

**REJECTIONS OF MOSAIC CIVIL LAW
BY THE MAGISTERIAL REFORMERS, 1520–1536**

by

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SYNOPSIS

No name seems to have been associated with more systematic criticism in regard to political and social thought during the magisterial Reformation than that of the Old Testament lawgiver, Moses. Beginning early in the Reformation era, rejections of the need for Mosaic judicial laws are varied, broad, and explicit. In some cases, such as Luther's and Melanchthon's attacks on Andreas Karlstadt, alleged proponents of Mosaic civil law are given by name. In other cases they are anonymous. But what is less clear is whether anyone actually held the views attributed. After a review of literature of Melanchthon, Jacob Strauss, Karlstadt, Zwingli, Thomas Müntzer, the peasants of the Peasant War (1524–5), Luther, the Anabaptists of Münster, Calvin, and others, it is confirmed that none of the implicated writers between key dates of 1520 and 1536 actually held the view of exclusive Mosaic Law attributed, particularly by Calvin. Other motivations must have been involved in the accusations. An analysis of literature from Luther and Calvin as well as the historical background of the period makes it clear that social, political, and economic pressures influenced the magisterial reformers in regard to crucial theological expressions in which they strongly rejected the need for Mosaic civil law in society. The reformers in question restrained or altered their expressions according to the pressures of external circumstances—most importantly war and rebellion spurred by so-called “radical” reformers. As alleged theological positions were weaved with reports and denunciations of violence, Mosaic Law emerged as an allegedly dangerous ideological force, the accusation of which could marginalize opponents. In this crucible of history, in which the long shadows of rebellion and war were cast over Mosaic Law during the mid-1520s and mid-1530s, we find both Luther and Calvin (among others) writing their most vehement denunciations of Mosaic Law.

Particularly, we find young Calvin, exiled, sitting down to write his denunciation of “some” who rejected the validity of a commonwealth unless it relied exclusively upon Mosaic civil polity. Luther, Calvin, and others thus warned against applying Moses in the civil realm and linked his laws with sedition and rebellion (even though the association was not accurate in any given case) mainly for their own utilitarian causes. Both Calvin and Luther subsequently employ the doctrine of two kingdoms in distancing themselves and their movements from the need for Mosaic laws in the civil realm, as well as to impede opponents who would use civil power to enforce reforms contrary to them, and yet both act inconsistently when enforcement of the first table of the Decalogue would favor their own reforms. As well, both go on to advance and approve of non-biblical civil laws more invasive and extensive than Mosaic polity would have allowed—including the execution of Anabaptists—all the while denouncing alleged proponents of Moses as dangerous, seditious, barbaric, murderous, and bloodthirsty.

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1. INTRODUCTION

From Luther's "We don't want to see or hear Moses" (1967b:170) to Calvin's 1536 rejection of exclusive Mosaic civil polity as "foolish" and "seditious" (1986:215), no person seems to have drawn more systematic criticism in regard to the political and social thought of the magisterial Reformation¹ as the Old Testament lawgiver, Moses. Rejections of the need for Mosaic judicial laws, beginning early in the Reformation era, are varied, broad, and explicit. In some cases, such as Luther's and Melanchthon's attacks on Andreas Karlstadt (as we shall see), alleged proponents of Mosaic civil law are given by name. In other cases, such as Calvin's denunciation cited above, they are anonymous. In all cases, however, it is not obvious whether anyone—named or not—actually held the view attributed.

This situation leaves us to review certain questions: 1) during the period from early in the Reformation until the time Calvin wrote against Mosaic civil law, was there *any significant figure* who truly advocated imposing Mosaic civil law as the exclusive civil polity of the land? If not, 2) were these various accusations *exaggerated* (or even fabricated), and if so, why? More generally, 3) *why* did the most influential of the magisterial reformers—Luther, Melanchthon, Calvin—write so strongly in rejection of Mosaic civil polity, at least in the forums in which they alleged that their targeted opponents held that position?

¹ Throughout this study, "magisterial Reformation" and "magisterial Reformers" refer to, as MacCulloch puts it, "the movement of the 'masters' like Luther, Zwingli, Bucer, Calvin or Cranmer, who worked for the reconstruction of Christendom in alliance with the secular magistrates of Europe" (2003:144). This group excludes those often termed "radical" reformers, who neglected or dismissed the ideal of Christendom in general, refused alliances with the secular magistrates, or both. The distinction is useful but cannot be applied universally with strictness: some of the persons we will cover, for example Karlstadt and Jacob Strauss, would likely have accepted alliances as well as the ideal of Christendom and yet bear some of the most serious indictments we shall see. Indeed, Thomas Müntzer would solicit an alliance with the secular magistrates for his social and legal revolution, yet, due to his revolutionary violence (perhaps among other things), he is not considered a magisterial Reformer, but rather is often classified among the "radical" Reformers.

1.1 HYPOTHESIS

This study hypothesizes that social, political, and economic pressures influenced the magisterial reformers in regard to crucial theological expressions in which they strongly rejected the need for Mosaic civil law in society.

The hypothesis begins by noting that the first question above must be answered in the negative: none of the writers implicated by name or otherwise during the period in question (1520–1536) actually held the view that rulers should govern according to Mosaic judicial law and not according to non-Mosaic legal sources, for example, the common law of nations. If this conclusion holds true after a review of both primary and secondary literature, the hypothesis leaves us to examine what motivated a degree of anti-Mosaic rhetoric incommensurate with the actual positions of those accused. As we shall see, the reformers in question restrained or altered their expressions according to the pressures of external circumstances—most importantly, war and rebellion spurred by so-called “radical” reformers. As alleged theological positions were weaved with reports and denunciations of violence, Mosaic Law emerged as a dangerous ideological force that was to be shunned.

1.1.1 Historical setting of the problem

It must be acknowledged from the outset that the issue of the application of Mosaic Law during the Reformation did not arise in a historical vacuum—neither theologically nor socio-politically. For example, Luther’s fiercest denunciations of Moses came in the midst of the Peasants’ War of 1524–1525.² During this time, his refutations of Karlstadt, Thomas Müntzer, and the peasants each employed his already-developed views of natural law and the two kingdoms and absolved the temporal powers of any

² Also herein as “Peasants’ Rebellion” or “Peasant Revolt”, et al.

requirement to obey Moses in legislating and judging. In the process of his writings, the characters and their respective beliefs were blurred—particularly as the turbulent events and Luther’s publications coincided within a few short months—between Karlstadt’s selective appeals to Mosaic Law, Müntzer’s prophetic millenarianism, the peasants’ eruption into violence, and streams of theological mysticism and charisma which flowed throughout the beliefs of each of these individuals and groups, although to differing degrees. Luther leveraged the violence to his rhetorical advantage and implicated Karlstadt’s readiness to impose Moses in society as an expression of a “murderous spirit.” In 1525, Luther wrote,

Now then, let us get to the bottom of it all and say these teachers of sin and Mosaic prophets are not to confuse us with Moses. We don’t want to see or hear Moses. How do you like that, my dear rebels? We say further, that all such Mosaic teachers deny the gospel, banish Christ, and annul the whole New Testament. For Moses is given to the Jewish people alone, and does not concern us Gentiles and Christians. We have our gospel and New Testament.

(1967b:170)

Once the Revolt had run its course, buildings lay ruined, towns plundered, and roughly 100,000 peasants were dead (Ozment 1980:284; Lindberg 1996:165). As a result, civil authorities grew ever more sensitive to any talk of civil reform to be led at the level of the masses, and likewise to any religious expression that could be perceived as challenging their legitimacy or power. In regard to such religious expression, as far as Luther’s large retinue would know from his writings, those who would “confuse us with Moses” deserved a large portion of the blame. At least as early as 1522 for Luther personally, and certainly by 1525 among the “Lutheran”

circles, the mould for blaming Moses was already in place. Any future appeals to the validity of Moses in the public square would have to overcome the stigma of the Peasants' War, Karlstadt's alleged errors, and the implicit association of Moses with sedition and tragedy.

The intensity and fallout of that association would only escalate a decade later when more mystical visionaries gained ascendancy in the northern German city of Münster. Disciples of the same tradition of charismatic prophesying that had inspired the earlier rebellion called for likeminded disciples to come join the institution of the Kingdom of God on earth, the New Jerusalem, and under that name instituted a bizarre system of laws involving communism,³ polygamy, and a series of arbitrary death penalties and other punishments. The carnival eventually led to a siege of the city, mass starvation, and a final holocaust in 1535. That the Münsterite leaders called their kingdom a New Jerusalem certainly invited the old association of Mosaic Law and rebellion, and the association spread once again.

This second round of upheaval featured reaction much less from Luther than from a young John Calvin. The cataclysm at Münster boiled to a head in the spring of 1534 and overflowed in June 1535. During this frightful interlude, its oddities and atrocities provided a constant stream of international news concerning the "New Jerusalem." Moses was thus implicated again. We know that Calvin fled persecution in France and settled in Basel during this same period. In Basel, he would compose his first edition of *Christianae Religionis Institutio* (*Institutes of the Christian Religion*) which he would publish the following year, 1536. That edition was prefaced by

³ "Communism" throughout this study will refer generally to a State-enforced or more generally civil-government-enforced system of communal property in which individual private property ownership is abolished. This is as opposed to specific applications of communistic theory (i.e. Marxism), as well as purely voluntary associations involving communal ownership which may be called "communitarian."

Calvin's letter to King Francis I, who had recently begun persecuting and executing French evangelicals as seditious agents threatening the social order. Calvin's 1536 edition also contained an anonymously directed but vehement denunciation of Mosaic civil polity, and thus the whole work reads as an apologetic pleading with King Francis I not to treat French evangelicals like the "seditious" and "foolish" Anabaptists that had elsewhere caused all of the civil unrest. Calvin's translator, Ford Lewis Battles, notes that as "the tragic events of Münster" climaxed, Calvin and his French evangelical colleagues felt "the need to dissociate themselves, theologically and politically, from more radical forces of reform," especially "to their own monarch and his advisors" (1986:xl). Calvin's rejection of the need for Moses in his *Institutes* offered a more-than-adequate dissociation of that very kind:

I would have passed over this matter in utter silence if I were not aware that here many dangerously go astray. For there are some who deny that a commonwealth is duly framed which, neglecting the political system of Moses, is ruled by the common laws of nations. Let other men consider how perilous and seditious this notion is; it will be enough for me to have proved it false and foolish.

(1986:215)

Could this particular stance of Calvin's have had some relation to the fear aroused in regard to Mosaic Law by the social and political climate, which was most recently exacerbated by the events in the "New Jerusalem" of Münster? If not, what else led young Calvin to implicate "the political system of Moses" particularly with "peril" and "sedition"? Could he have had in mind the decade-old events associated with Karlstadt or Thomas Müntzer or the Peasant Rebellion? While some modern scholars admit to something of a social pressure upon the French evangelicals due to

Münster, few attempt any detailed study of the association between Moses and Münster, Moses and the Anabaptists, or Calvin's nameless opponents ("there are some. . .") in regard to Mosaic civil polity. Yet Luther, Calvin, and others saw the need to warn against applying Moses in the civil realm and to link his laws with sedition and rebellion.

1.1.2 Review of relevant modern scholarship

Some scholars have claimed to have found Mosaic teachers such as described by Calvin. For example, Ford Lewis Battles declared that in Calvin's rejection of Mosaic polity, the Genevan teacher opposed such contemporaries as "Jacob Strauss, Andreas Carlstadt, and others" (1986:lix). These alleged Mosaic teachers, Battles says, "had proposed substituting the *entire Mosaic code* of the Old Testament for the civil laws of the European nations" (1986:lix, emphasis added). A slight problem arises here, as we shall see: the evidence does not support this claim. As this study will demonstrate, the available and time-relevant primary sources for both Karlstadt and Strauss do not reveal anything close to substantiating the view of "substituting the entire Mosaic code for the civil laws of European nations." While Battles superbly constructs the history behind Calvin's writing of the *Institutes*, he errs on this point. Neither Strauss nor Karlstadt assume to institute such a Mosaic theocracy or anything near it.

Even a quick review of Battles' references illustrates this fact. In his "Endnotes" to Calvin's anti-Mosaic comments, Battles (1986:333) provides a series of citations in regard to Mosaic civil polity. He cites Melanchthon in three places: once in regard to his own views in his *Loci Communes* (1962:126), then twice in accusation against Karlstadt for holding an exclusive Mosaic view (from Melanchthon's *Commentary on*

Aristotle's Politics Part 3, 1530, and from his *Defense of the Augsburg Confession*, 1531). Battles gets the reference to Melanchthon on Aristotle from the Czech philosopher Josef Bohatec (1937:14) who also provides him with a passing reference to Thomas Müntzer. Battles then finds two previous editors of Calvin's works—Peter Barth and Wilhelm Niesel (Calvin 1962)—who themselves cite Melanchthon (the same citations—it appears Battles may have gotten his other references to Melanchthon from here), and also provide references to Thomas Aquinas (a topical reference only) and an encyclopedia article about the radical Lutheran preacher Jacob Strauss (Battles 1986:333). This study, however, will demonstrate that, despite the list of references and the impressive amount of labor required to find them, not one of these references supports either Battles' "entire Mosaic code" claim or Calvin's "political system of Moses" description.

Battles, with his few references, stand pretty much alone among scholars in actually trying to *document* exactly whom Calvin was refuting. Most other modern commentators on Calvin interact with this passage of Calvin with differing degrees of presumption. Some have chosen to present his claim "as is" without exploring the issue of the anonymous culprits or indeed whether any genuine culprit actually existed, though in some cases one must consider the limited scopes of their respective works (VanDrunen 2010:110; Hall 2008:419; Avis 1975:164). Another contents himself with a generality, writing in reference to Calvin's rejection of Mosaic polity that Calvin's "sharpest rebukes toward appeals to the Old Testament civil law for modern states were directed toward the radical Anabaptists" (Horton 2009a). We are left to wonder to whom this phrase "radical Anabaptists" refers exactly. After all, the magisterial reformers (Luther, Calvin, and others) as well as nearly all of the civil authorities of the period treated *all* Anabaptists as "radical," just as Catholic

polemicists treated all reformers under the term “Lutheranism” (Battles 1986:xxxix). Today, the phrase “radical Anabaptist” tends to be reserved for those Anabaptists associated with violent revolution, such as those who turned Münster upside down, as opposed to the peaceful Anabaptists following Menno Simmons, etc. For example, Horton (2009a) finds it enough to leverage Calvin’s rhetoric of “sedition” and “foolish” without defining exactly whom he addressed.

Problems arise with either of these practices—that is, either leaving Calvin’s opponent unnamed or adopting uncritical generalities. In the latter case, the scholar risks skewing the story and thus perverting any subsequent facts or interpretations of history or doctrine that depend upon that story. In the former case, the scholar assumes the identification of a real source moot, unimportant, or well-established, and these assumptions can have consequences. Sometimes, where the scope of a work does not require much depth, such an assumption will have little effect. But in most cases, it ignores the possibility that Calvin manufactured the argument upon exaggerated terms or was working under particular pressures or in response to certain stimuli, and thus such cases ignore the possible influences of such pressures. In all cases, scholars run the risk of misleading themselves while trying to understand Calvin, and of misleading readers and prospective students about Calvin, and thus the Reformation and even possibly Reformed heritage in general. It is the goal of this study to supply the detailed inquiry so often lacking in former efforts, and to provide both an assessment of that inquiry about Calvin’s opponent and at least some of Calvin’s motivation in regard to Mosaic Law in the civil sphere.

Only one scholar, Avis (1975), appears to have published anything like a detailed study of how different reformers treated Mosaic Law, so he provides an

obvious starting point for inquiry. In his article, “Moses and the Magistrate,” he mentions Karlstadt, Müntzer, and Strauss as being interested in applying Mosaic Law in the civil realm, but this comes only in passing and he recognizes qualifications in some cases. This study shall assess each in greater detail. After these figures, however, Avis arrives at a strong conclusion: “The most extreme and explicit manifestation of Old Testament spirit and forms was in the city of Münster” which culminated “the continental judaising [*sic*] movement” (1975:165). With such a strong lead from the only thorough scholarly review of the issue, this thesis will also provide an analysis of the theological, legal, and social situation in that scene, and the subsequent scholarship pertaining to it.

1.1.3 Moses in the shadow of Münster

Sure enough, references relating Münster and Mosaic Law appear numerous. They abound especially among nineteenth-century historians. A typical example appears in the Baptist historian J. M. Cramp’s *Baptist History* (1868). Following the enlightenment historian Leopold von Ranke (d. 1886), a Lutheran, Cramp concluded that the Münsterite leader Jan Beukels presented himself as a “new Moses”, and that his elders’ new legal code drew “chiefly from the books of Moses” (1868:238). When dealing with the same issue within the tradition of their own Reformation, English churchmen have pointed directly to Münster. Bishop E. Harold Browne, writing in 1865, expounds,

As regards the belief that Christian commonwealths ought to be regulated after the model of the Jewish polity and according to the civil precepts of the old Testament, it seems likely that the Anabaptists of Munster, who seized on that

city and set up a religious commonwealth among themselves, endeavored to conform their regulations in great measure to the laws of the Jewish economy.

