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Church and State

A thesis
presented to the faculty of
Concordia Seminary
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by

John F. Gaertner

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requirements for the degree
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Introduction

The problem of Church and State is one which is entirely Christian, though in its practical applications it also concerns others. The very nature of the case is one which presupposes the side by side existence of both institutions. It was only when Christ came and established the Church in the world and still said, "My kingdom is not of the world," (John 18,36), that the problem of the relation the one bears to the other first arose.

In the Jewish theocracy there was no such concern. The Hebrew State and Church were one, not as by union of two distinct entities, but as the component factors of one substance, neither of which could exist without the other. This is evident from the fact that the civil and ecclesiastical laws were given together and were the same. Then also the welfare of the nation was inseparately connected with the piety of the people, for all cases of departure from the law of God were punished by national calamities, and finally the whole Jewish State was destroyed because of these infractions of divine law. This Jewish Theocracy was a unique institution. In it God was the lawgiver directly, and it at the same time also formed the true visible Church of God in the world. As Cobb says, "God was declared the Ruler and Head, not only as He is the Governor of all the nations, but as the recognized constitutional Source of all authority for the Hebrew in things secular and things religious. David was the viceroy of the true King of Israel, and his realm constituted the visible Church of God -- a genuine Theocracy." (Rise of Religious Liberty in America, pp.21). As a result of such a condition, the problem of separation and relation of Church and State did not arise.

In heathen lands, on the other hand, conditions were different.

There was no divinely established theocracy, in fact, there was no divinely established religion at all, nor did the votaries make any such claims for their polytheistic worship. Every nation had its individual deities, and these were worshipped in a variety of form. There was no systematical arrangement of doctrine, nor institutional character, nor channels of settled polity; the entire worship depended on custom and the particular philosophy which had brought these deities into existence. It depended entirely on the caprice of superstition and the conditions of life in the various countries. There was no idea of a body known as the Church, which existed separately from the state. In all pagan countries, the State used religion to its own advantage. The two were one, but not in the sense of a theocracy; it was known as a priest-state. Both religion and statecraft were governed on the basis of reason, and hence the conflict between the two, whenever it arose, was of a different nature, than the conflict between a Church governed on the basis of revelation and a state ruled by natural law and common sense. But in pagan countries the State was supreme and it established the pantheon, for religion was not a separate institution. It follows then that the problem of separation, as we know it, did not exist.

The problem is entirely Christian. But still the question of separation did not come to expression in the early Church. The nature of the problem requires that the two institutions exist side by side, each recognizing the right of the other to exist and to carry on its particular functions independently. And since these conditions did not obtain during the first centuries, the problem necessarily did not arise. True, because this status was lacking, much harm resulted to the Church. The State did not even recognize the right of the Church to exist. Imperial edicts expressly forbade the existence of associations. But in spite of these prohibitions, the Church carried

on its work and raised its banners, proclaiming to the world its mission, till its leaven penetrated among all the provinces, claimed votaries in the imperial palace, honey-combed the army, and counted its adherents by the hundered thousands.

Its right to existence had been justified by its spread in spite of opposition! In the year 311 A.D. Galerius issued an edict of toleration in which he "acknowledged that the Christians had become so numerous and were so tenacious of their faith, as to render futile all efforts towards the repression of their religion." (Cobb, pp.23). Therefore the edict recites, "We have come to the conclusion that the most frank and open toleration should be extended to them, to the effect that they may now again be allowed to be Christians, and gather together in their societies; provided, however, that they take no action against the religion of the State." (Innes, quoted by Cobb.)

Throughout the three centuries of persecution the Christians knew that they were members of the kingdom of Christ. They were cognizant of the fact that Christ had erected his kingdom in the midst of the kingdoms of the world, though the world did not recognize it as such. As Dr.A.L.Graebner says, "Und es kam die Zeit, da verstanden auch die Juenger des Herrn, dass ihr Koenigs Reich doch aufgerichtet sei, aber nicht als ein Reich von dieser Welt, sondermals ein geistliches Reich, das Gerechtigkeit, Friede und Freude ist im Heiligen Geist, das inwendig ist in den Glaebigen und Heiligen, dass nicht mit irdischen Waffen seine Siege erringt, sondern mit dem Schwert des Geistes, dem niemand dadurch angehoert, dass er hier oder da, innerhaln dieser oder jener Grenzen wohnhaft ist, sondern wer aus der Wahrheit ist." (Lutheraner,45, March 26,1889). And now in the beginning of the third century toleration was afforded them.

Then in 313 A.D. the chief act of disestablishment in history

was enacted, the Edict of Milan. It reads in part, "Both to the Christians and to all others free power of following whatever religion each man may have preferred..... The absolute power is to be denied to no one to give himself either to the worship of the Christians, or to that religion which he thinks most suited to himself,.... that each may have the free liberty of the worship which he prefers; for we desire that no religion may have its honor diminished by us." (Quoted by Cobb, pp.25).

Immediately the problem of separation arose. Constantine was inclined to the Christian religion and at once exerted his imperial influence in matters of doctrine with the avowed purpose of attempting to maintain peace and harmony in the Church. As a Christian he had a right and duty in this respect, but as a prince of this world he had no right to arbitrate in such matters. Yet it is to be noted that he never tried to force the people of his realm to accept the Gospel message. He recognized the fundamental truth that only by the inner persuasion of the mind could truth prevail.

Then in 392 A.D. Christianity was made the State Religion and paganism was declared equal to "high treason." Augustine supported this move and defined the duty of the powers of the earth to be "to buttress the invisible City of God." (Cobb, pp.33). By establishing Christianity as the State religion no organic union was affected; it was simply an alliance for the mutual benefit of each.

But the seeds of corruption had been sown. As the imperial power waned and the power of the Church grew, it was but to be expected that the Church arrogated to itself influence and power also in temporal affairs, and to this the circumstances of the times proved very favorable.

Social and political conditions were in a turmoil and the popes exercised chiefly moral influence in straightening out the *affairs of the empire. By this they gained prestige, and soon began* affairs of the empire. By this they gained prestige, and soon began

to usurp temporal power. Being divinely instituted, "it claimed precedence of all earthly kingdoms; keeper of the emperor's conscience, it claimed direction of his civil rule." (Cobb, pp. 37). Then under Charlemagne the State was again supreme till the time of Hildebrand. Hildebrand or Gregory VII. forced Henry IV. to stand barefooted before the castle at Canossa. He made the statement: "Without the Pope's ratification no civil and no canonical law is valid. The pope alone had the right to use the imperial insignia; to him alone the secular princes owe it to kiss his feet; and to him alone belongs the right to dethrone emperors and kings and to release their subjects from the oath of allegiance." The same, "We wish to show the world that we can take away from anyone and give to anyone kingdoms, duchies, counties, in short, the possession of all men, for --- we can bind and loose. Why should not he judge the world to whom is given the power to lock and unlock heaven?" (Theo. Quart. XIII, pp. 21).

Judge Story says, "Half the calamities, with which the human race has been scourged, have arisen from the Union of Church and State." (Cobb, pp. 19). This statement is true if we limit it to the history of medieval Europe. War and persecutions have arisen as a result of this combination. The supposed Vicar of Christ took over the civil authority and the sword and claimed divine sanction for his action, in plain contradiction of the words of Christ, "My kingdom is not of this world." (John 18, 36).

This condition continues till the time when Luther to some extent arrested the power of the papacy. He brought out the difference between the civil kingdom and the kingdom of Christ. Still it was impossible for him to accomplish a complete separation because of the conditions of the times. The correct principle of separation he nevertheless brought to light. He said, "Finis politiae est pax mundi, finis Ecclesiae est pax aeterna." XIII, 207. "Bis an's Ende der Welt

sollen die zwei Regimete nicht in einander gemenget werden,... sondern von einander gesondert und geschieden bleiben." VII,1741. "Es soll nicht sein und niemand denken, dass uns Gott wollte lassen regieren und herrschen mit weltlichem Recht und Strafe, sondern der Christen Wesen soll gar davon geschieden sein." VII,689. "Wie denn von Anfang solche zwei Aemter von Christo gesondert sind; auch die Erfahrung allzuviel zeugt, dass kein Friede sein kann, wo der Rath oder die Stadt die Pfaar- und Predigerstuhl, oder der Pfarrherr den Rath oder Stadt regieren will." X,294. Still in the year 1542 he wrote, "Muessen doch unsere weltlichen Herrschaften jetzt Nothbischoefe sein und uns Pfarrherren und Prediger schuetzen, und helfen, dass wir predigen, Kirchen und Schulen dienen koennen." XVII,154.

The Augsburg Confession: "Therefore the powers of the Church and the civil powers must not be confounded, The power of the Church has its own commission, to teach the Gospel and to administer the Sacraments. Let it not break into the office of another; let it not transfer the kingdoms of this world;... let it not interfere with judgments concerning civil ordinances or contracts; let it not prescribe laws to civil rulers concerning the form of the commonwealth." (Trig.85,12-14).

Thus Luther and the Lutheran Reformation again brought to light the doctrine of separation of Church and State. But at the same time another theory was also developing. This was essentially the same as the theory of the Catholic Church.

About the same time that Luther was advocating the separation of Church and State, Zwingli taught the absorption of the Church by the State. Ecclesiastical power was lodged in the Great Council which governed the civil affairs of the city. Church and State became almost identical.

