it is the protector of them.

Edgar M. Carlson lays stress on the state as an order of creation, whose duty it is to act as an agency of God's law.³⁶ He contends that in creation God established a certain law or order. All of creation and God's creative activity continues in accordance with this law. The structures and frameworks of society, including the state, are not accidental concomitants of creation. Rather, they are "a positive expression of the Creator's will, a concrete embodiment of the order which is in the mind of God."³⁷ The state, then, is an institution ordained by God according to this law of creation. God has a dynamic dominion in and through the state, and the state is one of the agencies through which He expresses His law. Forell, interpreting Luther, confirms the idea of the state as an order of creation:

Lutheranism . . . has created a view of the state as a divine order endowed by God with certain creative tasks

³⁵Forell, "The State as Order of Creation," op. cit., pp. 9-10.

³⁶Carlson, op. cit., p. 22.

³⁷Ibid., p. 86.

and quite independent from the church as an ecclesiastical institution.³⁸

If the state is an agency of God's law, then He employs also the state in carrying out His eternal purposes. The state is one of God's instruments.

The meaning and significance of our physical and social environment derives precisely from the fact that the created orders are intended to be an instrument in the hand of God for the conquest of man, one of the regimes through which he establishes his dominion. They are related to the ultimate purpose of God as the law is related to the ultimate purpose of God. All the orders, offices, and stations are "masks of God" (larvae Dei) through which God approaches man whom he would bring into the saving fellowship of submission and trust.³⁹

When one confronts judges and rulers who are fulfilling their true functions in society, he confronts God's law concretely.

No Domination on the Part of Either Kingdom

A principle governing the two kingdoms is that neither the church nor the state should dominate the other. The church shall not try to impose its will on the state, and the state shall not endeavor to spread the gospel by legislative means.⁴⁰ To do so would be equivalent to mixing the functions of law and gospel.

This principle has often been violated. In the Middle

³⁸George W. Forell, Faith Active in Love (New York: The American Press, c.1954), p. 24.

³⁹Carlson, op. cit., pp. 64-65.

⁴⁰Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," op. cit., XVII (January, 1956), 6.

Agas the papacy exercised political power over nations. Protestants have on occasion violated this same principle, the difference being that Protestants have tried to make the Bible or their interpretation of Christian ethics binding on all citizens.⁴¹ This is a more subtle domination of the state by the churches. It is well for the church to remember that:

Opportunistic power politics is self-defeating, a treason to the Christ who rejected the tempter's offer of the kingdoms of this world. From Roman Catholic history Protestants must learn this bedrock principle of church-state relations: the church must not seek to dominate the state, or use it as an instrument of its own advancement.⁴²

The worst consequence of church-rule over the state is the turning of the gospel into a law.

Neither should the state dominate the church. The principle involved has been violated also on this side of the ledger. This has been true not only in totalitarian countries like Russia, but also in Christian countries. Recent controversies in Norway over the doctrine of hell indicate that the Norwegian state has arrogated to itself more authority in church matters than the Lutheran Church of Norway desires to concede.⁴³ There is a limit to secular authority. Howard Hong writes of the early church:

For Christians there were limits to what is Caesar's: God cannot be swallowed by the state; for, in fact, civil

⁴¹Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 286.

⁴²Ruff, op. cit., p. 30.

⁴³Iver Iverson, "Church and State in Norway," The Lutheran Quarterly, VII (February, 1955), 62-66.

power is of God, ordained for a kind of peace, Augustine later declared, although it is not the order and peace of the city of God.⁴⁴

Secular authority does not extend beyond the temporal affairs and the physical existence of its subjects.⁴⁵ When the secular arm assumes spiritual authority, it becomes a tyranny. Only God can rule over the whole of man, and the state usurps God's authority when it tries to legislate in matters of faith. Careful exegesis of Romans 13 is required at this point. One might argue that St. Paul in this chapter seems to give quite extensive authority to government. Luther, however, drew a sharp line restricting that authority to external things -- the proper realm of the state. G. Elson Ruff quotes Luther's remarks on Romans 13.

St. Paul speaks of authority and power. You have just heard that no one but God can give authority over souls. So Paul cannot be speaking of any obedience except where there can be corresponding authority. From this it follows that he does not speak of faith, and does not say that secular authority should have the right to command faith, but he is speaking of external things, and that these things are to be set in order and controlled on earth. . . . The soul is not in Caesar's power.⁴⁶

Luther is often accused of having been inconsistent in that he invited the princes and municipal authorities to help in the reformation of the churches in Germany. Lutherans do not hesitate to defend the Reformer. Lewis W. Spitz, Jr.,

⁴⁴Hong, op. cit., p. 90.

⁴⁵Klann, "Luther on War and Revolution," op. cit., XXV (May, 1954), 353.

⁴⁶Ruff, op. cit., p. 51.

stresses that Luther invited the prince to act as a Christian brother out of love; and he goes on to explain:

The momentum of the political ascendancy of the princes had carried them into the saddle even before Luther's reforming activities began. Luther clarified the distinction necessary between the church and state and wished always to make this distinction effective in practice. That he failed was largely beyond his control. . . .⁴⁷

Luther's principle is still important in America today: neither the church nor the state shall dominate the other. Such domination confuses law and gospel, tyrannizes conscience, and is an attempt to enforce that which only the Holy Spirit can enforce. "Church and state must be in constant tension, neither subduing the other."⁴⁸

Danger of State Deification

From the viewpoint of the church there is a dangerous tendency in America today. This tendency is for the state to become deified, to become the center of faith and power for people instead of God's being that center. Howard Hong quotes a critical estimate of the situation made by Will Durant: "Render unto Caesar the things that are Caesar's, and to Caesar the things that are God's."⁴⁹ Durant's paraphrase of Scripture hinted that the national state is tending to become the god

⁴⁷Lewis W. Spitz [Jr.], "Luther's Ecclesiology and His Concept of the Prince as *Notbischof*," Church History, XXII (June, 1953), 134.

⁴⁸Ruff, op. cit., p. 62.

⁴⁹Hong, op. cit., p. 85.

of the masses and lay more and more claim upon the allegiance of each individual.⁵⁰ People begin to think that the American way of life and democracy are the best expression of the will of God, and they tend to ascribe to these institutions a certain holiness. Being patriotic becomes almost the same as being religious in the minds of many, who do not realize that the gospel can be betrayed for the sake of patriotism. Thus the tendency of the state to become deified is augmented.

The danger within the church is that it tends to surrender some allegiance to the state which properly belongs to God. G. Elson Ruff explains the manner in which this happens.⁵¹ Man struggles to be autonomous, to revolt against God, to remove his worldly affairs from God's authority. This desire to keep God in the churches and out of worldly affairs is secularism. It taints even the Christians. But the secularists also realize that people cannot live in any realm without a god and a faith of some sort. Democracy is proposed as that faith which should govern all the worldly affairs of the citizens -- including Christians. The state and democracy become divine. It would seem that the church surrenders God's divinity to the state to the extent that it succumbs to secularism. When the church allies itself with the world, it turns both the world and itself over to Caesar.

⁵⁰Ibid., p. 86.

⁵¹Ruff, op. cit., pp. 84-86.

How potent is the religious appeal of the state elsewhere in a secularized world is evident in the ease with which huge portions of the Christian citizenry is captured by prevailing national sentiment, with religion and patriotism merging in the process.⁵²

"It is as important that the state struggle against its own aspirations to power as it is that it struggle in behalf of order against chaos."⁵³

It is not implied that America is becoming totalitarian. The church, however, cannot afford to take a neutral attitude toward the tendency of the deification of the state. The importance of this can be seen when one observes the claim of modern totalitarianism in other countries on the souls of men.

⁵²Hong, op. cit., p. 87.

⁵³Carlson, op. cit., p. 40.

⁵⁴Ernest S. Loebner, "The Two Kingdoms and the Separation of Church and State in American Society," Evangelical Theology, 1952, 1:1, 15-16 (January, 1952), 3.

CHAPTER III

THE CONTROVERSIAL WALL OF SEPARATION

Separation of Church and State

The separation of church and state is generally considered to be one of those great realities that constitute the strong American tradition of freedom. The religious freedom in the United States today is ample testimony to the value of the separation of church and state. Nevertheless, there seems to be some confusion as to what is meant by separation. Is it an absolute separation with an impenetrable wall between the two realms? If not, what is the nature of the separation? This chapter will endeavor to answer these questions.

It must be maintained that the church and the state are by their very nature distinct and separate institutions. If the church is the agency of the gospel and the state is an agency of God's law, then the distinction between church and state is based on the distinction between law and gospel. Ernest B. Koenker quotes Luther as saying, "For this reason these two kingdoms must be sharply distinguished, and both must be permitted to remain."¹ There have been persistent efforts to amalgamate the two realms, but they are and must

¹Ernest B. Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," Concordia Theological Monthly, XXVII (January, 1956), 3.

remain distinct.² To eliminate the distinction between church and state would lead to confusion and would weaken the purpose and function of both.

So it happens that the church objects when steps are taken which ignore this separation. A familiar example of this is the furor that resulted when the President of the United States attempted on several occasions to appoint an ambassador to the Vatican. "To American Protestants the recognition of a church as a participant in international diplomacy is a denial of the principle of separation of church and state."³ Because of this principle Lutherans were nearly unanimous in opposing the appointment of the ambassador to the Vatican.