(1865:196)

About three decades later, Bishop E. C. S. Gibson (1904) presented the same conclusion. He asserts that the cataclysm in that Westphalian city resulted when the radicals “insisted that the whole civil and ceremonial law was still a matter of divine obligation for Christians” (1904:282). The Anabaptists, Gibson insists, “set up what can only be called a parody of the Jewish commonwealth” (1904:282).

But lest we mistake this for a nineteenth-century phenomenon, modern scholarship raises the same chorus. For example, B. S. Capp notes,

In 1534 the Anabaptists of Münster drew up a legal code which restored the capital offences of the Bible, such as blasphemy, adultery and disobedience to parents, as well as imposing death for theft, begging, and even greed. The radical German reformers Müntzer and Carlstadt were in favor of restoring the judicial laws.

(Jordan 1978–9:25)

This same conception echoes today as the host of a popular Reformation-themed broadcast (and professor at a Reformed seminary) asserts that appeals to the law of Moses approach “the radical Anabaptism of Thomas Müntzer, John of Leiden [leader of Münster], and others at the time of the Reformation” (Horton 2009b). Likewise, Godfrey (1990) believes that “Calvin’s strong words” rejecting the need for Mosaic Law “may have been inspired in part by the radical, violent Anabaptist theocracy at Münster (1534–1535)” (1990:302).

It is clear that much focus has fallen on Münster for this issue of Mosaic civil law. An examination of Münster must, therefore, take a prominent role in this study. The pursuit of the hypothesis will reach a turning point here, however, as we discover the same lack of substance behind the accusation of Moses and Münster as in other figures and places. Something of a climax will be reached when we realize that while the substance is not there, the popular association of Moses and violent sedition was widespread. Here we begin to inquire and discover the socio-political pressures that placed a political stigma upon Mosaic Law, including the justification of persecuting Reformed Christians for “sedition”. In this crucible of persecution, with Münster’s long shadow cast—falsely cast, but cast nonetheless—over Moses in 1535, we will find young Calvin, exiled, sitting down to write his denunciation of “some” who required Mosaic civil polity.

1.2 METHODOLOGY

1.2.1 Review of literature

This study will begin testing its hypothesis based upon a review of both primary and secondary literature compared against the criteria taken from Calvin’s description of would-be Mosaic theocrats in his audience’s midst. This will tell us if any significant figure from the period actually held the view Calvin attributed and from which he distanced himself.

To develop a list of theological suspects, we will consider the references found in both primary and secondary sources. Without a doubt, we must examine both those explicitly implicated, as well as the most prominent figures in the era. Thus, we must consider the writings and positions of Melanchthon, Luther, Huldreich Zwingli,

and John Calvin. We will also want to include other less prominent but possible suspects as well.

We have already noted that Battles (1986) implicated Melanchthon in this regard. Since Melanchthon provides the foundational systematic theology of the Reformation with his *Loci Communes* (1521), in which he does consider Mosaic Law, we will place his work at the head of our review. While Melanchthon is openly implicated, we will learn very quickly that, not only does he not fit Calvin's description, he actually provides perhaps the strongest contemporary indictment of an alleged Mosaic theocrat: on more than one occasion he accuses his colleague Andreas Karlstadt of desiring to impose Mosaic Law on society and to abandon existing civil laws. This description is almost identical to Calvin's description and thus makes a review of Karlstadt's position imperative. Melanchthon is thus less of a suspect than a material witness.

At this point, the chronologies of implicated figures already begin to overlap, and thus the order of examination of important figures is based upon convenience of space, if anything. We have seen Battles (1986) name both Karlstadt and Jacob Strauss. Both of these were close to Melanchthon during the same relevant era of their writings (1522–1525). Although Karlstadt was much closer, his greater prominence, protracted battle with Luther, and much larger remaining output demands that he be treated in his own chapter. Thus we will review that reformer's most *relevant* works.⁴

⁴ A review of the entirety of Karlstadt's literature lies beyond the scope of this Thesis. An exhaustive review would entail far more extensive reading of primary and secondary literature, and subsequently more than a Thesis devoted just to that task. Thankfully, the most era-relevant works of Karlstadt have been translated into English (see Furcha 1995), as have some very helpful secondary works (Pater

With Strauss we find a figure strongly implicated for allegedly imposing all of Mosaic Law. His relevant literature is scarce—indeed limited to one list of theses on “Unchristian Usury” covering only a few pages—but a review of this is highly important. As far as has been seen during this study, this is the first time any of his theses on usury have been brought into English from the sixteenth-century German. It appears that this is the only study to have considered what Strauss actually wrote, as well as the context in which he wrote it, and the goal at which he aimed. Despite the confident claims of Battles (1986) and Williams (1957), the review here makes clear that Strauss cannot be considered as Calvin’s culprit.

It would not be fitting to leave this era without exploring the relevant doctrine of Huldreich Zwingli, the most prominent Swiss reformer of the 1520s. Much of Zwingli’s literature has come into English (1984a; 1984b) and thus a thorough enough review is possible. We will find little allegiance to Mosaic civil polity in Zwingli, however, but as with Melancthon, a strong dedication to classical Humanism. He does, however, open up a category of “divine law” which is apparent also in some of the Anabaptists of his time. We include a review of these figures and concepts in the same chapter for their congruity in time and place.

We cannot ignore the fact that scholars like Avis (1975) and Battles (1986) have mentioned not only Karlstadt but also Thomas Müntzer prominently: Müntzer surfaces frequently in the secondary literature and thus demands a separate line of inquiry. This study examines the most prominent of his works—his Sermon before the Princes, as well as some of his correspondence. We are also able to glean from

1984). There remains at least one very relevant and important secondary source still in German (Bubenheimer 1977) which deals specifically with Karlstadt’s view of law. We have done due diligence here as with Strauss’s theses on usury, laborious as the translation exercises have been.

secondary sources—including a couple of highly specialized doctoral-level studies—various relevant artifacts. There is more than enough to provide a review of literature that disqualifies Müntzer from Calvin’s description, although he comes closer in at least one point than perhaps any of the other figures we will cover.

While not properly subject to this specific criticism of Calvin’s, Müntzer would no doubt have fallen under Calvin’s general condemnation as an instigator and leader of the Peasant Revolt. It is during this era that Luther’s condemnations of Karlstadt, the peasants, Müntzer, and Moses all reach their most extreme expression. Before leaving the 1520s, therefore, we must review Luther’s interactions with these events and figures as much as possible. The review of literature here covers both Luther’s most important relevant works as well as several secondary sources which address the social and historical pressures at work on Luther personally. We highlight as well Luther’s duplicitous behavior in relation to Moses in general and the Peasants’ cause specifically. We also include a review of Luther’s development and application of his two kingdoms doctrine within this situation. We will note that in some instances—for example, his stance toward the peasants—the two kingdoms doctrine was something he applied inconsistently in such a way as always to favor his own circumstances.

Throughout this review of literature, the defining statement by which we will test each suspect’s position will be Calvin’s denunciation of Mosaic polity in his 1536 *Institutes*. We employ this for two reasons. First, Calvin’s statement gives a clear, detailed, and definitive description from which to work. He claimed that “there are some who deny that a commonwealth is duly framed which, neglecting the political system of Moses, is ruled by the common laws of nations” (1986:215). Thus we will be looking in each case at whether the subject fulfills these major points: 1) calls for

the whole political system of Moses, 2) rejects the common laws of nations, and 3) rejects the validity of a civil government in which either of the first two points is not honored. Thus, for example, it will not be enough to find any given subject calling for selective applications—especially in narrow degrees or subjects—of one or two points of Mosaic Law. Nor will it suffice to find someone who personally prefers Mosaic Law but will rest content with natural law or common law if need be, or any such mixture at all. Calvin was very specific and very strict in what he said, and this study shall attempt to be just as demanding in its standard of analysis.

Second, Calvin’s description also helps us determine a strict time frame. Its appearance relatively early in the Reformation in 1536 (written really in 1535, as we shall see) means that this study will focus on the subjects within that chronological window relevant to Calvin’s anti-Mosaic hindsight. This gives a firm limit of 1536 on the upper end. The earlier bound will be less definite, although certain limitations help us here as well. Melanchthon, who as we have seen has been referenced on this topic, writes his earliest referenced work in 1521. Given that Luther’s relevant publications, as well as those of the others we will cover, come after this date, there is no need to go much earlier than that. While Luther did “begin” the Reformation with his posting of the 95 theses in 1517, there do not seem to be any relevant publications on Mosaic Law and civil polity by any of the magisterial reformers of that era before Melanchthon’s statements in 1521. To cover this important date we will simply set 1520 as our lower limit. Thus, our relevant window will cover the period 1520–1536. This second feature of Calvin’s description means that we will not need to address writers such as Theodore Beza, Pierre Viret, Martin Bucer, or Heinrich Bullinger, all of whose relevant works (or even whose works in general, in some cases) appear only after 1536. Even if any of these works may address the topic at

hand directly, if they did not exist before Calvin wrote, they could not have influenced this particular expression of his. In short, Calvin's unnamed opponents were of contemporary concern (at least for him), and if these opponents were real, they absolutely had to have stated their position before 1536, and almost certainly would have done so after 1520. At any rate, the position itself had arisen as a concern for Calvin himself specifically within this historical window.

Only with these controls in place will this study proceed to examine primary sources regarding rejections of Mosaic civil polity by the magisterial reformers, 1520–1536, as judged by Calvin's own criteria.

1.2.2 Socio-political historical analysis

If, on the one hand, we find anyone holding the view Calvin described, we will likely have found his anonymous opponent. All that would be left to do at that point would be to show some likelihood that Calvin knew of and was responding to that source and the part of our hypothesis which posits that no contemporary actually held the view Calvin describes would be substantially weakened if not refuted. If the position is found to be held by either a prominent individual or a large enough group, the added status and notoriety of the source would lead us to conclude with virtual certainty that our hypothesis is refuted and must be abandoned.

On the other hand, however, if—as we suspect—we find no major or influential figure or group holding the position Calvin describes, then the hypothesis stands and must move to its second phase: determining why Calvin wrote as he did, and, more generally, why the idea of the necessary institution of Moses in the public square was

so vehemently rejected by these magisterial reformers (and by many of the minor and even radical figures as well, for that matter).

This second phase requires an analysis of socio-political contexts. These inquiries will begin in chapter 6 during the review of literature with Luther, continue throughout the discussion of the history, hermeneutics, and theology of Münster, during which time we finally arrive at the setting within which Calvin wrote his 1536 *Institutes*, including the widespread effects upon public perception of the fallout from the Münster cataclysm. These effects include various associations of Bible, biblical law, reformation, radicalism, and sedition—a collage of perceptions which the magisterial reformers would have to exploit in order to distance their reform movement from the violent revolutions of Münster, as well as of the previous decade with Müntzer and the peasants. We find further evidence of this motivation in Calvin particularly, not only in the obvious historical setting and chronology of events, but in Calvin's own words later in his life as he looked back upon his painful exile in Basel during 1535–6.

Considering at this point what had to have been profound pressure and influences upon both Luther and Calvin in their respective spheres, this study is able not only to solidify its hypothesis, but to provide a brief analysis of that tool by which Luther and Calvin both were able to distance themselves—when necessary or convenient—from the requirement to apply Mosaic Law to the civil sphere. That tool, namely the doctrine of the two kingdoms, had a number of consequences which the study illustrates in chapter 10.

Only after proceeding through the end of both the primary literary review, in which we examine the beliefs of all the major and minor suspected advocates of exclusive Mosaic polity, and the consequent analysis of the socio-political setting, can this study argue that the hypothesis is sustained: no one held the position Calvin describes, and the socio-political setting in which the magisterial reformers wrote significantly influenced their expressions in regard to Moses and Mosaic Law, leading them at critical junctures to express open disdain for and rejection of that system. This is especially true of Calvin, though also of Luther and his circle as well.

Toward this end, then, the following chapter will open the first literary inquiry regarding whom Calvin specifically intended to oppose with the anti-Mosaic passage in his 1536 *Institutes* (1986:215). With the standard and timeframe already discussed in mind, we will begin with Luther's colleague in Wittenberg, Philip Melanchthon.

2. MELANCHTHON AND THE RADICAL LUTHERANS

2.1 NOT-SO-GENTLE PHILIP

Early in the reformation, in 1521, Luther's friend and colleague Philip Melanchthon published his work *Loci communes rerum theologicarum seu Hypotyposes theologicae* (literally "Common Places of Theological Things or Outlines of Theology"). This work "laid the foundations of a new systematic theology—one which fully reflected the basic theological doctrines espoused by Luther" (Berman 2003:111). Melanchthon not only systematized Luther's content, but also provided a new "topical" method (thus *Loci*) which was "applicable also to other branches of knowledge, including not only philosophy of law but also the science or method of law" (Berman 2003:111). His *Loci* gave noticeable space dealing with law, including civil law, and provided several subheadings under which law should be analyzed—natural, divine, human, and then civil, ecclesiastical, etc. Melanchthon along with other Lutheran theologians would later play a central role in writing new princely ordinances for German principalities, thus building on the foundation of principles he had laid (see Berman 2003:7–8).

Berman (2003:7–8, 81–4, 113) determines that Melanchthon desired civil magistrates to rule according to the Decalogue. This on its surface would bring Melanchthon under suspicion of Calvin's censure. But Berman's masterful work finds substantial qualification in Melanchthon's writings, particularly the foundational *Loci*. Whatever else he would later say about following or applying the Decalogue, it could only come in the shadow of his foundational principle of its complete abrogation, where he says, "That part of the law called the Decalogue or the moral commandments has been abrogated by the New Testament" (Melanchthon 1969:121). He is strictly categorical about this principle. To those who would argue

that the New Testament abrogates only the ceremonial aspects of Moses, Melanchthon argues essentially *ad absurdum*:

No, that would be a very cheap sort of Christian freedom, more like slavery, if it should take away only the ceremonies, for this is the part of the law which is easiest to keep. For who could not slay a flock of sheep with less trouble than it would take to curb his anger, love, or other passions? It must be said, therefore, that *the Decalogue also has been abrogated*.

(1969:121, emphasis added)

Melanchthon's formulation of the law in general therefore parallels Luther's: the whole of the law of Moses was abrogated, including the Decalogue.

Yet at the same time, however, Melanchthon could allow the use of Mosaic Law as long as it complied with a free Christian conscience. He says that "those in whom Christ's Spirit dwells are entirely free from all law," and, "So this freedom is the freedom of a conscience which perceives by faith that sin is forgiven" (1969:126, 127). This Christian freedom pertains to the entirety of the law, including the Mosaic judicial codes: "A free spirit can either use them or not use them, as he pleases" (1969:128). This applies also to magistrates: "it is in the power of the judge to use or not to use the Mosaic law" (1969:128). Thus, in acknowledging that the law neither bound nor obligated the Christian magistrate, he allowed that Christians, in their Christian freedom, *may* follow the judicial (and even the ceremonial) laws of Moses if they so choose. He writes further to this effect, "Therefore, let what we have said stand, that judicial or ceremonial laws have not been so abrogated that one sins if he acts according to any one of them" (Melanchthon 1969:126). And since society

requires that some civil laws be written, it would be preferable to use civil laws revealed by God than those of pagans. As he writes:

As for the rest, I should like Christians to use that kind of judicial code which Moses laid down and many of the ceremonial laws as well. For since in this life we *have to have* judicial laws, and, it seems to me, ceremonial ones, it would be better to use those given by Moses than either the Gentile laws or papal ceremonies.

(Melanchthon 1969:126; see Battles 1986:333; emphasis added)

Nevertheless, Melanchthon expressed this only as a personal preference—the exercise of his personal Christian freedom to choose—and not as obligatory for any magistrate (Melanchthon 1969:128). On this he remains emphatic and repeated himself. Yet, for some reason, he also repeated his personal opinion as well: “I should like, however, that the Mosaic laws be received in place of those of the Gentiles, which are often stupid,” for “man ought to prefer the Word of God to human constitutions” (Melanchthon 1969:129).

But the dialectic never seems to die. While magistrates are not bound to apply the laws of Moses, nevertheless, they are “not permitted to make decrees contrary to divine law, as Acts 5:29 says: ‘We must obey God rather than men’” (1969:62). And what exactly is this “divine law” which the civil law must not transgress? Melanchthon has already defined “divine laws” as “those which have been established by God through the canonical Scriptures,” especially “the Decalogue” (1969:53–4). Indeed, “‘The worldly *Obrigkeit* . . . should be a voice of the Ten Commandments’ within the earthly kingdom” (Berman 2003:409, note 66). Magistrates going beyond this standard of law “ought not,” indeed, “must not be obeyed” (Berman 2003:62, 148).