Calvin, on the other hand, held a different view. He taught *the independence of the Church as to its order and discipline, yet* the independence of the Church as to its order and discipline, yet

explicitly demanded the coercive power of the State for the suppression^{of heresy} of heresy and vice. The State was the tool of the Church and its duty was to inflict punishment on such as committed errors in the Church. The extent to which this system could go in suppressing heresy, may be seen in the case of Servetus, who was executed^{partly} for his denial of the Trinity. *Not adequate*

The Reformed Confessions also take the same attitude. First Helvetic Confession, 1536: "The chief office of the magistrate is to defend religion, and to take care that the word of God be purely preached." French Confession, 1559: "God hath put the sword into the hands of the magistrates to suppress crimes against the first, as well as the second, table of the law of God." (Quoted by Cobb, pp. 51). The First Confession of Scotland, (Presbyterian), asserted, "To kings, princes, rulers, and magistrates we affirm, that chiefly, and most principally, the conservation and purgation of the religion appertains." (Quoted by Cobb, pp. 56). The Westminster Assembly delivered^{itself} as follows: "The civil magistrate may not assume to himself the administration of the word and sacraments, or the power of the keys of the kingdom of heaven; yet he hath authority, and it is his duty to take order that unity and peace be preserved in the Church, that the truth of God be kept pure and entire, that all blasphemies and heresies be suppressed, all corruptions and abuses in worship and discipline prevented or reformed, and all the ordinances of God duly settled, administered, and observed. For the better effecting whereof, he hath power to call synods, to be present at them, and to provide that whatever is transacted in them be according to the word of God." (Quoted by Cobb, pp. 57).

Thus these confessions show that it was the principle of the Reformed that the civil powers should perform some ecclesiastical function. They were eager to shake off the bonds of the papacy under

which they had so long struggled, but now they simply exchanged masters. They demanded to be free from Rome and at once imposed the same bondage on themselves.

Dr. Bente says: "The Reformed and Calvinistic spirit has always been, and is to this day, foreign and inimical to the complete separation of State and Church.... Whoever is acquainted with the periodical literature of the Methodists, Presbyterians, Congregationalists, and Episcopalians cannot but be impressed by the fact that, to a great extent, these Reformed bodies regard the absolute separation of Church and State as a detriment rather than a blessing.... A consistent Calvinist and Reformedist may imagine that he is a true American; in reality, he is a foreigner in the land of liberty and religious equality." (Theo. Quart. VI, pp. 151).

Though the principle of separation found expression in Luther in the 16th century, yet it was buried again, and even before Luther's death, consistories were established in the Lutheran Church responsible to the crown, which exercised all the powers of Church government and discipline. At various times men raised their voices in behalf of religious liberty, but State Churches were the rule in Protestant lands. Then towards the close of the 18th century the Constitution of the United States proclaimed the principle of complete separation. This was the growth of necessity, not the wisdom of individuals. And now, we, in this land of liberty, enjoy privileges which the Christian Church has never before enjoyed.

Though our Constitution safeguards us this right of free religious worship, yet it is important for us to study this principle, for forces are continually at work whose effect will undermine this liberty. During all these centuries thru which this principle has been abused, much harm has resulted thru an improper understanding of it. But we should all the more study it because it is a doctrine

taught us in the Bible. True, human reason can establish the same principles, for experience teaches us the unreasonableness of intolerance or simple toleration. And because intolerance or toleration^{-Tol} is the cause of so much woe in the world, it is our duty to study the problem, for it is vitally important to us. Besides this, the history of our Church in this country is intimately connected with this principle.

Due to religious intolerance and persecution in one form or another, a number of ministers and members found themselves constrained^{-con} to leave their home in Germany and come to this land of liberty. The outgrowth of this immigration was the founding of our synod. If America had not offered this haven for the oppressed fathers of our Synod, then, humanly speaking, it would not be in existence today.

The freedom of worship, as offered in this country, permits us to worship God in whatever manner we deem fit. Because of it, we are permitted to maintain Christian Day Schools in which the children are instructed in the fundamentals of the Christian faith. If this liberty were not granted to us, then this privilege^{-priv} would also be taken away, and Lutheran parents would be forced to permit their children to be instructed in state-schools by members of a church to which they did not belong. The opposite of religious freedom is a state religion. Toleration at best could only be hoped for for the other denominations with the necessary stigma attached. For this reason alone the problem should be important to us, especially since attempts have always been and are continually made to introduce religion into the jurisdiction of the state in one form or other.

In 1867 the National Reform Association was organized with the avowed purpose of making this country a Christian nation. Indeed a laudable purpose, if attempted in the proper manner! But instead of Christianizing the masses by converting the individuals, they

are attempting to induce the people to recognize Christ as the King of kings in the Federal Constitution. In the last half of the past century various resolutions were presented to Congress to amend the National Constitution to the effect that God and Christ be recognized in it. This would make our nation a hypocritical rather than a Christian nation. Though the attempt failed at the time, the purpose was not given up, as quotations from the recent issues of the "Christian Statesman," the official publication of the National Reform Association, show. "Governmental standarts of conduct and devices for steady^{ing} the progress of the nation, are vitally necessary. For this reason constitutions should bind the nation to obedience to the will of Christ and courts and other institutions need to be attuned^{ed} to that power which proceeds from his throne. The work of the National Reform Association has ever been to hasten the construction of that receptive machinery of government which will make the nation thus responsive to the will of Christ." (Christian Statesman, Feb. 1930). To all such as do not agree with their platform they send this message: "Take His civil yoke and learn of Him and ye shall find rest to your nation." (Christian Statesman, July, 1930). Again, "We, therefore, unite in asking the rulers of --- the world to join in setting up the kingdom of God on earth, acknowledging Jesus Christ Lord of Lords and King of Kings, so that justice and happiness and brotherhood and peace may prevail throughout the whole world." (Christian Statesman, Dec. 1928).

Besides these attempts at placing Christ into the Constitution, efforts are also made to introduce religion into the public schools and in some instances of establishing the Decalog as the foundation of all our laws.

This readily shows us that the problem is important to us who love religious liberty. Indiscriminate legislation along the lines

suggested would soon rob us of this blessed heritage. Hence it is our duty as citizens of this country to recognize the correct principles of separation of Church and State and their proper relation to each other. Common sense could tell us that the two ~~are~~ not be mixed, but Scripture gives us instruction on this problem. It is, therefore, necessary for us to study Scripture on this point, in order that we may understand its correct position, and then be able to make the proper application of that principle in our lives as citizens of a temporal state.

Part I.

DOCTRINE OF THE CHURCH

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Since this paper deals with two subjects, Church and State, and their relation to each other, it is at first necessary that we treat the two subjects, in order to be able to establish the relation in which they stand to each other. It would be useless to discuss the relation without knowing the nature, purpose, origin, and sphere of each. Therefore the first part of this paper shall concern itself with the Church, the second with the State, and the third with the relation existing between the two.

When God said in the Garden of Eden, "I will put enmity between thee and the woman, and between thy seed and her seed; it shall bruise thy head, and thou shalt bruise his heel, " Gen.3,15, then he revealed to men the first Gospel and the first promise of the Messiah. Here was instituted the Church of Christ. All men had sinned in Adam and all were unable to free themselves from the curse of the law. Then God provided a way, namely thru Christ, the Seed of the Woman, and all who believed in this Savior from sins ^{were} counted as members of that Kingdom of Christ. All those who believed in this Gospel promise formed the Church of Christ. But as

time progressed these Gospel promises became clearer and definite statements were made that Christ would be the founder of an eternal kingdom. It is to be noted that all the Messianic prophecies in the Old Testament have this one objective, namely, to tell of the coming of this Savior of the world who would set up his kingdom here in the world. But let it not be thought that this Kingdom of Christ was only erected in the New Testament times, for the requirements existed already in the Old Testament. The faith of the Patriarchs and all the people who hoped in this deliverance from sin thru the promised Messiah were true children of God and hence members of Christ's kingdom. We read of Enoch in the anti-Deluvian period who was righteous and God took him. We read of an Elijah, who was taken to heaven in a fiery chariot. We read of Moses in the New Testament as appearing in the glorified state with Elijah on the Mount of Transfiguration. Indeed, the believers in the Old Testament were members of this Kingdom of Christ, which God instituted when he made the first promise of a Savior to the parents of the human race. But let us add a few more direct prophecies.

In II Samuel 7, 12.13 we have the prophecy concerning the Son of David. Nathan said, "And when thy days be fulfilled, and thou shalt sleep with thy fathers, I will set up thy seed after thee, which shall proceed out of thy bowels, and I will establish his kingdom. He shall build an house for my name, and I will establish the throne of his kingdom forever." This prophecy concerning the Messiah brings certain thoughts to expression, namely, "I will establish his kingdom," God will establish the kingdom of the Son of David, Christ, and this kingdom is the church of the New Testament; the expression "house for my name" is also used in the New Testament for the Church of Christ, II Cor. 6, 16; I Pet. 2, 5; Eph. 2, 19, ff; I Tim. 3, 15; Hebr. 3, 6. Thus this prophecy tells us that that God will establish the Kingdom of Christ and that Christ will build an

house, the Christian Church, to the name of God. What clearer passage could we find which tells us that God instituted the church and established it?