Through the years the American government has conformed quite conscientiously to the First Amendment of the Constitution, which guarantees the free exercise of religion in the United States.⁴ There have been some problems, however, with those sects whose moral codes and beliefs conflict sharply with the standards of the majority of Christians. For example, the Mormons have taught and practiced polygamy; Jews and Seventh-day Adventists have opposed obligatory closing of business on Sunday; conscientious objectors have refused to serve in the military. In such cases the government has tried to

²Ibid.

³G. Elson Ruff, The Dilemma of Church and State (Philadelphia: Muhlenberg Press, c.1954), p. 25.

⁴Ibid., p. 71.

protect the interests of the majority.⁵ Religious liberty does not give one the "right to indulge in practices that would be against public morals or the public welfare," insists J. A. Dell.⁶

It can be said, then, that the American state has respected the principle of the separation of church and state.

No Absolute Wall of Separation

Most Lutherans feel that this separation must not, however, be an absolute wall of separation in an inflexibly rigid sense. "Separation of church and state in America does not have the 'absolute' connotation that has sometimes been attributed to it," although it is indeed a "separation of the external ecclesiastical organization from the government."⁷ The Bill of Rights promises that the United States government will not establish a religion or prohibit the free exercise of any religion. But it does not in so many words prescribe or prohibit separation of church and state in an absolute sense.⁸ "Rather it studiously defines the manner, the specific ways in which there shall be no concert or union or dependency

⁵Ibid., p. 72.

⁶[J. A. Dell], "Limited Freedom," The Lutheran Outlook, XVII (May, 1952), 133.

⁷George W. Forell, Herman A. Preus, and Jaroslav J. Pelikan, "Toward a Lutheran View of Church and State," The Lutheran Quarterly, V (August, 1953), 282.

⁸Ibid.

one on the other," according to the United States Supreme Court.⁹ Nor did Jesus necessarily indicate an absolute separation when He said, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's."¹⁰ "The passage does imply the existence of two separate realms but it has often been forced to carry more meaning than it did on the lips of Jesus."¹¹ These are the convictions of many Lutherans in America.

There is a wide continuum of opinion among Lutherans concerning the exact nature of the separation of church and state. On the one hand, the necessity of keeping the two realms rather strictly separate is emphasized, as it was pointed out at the beginning of this chapter. It is held that the strict separation of church and state is clearly taught in the Scriptures.¹² On the other hand, too strict a separation is feared.

There is only one danger -- that we extend this principle beyond what both Scriptures and the Confessions say, that we condemn as "mixing Church and State" all contacts, every relation between the Church and civil government, all co-operation between the two, by assuming an absolute separation of Church and State -- which is taught neither in the New Testament, nor in the

⁹"Recent Developments in Church-State Relations in Education," Proceedings of the Forty-Second Regular Convention of The Lutheran Church--Missouri Synod (Saint Louis: Concordia Publishing House, 1953), p. 329.

¹⁰Matt. 22:21.

¹¹A. D. Mattson, Christian Social Consciousness (Rock Island: Augustana Book Concern, c.1953), p. 25.

¹²"Church and State," Lutheran Cyclopedia, edited by Erwin L. Luecker (Saint Louis: Concordia Publishing House, c.1954), p. 231.

Lutheran Confessions, nor, we must add, in the fundamental law of the United States.¹³

A. G. Huegeli mentions that also "the legal nature of the separation implied is only slowly emerging in Supreme Court decisions."¹⁴ If then there is a wall of separation, there is a difference of opinion as to what the wall separates.

Several considerations should be kept in mind. God is Lord of both church and state. Both are ordained of God and are therefore in His service carrying out His divine will.¹⁵ Both are under one divine authority and are subject ultimately to God alone. Christians live in both kingdoms. Thus, although the two realms are to be separate, these considerations seem to limit the degree of that separation.

It is significant that the totalitarian state has shown favor to Christian groups which practice and advocate complete separation of church and state. This was true of Nazi Germany and is partly true in Russia today. G. Elson Ruff goes so far as to say, "The common American saying, 'Keep the church out of politics,' is akin to the Communist command to Christian churches under their control."¹⁶ A complete isolation of the church from the state enables the latter to proceed

¹³Theodore Graebner, "The Separation of Church and State," The Lutheran Witness, LXVII (June 15, 1948), 191.

¹⁴A. G. Huegeli, "Our Church in the Area of Political Activity," The Lutheran Scholar, XII (October, 1955), 420.

¹⁵G. M. Bruce, "Luther and Church Government," The Lutheran Quarterly, V (November, 1953), 377.

¹⁶Ruff, op. cit., p. 43.

without having to face the authority of God's law. "There are two realms and church and state have separate functions but these realms are not parallel lines which never meet."¹⁷

The Military Chaplaincy

The principle of the separation of church and state has caused some controversy in the Evangelical Lutheran Synodical Conference of North America, particularly with reference to the military chaplaincy question. The Lutheran Church--Missouri Synod, as well as most other Lutheran bodies, approves of having Lutheran chaplains serve in state institutions and the military services, as long as the state leaves the chaplain free to serve his church in promoting the spiritual growth of those with whom he is charged.¹⁸ The Evangelical Lutheran Joint Synod of Wisconsin and Other States, on the other hand, feels that Lutheran chaplains serving in the military services is a mixing of the functions of church and state.¹⁹ Edward C. Fredrich of the Wisconsin Synod says:

Can one insist that "the government does not make it the duty of the chaplain to preach the Word" when the Manual requires that opportunities for the public worship of God be provided (cf. Manual, p. 1), that explanation for every omission of a Sunday service be made (cf. Manual, p. 4)? How valid is the statement that the government does not pay the chaplain "for doing what we call church

¹⁷Mattson, op. cit., p. 257.

¹⁸Carl S. Meyer, "Religion in the Public Schools," Concordia Theological Monthly, XXVIII (February, 1957) 107.

¹⁹"The Chaplaincy Question," a tract issued by the Conference of Presidents, The Evangelical Lutheran Joint Synod of Wisconsin and Other States, 1954, p. 2.

work" when the Manual has definite stipulations regarding communion, baptisms, funerals? . . . The conclusion is inescapable that, no matter what distinction we might wish existed, when the government commissions chaplains, it is invading the field of the Church and violating the principle of separation of Church and State. . . . The government makes the chaplain "the religious and spiritual leader of the military community" (Manual, p. 8), "morally obligated to provide for the religious needs of the entire command" (Manual, p. 2). . . . The government is establishing a relationship between chaplain and men which lies in the religious field.²⁰

The writer was quoting the Department of the Army Field Manual, F M 16-5, The Chaplain, January 1952.

Speaking in behalf of The Lutheran Church--Missouri Synod, Martin Scharlemann writes:

It has been said that the military chaplaincy as an institution violates the principle of separation between church and state. To say this is to misrepresent the principle as it has been practiced in America.²¹

The same writer quotes the Air Force manual called The Air Force Chaplain as follows:

No chaplain is required to conduct any service or rite contrary to the regulations of his denomination. Moreover, no chaplain is required to officiate jointly in a religious service with a chaplain or civilian clergyman of another denomination.²²

The writer goes on to contend that the government chaplaincy manuals protect military chaplains from the necessity of mixing

²⁰Edward C. Fredrich, "The Military Chaplaincy and Scouting," Proceedings of the Forty-Third Convention of the Evangelical Lutheran Synodical Conference of North America (Saint Louis: Concordia Publishing House, 1955), pp. 62-63.

²¹Martin H. Scharlemann, "The Boy Scouts of America and the Military Chaplaincy," Proceedings of the Forty-Third Convention of the Evangelical Lutheran Synodical Conference of North America (Saint Louis: Concordia Publishing House, 1955), p. 86.

²²Ibid.

church and state. He feels that the military chaplaincy affords the church unlimited opportunities for bringing the Gospel to those who need it desperately.

Delvin E. Ressel, a military chaplain of The Lutheran Church--Missouri Synod, lists four charges that the Wisconsin Synod has made with reference to the military chaplaincy:

That the military chaplaincy is an institution of the Government and not of the Church. That religious services in the military chaplaincy are to be carried out under Government direction. That religious programs and services in the military chaplaincy are obviously Christless in character. That the Government aims to take advantage of spiritual values for nonspiritual purposes.²³

Chaplain Ressel is of the opinion that the fallacy of these charges lies in the failure to separate governmental authority from ecclesiastical authority.²⁴ He points out that the chaplain is subject to the government only in an administrative way. He believes the government has made every provision to avoid "trespassing upon the ecclesiastical field."²⁵

This difference of opinion concerning the military chaplaincy and the principle of the separation of church and state still prevails among the adherents of these two Lutheran bodies in America.

²³Delvin E. Ressel, "The Church's Opportunities in the Military Chaplaincy," The Lutheran Chaplain, XVI (June, 1955), 4.

²⁴Ibid., p. 9.

²⁵Ibid.