Again, the basis for this is Acts 5:29, but Melanchthon adds that Scripture supplies “innumerable statements” that support such civil disobedience. He even appeals to the Old Testament prophets as one example—Amos 7:10–17 (Berman 2003:148). So in Melanchthonian dialectic, magistrates are not bound to legislate according to the Decalogue, but they may not decree anything contrary to it. Christians must submit even to tyranny, but not to anything contrary to divine law (as determined by whom we are not told), and then they *must not* submit. By implication, then, when magistrates decree things contrary to divine law, they cease to be magistrates, at least in that area. We will see Calvin making this argument explicit later.

There can be only two reasons why Melanchthon holds this apparently contradictory position—that the entire law is abrogated and yet forms the only legitimate basis of civil law. Either 1) Melanchthon held something like what today would be called dialectical or paradoxical theology, or 2) he straddled these two opinions across the divide of the two kingdoms based on Luther’s law-gospel distinction. It is possible that both are true and complementary in his thought. Indeed, as Berman notes, it was part of Melanchthon’s purpose to provide theological foundations which included a proper distinction between law and gospel—foundations which he and his disciples then took and expanded into civil and criminal law applications (Berman 2003:112–3). It is also possible that the system was simply contradictory and confused, but given the context of the now well-accepted Lutheran dialectic, we will not pursue this thought here.

Nevertheless, whether option 1) be true, it matters less in regard to the present thesis. Option 2) certainly finds justification in Melanchthon’s work. First, Melanchthon allows a distinction in the quality of moral law versus judicial or ceremonial. Although

all are abrogated, the moral law—as understood in the Decalogue—remains a standard in that it pertains only to the “righteousness of the heart” and not “definite distinctions of places and times, persons and things” (1969:126). The Spirit fulfills this law for the Christian by indwelling the Christian. But the same cannot be said for the ceremonial and judicial laws. These are “external observances apart from the righteousness of the heart” (1969:127). As such, the Spirit has nothing to do with them, and neither need we: “Since the Spirit does not necessarily bring these observances with himself, there is no reason why we should do them” (1969:127). Thus there is one realm of law that lies within the Christian life, and one realm which clearly lies outside of the Christian Spirit. In maintaining this distinction in this way, Melanchthon has essentially elucidated the classical Lutheran two kingdoms position: there is a realm of the heart, and a realm of the flesh.

So how can that which is abrogated *and* fleshly become the basis for civil law in Christian lands? Only if the application of civil government—penal sanctions, force, courts, etc.—although appointed by God (Rom. 13; see Melanchthon 1969:62, 148), is itself a realm of non-Christian activity by definition. This is the very distinction Melanchthon upholds: “Judicial laws concerning legal decisions, penalties, and especially court cases were given to the Hebrew people in Scripture. The New Testament knows nothing of this type of laws because vengeance is forbidden for Christian people” (1969:61). Melanchthon goes on to make applications based on his distinction: the use of legal coercion is by definition unchristian, and civil law exists only for evil men (presumably) to coerce other evil men. He writes, “The Christian is not allowed to take part in a lawsuit, but this is no reason for doing away with law. For although those who litigate sin in doing so, yet laws and courts are necessary in order to coerce evil men” (1969:128). So there is no question of whether Christians

should prefer Mosaic Law in civil courts, for Christians are forbidden to use them: “We must not argue, therefore, whether or not anyone who wishes to litigate can use Mosaic law or any law, for *he who litigates is not a Christian*” (1969:128, emphasis added). Thus, the civil kingdom is not the spiritual kingdom, the spiritual not the civil, and anyone relying on the civil to advance his will is by definition not part of the spiritual kingdom of Christ.

On the issue of the Christian’s and the Christian magistrate’s freedom to employ Moses, Melanchthon differed little from Luther. Despite his well-known law-gospel dialectic Luther could still allow for the use of Mosaic Law freely, without coercion, when expedient:

Neither is it true that the Old Testament was abrogated in such a way that it must not be kept, or that whoever kept it fully would be doing wrong, as St. Jerome and many others mistakenly held. Rather . . . we are free to keep it or not to keep it . . . it is not wrong to ignore them and it is not wrong to abide by them, but it is permissible and proper either to follow them or to omit them. . . . Hence the precedents for the use of the sword, also are matters of freedom, and you may follow them or not.

(Avis 1975:156)

Nevertheless, we cannot escape Luther’s negative expressions against Moses, for example, “beat Moses to death and throw many stones at him”; “we shall make new Decalogues,” and, “Moses is nothing to us” (Avis 1975:152, 154, 156). The Lutheran and Melanchthonian view of Moses followed the medieval precedent of Thomas Aquinas in placing “natural law” as the preeminent expression of divine law in the universe, although at other times maintaining a distinction between natural and

divine laws. For them, in general, Moses had to be interpreted as a local, time-bound expression of the greater, universal law in nature.

Despite sharing in this view, Melanchthon (1969:53) did show suspicion of the “natural law” as expressed by the gentile writers: “And do not rashly consider just any thoughts of the Gentile writers to be laws, for many of their popular ideas express the depraved affections of our nature and not laws.” Nevertheless, he allowed for “good” natural laws as parallel with divine law for living.

With Melanchthon, however, we find a little-known and rarely emphasized fact, namely, that among the “natural” laws of the gentiles lay precedents for punishments as harsh as any of those of which some natural law proponents would accuse Moses. Indeed, we may even judge the natural law standard as more harsh since it could be more flexibly defined and thus applied more broadly. For example, as Melanchthon dealt more and more with Anabaptists, he further solidified his views against them, and eventually advocated the death penalty for some of them. As time went on, however, he pressured all Anabaptists by emphasizing the death penalty for “blasphemy.” The irony here comes in the fact that some of the Anabaptists and other radicals had advocated the same in regard to the use of images and other offenses (as they saw it) to the first table of the Decalogue;⁵ Melanchthon was engaging in the same merciless behavior for which he wished to punish Anabaptist revolutionaries. (Was the contemporary issue really just over *who* had the right to define “blasphemy,” and then to execute their blasphemers?)

⁵ Despite differing divisions of the Decalogue between some Reformers as well as Rome, all would have agreed that the use of images and the issue of blasphemy were “first table” offenses—that is, offenses in regard to the primary commandments of how man must relate to God.

For his legal precedent in punishing blasphemy, Melanchthon did not rely on Moses—his hermeneutic could not allow requiring it, and besides, he did not *have to*—but found a gentile natural law source to justify execution in this case. The natural law heritage of the very Roman/Byzantine civil code that had served Christian empires for centuries provided Melanchthon with just the legal ammunition he needed. While he reserved the right to *reference* Moses, his real and binding legal precedent came from the Justinian Code. He found a law decreed in AD 413 by Honorius and Theodosius against the rebaptism associated with the Donatist heresy. The law stated,

If any person shall be discovered to rebaptize anyone imbued with the mysteries of the Catholic faith, he, together with him who has permitted this infamous crime—provided the person persuaded to be rebaptized be of an age capable of crime—shall be punished by death.

(Kearly sa)

Melanchthon applied this ancient law to his current-day situation with the rebaptism of the Anabaptists. It provided him the non-Mosaic justification he needed to execute these “blasphemers”.

This new-old error of rebaptizing thus pushed Melanchthon to broaden the definition of “blasphemy”. He did not limit the definition to the cardinal tenets of the Creeds, but expanded it to include Anabaptist doctrines on rebaptism, original sin, special revelation, and forgiveness (Oyer 1964:173–174). So if Melanchthon desired the annihilation of the Anabaptists in general, he could maintain the hermeneutics of his 1521 *Loci*, and yet had all the non-biblical resources he needed to execute whomever he deemed blasphemous enough to need executing. Melanchthon drew a

parallel between the Donatists and the Anabaptists on the issues of rebaptism and sectarianism (in particular, separating from the main church in an effort to remain “pure”). But for him, both of these acts constituted blasphemy. “Since the erection of a separatist church was against the will of God, the civil authority was responsible to punish such an attempt with death” (Oyer 1964:174).

Melanchthon drew up his legal recommendations for the treatment of heretics (such as Anabaptists) in 1530–1, and Luther neither immediately gravitated to the idea nor rebuked it. After the fall of Münster in 1535, however, the Lutherans grew much harsher. Philip of Hesse convened the theological brains in Wittenberg to determine how he should treat Anabaptists in the light of the Münster disaster. The group provided the tractate, *That Secular Government is Obligated to Restrain Anabaptists with Bodily Punishment*, advocating the death penalty (Brecht 1993:36). Thus, “The death penalty was fundamentally permissible as a sentence not only for political crimes, but also for religious offenses because of their significance” (Brecht 1993:37). And while the 1535 tractate clearly bore the handwriting of Melanchthon, it also bore Luther’s signature (Brecht 1993:37).

The landgrave formerly so conscientiously opposed to punishing anyone for their faith, now acquiesced at the encouragement of Melanchthon and Luther. As a result, Hesse, which had provided an original haven for Protestants, became a fierce opponent of further reform and one of the harshest punishers of it. What had provided the original protection for Luther himself when the Catholics sought his head for blasphemy, now expanded the definition of blasphemy and sought the heads of thousands for itself.

Meanwhile, the Lutheran theologians continued to reject Moses. Writing in their behalf, Melanchthon penned the *Defense of the Augsburg Confession* (Melanchthon, 1531). On Article 16, “Political Order,” he saw necessary to add, “Karlstadt was insane in imposing upon us the judicial laws of Moses.” We shall witness him accuse the same man in other writings when we reach the chapter on Karlstadt. Indeed, it is Melanchthon’s accusation here that helps make Karlstadt one of the chief suspects for the offense of requiring Mosaic polity for civil law, and thus a prime candidate to fit Calvin’s description.

In Melanchthon, then, we find a few nods toward the divine origin and supremacy of Mosaic judicial law, but these are only skin-deep in nature; he quickly qualifies that law in theory and in practice with a “two kingdoms” theology and natural law. He reduces all biblical law, including the Ten Commandments, to the realm of things indifferent as far as civil polity goes, and he subjects the magistrate’s use of Mosaic judicial laws to the magistrate’s will. Yet, recognizing that God’s Word is superior to that of mortal humans, Melanchthon would have us take seriously and prefer these Mosaic judicial laws for civil government. Yet, anyone who seeks to “impose” them he labels “insane.”

It is hard to imagine that Melanchthon’s subjective and denuded view of Moses attracted Calvin’s ire. If Melanchthon had any role in the matter, it could only be in the possibility that his few favorable nods toward Moses influenced other thinkers to address the issue, and that these other theologians went further in their adherence to Moses. Of course, when finding any such theologian we cannot automatically attribute influence to Melanchthon. For all practical purposes, such a fellow could have arisen independently or even influenced Melanchthon rather than the other way

around. Melanchthon, therefore, seems to have little if anything to do with Calvin's defensiveness against the biblical lawgiver.

Due to Melanchthon's explicit naming of Karlstadt (and in an official confessional document nonetheless!), among other reasons, we will obviously need to consider that reformer. But before we go to him, let us look at another candidate—and yet another associate of Luther—Jacob Strauss.

2.2 RADICAL LUTHERANS

In addition to Melanchthon, some scholars note two other Lutheran protégés for their adherence to Moses: Jacob Strauss, whom Luther helped get installed as preacher at Eisenach, and Wolfgang Stein, court preacher at Weimar (also aided by Luther's efforts). Both are said to have reputations for working to impose Mosaic Law. Both had direct relations with Luther, and both appeared in this context in the years just prior to the Peasant Rebellion, thus sharing in the same radical bent and accusations of Mosaic legalism the more notable Andreas Karlstadt and Thomas Müntzer would bear as well.

Of Strauss and Stein in conjunction with Karlstadt, G. H. Williams has written, "All these radical preachers were loyal to their prince, but held fiercely to the view that with the overturn of papal authority Mosaic law should obtain in Evangelical lands" (Williams 1957:47–8; 1964:54). One of Luther's past editors provided a similar assessment of Strauss and Stein: "Both of them maintained that civil law, since it was of pagan origin, and canon law, since it was the product of papal legislation, must both give way to God's law, i.e. the precepts laid down in Deut. 15:1–11" (Tappert 1967:80–1). Indeed, Battles goes so far as to declare that Strauss "had proposed

substituting the *entire Mosaic code* of the Old Testament for the civil laws of the European nations” (Battles 1986:lix; emphasis added). From what these eminent scholars have described, we ought to find in Strauss, at least, a trenchant defense of Mosaic judicial laws (indeed, the “entire Mosaic code”) and a rejection of the common law of the nations. Surely Strauss would qualify as Calvin’s subject.

Such an expectation, however, encounters crippling qualifications upon an examination of the available texts and contexts. As Luther’s editor Tappert notes, Strauss referred to Deuteronomy 15 in particular, and we should further acknowledge this came particularly in regard to the issue of usury (Tappert wrote this, after all, in his introduction to Luther’s response to Strauss *on usury*). Both Williams and Tappert give the impression that these “radical preachers” wished totally to reform the legal and social landscape with Mosaic Law, but neither scholar provides any citations or sources for their claim, and thus neither clarifies that these preachers had only the narrow issue of rents and interest in mind when they referenced Moses.

Like many of the other Anabaptists and radicals at the time, Strauss only appealed to selective aspects of Moses for selective applications where it suited his agenda—namely, the relief of the peasants from burdensome taxes and interest arrangements. (As we shall see, Luther and Calvin will engage in exactly the same type of selective use of Moses, though for different purposes.) Strauss makes no general hermeneutical or ethical statements concerning Mosaic Law; rather he references Moses only in relation to the question of usury. Yet when he does, he also references the Gospels more frequently. Again, Strauss directed all of these efforts mainly to the issue of usury, not the broader sweep of Mosaic Law in general. This grows clear from the fact that Strauss published 51 theses against *Wucher* (“usury”

as he intended it) in a pamphlet titled *Hauptstück und Artickel Christlicher Leer wider den unchristlichen Wucher* (“Main Part and Articles of Christian Teaching Against Unchristian Usury”). This publication helped provoke Luther to republish his own work on the subject in 1524.

Strauss’ 51 theses reveal a sparse and nuanced application of Moses’ authority along with that of the New Testament toward the same issue. Only a couple of the theses even refer to the Law of Moses. Near the beginning of the document, in thesis 4, Strauss says, “The commandments of God (Deut. 15 and Luke 6), that everyone should lend freely and willingly to his neighbor in need, on any visit, all Christians need to keep upon eternal damnation” (Strauss 1957:168).⁶ We do not hear about the Pentateuch again until near the end of the document, thesis 49: “Neither the Doctor nor all the scholars of the world with their dense commentaries stifle the 15th chapter of Deuteronomy or Luke 6” (Strauss 1957:172).⁷ Note, however, that these two lone references to Moses both include two features. First, they both refer to the same selective passage of Deuteronomy which applies to the issue of lending to the poor. Thus, Strauss is not showing preference for Mosaic Law in general, but with the section that supports his topic, “Unchristian Usury.” Second, in both of these references, the Deuteronomic passage is paired with a passage from the Gospel of Luke, namely Luke 6:35. This gospel passage thus stands with at least equal authority for his case as the Mosaic passage. In other words, Strauss shows no particular preference for Moses, but referenced Moses as general scriptural support alongside the New Testament.

⁶ „Das gebott gotts Deute. am. xv. vñ Luce am. vi. das ein yeglicher seinem nechsten in der not frey vnd willig sol leyhen / on allen besüch / ist allen Christe bey ewiger verdañnüß not zühaltten.“ Strauss certainly has in mind Deuteronomy 15:7–11 and Luke 6:35.

⁷ „Es wirt weder Doctor noch all gelerten der welt / das xv cap. Deuteronomii / auch dz. vi. Luce mit er dychten glosen verdempffen.“ Barge (1937:66–7) assumes “Doctor” refers to Eck.

With such scant reference to Moses, then, Williams' statement that Strauss "held fiercely" to the view that "with the overturn of papal authority Mosaic law should obtain in Evangelical lands" is not justified. This blanket statement exaggerates the available material. It also ignores the fact that the Gospels seem to have played a more prominent role in Strauss' social demands expressed in his theses.

In fact, Strauss' theses actually place much more weight on the gospels than on Moses. Aside from the references to Luke 6 in theses 4 and 49, Strauss makes this verse his last word on the subject. Thesis 51 paraphrases Luke 6:35: "You should lend to one another and expect nothing in return" (Strauss 1957:172).⁸ In addition to these three specific references to Luke 6:35, the theses include seven references to "the gospel" (*das Euangelium, im Euangelio, or vom Euangelio*) in general (once each in theses 23, 24, 31, 46 and 48, and twice in thesis 44). Altogether, these tally to ten mentions of the gospel compared to only two of Moses.