Another passage of the Old Testament noteworthy among many others is recorded in Dan. 2,44, "And in the days of these kings the God of heaven shall set up a kingdom which shall never be destroyed; and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand forever." That this passage refers to the Kingdom of Christ, the Church, is evident from the many passages in the New Testament in which Christ calls His Church the Kingdom of Heaven, or the Kingdom of God. Cf. Matt. 3,2; 5,3.10; Luke 12,31; Mark 1,15; Luke 23,51. etc.

In fact the Jewish nation was a prefigurement of the Church of the New Testament. Throughout their history we are impressed by the fact that they were the people of God; God elected them from among all the nations of the world, he made them to be His people, he sustained them, protected and led them. In the same sense God established, sustains, and leads His Church of the New Testament.

To establish his Church God sent his son into the world to redeem mankind. Thus thru the work of Christ the Church became possible. We read Eph. 5,25-27: "Husbands, love your wives, even as Christ also loved the church, and gave himself for it; that he might sanctify and cleanse it with the washing of water by the word, that he might present it to himself a glorious church, not having spot, or wrinkle, or any such thing; but that it should be holy and without blemish." Again, "And hath put all things under his feet, and gave to him to be the head over all things to the church, which is his body, the fulness of him that filleth all in all." (Eph. 1, 22.23). Also, "And this spake he not of himself: but being high priest that year, he prophecied that Jesus should die for that nation

and not only for that nation, but that also he should gather together in one the children of God that were scattered abroad." (John 11, 51,52). Thus Christ died that he might gather together all the children of God into one Church, thereby establishing it thru his work.

Dr. Pieper says regarding the divine institution of the Church, "Weil der Glaube, wodurch ein Mensch ein Glied der christlichen Kirche wärd, allein durch Gottes Gnade und Macht entsteht und besteht, so hebt die Schrift noch besonders hervor, dass die Kirche weder ganz noch zum Teil Menschenwerk, sondern allein Gottes Werk und Wirkung ist. Ps. 100,3: "Er hat uns gemacht, und nicht wir selbst, zu seinem Volk und zu Schafen seiner Weide:" IPeter 2,9.10: Er "Hat euch berufen von der Finsternis zu seinem wunderbaren Licht, die ihr weiland nicht ein Volk waret, nun aber Gottes Volk seid, und weiland nicht in Gnaden waret, nun aber in Gnaden seid.""

This kingdom of Christ has Christ for it head and ruler. The King is eternal and hence also the kingdom. In II Sam. 7,13 we are told "And I will establish the throne of his kingdom forever." And in Luke 1, 31.33 we have the fulfillment of this prophecy. We read, "And, behold, thou shalt conceive in thy womb, and bring forth a son, and shalt call his name Jesus. He shall be great, and shall be called the Son of the Highest: and the Lord God shall give unto him the throne of his father David: and he shall reign over the house of Jacob forever: and of his kingdom there shall be no end." Again in Hebr. 1,8 we read, "But unto the Son he saith, Thy throne, O God, is forever and ever; a scepter of righteousness is the sceptre of thy kingdom." And of this eternal Son of God it is said, "And hath put all things under his feet, and gave him to be the head over all things to the church." (Eph 1,22). Also Eph. 4,15, "But speak-

ing the truth in love, may grow up into him in all things, which is the head, even Christ." Eph. 5,23, "For the husband is the head of the wife, even as Christ is the head of the church." Col. 1,18, "And he is the head of the body, the church." But not only is Christ the eternal ruler of the Church, his Kingdom, but the Kingdom also is eternal. Just as the ruler so also the Church lasts into all eternity. An eternal ruler over a temporal kingdom would not be plausible, and in this connection is not scriptural. In Dan.2,44 we are told that his Kingdom is also eternal, "But it shall break in pieces and consume all these kingdoms, and it shall stand forever." Besides, the purpose of the Church demands that it be eternal. Christ came and founded his kingdom in the world to gather together those who should inherit eternal life. In this present world the Church of Christ is the Church militant, but when the world shall pass away then the militant Church will become the Church triumphant. It will not be changed but will simply continue in all eternity.

Besides being eternal, the Kingdom of Christ is also universal. No boundaries mark its limits, no racial characteristics limit it to any one people. Christ sent his messengers into all the world to gather the lost sheep of Israel. The members of this kingdom are scattered all over the world and wherever they exist there also Christ's kingdom exists. Christ came into the world "that he should gather together in one the children of God that were scattered abroad." (John 11,52). It makes no difference to what nation we owe allegiance, to what race we belong, for "by one Spirit are we all baptized into one body, whether we be Jews or Gentiles, whether we be bond or free; and have been all made to drink into one Spirit, for the Body is not one member, but many." (1Cor. 12,13,14). By the bond of faith in Christ all members are united into one kingdom whose bounds are without ends. This kingdom of Christ is without temporal

limitations because all people are sinners and all need the one salvation offered in the Gospel. There is no other way to salvation. The whole human race is one large family descended from the parent pair, Adam and Eve. Since all are essentially one and since all are in the same condition, and since there is only one remedy, and since God desires to save all men, therefore this kingdom of Christ which brings this salvation, is universal. All people may find admittance to it regardless of nationality or race. Paul says in Romans 12,4.5, "For as we have many members in one body, and all members have not the same office: so we being many, are one body in Christ, and every one members one of another." While the Church exists in time here on earth as the Church militant it will not be visibly united into one large body, but on Judgment day this host of citizens of the Kingdom of God will sing a new song saying, "Thou art worthy to take the book, and to open the seals thereof: for thou wast slain, and hast redeemed us to God by thy blood out of every kindred, and tongue, and people, and nation; and hast made us unto our God kings and priests." (Rev. 5,9.10).

In this universal kingdom of Christ membership is possible only on one requirement, namely faith in the crucified Savior. As the universality of the message makes the kingdom universal, so the requirements for membership are everywhere the same. This is evident from the very purpose of the church. The kingdom of Christ was established that He might gather together the scattered sheep of the House of Israel, the elect. To them the message of the Gospel is brought, and the acceptance of this message of salvation is the constituting factor for membership. When the jailor at Philippi asked the Apostle Paul "What must I do to be saved?" (Acts 16,30), his question amounted to an equivalent of the question how may I become a member of the Kingdom of Church of Christ. And Paul gave him the answer, "Believe on the Lord Jesus Christ, and Paul gave him the answer, "Believe on the Lord Jesus Christ, and

thou shalt be saved." (Acts 16,31). In the same manner Christ tells Peter that the Church is built up on the correct profession concerning Himself. He said, "And upon this rock will I build my church." The rock refers to the confession which Peter had made concerning the Messiah, not in so far that the church is built on the confession of Peter, but on what that confession professed, namely that "Christ is the Son of the living God." (Matt. 16,16). And since the Church consists of such as make such a confession, we rightly conclude that faith is the one and only requirement for membership. All these believers then are as living stones set up together to build this spiritual house of God, Christ being the chief cornerstone, or in a different picture all are members of the body of Christ, He being the head. All consent to the principles of the chief member. They accept Him and place their confidence in His work, namely, the redemption, in other words they believe or have faith. Thus also the Apostle Paul mentions faith as the requirement of membership in his letter to the Ephesians, "That Christ may dwell in your hearts by faith, " (3,17), also in his letter to the Galatians, "Christ is become of no effect unto you, whoseever are justified by the law, ye are fallen from grace. For we thru the Spirit wait for the hope of righteousness by faith. For in Jesus Christ neither circumcision availeth anything, nor uncircumcision; but faith which worketh by love." (5,4.5.6). And again in a different way I Cor. 12,3, "And that no man can say that Jesus is the Lord, but by the Holy Ghost." And the work of the Holy Ghost is the creating of faith in the hearts of men, as we confess in the explanation of the Third Article, "I believe that I cannot by my own reason or strength believe in Jesus Christ, my Lord, or come to Him; but the Holy Ghost has called me by the Gospel, enlightened me with His gifts, sanctified and kept me in the true faith." We read also

in Rom. 8,9, "Now if any man have not the spirit of Christ, he is none of his." To this Dr. Walther says, "Wer aber nicht Christo angehoert, der ist auch kein Glied der wahren Kirchen welche sein geistlicher Leib ist." (Kirche und Amt, pp.10)

Since faith is the necessary requirement for membership in the Kingdom of Christ, it follows that this kingdom is invisible. No man can see into the heart of another and there see whether that person has a living faith, "for faith is the substance of things hoped for, the evidence of things not seen." (Hebr.11,1). Faith, indeed, is a living, active thing; it shows itself in the life of a person, but still that is no sure criterion, for hypocrits can also feign the life flowing from faith. The mere fact that faith is the constituting factor, places this Kingdom into the realm of the spiritual, and being spiritual it cannot be seen. Just as the head of the Church is invisible, so also the members of it are not absolutely known to man.

When Elijah was fleeing from King Ahab he complained to the Lord that he alone remained faithful, and God then told him that "I have left me seven thousand in Israel, all the knees which have not bowed unto Baal, and every mouth which hath not kissed him." (IKings 19, 14.18). The prophet was in a position to make the statement he made, and still God showed him that man cannot see into the hearts of his fellow men and there determine the condition of the heart.

Thus Scripture ascribes to God the knowledge of those who belong to the church. IITim. 2,19, "Nevertheless the foundation of God standeth sure, having this seal, The Lord knoweth them that are his." See also Nahum 1,7; ICor. 4,5; Phil. 3,20.