Danger of Secularism

Most Lutherans fear that an absolute wall of separation would lead to secularism.²⁶ Secularism is considering truth and life as if God did not exist, as if people are self-sufficient and can live in a world without God. When such a situation obtains, the state and the citizens usurp the whole authority over life, and the church becomes irrelevant. Absolute separation of church and state takes too much of life away from God and surrenders it to the powers of darkness; "it denies the function of the Christian community to be the salt of the earth and the light shining in darkness."²⁷ Ruff had this to say of early American deists who believed that a man's rights as a citizen have no relation to his faith in God:

The churches might be separated from the state, it was generally agreed. They could live as private societies within the nation. But to say that the God revealed to Jews and Christians has no authority over the state, that his law has no relevance for the nation's laws, was a frank declaration of secularism. For Christians to revere God's law in their personal lives but not seek to enact it in their public affairs would make Christianity inconsequential and make every sincere Christian an incurable schizophrenic.²⁸

Secularism -- barring God from a large share of human life -- tends to result in the subordination of the church to

²⁶Ruff, op. cit., p. 68.

²⁷Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 285.

²⁸Ruff, op. cit., p. 68.

the state.²⁹ Sometimes those who rightfully object to the use of political machinery by Roman Catholicism overlook the very serious danger of pagan secularism. Protestants and Other Americans United for the Separation of Church and State, for example, do resist the Roman danger. But some believe that this group goes to the secularist extreme of ruling out religion from having any place in government and education.³⁰ The secularist threat, hidden in the heart of man, must be resisted.

Absolute separation of church and state might abet secularism by encouraging a double standard of morality. This happened in Germany when Bismarck and others

separated their religious activities very neatly from their activities as bearers of political power. "Absolute separation of church and state" sanctioned a double moral standard and the Christian ethic was relegated to Sundays, the family, and personal relationships of the individual. The state and its laws were considered to be completely autonomous.³¹

There have been advocates of a complete separation of church and state throughout the history of the Christian church. Under some conditions it was justifiable. At other times it has been on the part of Christians an expression of indifference to the problems of politics and the social life, and a desire to participate as little as possible in political affairs.³²

²⁹Ibid., p. 79.

³⁰Ibid., p. 88.

³¹Forell, Preus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 284.

³²Ibid., p. 283.

Church and state must be separate, but America must not be separated from God; secularism must be opposed. The wall of separation should not get so high that it separates a people's life from God.

Interaction of Church and State

Finally, an absolute separation would forestall an interaction between church and state. There is room for a certain cooperation between church and state according to Oswald Hoffmann, International Lutheran Hour speaker.³³ Neither is really complete in the world without the other.³⁴ The state performs a great service to the church in maintaining order and peace -- something the church cannot do since it does not have the power of the sword. It has also been mentioned that the state provides a legal framework within which the church can function. The church, on the other hand, strengthens the state as its members carry the gospel -- "the power of God for salvation" -- into all situations of life.³⁵ As the Christian harnesses and uses this power as a citizen, he strengthens the state. A. D. Mattson makes this strong statement:

Jesus never said and never implied that the church has nothing to do with the social order or with the state.

³³Oswald Hoffmann, "Church and State," an address delivered at Concordia Seminary, January 29, 1957.

³⁴Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," *op. cit.*, XXVII (January, 1956), 3.

³⁵Rom. 1:16.

Such an implication cannot be drawn from His words, in the interest of a quietistic type of piety.³⁶

Lutheran opinion seems to be that church and state should exist not totally separate and in a state of complacency, but should interact and be in a state of tension. The Christian lives in both realms. He must live out his life and the implications of his faith in relation to both. It is not that he lives in one realm according to the spirit and in the other according to the flesh. "It is rather two relationships in which man stands with regard to his total life and activity."³⁷ Faith and power must indeed operate at different levels. Yet, if they do not interact, faith may become irrelevant and power may become corrupted.³⁸

These words by Ernest B. Koenker reflect the thought of some Lutherans:

We must acknowledge with gratitude the opportunities granted by the Bill of Rights for churches and the state to interact constructively on one another. If they were separated in every respect one would have reason to fear a weakening of the churches as well as of the state. At present the church enjoys a privileged position. . . . An absolute separation would deny any participation of the Christian in political affairs. This would open the door to the completely secular state, which would inculcate its own -- possibly anti-Christian -- ideology in the public schools; it would require a religious devotion to itself, as is not entirely without evidence even now among spokesmen for the public schools and for democracy.³⁹

³⁶Mattson, op. cit., p. 255.

³⁷Edgar M. Carlson, The Church and the Public Conscience (Philadelphia: Muhlenberg Press, c.1956), p. 30.

³⁸Ruff, op. cit., p. 61.

³⁹Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," op. cit., XXVII (January, 1956), 10.

CHAPTER IV

CHURCH-STATE INTERACTION

Difficulty of the Problem

The real difficulty of the church-state problem begins at that point at which the church begins to interact with the state. Each of the two institutions and their peculiar functions can be described with relative ease. But when the question arises, "What shall the church do in this or that situation?" or, "How far shall the church go?" then the problem becomes more complicated. In this chapter an attempt will be made to describe the church in motion -- the church as it relates to the state both as a body of Christian believers and as individual members of that body who fulfill their role as citizens.

Herein lies the dilemma of the church. Its very nature demands that it be an influence and a leaven in society and the state.¹ Yet, there is a constant danger of confusing the divine and the secular; the gospel of salvation and the good of society; that which is spiritual and that which is political. The church cannot solve its dilemma once and for all by working out a detailed policy of action for all time. The Scriptural principles on which a policy is based remain the

¹George W. Forell, Herman A. Preus, and Jaroslav J. Pelikan, "Toward a Lutheran View of Church and State," The Lutheran Quarterly, V (August, 1953), 285.

same, but the political and social life in which these principles must be applied are fluid; they are constantly changing.² Thus the church may have to change its policy for action from time to time in order to defend freedom of religious belief.³

The church could solve its dilemma very easily if it were entirely other-worldly or entirely this-worldly. This is not the case. "It is the embarrassment and power of Christianity that it is both."⁴ Church-state interaction, therefore, will always be a difficult problem for the church.

The Responsibility of the Church

Difficult though the problem be, the church has obligations to the state and the society in which it finds itself.

George W. Forell says:

Because the natural orders are divinely instituted we are not to despise them but rather consider our membership in them an honor and decoration from God. We are not to cast this decoration aside lightly in order to "run into a monastery."⁵

The church must be concerned also with political and social problems, because these too are instruments through which God

²Edgar M. Carlson, The Church and the Public Conscience (Philadelphia: Muhlenberg Press, c. 1956), p. ix.

³Oswald Hoffmann, "Church and State," an address delivered at Concordia Seminary, January 29, 1957.

⁴Carlson, op. cit., p. x.

⁵George W. Forell, Faith Active in Love (New York: The American Press, c. 1954), pp. 123-24.

can bring men into fellowship with Himself.⁶ If they were not, if they had nothing to do with God's purposes and plan of salvation, then the church could ignore these problems; for the church is responsible ultimately to God alone. However, the conception of the church as the body of Christ boldly asserts the unity of Christ and His church and the responsibility of the Christian toward others in his calling.⁷ The church must ask itself whether or not it might accept a more positive role in its relation to the state.

The church is in a position to help the state and society. Sin and self-seeking are rampant in the world, and these are essentially the causes of evil in the state and elsewhere. "Our Christian way of life . . . is the answer to the many social, economic, national and international problems. The world is sick. It is heart sickness which only God can heal."⁸ With this perspective it can be held that questions, political ones too, are ultimately theological questions. Norman G. Anderson quotes the following statement, made in 1935 by a committee of which Dr. F. Knubel was a member:

The Church above all other forms of human society is divinely equipped to contribute toward the solution of social problems, because the Church alone knows the true nature of man, whose life and existence are involved in this problem. She alone knows the true nature of human

⁶Carlson, op. cit., pp. 64-65.

⁷Ibid., p. 51.

⁸George H. Koehler, "The Christian in the World," The Lutheran Outlook, XVIII (November-December, 1953), 332.

society in which man, atomized by the influence of sin, needs to be integrated.⁹

Although Lutherans have been aroused to a greater social consciousness, they warrant more of an influence on the social and political scene than they have been exerting. Martin H. Scharlemann writes, "The influence of the Lutheran Church on the American way of life has been quite negligible."¹⁰ If the Christian church does not get into the market place of life with its leaven, it may actually have a part in the secularizing of the world by default. This is the concern of Howard Hong, who says:

Insofar as the Christian Church by faithless retreat from life or by accommodation to life denied the relevance of transcendent Christian faith to men's thinking and acting, it has left the world without the witness the Church ought to bring. . . ."¹¹

On the other hand, the church might just as easily contribute to the secularizing of the world by unwitting compromise. It is only with great care that the church must discharge its responsibility to the state.

The Church as the Conscience of the State

Several Lutherans believe that an important way in which

⁹Norman G. Anderson, "Politics and the Lutherans," The Lutheran Outlook, XVII (October, 1952), 296.

¹⁰Martin H. Scharlemann, "The Lutheran Church and Its Environment," Concordia Theological Monthly, XXVI (August, 1955), 597.

¹¹Howard Hong, This World and the Church (Minneapolis: Augsburg Publishing House, c.1955), p. 135.

the church interacts with the state is that it serves as the public conscience. Edgar M. Carlson is one of them.¹² So is G. Elson Ruff.¹³ It should be pointed out that the church acting as the conscience of the state is not scriptural terminology; neither is this a consistent emphasis among Lutherans. Carlson does not say that the state has a conscience; he insinuates an abstraction which he calls "public conscience."¹⁴ He seems to mean a public consciousness of the voice and authority of God and God's law. He explains that although conscience is essentially a capacity of an individual person, the church contributes to the public conscience through the life and witness of individual believers. Christians provide a persuasive witness, urging the good and criticizing that which is contrary to God's law. Especially those Christians holding political office are in a position to fight self-interest and to influence the public conscience. "The conscientious man is the creator of the public conscience."¹⁵ As the Christian hears both the gospel and the dynamic law of God, he gains the insight and power to be a part of the public conscience. The church must make sure that he hears this word of God.