These multiple general references to the gospel are not superficial, but substantial to the authority of Strauss' case. For example, to take usury is "obviously against the gospel of Christ" (Thesis 24) (Strauss 1957:170).⁹ "Whoever knowingly shuts himself to the Gospel denies Christ and His living word" (Thesis 23) (Strauss 1957:169–70).¹⁰ Some parts of this Gospel, however, are offensive to certain audiences, so preachers speak of them at their own risk: "We all say much about the Gospel, but no one may attack the main part against the godly Gospel" (Thesis 44) (Strauss 1957:171).¹¹ The "main part" (*hauptstuck*) he has in mind is almost certainly

⁸ „Ir solt einander leyhen / vnnd nichts dargegen verhoffen.“

⁹ „offenbar wider das Euangelium Jesu Christi“

¹⁰ „Wer wissentlich wider das Euangelium zůthůn sich verpflichtet / verleűgnet Christum / vnd sein lebendiges wort.“

¹¹ „Wir sagē all vil vom Euangelio / aber die hauptstuck wider das gōttlich Euangeliū darff nyemant angreifen.“

the one in the title of his pamphlet, “unchristian usury”—and this he sees as essential to the gospel. This being so, people must not define peace in any other way, for “The Gospel tolerates no peace or unity against God and His commandments, for Christ did not send peace in the world, but a sword [Matt. 10:34]” (Thesis 46) (Strauss 1957:171–2; cf. Barge 1937:66).¹² (Here, by the way, we find another particular reference from the Gospels—Matthew 10:34, cf. Luke 12:51.) This gospel-peace likewise directly undergirds Strauss’ case against usury. He challenges anyone to show him differently: “Whoever does not like these main articles against usury, show me a better Gospel: I would gladly see it with my own eyes” (Thesis 48) (Strauss 1957:172).¹³ For Strauss, there is no better gospel! The Gospel opposes usury, and no Christian—and thus, no Christian ruler—can expect peace any other way.

In addition to these explicit references to the gospel, Strauss’ theses contain several allusions which place his system mainly in a New Testament context. Thesis 6, for example, condemns usury as “in its nature against the love of neighbor and forbidden of God” (Strauss 1957:168).¹⁴ Strauss called the practice “the gospels of the antichrists” (Thesis 29), “the lie of the antichrist” and “the snares of riches” (Thesis 15).¹⁵ Indeed, “The Lord Christ has called all riches unrighteous” (Thesis 16),¹⁶ and thus Christians (he intends the ones with “riches” mainly, of course) “should rather suffer hunger, thirst, torment, death, hell, and all evils than deny Christ and His Word” (Thesis 22) (Strauss 1957:169).¹⁷ For Strauss, this gospel is perfectly

¹² „Das Euangelium geduldet kein fridē oder einigkeit wider gott vnd sein gebott, daß Christus den selben fridē nit gesädt hat in die welt / aber ein schwert.“

¹³ „Wem dise haubtartikel wider den wücher nitt gefallē / der zeyg mir an ein besser Euangeliū / möcht den selben vnder augen gern ansehen.“

¹⁴ „in seiner natur / als wider die liebe des nechsten / vnd das verbott gottes“

¹⁵ „der ley dē Antichrist,” and “die strick der reichtuṁ“

¹⁶ „Der herf Christus hat alle reichtuṁ vnrechtfertig genennet“

¹⁷ „sol hunger / durst / marter / tod / hell / vnd alles übel ee erleiden / dān er Christum vnd seines worts verleügne.“

in line with the Reformation. Now that the Reformation had brought people the true gospel (as opposed to the “gospels of the Antichrists”), they are now expecting society and law to change accordingly; they are demanding that usury no longer be demanded or extracted: “The poor simple man, ignorant, seduced by the gospels of the Antichrists, and all antichrists, priests, doctors . . . he now gains recognition of the truth / he should not be commanded nor forced to pay usury” (Thesis 29) (Strauss 1957:170).¹⁸ Strauss’ modern-day editor Rogge (1957:72) detects the influence of Luke 6:35 here as well. On these matters Strauss, like Luther and many other reformers in various situations, appealed to the phrase of Peter and the apostles, “Here one must be obedient to God rather than men” (Acts 5:29; Thesis 30)—another explicit reference from the New Testament.¹⁹

It becomes clear that Strauss’ challenge to society stemmed from a combination of a concern over the practice of usury and the authority of the Bible as the word or commandment of God—especially in the Gospel. These matters come to the fore together in the final theses, 50 and 51. “God has spoken once and fixed forever” (Thesis 50).²⁰ Since God has given his commandment, the rich and the rulers must obey. And here is that final eternal word on the subject: “You should lend to one another, and hope for nothing in return [Luke 6:35]” (Thesis 51) (Strauss 1957:172).²¹ There should be, therefore, no compromising on the issue of usury—it is central to the application of the gospel. Rogge (1957:73) notes this peculiar gospel emphasis in Strauss: “It is significant that he counted the usury question among the main

¹⁸ „Der arm einfeltig vnwissend des Euangeliums von des Antichrists / vñ aller widerchriften / pfaffen Doctoren / vñ München exempel vñ leer verfür / so er yetz der warheit erkätnüß gewiñt / sol er vmb kein gebott noch gewalt den wücher bezalen.“

¹⁹ „Hie müßz man gott meer gehorsam sein daß den menschen.“

²⁰ „Gott hat ein mal geredt / vnd gestect des ewiglich.“

²¹ „Ir solt einander leyhen / vnnd nichts dargegen verhoffen.“

elements of Christian doctrine.”²² In fact, Strauss’ last thesis “summarizes, based on Luke 6:35, what he had thought as a theme of the whole” (Rogge 1957:73).²³

Thus, while Moses had made a brief appearance, Strauss’ whole program appealed mainly to the New Testament gospel. This is consonant with a recent encyclopedia entry on Strauss, which introduces his theology thusly: “Strauss’ writing impresses a Reformation theology of *the cross* with strict asceticism and social-ethical accents” (Buckwalter 2001:248).²⁴ He wished for the magistrate to enforce gospel charity upon landlords and interest collectors; although, as far as we know, his social-gospel extended only to the issue of usury.

Perhaps most importantly—what frightened the authorities most, that is—Strauss had written that either “to give and to take usury” (Thesis 24) (Strauss 1957:170) clearly opposes the gospel. Many perceived him to have declared it a sin not only to exact, but also even to pay usury. This indicated to landlords, bond holders, and tax collectors that Strauss had instructed commoners to refuse to pay tithes or whatever other interests they might have owed. Collection did indeed cease temporarily in Strauss’ town of Eisenach, causing such an economic affront that Duke John moved to correct the situation (Brecht 1990:142). Luther condemned Strauss, arguing that “the masses cannot be ruled by the gospel” (Tappert 1967:81)—meaning that gospel principles should not be imposed by force. Luther himself would eventually bury Mosaic Law—and all law for that matter—completely on this issue, arguing that interest “could not be regulated by the law of Moses or, as secular business, by the Gospel either, but must be pursued according to common sense”

²² „Es ist bezeichnend, daß er die Wucherfrage zu den Hauptstücken christlicher Lehre rechnet.“

²³ „faßt in Anlehnung an L. 6, 35 zusammen, was er als Thema über dem ganzen gedacht hatte.“

²⁴ „Strauß’ Schriften prägt eine reformatorische Kreuzentheologie mit starcken asketischen und soziaethischen Akzenten“ (emphasis added).

(Brecht 1990:145). (This, of course, implies that neither the law nor the gospel corresponds to common sense, and that common sense is not founded on either law or gospel.)

Even so, the controversy over Strauss' theses erupted not because he had gone so far beyond the hermeneutical principles of Luther or Melancthon, but because these more influential reformers (and, it appears, many of Strauss' parishioners) misunderstood what he meant. Strauss' phrasing of the thesis certainly lent itself to such misinterpretation: "*Giving and taking usury is obviously against the gospel of Jesus Christ*" (Strauss 1957:170; emphasis added).²⁵ But he had not called peasants to refuse to pay utterly, but that no one should pay interest *voluntarily*. Tappert notes, "To some extent the dispute was based on a popular misunderstanding of Strauss' position, which was that the debtor should not voluntarily and uncompelled pay the interest of his own accord" (1967:81, note 30). Strauss disavowed the position attributed to him as he confessed to Melancthon himself: one can indeed hold that payment of interest is unbiblical, and yet suffer such even voluntarily as a Christian suffering tyranny (Tappert 1967:81). He also presented his teaching more moderately in a second pamphlet shortly thereafter (Brecht 1990:143).

After reading Battles', Williams', and even Tappert's comments on Strauss' hermeneutic, we may be tempted to conclude that such "popular misunderstanding" remains today. We could rightfully inquire on what grounds such excellent scholars could make their confident claims in light of such a vacuity of evidence. Indeed, the evidence certainly is sparse. Addressing the question of whom Calvin addressed in

²⁵ „Wücher nemen vn geben ist offenbar wider das Euangelium Jesu Christi.“

his anti-Mosaic sentences, no less a pair of editors than Barth and Niesel (1962:5:486, note 3) add an informative footnote to their edition of Calvin's text.²⁶ They note two authors who merely touch on the subject (Aquinas and Melanchthon) and then pinpoint Strauss as a culprit. But tracing their footnote on Strauss reveals a similar misrepresentation to that found in Battles and Williams above: in this case, an old encyclopedia article which purports that Strauss "grounded" his defense of usury on Deuteronomy 15:5. The reference concludes of Strauss, "He regarded the commandments of the Old Testament as law for the Christian" (Hauke 1896–1913:19:94). The article, like the other scholars quoted above, says nothing of Strauss' multiple references to the Gospels in general and Luke in particular. The authors thus simply present the material in an unbalanced manner: they give no mention of the fullness of the material nor show any acknowledgement of Strauss' actual text or context. This problem grows worse when we see the later scholars, Battles (1986:333) in particular, footnoting Barth and Niesel in regard to Calvin's anti-Moses passage. Consider such a juncture, therefore: we discover Battles footnoting Barth and Niesel footnoting an old encyclopedia on Strauss, and none of them actually analyzing the original source for what it fully says or for its nuances. They all appear to adopt the claims of secondary sources uncritically.

Despite the claims then and now about Strauss wishing to impose Moses and jettison other civil laws, we see from the available documentation itself that he merely referred to Moses on the one narrow (if touchy) subject of usury. Perhaps Strauss elsewhere referred to more of Moses, but if so, no such material has surfaced and no scholar has yet produced any such material—certainly not in English. Even so, it

²⁶ The comment is in their edition of the 1559 version, but the text is substantially unchanged from the 1536.

would still hardly warrant the sweeping claims made against Strauss and others already.

This holds true for the other radical Lutheran, Wolfgang Stein, for nothing of his work seems to have survived at all. So how could we know anything about his views on Moses or civil law? In fact, one stray reference (besides Williams') which surfaced in the research for this present study evinces the opposite view. Gritsch (1987) notes Stein was to be involved in an interrogation of Müntzer on behalf of the Saxon court in Weimar (1987:71, note 79). If this is the case, Stein can hardly be implicated in much that either 1) could have been aligned with Müntzer's alleged kingdom of God on earth which Luther and others perceived as erecting an Old Testament theocracy (albeit wrongly, as we shall see in chapter 5), or 2) that would have been found objectionable by the Saxon court which employed him. Instead, it appears, that Stein was on the side of Luther and the court.

Neither of these men, therefore, seems to fit Calvin's description. They do not appear to have called for all of Moses, denied the legitimacy of their rulers for not adopting Moses, nor rejected the validity of the common laws of nations. As such, even these much maligned radical Lutheran preachers cannot qualify as Calvin's target, at least not based upon his description.

3. ANDREAS KARLSTADT

In regard to the issue of Mosaic Law, we find a relevant and often referenced theologian in Andreas Karlstadt—an early colleague of Luther and Melancthon, despite some later debates and disagreements between them. In Battles again, we find a strong statement alleging Karlstadt’s Mosaic agenda. Lumping him with Strauss, Battles states that Karlstadt “had proposed literally substituting the entire Mosaic code of the Old Testament for the civil laws of European nations” (1986:lix). We have already cleared Strauss of this sweeping charge, but now must examine Karlstadt. Perhaps he took the issue of Mosaic Law much further. And unlike the sparse evidence left of Strauss, we have considerable material remaining from Karlstadt.

Karlstadt, unfortunately, rarely receives the credit due to him for the Reformation. It was Karlstadt, not Luther, who first publically remonstrated against the papal bull *Exsurge Domine* which threatened excommunication for both him and Luther. Nearly two months before Luther burned his copy on December 10, 1520, Karlstadt had written a lengthy response to Leo X appealing to the authority of General Councils over and above papal authority (Bubenheimer 1977: 292–300). It was Karlstadt, not Luther, who performed the first German-language communion service in 1521. While Luther lay in hiding at Wartburg Castle, Karlstadt spearheaded the Reformation in Wittenberg. His unprecedented version of the mass must have required no small amount of courage and was not without danger—the very dangers for which Luther was hiding. Yet Karlstadt embraced the role. Not only would he say the important part of the mass in German, he shucked priestly vestments for plain clothes, refused to elevate the bread for adoration before breaking it, censored the references to the supper as a sacrifice, and finally, when it came time for the words

“This is my body,” he not only said, but shouted them in German, not Latin. He also allowed communion in both kinds and without confession beforehand. In addition to these precedents, Karlstadt was also the first Protestant minister openly to criticize celibacy and the first to marry (to Anna von Mochau on January 19, 1522). For these bold efforts, he should be numbered among the others heroes of the Reformation.

Nevertheless, during the same absence of Luther, the reforming efforts in Wittenberg gained a violent steam. Sermons and tracts against the use of images in worship inspired destruction in churches. Luther blamed the enthusiasm on Karlstadt. Karlstadt published his views in the midst of the turmoil calling for the civil rulers rather than the mob systematically and peacefully to remove images from the churches. It was on this issue especially that he and Luther would split, the inclusion of the application of Mosaic Law forming the divide. While they would argue on other points as well—the nature of holy communion, for example—the issue of law would eventually draw Luther’s fiercest polemics.

Melanchthon, we recall, would in his 1531 *Apologia Confessionis* call Karlstadt “insane” for “imposing upon us the judicial laws of Moses.” He had also complained earlier about Karlstadt’s allegedly mandatory view of Mosaic judicial code:

But some persons assign piety as a pretext to this case and deny that the laws of the Gentiles are to be used by the Christian. Therefore they try to pass new laws or call us back to the laws of Moses, as for example, Carlstadt, who very violently contended that, abandoning Roman laws, the laws of Moses were to be received.

(quoted in Battles 1986:333)

Melanchthon, however, penned this particular accusation against Karlstadt in 1530—nine years after his introduction of his *Loci*, and about the same since Karlstadt’s earliest writings on the subject. As it shall become clear as we cover more of Karlstadt’s story, these comments from Melanchthon come after half a decade of polemics from Luther, royal pressure, and a drama involving exile for Karlstadt and, one could say, for Moses as well. Luther protested Karlstadt’s view even more derisively than Melanchthon did or probably could have. Though friends early on, the two debated the issue of law more than once. Luther would characterize Karlstadt’s view of Moses as “new monkery” and “legalism,” deriding his followers in Orlamünde as “Jewish saints” (1967b:159, 163, 166). In the following sections, we will examine the issues and circumstances in which the two debated and then turn to discuss Karlstadt’s use of Mosaic Law in his views.

3.1 ON IMAGES

Part—though by no means all—of Karlstadt’s scriptural justification for the magistrate to remove images derived from Moses. The references to Moses include both the lawgiver’s injunction against idolatry and his commands to destroy the idols of Canaan. In his 1522 tract *On the Removal of Images*, Karlstadt engaged the rulers with duties for Christian magistrates. After the dedication, the first sentence of the tract begins with Moses: “To have images in churches and houses of God is wrong and contrary to the First commandment, ‘You shall have no other Gods before me’ [Ex. 20:3]” (1995b:102). His followers would later hurl this verse at Luther in Orlamünde. In his opening justifications, however, Karlstadt also went outside of Moses to the Gospels: “‘My house is a house of prayer and you have turned it into a den of murderers’ [Mt. 21:13]” (1995b:102). For the rest of the tract, he proceeds to

quote and apply passages from various places in the historical books, the prophets, Gospels, Acts, and Paul, all forbidding idolatry and images.