The Lord Jesus himself explained that the kingdom of God could not be seen. The Pharisees demanded a sign of Jesus by which

they could recognize when the Kingdom of God came. To this Jesus answered, "The kingdom of God cometh not with observation. Neither shall they say, Lo here! or, lo there! for, behold, the kingdom of God is within you." (Luke 17, 20.21). Many object that this passage cannot have the meaning we are ascribing to it, for, they say, Jesus would not say to the Pharisees that the Kingdom of God is within them. This is fittingly explained in Lehre und Wehre 53, 496: "Das ganze Volk jedoch, dessen Genossen jene Pharisaeer waren, ja, fuer dessen eigentliche Repraesentanten sie sich hielten nimmt der Herr hier als das grosse, umfassende Gebiet, innerhalb dessen das Reich Gottes, die christliche Kirche, eine Staette nun habe." To their question for a sign, Jesus answers that the kingdom of God does not come with outward observation, now will any one be able to establish the geographical limitations of it, for it is invisible, since you are not able to see the constituting factor, faith. He that accepts the mercy of the King of grace is a member of the Kingdom of Grace, but by faith only, which is in the hearts and cannot be seen by human beings.

In IPeter 2,5, we read, "Ye also as lively stomes, are built up a spiritual house, an holy priesthood, to offer up spiritual sacrifice acceptable to God by Jesus Christ." Accordingly the Church is a spiritual house, not a visible one. If all the members of it every where are one and members of the body of Christ (ICor. 10,17), then it follows that these can not be known, for they are scattered over the entire face of the earth, they exist among the members of the various denominations; they may even be such as have no affiliation with any denomination, for membership in the Kingdom of Christ depends on faith in the crucified Savior. It is unreasonable to suppose that these can be known or designated, and it is decidedly unscriptural. The Catholic Church denies that the Church

in the true sense is the communion of all believers and thereby they also deny that it is invisible. Bellarmine gives the following definition of the Church: "Professio verae fidei, sacramentorum communio, et subjectio ad legitimum pastorem Romanum pontificem." And says, "Includantur autem omnes alii, etiam si reprobii, scelesti, et impii sint." (Quoted by Hoenecke). True, the Scriptures never offer us a passage in which it is directly stated, "The Church is invisible" but since faith is the constituting factor it can only be invisible.

Though the Church in the strict sense of the word is invisible, yet the members of it combine into visible congregations. But membership in such a congregation is no guarantee of membership in the invisible church. On the basis of Christian love, we take it for granted that all members of the visible church in which the Gospel is preached in all its purity and the sacraments are administered according to their institution, are also members of the invisible church, though we know that some hypocrites will be found among them.

Of the members of the Church of Christ a most marvelous statement is made, namely, they are free. The importance of this in relation to the topic of this paper will be brought out later. Paul tells the Corinthians 7,23 "Ye are bought with a price; be not ye the servants of men." The price with which we were bought is the blood of Christ which he shed for sinners on Calvary. The state from which he bought us, was the state of slavery under the law and sin. This condition has been done away with. And the admonition is, "Be not ye the servants of men." This servitude under men is easily possible where there is no proper understanding of the Kingdom of Christ. Where this doctrine is misunderstood there bondage to the laws and wisdom of men is the inevitable result.

Christ alone is the head of his Church. He alone is the ruler. He alone can impose commandments on his followers. Otherwise we are free, free from the law and ~~sin~~. This fitly joins together with the doctrine of the Church. Thru faith we are members of it, and thru this faith Christ's righteousness is made our own. All that he requires of us is recorded in His Word, the Bible. If now, thru an improper understanding of this doctrine of the Church, men lay new burdens and commandments on the conscience of the members of the Church, than these, who are free, become the slaves of men. This point is illustrated in the Catholic Church, in which the commandments of the Prelates or Councils are placed on an equal level with or above the commandments of God, ordering things which the Word of God does not order. Thus these people are robbed of their precious freedom in Christ and are made the servants of men. St. Paul also brings this thought out in his Epistle to the Galatians, 5,1, "Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage." This yoke of bondage which people or leaders of churches impose on their followers is designed to produce a greater sanctity. Thus the spirit of work righteousness creeps into the church and of those Paul says, "Christ is become of no effect unto you, whosoever of you are justified by the law; ye are fallen from grace." (Gal. 5,4). But being freed from the bondage of the law and sin, does not give us license to commit a-ll manner of sin, for "being made free from sin, ye became the servants of righteousness." (Rom. 6,18).

A concomitant of this freedom in the Kingdom of Christ is the equality of the members. If all are free then no one is the master, except Christ, the Head of the Church. An incident from the life of Jesus clearly illustrates this point. On one occasion the mother of Zebedee's children came to Jesus and asked that her sons

be given special positions of honor in His kingdom. She asked that one be permitted to sit at His right hand, the other to His left. Jesus simply told her "Ye know not what ye ask." (Matt. 20,22). The disciples were then filled with indignation against the two brethren. But Jesus straightened out their difficulty by saying, "Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. But it shall not be so among you: but whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant. Even as the Son of man came not to be ministered unto but to minister, and to give his life a ransom for many." (Matt. 20,25-28). On another occasion just before the final paschal meal of Christ, the disciples again disputed as to who should be the greater, and this time Jesus washed their feet to show that there is no distinction of rank among his followers. John 13, 1-20. Verse 14,15, "If I then, your Lord, and Master, have washed your feet; ye also ought to wash one another's feet. For I have given you an example, that ye should do as I have done to you." Touching on the same subject St. Peter says, "Neither as being lords over God's heritage, but being ensamples to the flock." (1 Peter 5,3.) This was spoken to the elders or ministers of the congregation. Of course this rules out every form of hierarchy as advocated by Catholic and other denominations. Then speaking of the members of the Church Peter also says, "But ye are a chosen generation, a royal priesthood." (1 Peter 2,9. Cf. 1 Cor. 3,21-23; Rev. 5,10. All are priests by virtue of their calling and faith in Jesus; hence no one is superior. And of all Christ says, "Neither be ye called masters: for one is your master, even Christ." (Matt. 23,10).

Since then all are equal and no one a Master except Christ the relation which should characterize the members over against

each other is that of humility. Christ himself was humble and his followers are to exercise the same virtue. He tells his disciples, "He that is greatest among you shall be your servant." (Matt. 23,11). In order to settle a dispute among the disciples regarding who should be greatest among them, Jesus took a little child and placed it in the midst of them and said, "Verily I say unto you, except ye be converted, and become as little children, ye shall not enter into the kingdom of heaven. Whosoever therefore shall humble himself as this little child, the same shall be greatest in the kingdom of heaven." (Matt. 18,3.4). The reason for this humility is to be found in the unworthiness in ourselves. We are all sinners and there is nothing in us of which we could boast. Paul says that the only thing he could boast of was the Lord whose grace had made him what he was. So also we. We realize that we are entirely unworthy, and still God's grace was mighty in us and God's love saved us. A spirit of boasting or lording it over others can find no place in the heart of a true disciple, but rather thankfulness for the grace received. In the likeness of Jesus let us humbly follow him, for he, "Being in the form of God, thought it not robbery to be equal with God; but made himself of no reputation, and took upon him the form of a servant, and was made in the likeness of men: and being found in fashion as a man, he humbled himself, and became obedient unto death, even the death of the cross." (Phil. 2,6-8). Cf. also Matt. 20,26b; Mark 9,35; 10,43; John 13,14; 1Cor. 3,21-23.

The humble members of this universal, eternal and invisible kingdom owe allegiance to their Lord and King who reigns in the Jerusalem above. There we live in faith with our Prince, as St. Paul writes to the Philippians 3,20 "For our conversation (walk of life) is in heaven." To it the Christians thoughts are directed,

their interest centers in it, it is their fatherland. Here in this life we hold only temporary citizenship, as the author of Hebrews expresses it, "We have here no continuing city, but we seek one to come." Hebr. 13,14. There in that kingdom above our name are enrolled, "written in heaven." Hebr. 12,23.

As the Church of Christ consists of those who are true believers in the crucified Savior and hence heirs of heaven, so also the purpose of the Church is to bring othersⁱⁿ who are not yet heirs of this glorious salvation. The Church was instituted for that purpose, namely, to gather in the children of God. John 11,52. For this purpose Christ gave the great commission to his disciples before he ascended up to heaven. Matt. 28,19 ff; Mark 16,15.16. When Jesus appeared to Saul in the vision on the road to Damascus then he gave him the following reason for his calling, "For I have appeared unto thee for this purpose, to make thee a minister and a witness both of these things which thou hast seen, and of those things in which I will appear unto thee; delivering thee from the people and from the Gentiles unto whom I now send thee, to open their eyes, and to turn them from darkness to light, and ^{from} the power of Satan unto God, that they may receive forgiveness of sins, and inheritance among them which are sanctified by faith that is in me." (Acts 26, 16-18). Writing to the Ephesians Paul says, "For the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ: that all we all come in the unity of the faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the stature of the fulness of Christ." (4,12.13). And finally for this purpose Christ died on the cross that all who believe in him might have eternal life. The purpose of the Church then is to bring Christ before the people, for, "How shall they hear without a preacher? and how shall they preach except they be sent?" (Rom. 10, 14.15).