¹²Carlson, op. cit., pp. 4, 18.

¹³G. Elson Ruff, The Dilemma of Church and State (Philadelphia: Muhlenberg Press, c.1954), p. 60.

¹⁴Carlson, op. cit., p. 4.

¹⁵Ibid.

The church as the body of believers may also contribute to the public conscience. It is the duty of the church to be the front line of defense against injustice to man and to speak out against the state in behalf of those whom it oppresses.¹⁶ Tyranny results when the church does not have such a freedom to hold the rulers accountable to a voice of authority which is not of this world. The church loses this freedom when it separates itself completely from the world; when it is satisfied and comfortable with its inner, spiritual life; when it is not the voice of God to society and the state.¹⁷ But when the church has this freedom it can speak as the oracle of God and contribute to the public conscience.

The church must also speak out regarding the obligations of the government to its citizens. This is not a mixing of church and state. The church has been given the function to teach. When the church attempts to take over the functions of government, then she is mixing church and state. When the church points out that the state has the obligation to foster the common welfare, she is speaking as the oracle of God.¹⁸

The Responsibility of the Individual Christian

In speaking of the church's interaction with the state, Lutheran authors refer to the church sometimes as individual believers in Christ and sometimes as local congregations or a body of congregations. It may be well, therefore, to discuss

¹⁶Ruff, op. cit., p. 60.

¹⁷Ibid., p. 33.

¹⁸Carl S. Meyer, "The Church Speaks to the State," The Lutheran Witness, LXVII (February 26, 1957), 106.

these two aspects of the church separately in considering the church's interaction with the state. The most important will be taken up first, namely the individual Christian's responsibility to the state.

It is a responsibility of the believer to reflect the Spirit of Christ in being an exemplary citizen. The church admonishes its members

to obey the laws, to pay taxes, and to render personal service in time of peace and war as the government may require, provided only that "we ought to obey God rather than men," Acts 5:29. The Church calls upon its members to pray and work for good government.¹⁹

Norman G. Anderson outlines several things a Christian can do.²⁰ He says every Lutheran should develop a sensitivity for the political ills of his own community, and as a citizen feel a responsibility for them; aid the suffering and oppressed; join other Christians in working for a better political order; recognize, just as Paul did, that he does not cease to be a citizen in this political world; open his church's facilities for a discussion of the great issues of the day; counter class distinctions, know his government officials and express his convictions to them.

Alfred M. Rehwinkel similarly suggests this list of things the Christian can do in being an exemplary citizen:

¹⁹"The Common Confession," Proceedings of the Forty-Second Regular Convention of the Lutheran Church--Missouri Synod (Saint Louis: Concordia Publishing House, 1953), p. 514.

²⁰Anderson, "Politics and the Lutherans," op. cit., XVII (October, 1952), 296-98.

protest state absolutism and omnipotence; use the franchise wisely and in the fear of God; hold political representatives accountable to the cause of good government; hold public office if talents and circumstances permit; help form public opinion; oppose injustice and evil; oppose imperialism; and avoid being carried away by hateful propaganda in times of crisis.²¹ Paul Simon urges that when Christians vote or take a stand on issues and candidates, they should try to rise above religious intolerance and too great a consciousness of their particular denomination.²²

Lutheran writers emphasize that more Lutherans should assume political office and act as a leaven against self-interest and corruption in government.

Dr. Henry F. Schuh, president of the American Lutheran Church, called upon Lutherans to reverse their past tendency of shunning political office and take an active part in governmental affairs. . . . As a citizen of the world, he said, the Christian has a responsibility to his fellow man, particularly in the area of government.²³

Arthur Carl Piepkorn affirms:

Over every legislature, every building of government. . . . could be hung the sign, "God at work." . . . Politics is not too dirty for a Christian, elective and appointive office is not too tainted by the corruption of others who may have enriched themselves at the public expense. . . . The Christian has the obligation to

²¹Alfred M. Rehwinkel, "The Christian and Government," Concordia Theological Monthly, XXI (July, 1950), 496-98.

²²Paul Simon, "Your Post-Election Responsibilities," The Cresset, XX (January, 1957), 10-11.

²³"Brief Items From 'Religious News Service'," Concordia Theological Monthly, XXVIII (February, 1957), 136.

to serve God where God calls him.²⁴

A. G. Huegeli refers to Article Sixteen of the Augsburg Confession, which says that "it is right for Christians to bear civil office, to sit as judges. . . ." ²⁵ "Government is a creature of God. Whoever becomes a governor can serve his Maker as well as if he were a farmer."²⁶

The Christian individual, then, is a most important liaison in church-state relations. He represents the church in his life situations. His importance as a Christian citizen is pointed out by Richard R. Caemmerer, who says:

The working unit of Lutheranism is not the mass but the individual and the local community congregation both in theory and in practice. Thus, whatever Lutheranism is to effect politically, economically, or socially it will do by beginning with the individual.²⁷

A church organization cannot shape the outcome in courts; but public opinion can, and Christian individuals contribute to public opinion. In so doing the believer is sometimes forced to choose between two evils; decisions relating to the state are not always black and white.²⁸

²⁴Arthur Carl Piepkorn, "The Lutheran Christian and His Community," The Lutheran Chaplain, XVII (February, 1956), 42, 45.

²⁵A. G. Huegeli, "Our Church in the Area of Political Activity," The Lutheran Scholar, XII (October, 1955), 422.

²⁶ibid., p. 421.

²⁷Anderson, "Politics and the Lutherans," op. cit., XVII (October, 1952), 296, quoted from an address, "Lutheran Social Action," delivered by Richard R. Caemmerer in Chicago, September, 1948.

²⁸Hoffmann, op. cit.

Lutherans are to be more than just good citizens. They are to be a salt and a leaven, actively applying God's redeeming gospel to their life situations. Those who lead a life that reflects the Christian faith are the most savory salt. An upright, Christian life is urgently necessary, asserts George H. Koehler:

The inactivity of many Christians in public life is the weakness of the Church. Instead of being the leader in the thought world, education and public morality, it lifts up its voice but only to protest, to pass resolutions. It cannot command. The spirit of the age does not listen to it. It goes its own way. . . . The preaching of the Gospel must be backed up by the Christians in their daily living. God wants fruit and the world is looking for action.²⁹

The Christian should pray for the state. Basing his statement on 1 Tim. 2:1-6, Richard R. Gaemmerer writes, "Christians are to be tremendously concerned for their civil government to the point of being fervent in their prayers to God about it and grateful for its activities."³⁰

Christian citizenship is exercised "for conscience' sake" and for the love of the neighbor.³¹ This love to one's neighbor and to his government is climaxed by the witness of the gospel. Lutherans are concerned with the importance of individual Christians in the church-state relationship. If

²⁹Koehler, "The Christian in the World," op. cit., XVIII (November-December, 1953), 332.

³⁰Richard R. Gaemmerer, "Training the Parish For Christian Citizenship," Concordia Theological Monthly, XXIV (October, 1953), 743.

³¹Rom. 13:5.

believers lackadaisically leave the full responsibility to the church organization, it would seem that the outcome would not be satisfactory.

The Individual Christian and His Vocation

The Christian's calling further elucidates his responsibilities. The concept of the Christian calling or vocation stresses the responsibility of Christians to their fellow men and thus also to the state. This is a calling "to belong to God, to be forgiven and reborn. . . . It is a calling to the glory of God, that is, to the setting forth and display of the life of God."³² "The Christian calling is the business of putting this basic work and gift of the Spirit to work in communicating the life of God to other people."³³ The believer carries out the responsibility of his calling through his earthly station in life. "The calling is the place where the Christian can serve God."³⁴

Howard Hong explains Luther's view of the calling:

Vocation then to Luther means "calling" in a double sense or in a single sense together with its corollary. A man's vocation begins with his call from God to enter fellowship with Him. Vocation is a personal relationship between an individual and God, initiated by God. The heart of this relationship is forgiveness of sins. God's call is God's gift to man. God does not call us to be

³²Richard R. Caemmerer, Preaching to the Church (Saint Louis: Concordia Seminary Mimeo Company, 1952), p. 6.

³³Ibid., p. 59.

³⁴George W. Forell, "Work and the Christian Calling," The Lutheran Quarterly, VIII (May, 1956), 113.

accountants, professors, horse trainers, or farm boys, but he does call horse trainers and professors, accountants and farm boys, to the truly human life, a life of forgiveness and abiding grace hidden in Him.³⁵

Thus, the believer is called to a divine fellowship where he is in life, in his secular calling, and he is not thereby translated out of this terrestrial, temporal existence. As Hong points out, Luther's important emphasis was that there is no dichotomy between faith and ethics.³⁶

"The Common Confession" resolves:

Every earthly relationship is sanctified through fellowship with God, and for the Christian, whatever his vocation may be, the whole of life is a sacred stewardship from God. The Church, therefore recognizes and proclaims the dignity of all labor that glorifies God and serves the welfare of man.³⁷

Arthur Carl Piepkorn states:

The Christian has the obligation to serve God where God calls him. Worship for the Christian is not something done on Sundays and holy days and inside of church exclusively; worship for the Christian is faith and the fruits of faith in every relationship on a 168-hour a week basis.³⁸

In summary, the Christian calling implies a responsibility of service and love to God and neighbor, and hence also to the people who make up the state. The believer carries out this responsibility through the channel of his secular vocation or

³⁵Hong, op. cit., pp. 78-79.