After this exposition, Karlstadt moves to discuss the actual physical removal of the images, and this is perhaps where the real controversy lies (it was one thing to speak against images, but actual removal would constitute a serious affront to Rome). For scriptural support he cites Moses and the examples of the Hebrew Kings. In Deuteronomy 7:5, God had commanded them to destroy the heathen altars, smash their images, and burn their idols (1995b:118). The Hebrew Kings who performed this task thoroughly, such as Hezekiah and Josiah, received praise from God. Those who did not received condemnation, such as Manasseh and Ammon. According to Karlstadt, these obedient Hebrew kings provided direct examples for the German princes to follow:

Now if our authorities had accomplished the divine counsel and resolution by ordering the wicked and deceitful wooden blocks from our churches and consigning them to their deserved punishment, we would have to praise them, as the Holy Spirit praised Hezekiah. . . . Would to God that our lords were as the worldly, righteous kings and lords of Jewry, whom the Holy Spirit praised. According to Holy Scripture, they always have the power to take action in their churches and to put away everything that might annoy and hinder believers. They are also able to teach and lead priests to the laws of God and stop deceptive and harmful practices.

(1995b:118)

Just as Josiah ordered the priests and high priest to throw down the altars and vessels of Baal worship and burn them outside the city, so should modern kings

purge the houses of God: “We see from this that priests are subjects to Kings by divine right” (1995b:118). This, of course, was not a Mosaic doctrine, but a confusion of jurisdictions on Karlstadt’s account—a confusion we shall see that Karlstadt’s very antagonists, Luther and Melanchthon (as well as other reformers), would themselves engage in. Nevertheless, Karlstadt continued,

On this account our magistrates should not wait until priests begin to carry out Baals and their wooden vessels and obstructions. For they may never begin. The supreme temporal power must order and undertake action.

(1995b:118)

It was this type of “must” to which Luther would, at the moment, so violently protest. In his view at the time, the entire Mosaic Law, including the Decalogue, was abrogated (though he would elsewhere argue the Decalogue was indeed part of natural law, and thus retained some usefulness). As we shall see in a moment, he would dismiss Karlstadt’s first point coming from the First Commandment, and then proceed all the more strongly to denounce the idea that the judicial code of Moses in general bound Christian princes to action.

While this was not exactly the point Karlstadt had argued, he nevertheless anticipated the objection, likely having heard it personally from Luther and others (the writings of Aquinas, from his university studies) many times before. He wrote, “Several admirers of images will say, ‘The old law prohibits images, but the new one does not. We follow the new and not the old law’” (1995b:119). He responded that the new law instead subsumes and includes the old:

Christ verifies his teaching through Moses and the prophets. He says that he did not come to break the law but to fulfill it, [Mt. 5:17]. . . . Christ did not trespass on the smallest letter in Moses' law. Neither did he add or subtract anything from Moses. In short, Christ did not set aside anything which pleased God in the old law. Christ stood by the old law both in intent and in content. Anyone who can reconcile the two sayings, namely, *Fide legem antiquamas* and *Fide vel gratia legem stabilimus*—"Faith supersedes the law" and "Faith and grace strengthen the law," understands Moses, the prophets, Christ, and Paul.

(1995b:119)

Karlstadt then addresses his critics by showing the social consequences of denouncing Moses, were they to carry it out consistently:

Dear chaps, you claim that the old law prohibits images. For this reason you will allow them in houses of God, considering such prohibition to be insignificant. Why then do you not also say that we are not obligated to honor father and mother, because the old law commands it? Further, murder, unchastity, stealing, and suchlike evil deeds which are prohibited in the same tablets of the law which prohibit images—with the prohibition of images being the first and foremost law, while prohibition of murder, unchastity, stealing, etc., are placed at the bottom as lesser and smaller. Why do you not say that we shall indulge in adultery, stealing, murder, and suchlike? Why not tolerate them in our churches because they have been prohibited in the old law?

(1995b:119)

Karlstadt then again reminds his readers that not only Moses but Christ and Paul also promoted the same view of law and the attack on images and idolatry. Christ showed this in answering the rich young ruler who asked what he must do to

inherit eternal life: He directed the young ruler to the Mosaic Law. Karlstadt asked, “Why, in this case, should I not also lead you to the law of Moses?” (1995b:119–20). Isaiah and Jeremiah were both upheld as “evangelical” prophets by his critics—yet both also prohibited images and supported their removal (1995b:120). Paul likewise decried idolatry and the pagans’ images of gods (Rom. 1:23), and commanded his disciples to shun idolatry on more than one occasion (1 Cor. 5:9, 8:4, 10:14) (1995b:107). In fact, “Paul says that anyone who does these things will not be saved” (See 1 Cor. 6:9–10; Gal. 5:21; Eph. 5:5) (1995b:108). Karlstadt therefore concludes, “Moses and Paul agree. And I have shown from the epistles of Paul that no one who honors images comes to God” (1995b:120).

It is clear from this brief overview of Karlstadt’s tract against images that his position indeed relied on Mosaic Law, most particularly on the Decalogue, and also on the Old Testament historical examples of kings who upheld the Decalogue. Yet he also based this doctrine on the words and injunctions of the Gospels and the letters of Paul.

3.2 THE PACE OF REFORM

In 1524, Karlstadt wrote to a friend in Joachimstal concerning an issue over which he and Luther (and the princes) obviously disagreed: the haste of reform on the issue of removing images. Karlstadt desired to move more swiftly; his opponents retained images, etc., citing concern for the weaker brethren and “brotherly love”. Karlstadt suspected this as “an unchristian cover-up” (1995d:251). His argument amounts to the case that “brotherly love” must have *some* substantial basis, less we risk making “love” a phantasm. That basis, according to Karlstadt, must be Christ’s commandments:

To say that one should make concessions to brotherly love means nothing, because it is not clear whether the sort of brotherly love is an unchristian cover-up, readily as evil and harmful as any of the little inventions of the pope. . . . Christ has cancelled and nullified all brotherly love if it stands over against his commandments or turns one even slightly away from God.

(1995d:251)

The commandments Karlstadt intended were, of course, the law of Moses. Despite the argument between him and Luther having persisted for at least two years to this point, and Karlstadt having been expelled from Saxony at Luther's urging (which Luther denied), Karlstadt maintained his views. The common law ethic promoted by Luther and others left their laws inconsistent, Karlstadt chided:

I am very much surprised by our rulers and those learned in Scripture who punish carnal adultery but leave spiritual adultery [idolatry and images] unpunished. Spiritual adultery they intend to conquer with their breath and wind, but they fend off carnal adultery with swords, iron, fire, and wheels. . . . Moses commands that idolatrous or spiritual adulterers are to be put to death just like carnal adulterers [Deut. 13 and 17].

(1995d:255)

Not only Moses, however, but Paul also equated the two sins: "If they would only look to their Paul properly, they would surely find that Paul punishes those who are enslaved to idols no less severely than those who are enslaved to whores" (1995d:255). For Karlstadt, the inconsistency reflected the princes' and Luther's arbitrary whim that itself amounted to an idol: "Yet it has to be right because they

want it that way, and they defend their honor and beautiful image of themselves” (1995d:255).

Karlstadt’s critics referred to Exodus 23:29–30 in order to persuade him to take the removal of images slowly for the weak. This, after all, was how God told Moses to confront the gentiles:

I will not drive them out before you in a single year, that the land may not become desolate, and the beasts of the field become too numerous for you. I will drive them out before you little by little, until you become fruitful and take possession of the land.

Karlstadt responded that “little by little” referred to driving out the gentile people, but the issue of the gentile people’s idols presented a separate issue. He urged his critics to read a little further: “You shall make no covenant with them or with their gods. They [their gods] shall not live in your land, lest they make you sin against Me; for if you serve their gods, it will surely be a snare to you” (Ex. 23:32–33).

The “little by little” applied to the people, yes, Karlstadt argued, but God absolutely prohibited their idols to remain at all. The destruction of the pagan idols themselves should commence immediately.

So God commanded the Jews two kinds of expulsion: one was the expulsion of their enemies; the other, the removal of the gods and idols or images of the Gentiles. The first was to happen at leisure; the other, immediately and suddenly [Ex 23]. . . . Therefore, whenever they were able to do so and were in control, the Jews were to destroy the idols of the Gentiles and not allow them to remain.

(1995d:265)

3.3 THE PRINCES NOT THE PEOPLE

Karlstadt reiterated what he had argued before, that God upheld this standard for the Judges and the Hebrew kings. Christ had done the same when he wrecked the tables and drove the moneychangers from the temple (1995d:266–7). This destruction of idols should, however, not entail an international crusade: “God did not order the Jews to do it in the entire world, but only in places which they were to conquer and in which they were to rule” (1995d:267). This meant, however, that Christian rulers indeed ought to take action in the places they ruled: “Accordingly, the conclusion is that where Christians rule, they are not to look to any magistrate [*Oberkeit*], but are to strike out freely [‘freely swing the axe,’ per Pater] and of their own and throw down what is against God even without preaching” (1995d:267; Pater 1984:88). This was perhaps the most unfortunate sentence Karlstadt ever wrote in regard to civil law, for his opponents would misinterpret it to mean that *the masses* should ignore laws and magistrates with which they disagreed, and execute vigilantism at will. But Karlstadt expressly did not mean this. Calvin Augustus Pater explains,

This passage does not favor untrammelled violence. The axe smashes wood, not human beings, and in that crucial respect Karlstadt is much more peaceful than most magisterial reformers. Moreover, the axe is wielded ‘*where Christians rule.*’ Karlstadt encourages Christian magistrates to alter the old forms of worship even when other authorities do not condone this. He intends to accomplish this in Wittenberg through town council, when the elector opposes further reforms.

(1984:88)

Thus, Karlstadt in principle called for these reforms to be done through the princes, not the masses. He also understood, as the other reformers would, that they could use the hierarchy of magistrates to the advantage of reform. Where one authority refused to advance reform, another body or ruler could pressure, protect, oppose or impose. When Frederick the Elector slowed action on promised liturgical reforms, Karlstadt prayed against his duplicity from the pulpit. But when lower magistrates halted their reforms four years later in Rothenberg, Karlstadt petitioned the emperor himself to impose. The point was, always look to the ruler willing to act according to *Christian* principles, whether higher or lower (Pater 1984:84–5). This very principle had saved Luther's life. After the Diet of Worms in 1521, Emperor Charles V declared Luther an outlaw. After his safe passage home, he would be subject to arrest or murder without consequence. It was the lesser magistrate Frederick the Elector who had Luther “kidnapped” on his trip home. His captors, defying the highest magistrate of the land, hid the outlaw safely at Wartburg Castle. Karlstadt simply wished Luther and Frederick to show the same Christian courage in further matters of reform.

3.4 LUTHER'S CAMPAIGN AGAINST KARLSTADT

The argument between Luther and Karlstadt began its climax at Jena later in 1524. Frederick the Elector, due to Luther's instigative letter, feared Karlstadt brewed Müntzer-style revolution in Orlamünde. He wisely decided to send a diplomat to cool passions there, but poorly chose Luther, Karlstadt's biased rival. On the way to Orlamünde, Luther stopped in nearby Jena and commandeered the pulpit. He preached strongly against the “the Allstedt Spirit,” and thus conjured the specter of Thomas Müntzer, “which destroyed images, despised the sacrament, and led on to insurrection” (Köstlin 1883:278). While Karlstadt held the first two views (in essence),

Luther smeared him with the latter as well, though it had never fit him. Karlstadt had disavowed and rejected Müntzer's violence, but it was part of Luther's propaganda campaign against him. Thus the sermon on these issues as he neared Karlstadt's parish: as D'Aubigné notes, "He did not name Karlstadt, but everyone could see that he had him in view" (2009:307).

Karlstadt had joined the congregation earlier, and he confronted Luther to his face afterwards at a tavern called the Black Bear Inn. He challenged Luther to a public debate on the issues. Luther refused to promise him safe passage to Wittenberg, so they resolved that Karlstadt should write against Luther. Luther gave him a gold coin as a pledge that he would write against him as an enemy.

When he reached Orlamünde, Luther thought to do as he had done in Jena: rule the pulpit, charge the people through condemning Karlstadt's views, and associate Karlstadt with Müntzer. He had no idea how well Karlstadt had already prepared his people. Two significant events occurred during his visit. First, Luther refused to carry on his public meeting if Karlstadt would be present, despite the fact that he intended to criticize Karlstadt's teachings. Secondly, despite the absence of their teacher, the townspeople adequately (if a bit amateurishly) stood their ground against Luther's bullying. The account from D'Aubigné is worth relating in full:

Luther proceeded to Orlamund, and arrived there ill prepared by the scene at Jena. He assembled the council and the church, and said: "Neither the elector nor the university is willing to recognise Carlstadt as your pastor."—"If Carlstadt is not our pastor," replied the treasurer of the town-council, "St. Paul is a false teacher, and your books are lies, for we have chosen him."

As he said these words, Carlstadt entered. Some of the persons near Luther motioned to him to be seated; but Carlstadt, going straight up to Luther, said to him: "Dear doctor, allow me to give you welcome!" *Luther*.—"You are my enemy. You have my gold florin as a pledge."

Carlstadt.—"I mean to continue your enemy so long as you continue the enemy of God and of His truth."

Luther.—"Begone: I cannot allow you to appear here."

Carlstadt.—"This is a public meeting. If your cause is just, why fear me?"

Luther (to his servant).—"Make ready! make ready! I have nothing to do with Carlstadt; and since he will not leave, I start."

At the same time Luther rose up. Then Carlstadt withdrew.

After a momentary pause, Luther resumed: "Prove by Scripture that it is right to destroy images."

A Councillor.—"Doctor, you will grant that Moses knew the commandment of God," (*opening a Bible*.) "Very well; here are his words: *Thou shalt not make unto thee any graven image, or any likeness.*"

Luther.—"This passage refers only to the images of idols. If I hang up a crucifix in my chamber without worshipping it, what harm can it do me?"

A Shoemaker.—"I have often taken off my hat to an image which happened to be in my room or on the road; this is an act of idolatry, which robs God of the glory due to Him alone."

Luther.—"It will be necessary, then, because of abuse, to destroy females, and throw our wine into the street."

Another Member of the Church.—"No; they are creatures of God, which we are not enjoined to destroy."

After the conference had lasted some time longer, Luther and his people got up into their carriage, astonished at what had passed, and without having succeeded in convincing the inhabitants, who also claimed for themselves the right of freely interpreting and expounding the Scriptures. There was great agitation in Orlamund; the people insulted Luther, some even cried to him: "Begone, in the devil's name. May you break your neck before you get out of our town." Never yet had the reformer been subjected to such humbling treatment.

(2009:308–9; cf. Edwards 1975:41–4)

There he stood, baffled; he could do no other. Upon returning humbled from his attempt to shame the Orlamünders, Luther proceeded to write one of his most virulent polemics. He titled it *Against the Heavenly Prophets*, but he had mainly one "prophet" in mind: Karlstadt, whom he names throughout the lengthy work, all the while trying to associate him with the "Allstedt spirit"—the murderous revolution of Müntzer.

Luther's pamphlet attacked Karlstadt from every possible angle, especially on the Law of Moses. This does not mean he interpreted either Moses or Karlstadt's position faithfully. In fact, he often resorted to false extrapolations: "You want to destroy images like Moses?" Luther would ask, "Then destroying the people is next, according to Moses." Thus he argued:

For Moses, when he commands the people to destroy images (Deut. 7 [:16]), also commands them to destroy without mercy those who had such images in the land of Canaan. For this killing is just as strictly commanded as the destruction of images.

(1967b:182)

Karlstadt rejected Luther's assertion that obeying Moses would also meaning killing the unbelievers. He had already published this view before Luther visited and well before he wrote the above accusation: "So God commanded the Jews two kinds of expulsion: one was the expulsion of their enemies; the other, the removal of the gods and idols or images of the Gentiles. The first was to happen at leisure; the other, immediately and suddenly" (1995d:265). Luther wished to lump both expulsions as of one action and one nature and thus lump Karlstadt with Müntzer, who indeed had incited the masses to wreck idols and kill those who opposed him if necessary. Karlstadt rejected this reading, to both Müntzer himself (in a personal letter) and Luther (through his general tracts).

In the same tract in which he noted the "two kinds of expulsion," Karlstadt also explained that no execution of unbelievers should take place unless there be a special, direct, and sure revelation from God that suspends the regular commandment against murder. Scripture provides few examples of such judgments, such as "the children of Israel did when they stole from and murdered the Egyptians [Ex. 12:35f.; Acts 7:24], and as Moses murdered the kings of Seir and Heshbon, etc. [Deut. 2:26–36]" (1995d:259). But without any such special, additional revelation, "we must do all that God has put into the Ten Commandments," and "nothing other than God's commandments" (1995d:259).