To carry out this purpose Christ has given the Church special means, namely, the revealed word. This revealed word is a mystery and is hidden to natural man. Human reason cannot find it. It is folly then for the Church to attempt to bring this message to the world as a rational product. "But the natural man receiveth not the things of the Spirit of God: for they are foolishness unto him: neither can he know them, because they are spiritually discerned." (I Cor. 2,14). This Gospel is a special message which God revealed to a sin darkened world. It is unique among all the messages of the world. And this special message is the instrument thru which the Church carries out its purpose. This Gospel message of course includes the two sacraments. No other power or authority is given it. When Jesus sent his disciples out for the first time he said "Go, preach, saying, the kingdom of heaven is at hand." (Matt. 10,7). Nothing is added to the word, no temporal power, or anything with which they were to force acceptance. Thus also the Prophet Zechariah wrote in the Old Testament, "Not by might, nor by power, but by my spirit, saith the Lord of Hosts." (4,6). So also Paul writes to the Corinthians "For the weapons of our warfare are not carnal, but mighty through God, to the pulling down of strongholds; casting down imaginations and every high thing that exalteth itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ." (16, 4.5). This shows plainly that the Church has no authority or power except the Word of God. She cannot command what God has not commanded in His Word. Any attempt therefore to use civil authority for the propagation of the Word is anti-Scriptural, for no man can be forced to faith. The church can plead and warn, can point to the Word and show the dire consequences of unbelief, but further than that it cannot go. God has given it no other weapon but the Word. But

this Word is powerful as St. Paul says, and is well suited to carry out the purpose of the Church.

Many would try to introduce the power of the sword into the Church, besides the authority of the Word, but Christ told Peter, "Put thy sword into the sheath," (John 18,11) when Peter used his sword to protect his Master. He also told Pilate that if his kingdom were of this world then his servants would fight for it. Again the Savior shows us that carnal weapons are not to be used in the defense of His kingdom. (John 18,36). The words are plain in every way, but how hard to learn, as history shows us. This also follows from the nature of the Kingdom of Christ. It is spiritual, and hence it achieved its purpose with spiritual weapons, not carnal.

Just as the Kingdom of Christ is not propagated and protected with the power of the sword, so also the Church is not an arbiter in temporal affairs. On one occasion a man came to Jesus saying, "Master, speak to my brother, that he divide the inheritance with me. And He said unto him, Man, who made me a judge or a divider over you?" (Luke 12,13.14). The head of the Church refused to meddle in temporal affairs, shall then the members do it? Christ clearly showed Pilate that his kingdom was of a different nature from temporal kingdoms. The state does not have to fear that the Church will become a rival power, for Christ pointed out that there existed a fundamental difference between the two. It is only when the doctrine of the Church is misunderstood, that danger arises, as history bears testimony.

Part II.

DOCTRINE OF THE STATE OR CIVIL GOVERNMENT.

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Civil government is also instituted by God. Before we can proceed to the exposition of this thesis, we must first determine what a civil government or state is. The question is answered in various ways and it is a difficult matter to establish a suitable definition to which all would agree. The definition also is colored by the prevailing philosophy of the times. The Standard Dictionary defines a state as follows: "A political community organized under a distinct government recognized by the people as supreme." This definition does not go far enough, for nothing of the purpose, which really makes the state what it is, is mentioned. The Concordia Cyclopedia says, "The term "government" is commonly applied to an empire, kingdom, state, municipality, or other independent political community in its respective relations to those under its jurisdiction, especially in the restraint, regulation, supervision, and control exercised over and upon the individual members of an organized society by those invested with supreme political authority, for the good and welfare of the body politic." Rousseau once said the state is just a social agreement. He recognized in people the common urge of combining together to form some government, but his materialistic philosophy did not permit him to take the next step, namely, that this urge is planted in the hearts of all people by the Creator himself.

Because of this inborn urge, they combine into communities and these communities again into states, in order that the power and authority of these combined interests may protect the rights of the individuals. This is known as civil government, no matter what form it may take.



These rights for the protection of which governments are organized, are recognized on the basis of the moral law, and since this in natural man has been damaged thru the fall the concept of right and wrong is not always clear and differs in various localities. Still the essential features of it are everywhere the same. Everyone knows that his life, his family, his property, and his good name are inviolate. These commandments written in the hearts of men, as it were, erect a wall around their property, guaranteeing to them the right to enjoy these blessings unmolested and if violated the right to punish the evildoer. For the protection of these rights civil government is instituted.

This moral law in the heart of man is the law of God. And God's law is everywhere furnished with the necessary power of execution. In nature all laws are carried out with precision, and that without the help of man; man cannot assist in their execution. But the moral law God proposes to execute thru <sup>fraternity</sup> the agency of men. And since the agents are sinful men, the law will not always be carried out. The very fact that God said, "Thou shalt not," shows that disobedience is presupposed. If there had not been danger of this transgression then no law would have been necessary. But law without coercive measures is unthinkable. This also God supplied. He planted in man the sense of justice. When Cain had killed his brother Abel he despaired for he said, "And it shall come to pass that everyone that findeth me shall slay me." (Gen. 4,14). But the individual man is not always able to carry out the penalty of the law, hence he summons the aid of his fellows, and they together form the community with the avowed purpose of maintaining peace and order in their society and also to punish any disturber of it. Thus the civil government originates. It is instituted by God, for he planted in man's heart the moral

law, he gave to man these rights, and he placed in man the sense of justice, forming the coercive measure of this moral law. On the basis of this moral law, then, natural man can recognize the divine institution of civil government, and for the mutual protection of these rights establish a government. (Cf. Trig. pp.367.12) Apology, "Moreover, a natural right is truly a divine right, because it is an ordinance divinely impressed upon nature." Thus the Moral Law forms the "Magna Charta" of mankind.

But let us go into the Scripture and there determine what God has revealed regarding the institution of civil government.

When God gave man dominion over the fish of the sea, the fowl of the air, and everything that creepeth on the earth, no mention was made of a ruling over fellow human beings. The first such incident occurred when God said to Eve, "And thy desire shall be subject to thy husband," (Gen. 3,16). Thus the lording<sup>it</sup> over other people is the result of sin. But no word yet concerning civil government. The right of civil authority, however, existed as the story of Cain shows. But in his case God did not permit anyone to carry it out.

Immediately after the Flood, when a new order of things was instituted, we have the first word regarding civil government. We read, "And surely your blood of your lives will I require; at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man." (Gen. 9, 5.6.) Here it is said that God will avenge murder, but the words which interest us in this connection are, "By man shall his blood be shed." God intends to punish the transgressions of his law, not directly, but <sup>as a rule</sup> thru men, his representatives. Let it be noted that God gives <sup>this right to men. He establishes this institution known as</sup> this right to men. He establishes this institution known as

civil government and gives it his authority

There are many other passages in the Old Testament in which we are told that God instituted civil government, and that not only the government of Israel, but also that of the heathen lands. Job in his distress acknowledges the omnipotence of God and states: "He looseth the bonds of kings, and girdeth their loins with a girdle. He leadeth princes away spoiled, and overthroweth the mighty." Job 12, 18, 19. Thus without limitation God is Lord also of the kings of the earth. In the same manner we read, Prov. 8, 15, 16, "By me kings reign, and princes decree justice. By me princes rule, and nobles, even all the judges of the earth." Again Ps. 75, 7, "But God is the judge: he putteth down one, and setteth up another." Then also in Jeremiah we read that God not only established civil government but also established individual rulers. Jere. 27, 5, 6: "I have made the earth, the man and the beast that are upon the ground, by my great power and by my outstretched arm, and I have given it unto whom it seemed meet unto me. And now I have given all these lands into the hand of Nebuchadnezzar the king of Babylon, my servant." Ezekiel also says concerning Nebuchadnezzar 29, 19: "Therefore, thus saith the Lord God; Behold, I will give the land of Egypt unto Nebuchadnezzar, king of Babylon." Cyrus acknowledges the fact that he is king by the grace of God. He published an edict regarding the rebuilding of the Temple in Jerusalem in which he said, "All the kingdoms of the earth hath the Lord God of heaven given me." (II Chronicles 36, 23.) When Daniel had received the revelation and interpretation of Nebuchadnezzar's dream he praised God and said, "Blessed be the name of God forever and ever: for wisdom and might are his: and he changeth the times and the seasons: he removeth kings, and setteth up kings." (Dan. 2, 20, 21). The dream gives expression to the two

thoughts that God is the author of both the church and the state, he instituted both. And the king himself Daniel addresses "Thou, O King, art a king of kings: for the God of heaven hath given thee a kingdom, power, strength, and glory." (Dan.2,37). In regard to Nebuchadnezzar's madness we read the following: "Hew down the tree, and cut off his branches, shake off his leaves, and scatter his fruit; let the beasts get away from under it, and the fowls from his branches." (v.14). Then Daniel tells us who had ordered what is recorded in V. 14-16. "This matter is by the decree of the watchers and the demand of the word of the holy ones: to the intent that the living may know that the most High ruleth in the kingdom of men, and giveth it to whomsoever he will." (V. 17. Cf. also V.25).

This doctrine of the divine institution of civil government is also clearly stated in the New Testament. Christ tells Pilate, "Thou couldest have no power at all against me, except it were given thee from above." (John 19,11). This was spoken in answer to the statement of Pilate that he had authority either to crucify or to release Jesus. Thus Christ corrects this false impression and tells him whatever authority you have over me or over anyone else has been given you from above.