³⁶Ibid., p. 76.

³⁷"The Common Confession," Proceedings of the Forty-Second Regular Convention of the Lutheran Church--Missouri Synod, p. 512.

³⁸Piepkorn, "The Lutheran Christian and His Community," op. cit., XVII (February, 1956), 45.

calling in life. "Through the Christian individual, be he peasant or prince, the inexhaustible resources of the Gospel become available to the social order."³⁹

The Responsibility of the Church as an Organization

Although Christian individuals play a primary role in church-state relations, the local congregation and the organized church play an important role too. Of first importance is the church's training of its members to live in the fellowship of God, to apply the gospel to their lives in society, and to be upright citizens. The church tries to bring

each of its members to confront his own place in community and society under government and to find the best resources of the Spirit of God . . . for participating in the common labors of love which are Christian citizenship.⁴⁰

The church attempts to train its people to rise above ignorance, resentments, and prejudice in all controversial questions.

The Spirit of God working through the word of the gospel is what accomplishes all of this in man. Bringing the gospel of God to men, therefore, is the greatest work the church can do in relation to the state. The gospel enables Christians to be good citizens.

The world being what it is, the life of faith involves men in constant tensions and ambiguities. . . . The

³⁹ Forell, Faith Active in Love, p. 187.

⁴⁰ Casemmerer, "Training the Parish For Christian Citizenship," op. cit., XXIV (October, 1953), 741.

gospel teaches men to act within the situations into which God has called them, and to trust God for forgiveness. The life of freedom and courage, of daring to work in the midst of the concrete world of parties and campaigns, caucuses and lobbies. As it proclaims the Word of God, the church warns men of the possibilities for sin operative in that world and at the same time reminds them of the possibilities for service operative there. In this way the church renders the state the highest possible service, producing men who are realistic . . . and principled. . . .⁴¹

Thus the church enlightens the conscience of its membership to the end that they will carry out the will of God in the social and political realm. In so doing the church violates its function, J. Elson Ruff believes, if it declares manifestoes and tells its people what to do concerning political questions and situations that arise. For example, when General Mark Clark was nominated as ambassador to the Vatican in 1952,

Some Protestant pastors violated their own church-state principle by exhorting their flocks to protest to government officials on the embassy question. Properly they should have called attention to the question, giving reasons for their opposition, and urging their congregations to make up their minds about the problem and act as they thought best. The difference in strategy is of first-rate importance. Conscience must not be coerced. . . .⁴²

In secular affairs the church may inform but not command.

Lutheran authors do not seem to specify whether or not the organized church should have an official organ of expression through which it could speak directly to the state.

⁴¹Forell, Freus, and Pelikan, "Toward a Lutheran View of Church and State," op. cit., V (August, 1953), 290.

⁴²Ruff, op. cit., p. 25.

National and city councils and other committees and organizations of the church do make official pronouncements from time to time -- not without criticism. Walter Bauer, in a discussion at Valparaiso University in 1949, hinted that an organ of expression for the organized church might be in place. He said:

It has been pointed out that the church does have a responsibility to keep the government informed concerning the will of God. . . . Could the church, or let's say our Synod, once every three years issue a kind of encyclical to the American people without interfering in the affairs of the government, saying "we are terribly alarmed by certain tendencies because they are contrary to what we understand to be the will of God," and so on.⁴³

There is a considerable difference of opinion among Lutherans as to how far the organized church should go in speaking to and dealing with the state. Most insist that the church should not enter the field of politics nor identify itself with any particular program or party. However, the application of this principle becomes somewhat unclear. Theodore Graebner, for example, writes:

It is not mixing Church and State when the Church as a body of voting citizens brings its influence to bear upon popular elections, endorsing certain candidates or campaign issues, or casting its influence against certain candidates or principles.⁴⁴

A. G. Huegli advances this more conservative position:

⁴³Walter Bauer, The Christian In Politics, Proceedings of The Institute of Politics, edited by Alfred Looman and Albert Wehling (Valparaiso, Indiana: Valparaiso University, c.1950), p. 25.

⁴⁴Theodore Graebner, "The Separation of Church and State," The Lutheran Witness, LXVII (July 13, 1948), 223.

The Church has no business promoting members for public office or engaging in partisan politics. Churches have a right to be heard on controversial issues which affect them. Their points of view need to be known. But when they compete with secular groups for a place in the political sun, their message for souls is lost in the struggle for votes.⁴⁵

Carl Lawrenz is still more conservative in stating what he believes the relation of the organized church to the state is:

The Church has no call to wield temporal power, to take an active part in politics; it is not bidden to be the guardian of public morals, to function as the instructor or civil authority. . . .⁴⁶

Protestant laymen have objected to the tendency of their clergy and the National Council of the Churches of Christ "to take sides in political controversies."⁴⁷ In view of this a Lutheran layman suggests that Lutheran church bodies "confine themselves to the spiritual and ethical fields in which they are trained."⁴⁸ Special problems of the state demand technical political competence, and the church has neither the ability nor the duty to spell out the duties of the state in such situations. Richard R. Caemmerer stresses the central task of the church:

⁴⁵Huegli, "Our Church in the Area of Political Activity," op. cit., XII (October, 1955), 423.

⁴⁶Carl Lawrenz, "What is the Function of the Church in Promoting Civic Righteousness?" Quartalschrift, I (April, 1953), 96.

⁴⁷Carl T. Swenson, "Lay Participation in the Councils of the Church," an unpublished essay presented to the "Study Group" of Lutheran Men in America, De Koven Foundation for Church Work, Racine, Wisconsin, March 29-30, 1957, p. 6.

⁴⁸Ibid., p. 10.

Hence the Church has done nothing by merely passing judgment on political theories or praising or castigating individuals who speak on the Christian's task of citizenship. The Church is ceaselessly occupied with bringing the redeeming work and message of Christ into the hearts of its people.⁴⁹

Nevertheless, there may be occasions when the church can and should speak to the state. The state is subject to the authority and sovereignty of God, and the church should keep the state aware of the divine law to which it is bound and on the basis of which it must function.⁵⁰ This law is a law of love according to which all the orders of society must function. The church proclaims this law of love in meaningful terms to all people. When the state violates this law, the church protests; when the state functions according to this law, the church upholds the state.

Although the church should not speak officially concerning purely political questions, it should speak when a moral question is involved.⁵¹ Many denominations did this when television station WGN-TV in Chicago cancelled the showing of the film, "Martin Luther," in December, 1956, after receiving "a number of protests from individuals who claimed that it reflected unfavorably upon the Roman Catholic Church."⁵² The Lutheran Church--Missouri Synod felt a basic freedom was being

⁴⁹Caemmerer, "Training the Parish For Christian Citizenship," op. cit., XXIV (October, 1953), 741.

⁵⁰Carlson, op. cit., p. 67.

⁵¹Hoffmann, op. cit.

⁵²"The Right to See," The Cresset, XX (March, 1957), 4.

violated in this instance, and this Lutheran body publicly objected to the action.⁵³

Whenever the church does speak officially, it must be careful not to violate the principle that it is not to be a political pressure group. When Scripture has something to say to a situation, then the church has something to say.

The struggle for power is an unending struggle. The church or the churches ought not to enter the contest for political power. Yet there must be eternal vigilance for the cause of political liberty as for the cause of Christian liberty. A "practical, outspoken application of Holy Scriptures to the condition of a place and time" (to use a phrase applied to Luther) is entirely within the task of the church. . . .⁵⁴

Edgar M. Carlson shows that Luther felt such speaking to the state was not solely a responsibility of the individual Christian, but also of the office to which God has committed this duty, namely the office of the publicly spoken word.⁵⁵

A. G. Huegeli has summarized what he believes to be the duties of the organized church in relation to the state.⁵⁶ He says that the church can be a mortar which holds the foundations of the state together by preaching the word of God and by offering prayers for those in authority; it can serve as a fence marking off the boundaries beyond which the state

⁵³Hoffmann, op. cit.

⁵⁴Carl S. Meyer, "The Role of the Church in the Political Order," Concordia Theological Monthly, XXVII (December, 1956), 935.

⁵⁵Carlson, op. cit., p. 74.

⁵⁶Huegeli, "Our Church in the Area of Political Activity," op. cit., XII (October, 1955), 423-425.

cannot go; it can serve as a search light pointing out error and illuminating the darkness of ignorance with God's truth; and most important of all it can serve as the teacher of Christian citizens. "It is not up to the Church to advise on specific political problems, but it is up to the Church to teach the truths of God and show how to apply them in civic activity."⁵⁷

The church cannot be a political party, but the Spirit of Christ can be a force in politics. Toward this goal the organized church strives.