In spite of these things being published before Luther wrote *Against the Heavenly Prophets*, Luther appears largely to have ignored them. He seems to have intended a good tarring and feathering by portraying Karlstadt as a murderous spirit like that of Müntzer. So, Luther began to accuse Karlstadt of urging the masses to revolt and destroy images without or against the backing of the princes. The charge was unsubstantiated, but Luther proceeded to refute it in earnest. He pointed out how Moses had installed judges and rulers before he even received the law; only the authorities were to have executed the ordinances. Karlstadt's alleged mob, therefore, had no right:

Where one permits the masses without authority to break images, one must also permit anyone to proceed to kill adulterers, murderers, the disobedient, etc. For God commanded the people of Israel to kill these just as much as to put away images. Oh, what sort of business and government that would turn out to be!

(1967b:167)

With great irony, therefore, we find the normally anti-Moses Luther teaching the allegedly Moses-only Karlstadt on the law of Moses:

We read however in Moses (Exod. 18[:20ff.]) that he appointed chiefs, magistrates, and temporal authority before he gave the law, and in many places he teaches: One is to try, judge, and punish in all cases with justice, witnesses, and in an orderly way. . . . What Moses commands Karlstadt applies to the disorderly masses and teaches them to break out in this field in disorder like pigs. This certainly is and must be called a seditious and rebellious spirit, which despises authority and behaves itself wantonly as though it were lord in the land and above the law. . . .

For this reason, we always read in the Old Testament, where images or idols were put away, that this was done not by the masses but by the authorities.

(1967b:167)

This carried much weight with Karlstadt; it would have meant very little theologically to Luther except that (were his accusations against Karlstadt true) he would have shown Karlstadt to have been inconsistent with his own hermeneutic. It meant little to Luther because he rejected the Law of Moses in its entirety, and even ridiculed it:

Now then, let us get to the bottom of it all and say these teachers of sin and Mosaic prophets are not to confuse us with Moses. We don't want to see or hear Moses. How do you like that, my dear rebels? We say further, that all such Mosaic teachers deny the gospel, banish Christ, and annul the whole New Testament. For Moses is given to the Jewish people alone, and does not concern us Gentiles and Christians. We have our gospel and New Testament.

(1967b:170)

But Luther had neglected to read or understand Karlstadt just as much as he dismissed Moses. He refused to acknowledge that Karlstadt taught obedience to the princes, wished to work through the princes, and disavowed the use of the sword against the idolaters themselves. Luther pressed his own interpretation of Moses, his own bias against Karlstadt, and his own contempt for the people in order to conclude that Orlamünde would inevitably plunge into murder:

Since our murderous spirits apply Moses' commandment to the masses, and do not have God's judgment over the wicked, but themselves judge that those who

have images are wicked and worthy of death, they will be compelled by such a commandment to engage in rebellion, in murdering and killing, as works which God has commanded them to do.

(1967b:182)

Then he recalled Thomas Müntzer again: “Let the Allstedtian spirit be an example, who already had progressed from images to people, and who publicly called for rebellion and murder contrary to all authority” (1967b:182).

In addition to his opposition to Karlstadt, Luther showed considerable contempt for the common people—with whom Karlstadt now associated—despite the fact that they had shown enough intellect and knowledge to counter him publically at Orlamünde. He argued that even though Karlstadt taught them not to kill (a telling acknowledgment here in itself), nevertheless Karlstadt would lose control, and the people would ignore all distinctions and take the liberty to kill on their own. Luther poised this slippery-slope argument on a hypothetical situation:

God forbid, but suppose Karlstadt won a large following . . . and the German Bible alone was read, and Mr. Everybody began to hold this commandment (about killing the wicked) under his own nose, in what direction would Karlstadt go? . . . [H]e would have to follow through. . . . The crowds would mutiny and cry and shout. . . . My dear lords, Mr. Everybody is not to be toyed with.

(1967b:183)

This argument seems in hindsight to pander to Luther’s audience of nobles and princes (and patrons) who also despised and exploited the peasants as Luther himself would later admit. To them “Mr. Everybody” is unstable, ignorant, prone to

fight, and unable to restrain himself (unlike the nobles and princes throughout Europe at the time themselves—models of restraint, of course).

Luther argued this point—that he could trust neither the people nor Karlstadt himself—so vehemently that he essentially made it impossible to accept Karlstadt’s confession on good faith. In doing so, he poisoned the well:

If it were really true, and I could believe, that Karlstadt does not intend murder and rebellion, I would still have to say that he has a rebellious and murderous spirit, like the one at Allstedt, as long as he continues with wanton image breaking and draws the unruly rabble to himself.

(1967b:183)

In short, unless Karlstadt entirely acquiesces to Luther—agrees with Luther across the board on all points concerning the law and idolatry—then that was evidence enough for Luther that Karlstadt sought to murder and cause sedition.

We can only guess at Luther’s motivations here. But the more Luther wrote in this particular tract, the more it revealed he had been personally stung by the episodes at Jena and Orlamünde. The writing reveals a turn toward bitterness, likely as a result of his pride being hurt by their rejection of him. For him, to disagree with him constituted grounds to be considered murderous and rebellious. Who would disagree with Luther, after all? Karlstadt had agreed to be admonished if he were in the wrong, yet Luther publically condemned this as a ruse. Why? “If he doesn’t respect me, whom among us will he then respect?” (1967b:184). Had his position as court favorite with Frederick, or as leader of the Reformation gone to his head?

In Luther's defense, at least to some degree, we should note that whatever may have been personal about his motivations, he did extend hope that Karlstadt would someday reconcile, albeit on Luther's terms. To this extent we can say that Luther had not written Karlstadt off permanently as an enemy. Thus when the escalating Peasant War put Karlstadt's life in danger, Luther opened his own house for hiding. There followed an awkward and temporary reconciliation, with Karlstadt providing a written "apology", carefully-worded to avoid taking any responsibility for the previous charges Luther had made (see Brecht 1990:170–1). At this point, however, Luther provided a preface in which he implicitly admitted he had taken Karlstadt's writings too seriously (Brecht 1990:171). Melancthon, certainly no fan of Karlstadt's writings, as we have seen, nevertheless was himself "offended at the harshness of Luther's writing" against him (Brecht 1990:169). But the relationship seems to have been more tentative than friendly. Even after the War subsided, Karlstadt was not allowed to publish in Saxony. He fled the region in 1529, eventually settling in Basel in 1534, estranged from Wittenberg. When he died, seemingly a bit prematurely, in 1541, Luther's main interest remained whether or not Karlstadt had repented (Brecht 1993:327). Thus it seems Luther's public attacks on Karlstadt were motivated in a large part by the stances taken in regard to the theological dispute itself, and not merely by personal bias, though we cannot entirely dismiss the latter. Luther did see to it that Karlstadt's widow and children were taken care of, but as Brecht notes, Luther "was quite willing to believe the reports from Basel and Nuremberg that before he died Karlstadt has been visited by the devil and that he had then died in fear of death" (Brecht 1993:327).

Part of the problem early on lay in Frederick the Elector himself, who decided to send Luther to Orlamünde to begin with. He should have considered Luther's history

and bias against Karlstadt; it could not have turned out well. “Luther saw in Carlstadt a man devoured by a love of renown, a fanatic, who would allow himself to be carried the length of making war on Jesus Christ himself. Frederick might perhaps have made a wiser choice” (D’Aubigné 2009:307).

Luther continued with his attack: Karlstadt secretly harbored rogue “prophets” from Allstedt who conspired to plot rebellion and murder of princes. While Müntzer had indeed formed a secret band (Williams 1962:57), Karlstadt disavowed the Allstedt gang and its murderous spirit. Luther claimed to have inside information, but named no names. He says that Karlstadt

trails along with the heavenly prophets, from which, it is known, comes the Allstedtian spirit. From them he learns, to them he cleaves. They secretly smuggle error into the land and gather stealthily. . . .

The prophets teach and hold also that they are going to reform Christendom and establish it anew in this manner. They must slaughter all princes and the wicked, so that they become lords on earth and live only among saints. Such and much else I myself have heard from them. Dr. Karlstadt knows also that these are fanatics and murderous spirits. . . . Yet he does not avoid them. And I am to believe he would not bring about murder and rebellion?

(1967b:186–7)

In addition to this, Luther continued to condemn the congregation in Orlamünde as murderous, even murderous of the rulers, despite the fact that Karlstadt had published to the contrary. Luther insisted, “They advocate the murder of godless rulers” (1967b:226). For such a claim, one of Luther’s modern editors sees fit to

correct him: “Münzer [sic], *not Karlstadt*, was an advocate of such action” (Tappert 1967:226, note 103).

Luther, it seems, would spare little in his attempt to vilify Karlstadt in public. In the end, just in case his audience was not hardened enough against Karlstadt, Luther goes so far as to deprive the man of his salvation: “Dr. Karlstadt has fallen from the Kingdom of Christ and has suffered shipwreck with respect to faith. . . . Dr. Karlstadt actually is a Gentile and has lost Christ” (1967b:217–8).

Ultimately, however, Luther and not Karlstadt had the ear of the civil rulers—Frederick the Wise of Saxony, and his nephew, the prince John Frederick. When Thomas Müntzer had boiled Allstedt to a revolutionary head, calling for the destruction of the ungodly and revolutionary violence based—much like the city of Münster later would do—on individual prophecy and end-times prophecies, his followers succeeded in burning a chapel dedicated to the Virgin Mary. This act of violence was enough to move Luther to charge the princes: if the radicals drew the sword, then the civil rulers must draw the sword as well to defend true religion. While Luther affirmed that the church should not be involved in civil violence, he argued just as vehemently that the civil rulers *must*. In March of 1524, he instructed the rulers on how to handle the radicals:

Do not interfere with them so long as they confine themselves to the office of the Word. Let the spirits fight it out, but when the sword is drawn you must step in, be it they or we who take it. You must banish the offender from the land. Our office is simply preaching and suffering. Christ and the apostles did not smash images and churches, but won hearts with God’s Word. The Old Testament slaughter of the ungodly is not to be imitated. If these Alstedters want to wipe out the ungodly,

they will have to bathe in blood. But you are ordained of God to keep the peace, and you must not sleep.

(Bainton 1950:262–3)

Through a combination of Luther's caricatures of Karlstadt and collective denouncement of different groups that rejected Luther's views of icons, sacraments, etc., in the minds of the princes, Karlstadt was now associated with Müntzer's revolutionary violence. A few months after Luther's address, John Frederick wrote to a subordinate lord,

I am having a terrible time with the Satan of Alstedt [Müntzer]. Kindliness and letters do not suffice. The sword which is ordained of God to punish the evil must be used with energy. Carlstadt also is stirring up something, and the Devil wants to be the Lord.

(Bainton 1950:263)

Luther biographer Roland Bainton explains how Luther's involvement had tarred and feathered Karlstadt (and thus, by proxy, his view of law). The narrative expressed the conflation of Karlstadt with Müntzer:

Here Carlstadt and Müntzer are linked together. For Carlstadt this was both unjust and unfortunate. He had written to Müntzer that he would have nothing to do with his covenant, nor with bloodshed. But the iconoclastic riots in Orlamünde and Alstedt appeared to be of one stripe. Carlstadt was summoned to Jena for an interview with Luther and convinced him of the injustice of the charge of rebellion. When, however, Luther himself visited Orlamünde and observed the revolutionary temper of the congregation, he came to question the sincerity of the disclaimer

and acquiesced in the banishment of Carlstadt, who was compelled to quit Saxony, leaving his pregnant wife and their child to join him later. He departed claiming in the very words of Luther after Worms that he had been condemned “unheard and unconvicted,” and that he had been expelled by his former colleague who was twice the papist and a cousin of Antichrist.

(1950:263)

Karlstadt had some merit to his complaints of maltreatment as we shall see from his written responses to this event. He would often have to resort to accusing Luther of misrepresenting him on more than one occasion, even to his face at a famous confrontation at the Black Bear Inn in Jena. But Luther’s power of persuasion won out with the princes, if not with the people of Orlamünde, and continues to color many people’s view of Karlstadt today.

Luther’s campaign against Karlstadt has lasting effects today even among some scholars. Carter Lindberg (1977a), while noting some differences between Müntzer and Karlstadt, nevertheless sets them together as militant legalists against “the weakness and imperfection allowed by Luther’s doctrine of the Christian as *simul iustus et peccator*” (1977a:45). Lindberg states,

Here Luther opposed Karlstadt and Müntzer on the basis that the conscience may not be bound through human laws and salvation, may not be made dependent upon the fulfillment of these laws.

(1977a:45)

On this front, Lindberg is simply rehearsing Luther’s own categorization of the two opponents. Lindberg goes further to state, “From a formal theological point of

view Karlstadt and Müntzer did not differ,” but that they differed only in degree of “material ministry” (1977a:45). He could simply have quoted Luther in block to make this argument.

In another place, however, Lindberg himself notes that Karlstadt’s use of Moses was tangential at best, perhaps even superfluous. In the Wittenberg discussion in the early 1520s over beggars and the creation of a community chest in which both Luther and Karlstadt were involved, the latter, Lindberg notes, “launches into an extended and at times strained exegesis of Deuteronomy 15” (1977b:324). He continues, “This use of the Old Testament may reflect what some scholars have argued is a legalistic motif in Karlstadt’s theology” (1977b:324). But Lindberg seems skeptical of this charge: “More simply, it may be that here Karlstadt merely reflects the perennial tendency of professors to get as much mileage out of their notes as possible” (1977b:324).

It is interesting to compare Lindberg’s essential defense of Karlstadt against Old Testament legalism here to his comments in a different journal (quoted just above) yet in the same year. In this defense (1977b) he appears to free Karlstadt from Old Testament legalism; yet in the other place (1977a) he lumps Karlstadt with Müntzer and even goes so far as to contrast him with Luther thusly: “If the Word is the key to Luther’s theology and ministry, the Law is the key to Karlstadt’s” (1977a:37). Could there be a clearer indictment of legalism without using the word? The discrepancy may be solved to some degree by one observation: in the article on poor relief (1977b), Lindberg indicates that Karlstadt’s tract on beggars exhibits “marked similarity” (1977b:328) to Luther’s earlier writing on usury—thus suggesting that Luther had preeminence in the development of poor relief in Wittenberg. But in

maintaining this position, Lindberg notes that before Karlstadt, Luther himself referenced Deuteronomy 15 as scriptural support. Thus, to maintain the accusation of legalism on this point against Karlstadt would be simultaneously to level the same charge at Luther. Lindberg did not pursue this parallel.

Even after taking pains to right the misunderstandings of Karlstadt sometimes Luther's polemics are allowed to set the terms of understanding. In another example, the Karlstadt scholar Pater describes his subject as believing "The laws of Moses, rather than human laws, are the standard" for civil law (1984:82). In order to substantiate this view (which he himself had already qualified in much of the same book) he quotes Karlstadt against Luther: "Surely, [Luther] wants to esteem the laws of Moses like the *Sachsenspiegel*, and he wants to place human laws above God's laws. I fear, he will deny the laws of Moses, just as he has already denied the covenant of Moses" (1984:82). While the quotation does contrast a respect for the continuing validity of the laws of Moses against the more antinomian views of Luther, it nevertheless does not justify the position that Karlstadt saw Mosaic Law as the "standard" of civil law. It certainly cannot be understood, then, to indicate that Karlstadt wanted to institute a Mosaic theocracy, for it says nothing even about how much or to what extent he would use or reference Moses.

In fact, Karlstadt's context here shows that he simply intended to expose the inadequacy of the Lutheran position. Luther claimed, for example, that the civil use of Moses could apply only to unbelievers and not to believers. He wrote:

[W]e ought to proclaim the law and its works, not for the Christians, but for the crude and unbelieving. For among Christians we must use the law spiritually, as

is said, to reveal sin. But among the crude masses, on Mr. Everyman, we must use it bodily and roughly, so that they know what works of the law they are to do and what works ought to be left undone. Thus they are compelled by the sword and law to be outwardly pious, much in the manner in which we control wild animals with chains and pens, so that external peace will exist among the people. To this end temporal authority is ordained, which God would have us honor and fear [Rom. 13; I Pet. 3].

(1967b:161)

Karlstadt responded that Luther had no idea what his view fully entails: his view subjugates Moses to human authorities, ignores the true cause of laws and rights, establishes government upon a vague notion of peace, and establishes law based upon human whims:

I fear that he will disavow the laws of Moses as he has already disavowed the covenant of Moses. And I know this for a fact that he cannot stop with this main article, nor ought he to. I am certain also that he cannot see as far as this article reaches. That Dr. Luther set up peace as the reason for external piety or punishment and that he writes in a gloss on Romans [13] that temporal authority is set up for the sake of temporal peace, etc., shows what an ignoramus he is. He does not know what causes laws and legal rights. He has invented a dream in his own brain, and though peace might have been indicated in his prized books as a cause, Dr. Luther would have to look around a bit more for what are the fruits of love of God and neighbor and define them more carefully.