Though there are many passages which tell us that God instituted civil government, yet the *sedes doctrinae* is found in Rom. 13, 1-7. The words which especially pertain to the point under discussion are: "Let every soul be subject unto the higher powers. For there is no power but of God, the powers that be are ordained of God. For he is the minister of God to thee for good ... For they are God's minister." The first words are general. "Let every soul be subject to the powers placed above it." Exousiais hyperexousais the plural point to various departments and forms

of government. All of these are again included in the next statement, "For there is no power but of God." But if these powers are placed above, then who placed them so? God, for all power is of Him. And that which is, is established by God. This is the only passage in which St. Paul treats the doctrine regarding civil government at any length, but he treats it so fully here that it embraces almost every phase of it. The words also are so clear as to remove all doubt concerning it.

The apology of the Augsburg Confession recognized the fact that Scripture teaches that God instituted civil government. "That legitimate civil ordinances are good creatures of God and divine ordinances, which a Christian can use with safety." (Trig. 329, 53). The Augsburg Confession, "Of civil affairs they teach that lawful civil ordinances are good works of God." (Trig.51). The German version adds, "von Gott geschaffen und eingesetzt sind."

Not only did God establish the government in the abstract, but he also appointed individuals as the official rulers and representatives. The instances quoted from the Old Testament bear this out. Then also we read IPeter 2,13.14, "Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the king as supreme; or unto governors, as unto them that are sent by him for the punishment of evil doers, and for the praise of them that do well." So also Rom. 13,1 states that all powers placed over us, are ordained of God. This includes the government's representatives, no matter in what department of service. As long as they are powers or represent powers placed over us, they are ordained of God.

It makes no difference whether the office was hereditary, or taken by violence, or bestowed thru a popular election. Nebuchadnezzar was king thru inheritance, but one of his ancestors

obtained the power thru conquest. Yet God says that he gave to Nebuchadnezzar all the kingdoms he possessed. In the same manner in the New Testament the Christians were to consider either the Emperor or his representative as the minister of God. They were not required to examine the credentials of their actual rulers everytime the praetorian guard chose to depose one emperor and install another.

But the age old question is raised, "Are all governments ordained by God, even those which come into control through violence?" Let us establish the criterion. Rom. 13,1 we read, "The powers that be are ordained of God." St. Paul write these words to the Romans. At that time Nero was emperor, and history bears testimony to the fact that he attained the purple thru all forms of violence and murder, Yet St. Paul offers no word of censure, or tells his readers to disregard his government because of its origin. No, the powers that be are ordained by God, and that settles it. But suppose a foreign invader enters the land, to which are we to owe allegiance? As long as the home government is still supreme, it is the power ordained of God, but after the foreign invader has established himself, then he is the power that is, and to him we must submit ourselves, as to the power established by God.

Nor does the particular form of government militate against the divine institution. It makes no difference whether all authority and power is centered in one person, or in a few, or in all the people. Again Rom. 13,1 all authority is established by God.

The purpose of these divinely instituted civil governments is the preservation of peace and order in society. Some would make its purpose the development of natural wealth, others the

development of the individual talents. But the instinct, as we may say, which drives men to organize governments has as its objective mutual protection and well being. St. Paul expresses the same thought in his letter to Timothy, "I exhort therefore, that, first of all, supplication, prayers, intercessions, and giving thanks, be made for all men; and for kings, and for all that are in authority; that we may lead a quiet and peaceable life in all godliness and honesty." (2,1,2). So also St. Peter, "Or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well." (1 Peter 2,14). If their purpose is the punishment of evildoers, it follows that they are to do this in order to curb such evildoers in their actions, or in other words, to preserve order and peace in society. To foster this, they are to praise those that do well. The same thought is expressed Rom. 13,3,4. The purpose of the government is to punish those who do wrong. This is not a secondary duty, but one which is given preeminence in the passage quoted. Let it also be noted in 1 Tim. 2,1-3 that Paul tells the Christians to pray for those in authority with the purpose that thru their agency we may lead a quiet and peaceable life in "all godliness and honesty". The word used here is eusebeia. This represents the pious disposition of the heart. semnotes - that characteristic of a person or thing which entitles it to respect, dignity, or honor. The first term refers to all that which belongs to a christian life. The second term refers to the outward life in society. It would seem then that the government is also charged with the duty of caring for the spiritual welfare of its inhabitants. Gerhard in his Loci, Calov in his Biblia Illustrata, Dannhauer in his Katechismusmilch, (Syd. Ber. Iowa, 1897) take this passage to mean that the government should see to the furtherance of godliness. But this deduction is wrong, for Christians should live in all

godliness and honest even if the affairs of the state are in a turmoil, if the government neglects its duty, if sedition, war, and bloodshed throw all common sense out of focus, for all of these evils do not hinder the exercise of true godliness and honesty. But we should pray that the authorities may fulfill their obligations in order that thru the order and peace, which the proper function of government establishes, we may be able to lead a quiet and undisturbed life and in no way be hindered in the proper exercise of spiritual duties. The exercise of these spiritual duties are in no way the concern of the temporal authorities, but only the peace and order in society. But when the function of civil government is designated as preserving peace and order in society and the punishment of wrong, then, at the same time, its sphere of activity is limited to those things which pertain only to the temporal welfare of its inhabitants. Nowhere in Scripture is any other function ascribed to civil government.

This function of government is also evident from the fact that all its judgments are based on the foundation of the moral law. That the moral law and not the revealed Word of God is the basis of judgment for governments St. Peter points out in his first letter when he states, "Submit yourselves to every ordinance of man for the Lord's sake." (1 Peter 2,13). He does not say submit yourselves to the ordinances of governments because they are the direct ordinances of God taken from his word. If they were such, then submission would be self-evident, especially since St. Peter was writing to Christians. But since these ordinances are not drawn from the source of the revealed will of God, some question may arise as to the binding force of them. He answers this question then by stating, "Submit yourselves to every ordinance of man for the Lord's sake. . . . For so is the



will of God, that with well doing ye may put to silence the ignorance of foolish men." Thus by making this distinction and giving this admonition to the Christians, the Apostle shows that governments do not judge on the basis of revelation. Hence by a process of elimination we find that there is only one other source of right and wrong and that is the moral law written in the hearts of men. Though this moral law was repeated on Mount Sinai, yet it is not the basis of judgment for governments. If it were then the laws flowing from it would be such as are incapable of enforcement. The Decalog reveals what God requires of men, and that is not only an outward decent life, but also a pure heart. Were a government to enforce the Decalog then it would be attempting the impossible, for no coercive power is able to force obedience of the heart, and the Ten Commandments clearly require that. Then, again, if the Decalog be admitted as the standard of judgment, why discriminate against the other revelations as contained in the Bible? But revelation is clearly ruled out. The purpose of revelation or of the Bible is to answer the question, "what must I do to be saved?" This at once places the Bible into the realm of the Church, for its purpose is spiritual. But the Bible clearly states that the sphere of the state is the temporal welfare of its citizens. Anything which deals with the spiritual welfare of men, is, then, beyond its scope. On the basis, then, of the moral law written in the hearts of men, governments, employing human reason, judges. Its function is temporal and for the administration of such a function an agent corresponding to it is necessary, and that is human reason. Human reason cannot reach into the spiritual. For what is it suited then? The opposite, namely, temporal affairs. For that purpose God gave man the power of reason. To employ either reason or revelation in a sphere to which it is not suited, is simply inviting destruction.

In order that civil government might carry out its function God has given it special means to force obedience to its laws in order that peace and order may reign. When God gave the first commandment regarding civil government, he vested in it the power of the sword. Gen. 9,6, "Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man." To this passage Luther says: "Hier ordnet aber der Herr ein neu Gebot, und will, dass die Todschlaeger von Menschen wieder sollen erschlagen werden, welches bisher in der Welt nicht gebräuchlich gewesen war. . . Hier aber teilt er seine Gewalt auch dem Menschen mit, dem er Gewalt gibt ueber Leben und Tod unter den Menschen, doch also, dass Einer Schuld hatte an vergossenem Blut. Denn wer nicht das Recht hat, einen Menschen zu toeten, und toetet ihn gleichwohl, den unterwirft Gott nicht allein seinem Gerichte, sondern auch dem Schwerte des Menschen.....Darum ist das der Ursprung daraus alle weltliche Rechte herfliessen. Denn so Gott dem Menschen die Gewalt gibt ueber das Leben und Tod, so gibt er ihm ja traun auch die Gewalt ueber das, so weniger ist, als da sind: Gueter, Haus, und Hof, Weib, Kinder und Gesinde, Aecker, u.s.w. Dieses alles will Gott, dass es unter eilicher Leute Gewalt sei, dass die Uebelthaeter gestraft werden.....Darum soll man diesen Text fleissig merken, darin Gott die Obrigkeit eingesetzt und geordnet nicht allein darum, dass sie ueber das Leben richten soll, sondern auch ueber geringere Dinge, denn das Leben ist, als, dass die Obrigkeit strafen soll den Ungehorsam der Kinder, Diebstahl, Ehebruch, falsch Schwören, und in Summa alle Suenden, so in der andern Tafel verboten sind. Denn wer das Gericht ueber das Leben zulässt, der lässt auch zu das Gericht ueber andere Dinge, so geringer und unter dem Leben sind." (I,598). Jesus gives expression to the same thought when he tells Peter to put his sword into its sheath,

"For all they that take the sword shall perish with the sword." (Matt. 26,52). He means to tell Peter if you use your sword in this case, you are using it when you have no right to do so, and all that use it in that way shall be punished for their action by the sword. St. Paul in his letter to the Romans says that the purpose of the government is to curb the evildoers, and for this purpose God has given civil authority a weapon to force obedience, namely, "for he beareth the sword not in vain." (Rom.13.4). With the power of the sword also all other authority is given it. The sword is mentioned because it is the supreme power of the state. And as Luther says, if the government has control over life, then it also has authority over lesser things. In the theocracy of the Old Testament God gave to the authorities the same power over life. We read, Ex. 21,12, "He that smiteth a man, so that he die, shall surely be put to death." Again, Lev. 24,17, "And he that killeth any man shall surely be put to death."