The Clergy Speaking Publicly

Since Christian clergymen are spokesmen for the organized church, should they speak out publicly concerning the state and political issues? A general rule is often proposed: keep politics out of the pulpit. Although Christian citizenship might be a goal in preaching, and bad citizenship and lovelessness might be symptoms of sin, yet the pulpit is not the primary place for citizenship training, according to Richard R. Caemmerer.⁵⁸ Even political information, especially if it is controversial, has little place in preaching. A better place for imparting information concerning political issues would be the discussion group. Here the clergyman could

⁵⁷Ibid., p. 425.

⁵⁸Caemmerer, "Training the Parish For Christian Citizenship," op. cit., XXIV (October, 1953), 747-48.

publicly, as a citizen, discuss church-state relations with his flock and others.

Howard Hong indicates that for Luther there was a time, nevertheless, when the minister of the gospel must speak out publicly against the state. He advised:

All who suffer injustice are on the Church front. . . . Never remain silent and assent to injustice, whatever the cost. He who remains silent makes himself an accomplice.⁵⁹

Hong quotes Luther as speaking these words to the clergy. In cases where it is duty -- when God's authority and will are flaunted -- the Christian clergyman may object publicly. But public proclamations concerning politics, especially from the pulpit, should be avoided.

The Social Welfare Question

Social welfare has become a concern of the organized church and its clergymen. The state has taken over much of the welfare work in the United States. Whereas formerly the church played the predominant role in this area of activity, now the state does. The state has done much in such areas as social security, education, and unemployment compensation. It is true that there are advantages to turning over social welfare work to the state. The state has more resources to do such work through taxation, and the state is better equipped to manage billion-dollar enterprises. But there are also disadvantages. The state's policy in social welfare work may

⁵⁹Hong, op. cit., p. 100.

be adversely influenced by its non-Christian citizenry. There is also the danger of the deification of the state. Edgar M. Carlson writes of the welfare state:

While inclusiveness is thereby secured, it is achieved by submitting this area of our planning to the compulsive authority of the state. Every such service performed by the government for its citizens makes it easier to pass over into the regimented state. The more each is dependent upon the benevolence of all acting through the instrumentality of government, the greater is the temptation for the state to deify itself and the easier is the transition to a totalitarian regime.⁶⁰

Thus Lutherans are wary of the government's taking over too much responsibility in the area of social welfare work.

Lutherans appreciate the efforts of the United States government to provide welfare for all its citizens. Yet, the church recognizes that Christians will always have a deep responsibility for the welfare of fellow human beings, and it believes that the government should not interfere with individual freedom.⁶¹

John A. Hoeger makes some specific suggestions as to what the church can do.⁶² Especially through individual Christian citizens the church can exert a Christian influence on the civil government so that it will fulfill its duty to each citizen. The church can maintain model welfare institutions as a pattern for the state. Furthermore, the church can supply

⁶⁰Carlson, op. cit., p. 76.

⁶¹John A. Hoeger, "Christian Welfare Work," The Lutheran Outlook, XVIII (June, 1953), 175-78.

⁶²Ibid.

the temporal needs of those whose needs the government fails to meet, and it can make the government aware of these needs. Of utmost importance, the church can meet the needs of the eternal well-being of people. It can lead them to Christ; it can provide a spiritual ministry for them not only in the church and the world but also in state institutions.

Resistance, Violence, and War

Lutherans are not anarchists; they believe in law and order. When the state is fulfilling its divinely ordained functions, Christians are required by God to obey. "God confronts all men in His Universe and demands from them obedience to the orders that He has ordained for nature."⁶³ Christians are not to take the law into their own hands.

There are limits however, to the obedience that a Christian owes the state. If the secular authority steps outside its calling and bounds and

assumes spiritual and moral authority and functions, it has thereby in principle renounced its claims to the obedience and loyalty of its subjects. According to Luther, it has become a tyranny.⁶⁴

Hong points out that Luther stressed obedience to the state, but with certain definite qualifications. Hong mentions that Luther said the ruler is bound by natural and divine law; the

⁶³Forell, Faith Active in Love, p. 187.

⁶⁴H. Richard Klann, "Luther on War and Revolution," Concordia Theological Monthly, XXV (May, 1954), 353.

things of faith are not in the state's power; "some things are God's and not Caesar's at all."⁶⁵ G. Elson Ruff maintains that because of Luther's great emphasis on obedience to the state, he has been accused of advocating quietism and abject subservience to the state, such as was the case in Nazi Germany.⁶⁶ But the other side of Luther's thought -- the limitation of secular authority and the necessity of obedience to God rather than man -- is thereby overlooked, according to Ruff.

Should a Christian ever disobey the state or resist secular authority? Lutheran writers appeal to the tenets of Luther when discussing this problem. Hong indicates that Luther believed the state must be disobeyed and resisted when it does anything which threatens man's spiritual life.

Luther does not demand limitless obedience. In numerous places he unequivocally declares that the individual is to resist attempts by the state to infringe on the Christian conscience and belief.⁶⁷

Hong quotes Luther as saying, "If your worldly master is wrong, if you know for certain that he is wrong, then fear God more than man and do not serve him."⁶⁸ Ruff mentions that in Luther's commentary on the eighty-second Psalm, Luther said that princes must be rebuked and criticized when

⁶⁵Hong, op. cit., p. 91.

⁶⁶Ruff, op. cit., pp. 49-50.

⁶⁷Hong, op. cit., p. 96.

⁶⁸Ibid., p. 101.

they are in the wrong. Ruff quotes Luther's words, "To rebuke rulers in this way is, on the contrary, a praiseworthy, noble, and rare virtue, and a particularly great service to God."⁶⁹

According to Hong, Luther believed that under no circumstances should Christians rise up in violent rebellion against the state. This only adds more evil to the situation. It is better to suffer injustice than to resort to force.

Nothing is so satisfactory to the devil as civil commotion and conflict. No good can come of it; and in the infernal turmoil it is the innocent, and not the guilty, who suffer. The Work of God needs not man's weapons. . . . If you have faith . . . you will quite simply obey God's Word knowing that to use violence is but adding evil to evil.⁷⁰

If Christians find themselves in an intolerable situation in relation to the state, this was Luther's advice according to Ruff:

First, the Christian must examine himself to determine how much of the wrong is in himself. Second, he must pray earnestly for God's deliverance from the evil situation. Third, he must witness publicly in spoken and written words to the truth as he understands it. Luther advised, as a last resort, outright refusal to obey the state -- passive disobedience at any cost.⁷¹

Lewis W. Spitz, Sr., points out that Luther believed the only time the Christian might justly use force is in the service of a state which is engaged in a just war. In this instance the government has the responsibility for the use of

⁶⁹Ruff, op. cit., p. 52.

⁷⁰Hong, op. cit., p. 95.

⁷¹Ruff, op. cit.

force.⁷² "The Common Confession" states a Lutheran conception of war:

The Church recognizes war as an evil and emphasizes that sins, both personal and national, are the cause of war, and earnestly stresses the need of repentance. If repentance does not take place, the judgment of God may become evident in war. In times of war as well as in times of peace the Church proclaims the will of God for all men, combats the passions of hatred and revenge, and always seeks to alleviate the suffering caused by war. Christians, while careful not to provoke war or resort to war, nevertheless in times of war have the responsibility to defend their country when in danger or under attack from its enemies.⁷³

⁷²Lewis W. Spitz [Sr.], "A Christian's Attitude Toward War," Concordia Theological Monthly, XXVI (February, 1955), 177-78.

⁷³"The Common Confession," Proceedings of the Forty-Second Regular Convention of the Lutheran Church--Missouri Synod, pp. 514-15.

CHAPTER V

CHURCH AND STATE AND EDUCATION

Public and Non-Public Schools

Education is an important segment of the church-state relationship. It is so because teaching is an important activity and concern of both institutions. Furthermore, most members of the church are educated in the public schools, and many citizens of the state are taught by representatives of the Christian Church.

In America there are both public schools, supported and controlled by the state, and non-public schools, owned and operated in most cases by churches. In the early history of the United States the churches provided nearly all of the education; but when the churches could no longer provide free schooling for all young people, the state established its own system of education.¹

In the United States, education is a function of the several States, and each State may, therefore, control the education of its own people by enacting and enforcing compulsory attendance laws. While a State may compel its children to attend school, it may not compel them to attend a public school.²

Non-public schools continue to be a part of the educational system, and they are recognized for the contribution

¹G. Elson Ruff, The Dilemma of Church and State (Philadelphia: Muhlenberg Press, c.1954), p. 79.

²Arthur L. Miller, "The Courts and Non-Public Schools," Lutheran Education, LXXXVI (February, 1951), 278.

they make.

The state recognizes the legally authorized, nonpublic schools . . . as suitable institutions for education. . . . The state is concerned about the quality of instruction received by children in such schools and their safety while attending them. This is an application of the police power of the state, which is the power to make laws which are for the good and welfare of the people. From this point of view some regulation of nonpublic schools is to be expected.³

Representatives of public education in America also recognize the status of non-public schools. Arthur Carl Piepkorn quotes a statement to this effect made on March 1, 1950, by the American Association of School Administrators and Allied Organizations:

We respect the right of groups, including religious denominations, to maintain their own schools so long as such schools meet the educational, health, and safety standards defined by the States in which they are located.⁴

Lutherans who maintain non-public schools are most eager to emphasize their interest in public schools and their willingness to support them. They do not consider themselves divorced from the responsibilities of maintaining public schools in their communities. The Lutheran Church--Missouri Synod made this statement at its convention in 1953:

It is our civic and patriotic duty to support the public schools. If we recognize that our public schools are agents of the entire community, we will identify ourselves with the purpose and program of the public

³Arthur L. Miller, "The Relationship of Church and State as it Affects Agencies of Formal Education," Lutheran Education, XC (November, 1954), 126.