(1995c:373–4)

In its own context, then, these comments provide more of a condemnation of Luther than a positive statement about Karlstadt's own views. On this particular instance, Pater has interpreted more than the evidence warrants.

Pater elsewhere, however, provides us a great service in constructing the vacillation of Luther against Karlstadt. After Luther had implicated the latter in sedition and rebellion, he then denied he said anything about Karlstadt, yet then restated his earlier charges clearly in print. Pater aligns the Luther's changing position in chronological order:

On 22 August 1524 Luther preached at 7:00 a.m. in Jena, and he implied that Karlstadt was in league with Müntzer. Karlstadt protested his innocence that afternoon in the Inn of the Black Bear. The following exchange took place (WA 15, 336:11–16):

KARLSTADT To this I add that you treat me with violence and injustice when you lump me together with the murderous spirit. I have nothing to do with the spirit of insurrection. This I protest publicly before these brethren, one and all.

LUTHER Dear Lord Doctor, that is not necessary. I have read the letter which you who are in Orlamünde have written to Thomas [Müntzer], and I certainly learned from it that you reject the insurrection.

Yet Luther repeated the charge in his *Heavenly Prophets*. First, he distinguished between murderous prophets and those who have murderous intentions, placing Karlstadt in the latter category (WA 18, 72:15–18):

Therefore, I did say Dr Karlstadt is not a murderous prophet. He does, however, have a rebellious, murderous, riotous spirit in him, which would reveal itself if there were any opportunity.

Then Luther scored Karlstadt's condonation of iconoclasm as incitement to insurrection, even though Karlstadt rejected this (WA 18, 88:6–9):

'But,' you say, 'Dr Karlstadt does not want to murder. That you can see from the letter which those of Orlamünde wrote to those of Alstedt.' Answer 'I also believed this, but no longer. Now I no longer ask what Dr Karlstadt says or does.'

(Pater 1984:287)

During the same summer in which they expelled Karlstadt from Saxony, the mystic and revolutionary Thomas Müntzer received the chance to preach before Frederick the Wise for which he took the opportunity to give his famous exposition of Daniel 2, *Sermon before the Princes*. With a prophecy-driven agenda of instituting Christ's kingdom, he tried to enlist the rulers in his crusade. This set in motion a correspondence in which it grew increasingly clear that the rulers would take a hard line against Müntzer. The self-dubbed "destroyer of unbelievers" took no chances; he fled the government and escaped into hiding at Mühlhausen.

The irony comes in the fact that both Karlstadt and Müntzer were essentially exiled for their religious views under threat of the civil sword, and in Karlstadt's case, especially, this came about under Luther's influence. Thus Luther, who railed and denounced imposition of Moses by the sword, ended up convincing the civil sword to impose his own religious views upon threat of its cutting edge. Bainton rightly notes that "the fact could not be gainsaid that the agitators had been expelled by the sword

of the magistrate. Luther ruefully pondered the gibe that instead of being a martyr he was making martyrs” (1950:264).

3.5 WHAT KARLSTADT REALLY SAID

The truth about Karlstadt’s view of law comes out a bit differently than the way Luther and others portray it. Far from “legalism” or strictly instituting Mosaic Law, “Karlstadt is quite free in applying the laws of Moses, and he does so in a way that is much more progressive than the *Sachsenspiegel*, the law code of Saxony that meted out ‘justice’ according to one’s standing in society” (Pater 1984:17). While he did argue for some changes in civil law, he nevertheless appealed (just as Calvin would later) for the *equity* of Old Testament principles and that these must be understood through New Testament concepts of mercy, including compassion toward unbelievers. Parts of the Old Testament are outdated and must yield to the New (Pater 1984:17), and the civil sword cannot serve to impose “belief” or rid the land of other views. As early as 1520 Karlstadt had explained:

I do not want [unbelievers] to be killed that way, neither do I pray in the Judaic manner: ‘May sinners perish from the earth, so they will be no more’—that is, may [they] be killed. Away, away, with that! Rather, let malice perish, let error be destroyed, and let the truth and knowledge of Christ replace error.

(Pater 1984:17)

Karlstadt thus rejected the idea that magistrates could spread the kingdom of God with the sword, and he rejected the idea of anything like holy war. In these instances again he “links the Old Testament with the New, for opposition to unbelievers continues, but now with the sword of Scripture” (Pater 1984:17). In the end, Karlstadt

“always chooses the New Testament model for salvation” and “harmonizes Old and New Testament in terms of the latter” (Pater 1984:17).

For Karlstadt, then, *all* of Scripture provides norms for good works and therefore direction for civil society. He made this point very clearly. Pater notes what we have already observed above in regard to the debate over images:

Christ did not subjugate anything that was pleasing to God under the old law. Christ remained within the will and the content of the old law. One who can add the following two sayings—‘by faith we overcome the law’ and ‘by faith or grace we establish the law’—understands *Moses, the prophets, Christ, and Paul*.

(Pater 1984:18)

Karlstadt teaches elsewhere that in order to know God’s will in general, we shall find it “in such unanimity through prophets, Christ, and the apostles” (1995a:202). These have clearly given us God’s will, and they all consent together, including the Ten Commandments:

God addressed his people from Mount Horeb. . . . He taught his people what a person is to do if he intends to do well before his divine eyes and desires a long life here on earth, Deut 4; 5; 6. God’s speech is contained in the ten words and articles, Deut 4.

Whomever God draws to and ingrafts in his Son Jesus Christ and whom through the Spirit he grants his divine knowledge so that he is able to see those ten words in the true light and accept them in living love knows what is pleasing to God and what God hates.

(1995a:202; cf. Pater 1984:17)

While Karlstadt does not here directly apply this to civil law, he does have it in mind, if only by way of analogy: “Note how a king expresses his will through commands or prohibitions or laws. So God reveals his will through his law” (1995a:202).

Further discrediting the idea that Karlstadt promoted a Moses-only view of civil law, he emphasizes that some cases and matters exist which Scripture does not even touch upon. In these scenarios we must first consider what Scripture teaches, but realize that any decision or judgment made must, by the very uniqueness of its nature, expand upon those cases that are revealed:

God has widely undertaken to have us know through Holy Scripture what is pleasing in his sight and what displeases him. But there are certain faults and things which are not contained in Holy Scripture. Yet no one is to begin or do anything wantonly. We will have to give account of all our words and deeds and answer to whether or not we sought God’s will in these, and sought it gladly.

Therefore, I do not mind seeing many Christian folk following the accounts of the apostles and not letting go or running away from it any more than they have to, but earnestly desiring to know God’s will. And in cases where God did not sufficiently inform them, they would cast lots when through Holy Scripture they were not able to grasp and decide, like the apostles received Matthias by lot in place of Judas Iscariot, Acts 1, although the apostles could have been chosen according to Scripture.

(1995a:224; cf. Pater 1984:19)

None of this is to say, however, that Karlstadt held modern views of separation of church and state. He spoke out, like most if not all of the reformers did, on more

than one issue urging Christian rulers to impose Christian values through civil law or attacking unjust governments as satanic. “Nevertheless, Karlstadt does not unite the institutions of church and state, for they are seen as parallel entities with separate functions” (Pater 1984:80). Neither institution has absolute power over the other; each should check and reform the other when they go astray. Yet the issue of the limits of the institutional powers stands separately from the issue of the standard of law. What is important for this thesis is that when he does speak of imposing Christian values as civil law (whether we would judge this today as good or bad), he does not do so with sole recourse to the laws of Moses, nor all of the laws of Moses.

Furthermore, Karlstadt argues for limited civil power. Christian rulers may not advance religion with the sword, for this deifies the State and makes it an idol:

[Hope in God] is one reason why the prophets often make the claim: ‘I shall not place my hope on my bow. My sword will not make me blessed’ [Ps. 44:6]. ‘You shall not put your confidence in princes’ [Ps. 118:9]. They do this because they do not wish to make a false god. They do not want to have an image in their hearts. They only want to confess him who cannot be depicted. For God does not permit it.

(Pater 1984:83)

Rather, for Karlstadt, Christian rulers have a higher calling than that of religious executioners. They must act in Christ’s mercy to offenders: “Christ has ordered the rulers to search out in mercy those who have strayed, and bring them back” (Pater 1984:85).

Even when rulers act contrary to good religion or principle, Karlstadt does not find justification for revolt. We should respect and avoid confrontations with

established rulers whenever possible (Pater 1984:85). We see this exemplified in Karlstadt's own letter to Frederick after the Elector tried to pull him from his pulpit: "I understand that you do not wish to keep me in the parish of Orlamünde. Thus I do not know a more submissive way to serve you than that I humbly defer to you and resign" (Pater 1984:85). Nor did he wish to receive a pension from the government which the regulations allowed, so he declined: "Therefore I surrender to you and resign my archdeaconate and the rights I originally received with it" (Pater 1984:86). Karlstadt did remain in his pulpit unofficially by call of the congregation, but the State attempted to replace him with its own State-sanctioned preacher. Karlstadt and the congregation withstood the replacement on the grounds of separation between civil law and ecclesiastical affairs. Thus Karlstadt obeyed the magistrate, yet would resist the magistrate from overstepping his God-determined bounds—withstanding the civil ruler from interfering in ecclesiastical affairs (in this action he was more consistent than Luther and many of the other reformers in general). Thus we see Karlstadt's view of the separation of powers: "Government is to be obeyed even when it persecutes, but not when it requires a positive act against God's law" (Pater 1984:86).

Considering these substantial qualifications, then, we can better understand Karlstadt's view of civil law. Granted, he did wish to consider Moses as a starting point, a standard, but he hardly limited civil law to Moses and even argued we should leave behind parts of Moses including many of the death penalties. Pater summarizes Karlstadt's view as believing that "The letter of the Mosaic law may have been surpassed, but the spirit may not be violated" (Pater 1984:83–4.) Even this may be stretching the evidence. Again, we see from Karlstadt that his view of godly law involved the Bible in general and not just Moses or even Moses in particular. The

standard is simply the Bible in general as opposed to worldly law: “I call worldly law [*weltlich gesetz*] [sic] all teaching that is not based on the Bible, yet wishes to serve God’s honour, praise, or will” (Pater 1984:84).

Where Karlstadt did speak of the law, he usually referred to it in the context of direction for Christian living. He spent considerable time writing on this issue, and did so separately from issues of civil law which he more rarely discussed. This was also where Luther continually derided him, for Luther saw any call for a “need” for Moses as a destruction of Christian liberty and justification. Karlstadt’s view, however, was hardly radical, and in fact it has been seen to anticipate the later views of Calvin very closely (Thompson 1969:145). But again, this view arises separately from the issue of civil law for which it is difficult to find much comment from Karlstadt.

3.6 “SEVERAL MAIN POINTS”: KARLSTADT’S RESPONSE TO LUTHER

We noted how Karlstadt accused Luther of maligning and misrepresenting him. Luther’s continued attacks forced Karlstadt to write, and he accused “Dr. Luther” of outright lies and slander. The result was Karlstadt’s tract *Several Main Points of Christian Teaching Regarding Which Dr. Luther Brings Andreas Carlstadt Under Suspicion Through False Accusation and Slander* (1995c:339–377).

Luther had proclaimed that Karlstadt “does not even teach what faith and love are . . . but stresses and emphasizes external works” (1967b:160). Karlstadt refutes this sweeping claim. He believes in the very justification by faith taught in Scripture, namely “in Romans and Galatians where it becomes clear that faith is put ahead of the law” (1995c:344). He then argues:

But just because I attack and deal with the sacrament, those who are envious of me should not ever be led to accuse me of unbelief or charge me with having forgotten the faith. . . . Can they not clearly see from my booklet (written against the sacrament), that knowledge [*Erkenntnis*], as Isaiah has it, or faith in Christ the crucified, as Paul says, is so rich and perfect that we need not seek forgiveness of our sin or salvation anywhere else but with Christ who died on the cross? Is this not a true confession of my faith? Is my faith not Christian?

(1995c:344, 345)

Luther's editor, again, points out, "Karlstadt had written a treatise on the subject (on the two great commandments of love to God and to one's neighbor) but Luther seems not to have seen it" (Tappert 1967:160, note 6).

Karlstadt goes on to rebuke Luther for lies, slander and employing lawyer's tricks and sophistry in argument (attacking Karlstadt the man while avoiding the depth of the actual issues at hand). Then he turns to the offensive against Luther's pamphlets. Luther had accused Karlstadt of obscuring the "main articles" of the faith by pursuing secondary matters of doctrine. Karlstadt's response to this communicates two things: First, it demonstrates that Luther used poor judgment in even making such short-sighted criticism, for it cuts very strongly against not only Karlstadt but all who preach and write on the allegedly secondary issues, including Paul, Moses, the prophets, and even Christ. Second, it shows that Karlstadt's doctrine, while having a respect for Mosaic Law, nevertheless had a comprehensive view of Scripture and not just Mosaic Law.

On the first point, Karlstadt begins by appealing to Paul:

Paul used not a little time and writing when he spoke of the meat offered to idols and when he taught the ignorant how they were to deal with such meat . . . baptism . . . the Lord's Supper, circumcision, new moons, the Sabbath. . . . Did Paul do something wrong? Dr. Luther passed this sentence, saying Paul did wrong. For St. Paul ought to have preached on the Lutheran main articles. Or else what is right with Paul is wrong with Carlstadt.

(Karlstadt 1995c:350)

Having highlighted Paul, Carlstadt rhetorically warns all the writers of Scripture to beware Dr. Luther's method of interpreting the Bible, and his view of civil government that may act with no regard at all to the Bible:

Beware, all of you together, for we all know without being informed of your prophecies that you have written or prophesied a great deal about circumcision, altars, and sacrifices, and also against sacrifices, the Sabbath, the ark of the covenant, temple, priests, and rulers. Take special care, Moses, for Luther rightly says that you have always said a great deal of nothing regarding the gospel when you wrote of external things. You cast a great deal of haze upon Scripture when you taught how court cases are to be handled and how the neighbor is to be served. How will all of you servants of God stand before the severe judge Dr. Luther when he [Moses] teaches—inspired by God—what words we are to use in despising, destroying, and ridiculing idols? For you have caused the main articles of Luther to be forgotten. If you were still alive, your heads would have to roll over the cold blades into the young grass. But you would not be martyrs now but transgressors, for Dr. Luther has discovered the right to kill the innocent lawfully. Thank God that Luther was not appointed a judge over you.

It does not stop with you and me, though. Christ himself has to appear before Dr. Luther's judgment seat and receive his sentence. Christ has befogged the gospel because he spoke about and spent some time with the Jews on such external matters as handwashing, the Sabbath, the temple, and other things.

(Karlstadt 1995c:350)

So Luther's criticism of "secondary matters," according to Karlstadt, falls just as squarely against Paul, Moses, and Christ as it does against Karlstadt.

Second, Karlstadt shows how each of these inspired writers had to spend time addressing the same issues, and therefore reveals a certain unity of thought, faith, and dependence between them. Therefore, the New Testament is as necessary as the Old, and the Old as relevant as the New. As he had said, "One who can add the following two sayings—'by faith we overcome the law' and 'by faith or grace we establish the law'—understands Moses, the prophets, Christ, and Paul" (Pater 1984:18).

Against this broad and organic view of the Bible, Luther's narrow "main articles" insulted all the inspired writers of Scripture. Karlstadt argues, "Therefore, it is either Dr. Luther who falls short of the truth, or else Moses, the prophets, the apostles, and Christ know nothing of the main articles of Christian teaching" (1995c:351). Karlstadt sided with Moses and the prophets, and especially Christ. These, he said, "directed erring people to the right understanding of God and creation," and likewise—and this touches upon all good works, liturgy, life, and civil affairs—"they led them in the right use of external things through their diligent and proper instruction" (1995c:351). In other words, Karlstadt remained satisfied that 1) there is a continuity of law

throughout Moses, the prophets, Christ and his apostles, and 2) this unified expression of God's will which Karlstadt broadly terms "law" remains proper for "the right use of external things," by which he means Christian ethics and behavior. This would possibly cover civil law as well as all of Christian life, but clearly pertains to personal and ecclesiastical life.

While Karlstadt did not require Moses alone as the basis for civil law, nor did he refuse human laws that did not contradict Scriptural teaching, he did nevertheless argue that princes ought to consult Moses in civil affairs. But this hardly qualifies him as a revolutionary: Melancthon had suggested as much; Luther demanded even more from his princes in practice if not in theory, as we shall see later. Like them, Karlstadt did not advocate all of the Mosaic Laws, nor did he advocate rebellion against rulers who rejected Moses in favor of "human laws." These views, therefore, disqualify him as the target for Calvin's "seditious" and "foolish" accusation. Calvin had envisioned someone who denied the legitimacy of a civil government that neglected Moses and instead relied on natural law of the gentiles. Karlstadt did not reject the legitimacy of the government on these grounds, even if he disapproved strongly of the grounds.