Such an authority is necessary if the government is to accomplish its purpose. It has the power of the sword, but it does not follow that it must use it in every instance. But using it in the proper way is the best means of preserving order and peace. As soon as a government gives the impression that it is no more than a straw man in the field to frighten away the birds, then it undermines its authority and all kinds of wickedness will be rampant in the land. Regarding this the Augsburg Confession states: "For civil government deals with other things than does the Gospel. The civil rulers defend not minds but bodies and bodily things against manifest injuries, and restrain men with the sword and bodily punishments in order to preserve civil justice and peace." Trig. 85,11.

Scripture also ascribes to government the right to make

laws and to judge actions. Moses permitted the Jews to secure a divorce even in such cases where the divine order of nature or the moral law did not permit it. Such legislation was necessary, as Jesus says, because of the hardness of their hearts. If such measures had not been taken all kinds of disorders would have arisen. But the fact that civil government has the right to make laws where God's word has not spoken, or to permit what God has prohibited, does not give the Christian liberty to disregard the law of God. For instance in cases of lawsuits regarding contracts when the law of love is disregarded and legal right simply insisted upon.

It also follows from the purpose of civil government that it has the right to make such laws as will further its end. If it must preserve order and peace, then it must first establish laws, the transgression of which disturbs the order and peace of society. From experience it knows that certain actions are harmful to the welfare of the community and in order to guard against them in the future it establishes what can and what cannot be done without becoming guilty before the state. In order that property might be protected, the government must establish property rights and defend them for the individual citizens. Thus it is in many more cases. Our statutes are full of laws, all of them having the purpose of curbing the evil actions of wicked men. At times such laws may infringe on the individual rights of the citizens, but they are necessary for the good of the whole body.

If the government then has the right to make laws, it also has the right and duty to judge. It cannot establish guilt unless it has the right to judge. Christ recognized and permitted Pilate to judge him. Paul also, and when he was falsely accused he appealed to the highest authority: he made use of the rights he possessed.

The whole doctrine of the state is very closely connected. If God has established it for the purpose of maintaining peace and order in society, then it follows that he also gave to it the necessary power to accomplish its purpose. That it might carry out its work it has need of funds, and hence taxes its people.. Jesus sanctioned the levying of taxes by pointing out to the Jews that those things which are Caesar's belong to him. When the Pharisees asked him, "Tell us therefore, what thinkest thou? Is it lawful to give tribute unto Caesar, or not?" Jesus answered them, "Shew me the tribute money," and when they had given him a coin he asked, "Whose image is this and the superscription? They said unto him, Caesar's. Then said he unto them, Render therefore unto Caesar the things which are Caesar's; and unto God the things which are God's." (Matt.22,17ff.) So also in Rom. 13,6.7 the stamp of approval is placed on the system of taxation. "For this cause," namely to make it possible for the government to carry out its function, "pay ye tribute also: for they are God's minister, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; and honour to whom honour."

Besides all the points mentioned, Scripture is very emphatic in this that we are to obey those placed over us. Rom.13,1, "Let every soul be subject to the higher powers." IPeter 2,13-17: "Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the king as supreme; or unto governors, as unto them that are sent by him for the punishment of evildoers, and for the praise of them that do well. For so is the will of God, that with well doing ye may put to silence the ignorance of foolish men: as free, and not using your liberty for a cloak of maliciousness, but as servants of God. Honor all men. Love the brotherhood.

Fear God. Honor the king." This admonition is especially addressed to the Christians. If they being free in Christ are yet to submit themselves to civil authorities it follows that such as are not free must assuredly owe the same obedience. The Christians, however, all the more, for it is the will of God. They should not use their freedom as a cloak of maliciousness and under it become guilty of all manner of disobedience. Rather by their obedience they should put to silence the ignorance of foolish men, who accuse them of an uninterested attitude regarding temporal affairs, and boldly declare that Christianity has proved a failure in coping with the special problems of the times. Their obedience to the ordinances of men, their life in all godliness and honesty, and their respect for all those in authority, should be the answer to such charges. Thereby they will gain the praises of those in authority and to them then the civil government will not be a terror but the agent securing to them peace and order to lead a quiet and decent life in all godliness and honesty.

Regarding civil obedience the Apology states: "Neither does the Gospel bring new laws concerning the civil state, but commands that we obey present laws, whether they have been framed by heathen or by others, and that in this obedience we should exercise love." Apology, Art. XVI. Trig. 331,55.

Yes, obedience is required to all the ordinances of men, but with one exception, namely, when we are ordered to do something which God has forbidden. When the Apostles were ordered to cease preaching in the name of Jesus, they refused to obey the authorities and said, "We ought to obey God rather than men." (Acts 5,19). Other Scriptural examples in this connection are furnished us by Daniel and his companions, and by the believing mid-wives of the Hebrews in Egypt when Pharaoh commanded that all male children

be slain at birth. The history of the Christian church also furnished many examples. The whole roster of the martyrs bears witness to this statement "We ought to obey God rather than men." They knew that men indeed could take their life because of their disobedience, but God gave them the crown of life.

The Augsburg Confession on this point states: "Therefore Christians are necessarily bound to obey their own magistrates and laws, save only when commanded to sin; for then they ought to obey God rather than man, Acts, 5, 19." Trig. 51.

We are not only to obey our magistrates but also to honor them. St. Peter writes to his Christians, "Honor the King." (1 Pet. 1, 17). Some may think that this in some way would detract from the honor due God alone, but this is not the case. God ordered and established the government and we are to honor its representatives as the ministers of God. According to Luther's interpretation of the Fourth Commandment the terms father and mother include all those who are placed above us either in the home, church, or state.

He writes in the Large Catechism, "The same is also to be said of obedience to civil government, which is all embraced in the estate of fatherhood and extends farthest of all relations. For there the father is not one of a single family, but of as many people as he has tenants, citizens, or subjects. For through them, as through parents, God gives us food, house and home, protection and security. Therefore since they bear such a name and title with all honor as their highest dignity, it is our duty to honor them and to esteem them great as the dearest treasure and the most precious jewel upon earth." Trig. 623, 150.

Part III.

Relation between Church and State.  
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From the preceding it is evident that there are two distinct institutions in the world. The nature of each is also different. But since they exist side by side, and since many people are members of both kingdoms, the question at once is raised, in what relation do these two kingdoms stand to each other?

That a clear distinction is made between the two is evident from the words of Christ, when he said, "My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now my kingdom is not from hence. Pilate therefore said unto him, Art thou a king then? Jesus answered, Thou sayest that I am a king. To this end was I born, and for this cause came I into the world, that I should bear witness unto the the truth. Everyone that is of the truth heareth my voice." (John 18,36.37). Thus Christ draws the line of demarcation. He is the king of his own kingdom, but still this kingdom of his is not of the world. It is spiritual and hence defended by different means than temporal kingdoms. He thereby gives Pilate to understand that the Roman government has nothing to fear from him as a rival. His work is not the breaking down of existing governments and setting up his own, but simply to bear witness to the truth. Thus Christ establishes once for all that the Gospel does not dissolve civil government, nor absolve citizens from allegiance to it. The two kingdoms exist side by side without disturbing each other. Christ also indicates this when he said to the Pharisees, "Give unto Caesar the things that are Caesar's, and unto God the things that are God's." (Matt.22,21). He clearly points out that there are some things which belong to civil government, while there are also some which belong only to God. But there is no rebuke regarding this condition. Christ



evidently sanctions it, and limits all things to one of these two spheres. To many people this passage is final regarding the relation <sup>between</sup> Church and State, but on closer examination it <sup>will</sup> be found, that it only indicates that there are certain things which belong to one, <sup>while</sup> while other things belong to the other kingdom. The difficulty arises when we ask, what belongs to Caesar and what to God? In order to answer this question, it will be necessary to contrast the various functions and characteristics of each. Thus by placing these in antithesis to each other the answer will suggest itself, and the discussion of each of these distinguishing marks will draw the line of demarcation all the more clearly.