⁴Arthur Carl Piepkorn, "In Conclusion," Lutheran Education, LXXXV (June, 1950), 564.

school and help the public school in word and deed. . . . Also those who maintain Christian schools can and should join with their fellow citizens in advancing the cause of the public school by participating in discussions and consultations leading toward the development and maintenance of a good public school program.⁵

Secularism in Education

The factor in public education that alarms Lutherans is secularism. The Constitution of the United States, of course, forbids the teaching of any denominational religion. But it is not the mere omission of God that makes education definitely secularist, according to Howard Hong.⁶ He believes it is particularly the substitution and worship of false gods -- gods such as humanism, naturalism, scientism, nationalism, humanitarianism, democracy, or a naive belief in progress and man. Herbert Gross quotes Mortimer Adler as saying in a discussion at the University of Chicago, "In our universities today scientific hypotheses have the status of religious dogma."⁷ The American Council of Education recognizes the danger of secularism in public education. This Council has confessed that politics, business and industry, and the broad patterns

⁵"Recent Developments in Church-State Relations in Education," Proceedings of the Forty-Second Regular Convention of The Lutheran Church--Missouri Synod (Saint Louis: Concordia Publishing House, 1953), p. 332. [Hereafter referred to as Proceedings, 1953.]

⁶Howard Hong, This World and the Church (Minneapolis: Augsburg Publishing House, c.1955), p. 2.

⁷Herbert H. Gross, "Darwin Debunked," Lutheran Education, LXXXVII (November, 1951), 97.

of group behavior are no longer responsive to definite religious sanctions.⁸ Theodore Graebner states:

Many earnest Christians believe that the complete secularization of the public school infringes upon the principle of religious freedom. Atheists alone can approve of such a program.⁹

The state and educators cannot be indifferent to the educational situation. Neutrality, based on the convincing slogan of a "wall of separation," would come close to indifference to God.¹⁰ It was not the intention of the writers of the Constitution to introduce secularism and indifference to God into the schools.

The goal sought was not a secular education but universality of educational opportunity. When the founding fathers enunciated the principle of separation of church and state, education was one of the things that was on the side of the church. That principle, itself, does not, therefore, prescribe that education shall be secular.¹¹

G. Elson Ruff relates an incident which is indicative of an indifferent attitude that seems to be shared by some public school teachers:

One day in late December, 1952, pupils in a New York City public school were invited by their teacher to mention things that pertain to Christmas. "Santa Claus," said one, and the teacher wrote that on the board.

⁸Ruff, op. cit., p. 81.

⁹Theodore Graebner, "The Separation of Church and State," The Lutheran Witness, LXXVII (July 13, 1948), 283.

¹⁰Ernest B. Koenker, "The Two Realms and the 'Separation of Church and State' in American Society," Concordia Theological Monthly, XXVII (January, 1956), 10.

¹¹Edgar M. Carlson, The Church and the Public Conscience (Philadelphia: Muhlenberg Press, c.1956), p. 79.

"Reindeers," . . . "Christmas trees," . . . "presents," the children suggested. Then a little girl said, "The birthday of Jesus." "Oh no," the teacher replied promptly, "that's not what we mean."¹²

Speaking of higher education in America, Martin Neeb mentions the splendid accomplishments and contributions that the colleges and universities have made to the nation. He does not feel that secular higher education has conducted a positive program against religion. But he feels it is a great pity that there has been so little recognition of that which makes "the final contribution to the 'well-rounded personality'," namely, "the spiritual aspect of every human life and the recognition of the only valid analysis of the nature and the destiny of man."¹³

There is a religious vacuum, and hence secularism must enter. . . . And God is out. This, according to some, is a much more effective way of making ungodly people than if our public schools would actively wage battle against religious beliefs the student might hold. The child can easily get the impression -- and does -- that his faith and religious loyalties don't amount to much, because they are never mentioned either for or against.¹⁴

Religion In Public Schools

There is much difference of opinion among churchmen and educators alike concerning the difficult question of religion in public schools. Most agree that something can be done to

¹²Ruff, op. cit., p. 84.

¹³Martin J. Neeb, "Distinctive Values in American Education," Lutheran Education, LXXXVIII (June, 1953), 470.

¹⁴Eugene Beltz, "There Are Schools and Schools," Lutheran Education, LXXXVIII (June, 1953), 485.

make religion more of a force in public education. However, there are strict limitations as to what can be done. Obviously public education as a function of government cannot proclaim the gospel. A. F. Schmieding writes, "If our public schools recognize the value of substantial homes and solid churches and inform the pupils about these social and spiritual institutions, what more can we expect of them?"¹⁵

Carl S. Meyer summarizes recent statements by national educational organizations in an article, "Religion in the Public Schools." He points out that educators recognize the secularization of modern life and education, and they advocate "a factual study of religion through social studies, English, history, philosophy, music, and fine arts, not by way of indoctrination but by way of information."¹⁶ They feel that moral and spiritual values should be taught in public schools. There is a need, they believe, to teach objectively about religion and the important role it has played without advocating the specific beliefs of any denomination. Silence about religion in public education would help make religion insignificant in the lives of Americans.

Carl S. Meyer states that the function of government, also in education, is to be God's servant unto man for good -- for his economic, social, and civil welfare, but not for his

¹⁵A. F. Schmieding, "Are Our Public Schools Irreligious and Godless?" Lutheran Education, XC (April, 1955), 371.

¹⁶Carl S. Meyer, "Religion in the Public Schools," Concordia Theological Monthly, XXVIII (February, 1957), 84.

spiritual welfare.¹⁷ The state cannot produce the fruits of the Spirit in people. Therefore

the church dare not delegate to the state its duty or function of teaching. . . . The children of the church should be taught Christ's righteousness in the schools of the church, fashioned in the mind and life of Christ. Any attempt on the part of public schools and public education to foster the fellowship of believers and the community of saints would violate not only the principle of separation of church and state but also would be undertaking the impossible.¹⁸

But on the other hand the author writes:

May the state teach about religion? It can hardly be avoided. In history and sociology and literature and art the teaching about religion will occur. If the state may teach its citizens these areas, then teaching about religion will be included. That such teaching must be objective, factual, and informative -- insofar as it can be -- is the ideal which the servants of the state in the teaching profession must ever strive to attain.¹⁹

Advance magazine has reported that more than sixty-five per cent of the elementary school children and about ninety per cent of the high school youth of The Lutheran Church--Missouri Synod attend public schools.²⁰ It seems quite natural, therefore, that Lutherans consider as important the "emphasis on moral and spiritual values in the public school program," and that they consider it to their advantage "that the public schools make the largest possible provision for teaching about

¹⁷Ibid., p. 102.

¹⁸Ibid., p. 105.

¹⁹Ibid., p. 104.

²⁰"Jottings for the Board Meeting," Advance, III (February, 1956), 25-26.

religion and emphasize the values of religion."²¹

At its convention at Houston, Texas, in 1953, The Lutheran Church--Missouri Synod made a rather significant statement concerning religion in the public school:

It is clear that there are some things that the public schools cannot do so far as the teaching of religion is concerned. They cannot teach the doctrine of a denominational religion. They cannot teach a "common core" of religious and ethical ideas that goes beyond acknowledgment of the existence of God and man's obligation to the Moral Law. The public school can, however, take a positive attitude toward religion and toward moral and spiritual values. . . . Second, the public school should avoid opposing and ridiculing religious beliefs. As Christians, we emphatically assert that such opposition is as much a denial of religious liberty as advocating a religious belief in the classroom. Third, the public school can teach about religion. It can point to the role that religion plays in the lives of many people. It can point to the influence religion has exerted upon society in maintaining morality. It can very properly study religious art and religious music and make use of such materials in the school program. It can provide for Bible reading without comment in the regular school program. Such factual study of religion does not commit the public school to a particular religious belief. Fourth, the public school can evidence respect for the several religious faiths and observances in the community. This respect should also extend to the rights of those who are irreligious to hold their opinions. The public school has no right, however, to subtly advocate atheism by a blanket of silence around everything that concerns religion or religious faith and life.²²

Released-Time Instruction

Church-state relations in the area of education have been put to the test concerning the question of released-time .

²¹Ibid.

²²"Recent Developments in Church-State Relations in Education," Proceedings, 1953, pp. 330-31.

instruction. In 1948 released-time instruction received a setback when the United States Supreme Court in the McCollum case declared that the practice of holding released-time classes in public school buildings was unconstitutional.²³

Many felt that there had been no violation of anyone's religious freedom. Martin Simon, for example, believed that the Supreme Court ruling contradicted the Constitution, which forbids interference with the free exercise of religion. Fearing that the ruling would contribute to secularism, he writes, "Secularism is to atheism as the sapling is to the tree. . . . How will the separation of Church and State profit if we cause America's schools to become schools of atheism?"²⁴ A. G. Huegli reacted somewhat differently. He conceded that the church had perhaps entered Caesar's domain, and now the church knew where it stood -- precisely on its own feet. His reaction was that the church should "sell the American people on the Christian school."²⁵

After the court ruling, released-time classes were held on church premises. This too was contested, especially in the state of New York, but on three different occasions the

²³"Recent Developments in Released-Time Instruction," Proceedings of the Forty-Third Regular Convention of the Lutheran Church--Missouri Synod (Saint Louis: Concordia Publishing House, 1956), p. 325. [Hereafter referred to as Proceedings, 1956.]

²⁴Martin P. Simon, "Shall America Establish Irreligion?" Lutheran Education, LXXXIV (September, 1948), 15-16.

²⁵A. G. Huegli, "Court Rules on Religious Education," Lutheran Education, LXXXIII (May, 1948), 514-15.

United States Supreme Court has upheld the legality of released-time instruction when the classes are held on church premises and not in public school buildings.²⁶ This reversal of the trend has heartened Lutherans, and they feel that it is justifiable.

We find no constitutional requirement which makes it necessary for government to be hostile to religion and to throw its weight against efforts to widen the effective scope of religious influence.²⁷

Martin Simon writes:

The Constitution does not say, and surely did not mean, that Congress is prevented from making religious education as convenient as possible for the children who desire it. Certainly Congress was not directed to make it more difficult for America's children to learn religion than to learn arithmetic.²⁸

J. A. Dell raises the question whether or not it is unconstitutional to use tax supported property for religious purposes.²⁹ He does not believe that it is necessarily contrary to American practice, since tax supported property is in fact used in many instances for religious purposes. Examples that he cites are the speaking of prayers in the Senate; religious services held by chaplains on battleships and at army camps; the temporary use of school buildings by small

²⁶"Recent Developments in Released-Time Instruction," Proceedings, 1956, p. 326.

²⁷"Recent Developments in Church-State Relations in Education," Proceedings, 1953, p. 329.

²⁸Simon, "Shall America Establish Irreligion?" op. cit., LXXXIV (September, 1948), 12.

²⁹[J. A. Dell,] "Baccalaureate Service," The Lutheran Outlook, XVII (December, 1952), 357-58.

church groups; and religious baccalaureate services held in public school buildings.

Lutherans are happy to have the constitutional right to hold released-time classes, even if only on church premises, and they encourage this type of religious training.

One of the means through which the children attending the public school can be reached for religious instruction is released-time instruction. This type of instruction needs to be developed because, of all proposed solutions, it is least open to criticism.³⁰

Lutheran Elementary Schools

Although Lutherans appreciate the contribution of the public schools, many feel that there are some things that the public school cannot accomplish on the spiritual realm. It can teach about religion, but it cannot teach spirituality; it cannot give an adequate motivation to do the good and shun the evil; and therefore it cannot claim the whole man within its jurisdiction.³¹ Thus, many Lutheran churches have established their own schools in an effort to reach the whole person, also on a spiritual plane.

It is important to stress that Lutherans do not thereby indicate a disloyalty to the public schools.

The Lutheran Church--Missouri Synod has continuously commended and supported the public school system. . . .

³⁰"Recent Developments in Released-Time Instruction," Proceedings, 1956, p. 325.

³¹Vernon Boriack, "Moral and Spiritual Values in Public Schools," Lutheran Education, XCII (January, 1957), 214-16.

The Lutheran Church recognizes that American society could hardly function without public schools.³²

Arthur Carl Piepkorn writes:

It is essential that everyone concerned understand that the Christian school system of our Church is not intentionally a rival or a competitor of the public school system.³³

Not all Lutherans are convinced that the Lutheran non-public school should be encouraged.

Delegates to the 39th annual meeting of the National Lutheran Council here voiced "grave concern" over what they called a trend toward the development of parochial education as a substitute for public schools. They said in a resolution that while there is a "legitimate place for parochial schools" in U. S. education, interest in them "has led to indifference and even opposition to adequate provision for public school needs of a community."³⁴

It must be admitted that there is a possibility of indifference to the needs of the public schools in a predominantly Lutheran community where there are several Lutheran elementary schools.

Arthur L. Miller contends that Lutheran elementary schools are not a threat to public education and democracy.³⁵ He says that the number of children attending Lutheran schools is very small compared to the large number attending the public schools

³²Ibid., p. 214.

³³Piepkorn, "In Conclusion," op. cit., LXXXV (June, 1950), 564.

³⁴"Religious News Service," quoted from an unpublished galley proof of the Concordia Theological Monthly.

³⁵Arthur L. Miller, "Are Protestant Parochial Schools a Threat to Public Education and Democracy?" Lutheran Education, LXXXIV (April, 1949), 453-55.

or the Roman Catholic schools. Also, it is the democratic way to recognize the rights of the individual parents to provide an equivalent education in private or religious schools.

Non-public schools are recognized and respected by the state. Arthur L. Miller observes that in 1925 the United States Supreme Court ruled that the parent has the right "to control the education of his children, provided that the exercise of this right does not endanger the state."³⁶ These questions arise: "What supervision, if any, is there to be? Can the church schools expect any benefits from the state?" Arthur L. Miller advances some answers to these questions:

Our study of the relationship of church and state as it affects agencies of formal education has indicated that church schools have a legal right to exist and has also indicated that the courts will protect such schools. The police power of the state includes the right to regulate and supervise such schools to be sure that equivalent education is offered. Otherwise sectarian or nonpublic schools are not under the control of the state. At the present time it seems that nonpublic schools are supervised by the state in a reasonable manner. . . . It seems reasonable that nonpublic schools should seek to comply with the regulations of the state for nonpublic schools.³⁷

The author was referring to regulations concerning such things as health, safety, and fire drills.

The problem of federal aid to Lutheran elementary schools is a vexing one. At least two questions are involved: Would

³⁶Miller, "The Relationship of Church and State as it Affects Agencies of Formal Education," op. cit., XC (November, 1954), 119.

³⁷Ibid., pp. 133-37.

such federal aid violate the principle of the separation of church and state? And would there be a danger of government control of the church schools? Since 1944 The Lutheran Church--Missouri Synod has distinguished between the social services to schools and the teaching program, stating that social services can be accepted from the state by church schools.³⁸ The idea was that social services -- like the lunch program -- should be available to all, just as library services are.

The Church can accept the social service aspects of the State's school program and may even be within its rights in demanding such services. The use of tax moneys for the support of the teaching program in Church schools should be opposed, however, because such support is contrary to the First Amendment of the Constitution.³⁹

Not all Lutherans agree. Some hold that church schools should accept no federal aid of any kind. Eugene Wengert believes that federal aid to church schools will inevitably lead to government control.⁴⁰ The Lutheran Church--Missouri Synod is so concerned about this very danger that it has given its Board for Parish Education an assignment to "watch for all movements and tendencies that might endanger the program of parish education and marshal all available resources

³⁸Arthur L. Miller, "Federal Aid for Education," Lutheran Education, LXXKIII (February, 1948), 343.

³⁹Ibid.

⁴⁰Eugene Wengert, "Federal Aid and Christian Education," Convention Essays (River Forest, Illinois: Lutheran Education Association, 1946), p. 22.

to counteract such tendencies and movements."⁴¹

Finally, Lutheran schools cannot afford to be self-centered and aloof from community responsibility. "Our Christian schools should certainly graduate boys and girls who feel it to be their moral duty to be active in civic and political affairs."⁴²

⁴¹"Philosophy on the Relationship of Church and State," Readings in the Lutheran Philosophy of Education, edited by L. G. Bickel and Raymond F. Surburg (River Forest, Illinois: Lutheran Education Association, c.1956), p. 30.

⁴²Martin L. Koehneke, "God and Government," Lutheran Education, XCII (February, 1957), 257.

CHAPTER VI

SUMMARY AND CONCLUSION

The church and the state are institutions ordained by God. They differ from each other in authority and function. The Church is the congregation of saints who are engaged in proclaiming the gospel and among whom the sacraments are being administered according to God's institution. The state is made up of all of its citizens. The church's function is to proclaim the gospel and the will of God, to oppose injustice. The state's function through its government is to maintain peace and order, to punish evildoers and praise them that do good, to protect all citizens. Both church and state are under God's authority. Neither should dominate or interfere with the proper function of the other.

The separation of church and state is an important principle; the two should never be confounded. There is a wide variety of opinion among Lutherans as to how this separation is to be interpreted. Most agree that there should not be an absolute wall of separation between church and state. They should interact and cooperate with each other where this does not interfere with the God-given authority and function of either. A complete isolation of the church from the state tends to result in secularization and in the deification of the state and the weakening of the church's witness.

The church-state problem is most difficult in the area of

church-state interaction. The church has the responsibility of witnessing the law and the will of God to the state, and supporting the state in its divinely ordained functions. Some Lutherans believe the church to be the conscience of the state. The church fulfills its responsibility to the state primarily through individual believers who conscientiously work for the welfare of the state in the fear of God and are true to their divine calling. Lutherans are not fully agreed on what the legitimate activity of the organized church is in its relation to the state. If the state defies and flaunts the law of God, the church may resist.

Public and non-public schools are legally recognized by the state. Because of the secularization prevalent in public education, many Lutherans advocate both teaching about religion and stressing the importance of religion and moral and spiritual values in the public schools. They recommend released-time instruction as a means of providing more Christian education to Lutheran young people. Lutheran schools are advocated by some for more thorough teaching of Christian knowledge and values. Others fear that such schools will lead to indifference to the public schools. Lutherans are not of one opinion concerning the question of federal aid to church schools.

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