We know that both are divine institutions and that each has a divinely appointed purpose to fulfil. By the Church or Kingdom of Christ God purposes to save men, wherefore the Church is called the "mother" of all believers. (Gal. 4, 26). Everything which pertains to the salvation of men is in the sphere of the Church. And since salvation is its work, its field of activity is the spiritual. Salvation of men is possible only thru faith in the crucified Saviour. From the fact that salvation of men is its goal, it also follows that this kingdom extends into all eternity. Christ, the head, died on the cross, to gather into one fold all the scattered children of God, and this work he commissioned to his Church. This Church, then, built on the foundation of Christ is as eternal as its cornerstone. While still on earth, the Church militant, its purpose is to gather these scattered people, in order that in all eternity this whole company of saints may glorify God and share his presence for ever. But though the work of the Church is the eternal salvation of men, yet an inevitable result of this is the propagation of morality in the world. As soon as a person has accepted the Gospel invitation, as soon as he is a believer in Christ, then also from this faith a new

life flows. This new life is a striving after perfection, though it is never reached. Thus to the Church is intrusted the spread of morality. Obedience to the moral law is morality; it pertains to the thoughts and intents of the heart, and therefore, in the very nature of the case, lies beyond the reach and power of civil government. To hate is murder, to covet is sin, to think impurely of a woman is adultery; - these are all equally immoral and violations of the moral law, but no civil government seeks to punish them, nor could it do so. Since God is the author of the moral law, since he alone can see into a man's heart and judge when he has transgressed it, so likewise the promotion of morality belongs only to him. And this morality is obedience to the law of God. This is effected only thru faith in Jesus Christ, which it is the purpose of the Church to propagate.

Civil government, on the other hand, deals with the temporal welfare of the people. Thru the State God purposes to maintain external order and peace in the world, "that we may lead a quiet and peaceable life in all godliness and honesty." (I Tim.2,2). From this it follows that only such things belong to its jurisdiction as come under the heading, welfare of the people. To the welfare of the people belongs the suppression of crime, the furtherance of useful occupations, in so far as it affords them protection. These crimes of course are external transgressions of the moral law. Civil government can not punish a man for transgressing this law within his heart, but let these thoughts lead to actions, then the State will punish. Let a man's hatred lead him to lay hands on his neighbor, let his covetousness lead him to take that which does not belong to him, let his impure thoughts lead him to attempt violence to any woman, and the State will punish him. Yet bear in mind that even then the State does not punish him for his

immorality, but for his incivility, for his anti-social manner of life, for his transgression of the law of the land. The immorality lies in the heart, and can be measured by God only. Hence the State can punish no man because he is immoral. If it did, it would have to punish on the true basis of morality: hatred is murder. It can not punish immorality, but it must punish incivility.

Thus we see that the function of each is entirely different even in its very nature. Can then two altogether different institutions with different purposes mingle and merge their interests? It would be presumption on the part of either to assume the function of the other. They are two distinct entities. The one judges on the basis of revelation, and carries out its work thru it, while the other judges on the basis of the moral law written in the hearts of men. The one subjects reason, the other employs it. The purpose of the one is carried out thru the "Spirit of God," the other thru the power of the sword. The one entreats, the other demands. The one is spiritual and eternal, the other physical and temporal. The one judges motives, the other actions. Thus in every way they are different.

Though they are so different, yet the one exists in the other, that is the Church exists in the State. But not vice versa. But since the citizens of the Kingdom of Christ live in the State and are citizens of it also, it follows that there will be some inter-relation. A Christian-citizen or a citizen-Christian will not be able to lead a disparate life. Should he then permit his Christianity to influence him in his civic life? Indeed, but with limitations. For himself his course is clear. He knows what God required of him in his personal life. Thru his life in all godliness and honesty then he should put to silence the ignorance of foolish men. Thru example and teaching he should make his influence felt

on the individual, in order that thereby the other person may be better able to decide between right and wrong. He should bring the Gospel to all people that they might become members of the Kingdom of Christ also, and thus in their personal life may know what God requires of them. But let him not attempt to force his precepts on others thru legislation. "Not by might, nor by power, but by my Spirit, saith the Lord of Hosts." (Sach.4,6).

Another question which arises in this connection is <sup>- and</sup> of importance namely, suppose a law were pending which permitted something which God in his word has forbidden, and a Christian were called upon to cast his vote regarding it, what should he do? Should he disregard the word of God, or should he disregard the reasons which called forth such a law? If that were the alternative, then there would be only one course of action, but such is not the case. As a legislator he is to use his reason and judge what is essential for the welfare of the people. If conditions require it and he thinks it advisable, he should vote for such a law. We have an example in the divorce laws permitted by Moses to the Jews. Divorces were granted by it to such as were not entitled to them by the higher morality. The peace and order of the nation required such a law. In the same manner the Christian legislator must use his reason and judgement in such matters. He cannot impose by force his own or rather Scriptural <sup>- and</sup> teaching on such as do not accept it. But when the State permits what God has not permitted or even prohibited, then a Christian may not appeal to the law of the State in defence of his action before God. No State law can annul the law of God; it retains its validity. In the same manner God's moral law remaind effective and the punishment of transgressions will be carried out. When a State passes a law in plain contradiction of God's law, it will be held accountable and the punishment will be visited on such a nation.

A pertinent illustration is the divorce question. When the State grants a divorce for any and every reason, the family life of that nation is shaken to its very foundations. But on this family life the nation rests for its well being. Again, here the Christian can render an inestimable service to the State by upholding the sanctity of marriage in his personal life, and thus in a measure mitigate the evil resulting from such legislation. Thus in every question of this nature, the Christians are as leaven in the State, exercising their Christianity, thereby shaming others into a more decent and honest life. In that manner the Church is to serve the State.

The State also may render a service to the Church. It would be unthinkable to suppose that in no manner the State could help the Church. Regarding the Church the prophet Isaiah wrote, "And kings shall be thy nursing fathers, and their queens they nursing mothers." (49,23). But its service is limited to its purpose. When the State preserves peace and quiet in the land, then it renders an important service to the Church. The external weal and woe of the Church depends on the conditions of the times. Insecurity of life and property reduces the citizens to poverty. This affects the Church, for it depends on funds to carry out its program of mission work. Of course it is to be understood, that these economic conditions in no way effect the power of the Word of God or of His Spirit, but still they exert a depressing influence over the Christians. The State, then, serves the Church when it fulfills its purpose of maintaining peace and order in society that all legitimate occupations may prosper. Besides this, the State may also afford the Church protection from all disturbances. In our country this is done. The Church is recognized as a corporation and as such is entitled to all the legal protection of any other

corporation. This protection makes it possible for the congregations to meet in an orderly fashion and conduct their services unmolested.

Our country further helps the Church in this that it recognizes it as a factor for good. Zollman offers a quotation stating it is the policy of government "to encourage, foster, and protect corporate institutions of religious and literary character because the religious, moral, and intellectual culture afforded by them are deemed, as they are in fact, beneficial to the public, necessary to the advancement of civilization, and promotion of the welfare of society." (American Civil Church Law, pp.29). For this reason/<sup>the</sup> government grants to all churches tax exemption and recognizes the right of each one to form a corporation. But if the State were to attempt to force people to attend public worship, or to support the churches, or to teach religion, then it would be decidedly out of its sphere of activity. The accusation is raised that our government is dealing with religions problems when it passes laws regarding blasphemy, Mormon legislation, Sunday legisla<sup>tion,</sup> etc., but let it be noted that these laws are not passed because the Word of God prohibits such actions as the law restrains, but simply because the peace and well being of the community demands that these laws be enacted. Since the State recognizes the Church as a corporation, it must protect it from such influences as would disturb it, and since, generally speaking, the Christian religion is the popular religion of the majority of the citizens, the State prohibits any one from public blaspheming. If this law were not passed any infidel might publicly utter such language as would amount to a direct insult to many of the citizens and thus endanger the peace of the community. In the same manner other legislation of a similar nature is to be defended. The State is within its rights and duty when it passes such laws. There is no infringement

on the duty or sphere of the Church. The State serves the Church well, therefore, when it permits it to carry out its functions without molestation.

But it is to be noted that in certain instances there is a seeming mixing of Church and State. For instance, the State requires a person to take an oath when giving testimony before a court, and in other instances, There the State apparently recognized officially the existence and being of God. Is that within its sphere? Let it be noted that the State requires an oath from its citizens in order to bind them morally to tell the truth. The oath is thus an appeal to the highest recognized authority. And since most of the citizens believe in a Supreme Being, the oath is required in all courts. There is an exception to be noted, however. Some States do not require an oath if you conscientiously object to the same. They simply ask you to solemnly affirm that you will speak the truth. Thus the State does not officially recognize God, but its purpose is simply to bind you morally to the highest authority recognized by you. Then also the minister of the Gospel is in some respects made an officer of the State. He is permitted to solemnize marriages, to keep records, etc. The State simply delegates to him these powers because of his position in the community.

We come to more debateable ground when we consider the chaplains in the legislature, in the army and navy, and other governmental functions. The fact that such chaplains are employed seems to indicate that it is felt that God must be appealed to in order that he <sup>might</sup> will bless the proceedings. As individual citizens such assistance should be sought, but as a nation it is doubtful.

Thus we see that each institution has its won sphere of activity and purpose, and in these no relation can exist. But still each serves the other in its own manner. Hence we can speak

of an absolute separation between Church and State. This applies to its purpose, and its weapons of warfare. But still at the same time we must recognize the fact that a certain inter-relation exists, because the Church exists in the State and many people are members of both, and hence will be influenced in their lives as citizens of the State by their Christianity. Because of this condition, the problem is important, for the bounds of either are easily lost sight of. When that happens then the one will dominate over the other, and the blessed heritage of religious liberty will soon be lost.