Nevertheless, even though he does not fit Calvin's description, his view contradicted Luther enough to arouse his anger. Luther, as we have seen, argued that the only civil function of Mosaic Law was to castigate, frighten, and corral "the crude and unbelieving" whom he called "Mr. Everyman." It follows that Luther had a low view of the common man, essentially saying that the masses were all unbelievers. One must consider if the corollary follows: that Luther's noble and princely patrons were the only Christians in his view. This scenario tends toward

elitism, an outgrowth of Neo-Platonism. In Luther's view, Christian princes could design whatever laws they wanted in order to maintain "peace"—"peace," that is, left vague and undefined. The result always seemed to favor an increase in the lands and purses of the princes—princes paying the salaries of their establishment clergy—while the burden of supporting luxurious habits fell upon the toiling Mr. Everyman. In Luther's scheme, therefore, Christian princes could live above the law and tax the crude and unbelieving beasts; meanwhile the latter needed constant and rough threatening from civil law (even Moses if, where, and when the prince chose) in order to keep them in line. It was the worst expression of serfdom possible, theologized. It was a step from slavery. It is no wonder the peasants would revolt in 1524–1525.

Karlstadt gained the Lutherans' and their patrons' ire partly by pointing out how that the parts of Moses that they selectively emphasized served only to line their own pockets. They did not even know the "really frightening parts of the law" (1995c:359). He chided them: "Yet, however unskilled and foolish you are, you still demand the appropriate interest and tenth [tithe]. You gather in rents and moneys and thus put the poor under great pressure whom you cannot teach but whom you know how to cheat" (1995c:359). He here called the government-appointed successor at Orlamünde an "usurping wolf" and other Lutheran sympathizers "devouring murderers of souls." He himself had taught his flock about the finer points of Mosaic justice, including the poor laws and laws against theft, etc. These were laws the nobles and their paid preachers in the pulpits did not want the crude masses to hear. Karlstadt anticipated that such state-sanctioned drones would work to undo everything he preached. He blasted them:

What should you preach if you can do no better than to limp behind your master of all error, having no concern about what you are still doing wrong[?] And you preachers in your gilded shirts, look out for me. As soon as I find some leisure, you shall have no peace and you shall have trouble with me until your preaching is more firmly grounded and you have ceased or changed your carnal living.

(1995c:360)

Luther believed the law only had use for the unbelievers, which he equated with the masses. These ignorant beasts need the law to frighten them into not sinning. Luther and his disciples and the princes used this doctrine to live sumptuously while they imposed great tax burdens on these alleged unbelievers. Karlstadt was now playing spoilsport: “Whom will you frighten off sin when you wallow and delight in your sins and preach delight in sin?” (1995c:360).

Karlstadt would rather see preaching of right living to both the masses and the princes. This would necessitate a clergy with a different attitude and doctrine:

I know then that you shortchange your preaching when you preach the law contrary to the law and intention of the Holy Spirit. I would like to tell you something here which might benefit the small flock of God. But I know full well that you have so much to do with your large incomes, rents, and registers, that it would be more beneficial for me to write to pigs and dogs than to you. . . .

If you preachers would properly carry to market the pieces pertaining to the law (of which Moses writes exceedingly well and which Christ also had in his preaching), the small people of God might be led to the right pasture; but you give them chaff and sugar-coated poison to eat.

(1995c:360)

Karlstadt knew that Luther and his listeners wished to attack Moses for the very reason that even the most basic of Mosaic Laws (indeed of general Christian teaching) would clearly call for a reformation of the very civil code by which they fleeced the masses and fed themselves. According to Moses, Paul, and Christ, a good portion of their civil code was at least uncharitable. The nobles didn't want Moses valid, and Luther—just as the Roman Catholic Church had done for centuries before him—worked very hard to keep him invalid. Moses simply could not be allowed to apply to Christian princes. Karlstadt saw this as a rejection of the biblical model in general, and he strongly desired that the people be ethically armed against oppression:

I see well, of course, how the prophets worked in proclaiming sins and what effort and work they had with the supreme princes, kings, and priests of the Jews in making them recognize their sins, and how they failed in this. It would be good if simple Christians could understand such secret and treacherous sins, for there are several which have such good appearance in the eyes of the world that Dr. Luther himself refuses to acknowledge them as sinful and wicked, though God is truthful and Luther a liar.

(1995c:361)

Yet even in this defense of the validity of Mosaic Law, Karlstadt did not demand the imposition of the entire Mosaic code, nor the validity of only Mosaic civil laws. This was simply an assertion that the rulers and their theologians (Luther and Melanchthon) were defending a civil legal system that clearly contradicted even the most basic of biblical commandments, Mosaic and otherwise.

3.7 THE MYSTICAL SIDE

That Karlstadt did not focus on Moses exclusively as a basis for civil law may also derive from the influences of Renaissance Humanism and medieval mysticism. During the formative years of his scholarship and during the first years of his reforming activities with Luther in Wittenberg, Karlstadt studied both the Thomistic scholastic tradition and works by mystical Humanists such as Reuchlin. The Humanism eventually would woo him away from Thomas and, as it drove him *ad fontes* of Greek and Hebrew Scripture, would actually turn him against the scholastic tradition. He held the entire Bible in high esteem, almost on a plane across its different parts.

Yet he also let some of the mystics influence him considerably, to the point of teaching the mystical Jewish tradition of Cabbala to his students. He would write in the very year of Luther's *95 Theses* that he held the mystical works of "most learned and worthy Reuchlin" in high regard: "I can only express the highest praise for his *Cabbalistica*, with the exposition [of the Cabbala] of Giovanni Pico, Count of Mirandola, which I will explain next week to the admirable youths and men" (McNiel 1999:111). Reuchlin had headed up the so-called "Rhenish" school of mystics, which as we shall see also influenced Müntzer's violent revolutionary spirit.

Luther himself, in fact, translated and published at least one anonymous work of mysticism known as *Theologia Germanica* which appeared in the 1300s and was reprinted many times (see Hoffman 1980). Though Looss says "its ideas did not become a crucial concern for him" (1988:47), Luther himself wrote in the preface of that work,

Next to the Bible and Saint Augustine no other book has come to my attention from which I have learned—and desire to learn—more concerning God, Christ, man, and what all things are.

(Hoffman 1980:54)

Luther then appealed to the *Theologia Germanica* (“German theology”) as evidence against those who accused him and the other “German theologians” in Wittenberg of creating novelties in doctrine. No, said Luther, what his circle taught had already been taught in the *Theologia Germanica* and thus widely disseminated since the 1300s (Hoffman 1980:54). And widely disseminated it was: 20 editions were printed just in Luther’s lifetime (Hoffman 1980:24), two of them by Luther (1516 and 1518). Many other reformers of the era esteemed the work highly, including Karlstadt and Müntzer.

For Melanchthon, Humanism was a family affair: his great uncle was Reuchlin himself. But each reformer’s experience with the mystical tradition should be considered separately for its influence—some likely supported Reuchlin only because he aided in making the Hebrew texts available again, and then fought the scholastics to keep them. A full study should assess the influence of the occult, cabbalistic, and mystical ideas through each of these early reformers and their differing beliefs.

Mysticism may lie beneath some of Karlstadt’s more radical beliefs in the acceptance of direct revelation, continuance of individual prophecy, and communion with the common man. Looss notes,

Even at Wittenberg, Karlstadt held positions whose sources were other than Luther’s reform and which resulted in more radical attitudes. In 1520 Karlstadt

included categories and ideas of medieval mysticism in his notion of reform and he did so on a more extensive scale than Luther. . . . [T]he mystic category *Gelassenheit* became decisive for Karlstadt and was the motif for his position, in the sense of a breaking away and separating from traditional conditions.

(Looss 1988:47)

Looss cites this emphasis on *Gelassenheit*—“surrender,” “submission,” “yieldedness,” “letting be”—as the force behind Karlstadt’s rejection of the papacy, elitism, clerical celibacy, his archdeaconate and lectureship at the university, and outward ceremonies. On the positive side, it stands behind the reformer’s return to the rural parsonage, work as a peasant and shopkeeper, and identity with the “common man” (Looss 1988:47–8). Looss notes that it was on this background that “Karlstadt made the Christian commandment of charity into a law and—by resigning from the positions of honor and office—no longer accepted the feudal class distinctions” (1988:48). Perhaps more importantly, *Gelassenheit* undergirded Karlstadt’s views that reformation entailed the use of civil coercion in society to some degree: certainly against the backdrop of this doctrine reformation would mean some amount of class conflict as those who truly accepted Christian surrender to God would renounce worldliness and embrace the simple life. This was a direct strike at the lords and nobles as well as endowed clergy (1988:48; cf. Furcha 1993:7). And while Looss can cite Pater as generally linking Karlstadt’s mystical views of sanctification with his “applications of the Mosaic Law to the social sphere” (1988:49), the mystical category itself, not to mention the reference to the New Testament mandate of charity, show that Moses was not central or even necessary, let alone exclusive, in this endeavor.

3.8 BUBENHEIMER ON KARLSTADT

In a detailed study of Karlstadt's views on theology and law, legal scholar Ulrich Bubenheimer (1977) argues that Karlstadt's views on Mosaic Law do not support the views that Melanchthon attributed to him. Bubenheimer writes,

We must point out, however, that we can in no way assume with certainty that the views attributed by Melanchthon to Karlstadt regarding the secular law were actually representative of Karlstadt. From the position of the sources to a secure assertion there stand several problems in the way.²⁷

(Bubenheimer 1977:247)

This conclusion, Bubenheimer demonstrates, rests on several issues arising from the original sources. The first issue pertains to Karlstadt's original sources themselves. Bubenheimer flatly states: "The demand to replace the Roman law with the Mosaic law cannot be demonstrated in Karlstadt's own writings" (1977:247).²⁸ Indeed, the only contemporary attestation of this view to Karlstadt by name comes from the pen of Melanchthon. It is, thus unsubstantiated hearsay:

We know of this alleged claim of Karlstadt's only second hand. It is furthermore joined with the name of Karlstadt in express terms only after 1530 by Melanchthon. . . .²⁹

(Bubenheimer 1977:247)

²⁷ „Wir müssen allerdings darauf hinweisen, daß keineswegs mit Sicherheit angenommen werden kann, daß die von Melanchthon Karlstadt zugeschriebenen Auffassungen hinsichtlich des weltlichen Rechts tatsächlich so von Karlstadt vertreten wurden.“

²⁸ „Die Forderung, das römische Recht durch das mosaische Recht zu ersetzen, läßt sich in Karlstadts eigenen Schriften nicht nachweisen.“

²⁹ „Wir kennen diese angebliche Forderung Karlstadts nur aus zweiter Hand. Sie wird außerdem erst ah 1530 von Melanchthon expressis verbis mit dem Namen Karlstadts verbunden. . . .“

Furthermore, this lone second-hand reference comes at a suspicious juncture and thus has a propagandistic aura, for it was

after Karlstadt had left town in Saxony in the beginning of 1529, and the break between Wittenberg and Karlstadt was final. Under these circumstances, a polemical exaggeration of the opinions of Karlstadt on Melanchthon's part is not surprising.³⁰

(Bubenheimer 1977:247)

Secondly, Karlstadt's 1522 argument against images references Mosaic Law only in regard to ceremonial, or ecclesiastical, aspects. His writings in this regard say nothing about his views of civil law: "Whether that statement of Karlstadt's on the continued validity of the Mosaic Law applies also for the judicial law, from the writing on images here remains entirely open" (Bubenheimer 1977:247).³¹ Bubenheimer goes on to argue that Luther, in his own writings, engages the argument with Karlstadt in terms of divine law in regard to the church, and thus confirms the view that Karlstadt had in mind ecclesiastical reform and not Mosaic revision of the common law of nations:

[S]o it follows that Luther, while composing his book, clearly did not know of a radical demand of Karlstadt's for replacement of Roman law by the Mosaic. Had Karlstadt raised such a demand as Luther in view of his polemical nature had

³⁰ „nachdem Karlstadt Sachsen Anfang 1529 verlassen hatte und der Bruch zwischen Wittenberg und Karlstadt endgültig war. Eine polemische Überzeichnung der Auffassungen Karlstadts von seiten Melanchthons wäre unter diesen Umständen nicht verwunderlich.“

³¹ „Ob jene Aussage Karlstadts über die Weitergeltung des mosaischen Gesetzes auch für die Judzialgesetze gelte, bleibt von der Bilderschrift her durchaus offen. . . .“

imagined as generally reckoning with the “fanatics,” he certainly would not have failed to turn this claim against Karlstadt.³²

(Bubenheimer 1977:248)

Third, Karlstadt presented no more radical a view of Mosaic Law than did Luther and Melanchthon themselves (Bubenheimer 1977:249). Indeed, in light of Melanchthon’s and Luther’s preferences for certain Mosaic Laws in civil polity, Karlstadt seems no more than a fellow traveler—at best attempting to apply selective Mosaic Laws “without trying thereby to displace the Roman law completely.” (Bubenheimer 1977:249).³³ It is certainly possible that Karlstadt tried to go further than the other two, but, “In this regard, however, the sources let us down” (Bubenheimer 1977:250),³⁴ especially considering that Saxony had banned all publications by Karlstadt during the relevant era, 1526–1529.

Fourth, and finally, by the time Karlstadt is able to publish again in the 1530s, in Basel, he “to a striking extent positively consults texts of Roman law in his writings” (Bubenheimer 1977:250).³⁵ But during this same period in which he positively consulted Roman law texts in his writings, he maintained his former views against ecclesiastical law: “Although he, the doctor of laws, has given the canon law an

³² „. . .so ergibt sich, daß Luther bei Abfassung seiner Schrift von einer radikalen Forderung Karlstadts nach Ersatz des römischen Rechts durch das mosaische offenbar nichts bekannt war. Hätte Karlstadt eine solche Forderung erhoben so hätte Luther angesichts des polemischen Charakters seiner als Generalabrechnung mit den ‚Schwärmern‘ gedachten Schrift sicher nicht versäumt, diese Forderung gegen Karlstadt zu kehren.“

³³ „. . .ohne dadurch das römische Recht völlig verdrängen zu wollen.“

³⁴ „Jedoch lassen uns die Quellen in dieser Hinsicht im Stich.“

³⁵ „. . .wieder in auffallendem Umfang Texte des römischen Rechts in seinen Schriften positiv heranzieht.“

uncompromising rejection, he has nevertheless maintained ties to the Roman law until the last phase of his work” (Bubenheimer 1977:250).³⁶

Based at least on these four reasons, Bubenheimer concludes that the sources do not support the claim that Karlstadt wished to impose Mosaic law as civil polity and replace the pagan civil laws of the land: “That he ever wanted completely to replace the Roman law with the Mosaic Law seems to me unlikely in any case for the reasons mentioned” (Bubenheimer 1977:250).³⁷ All four of these reasons correspond with our findings in this chapter: (1) Karlstadt’s own sources do not display the view Melanchthon attributes to him in 1530, (2) Karlstadt refers to Mosaic Law for the narrow issue of images in an ecclesiastical setting only, and (3) Karlstadt expresses no more radical applications of Moses than either Luther or Melanchthon (both of whom accused him of madness for the very thing they also did). At last, Bubenheimer’s fourth reason comes as a supplement to the views expressed in this chapter, and thus provides confirmation as it is perfectly consonant: Karlstadt open uses the common law of nations (Roman law) along with anything else he considered.

3.9 CONCLUSION

Enough has been shown, then, how Karlstadt, despite receiving equal censure by name from Luther and Melanchthon (and possibly Calvin’s implication), as well as Battles and Williams in the twentieth century, did not wish to impose Mosaic theocracy, did not look to Moses only as a basis for civil law, certainly did not want “the entire Mosaic code of the Old Testament for the civil laws of European nations,”

³⁶ „Er, der Doktor beider Rechte, hat zwar dem kanonischen Recht eine kompromißlose Absage erteilt, Bindungen an das römische Recht hat er jedoch bis in die letzte Phase seines Wirkens festgehalten.“

³⁷ „Daß er das römische Recht jemals *ganz* durch das mosaische Recht ersetzen wollte, erscheint mir jedenfalls aus den genannten Gründen unwahrscheinlich.“

and in fact argued against instituting the totality of Moses' law. As we have already done with Strauss, we must now also dismiss these charges against Karlstadt as well.

4. ZWINGLI, ANABAPTISM, AND “DIVINE LAW”

In our search for a pre-1536 “Moses only” culprit, we should also consider the early Swiss reformer, Huldreich Zwingli. Zwingli famously debated with Luther at Marburg over the nature of the sacrament of the Lord’s Supper (Luther holding a qualified “real presence” view, and Zwingli a subjective “memorial” view shared by Karlstadt). Zwingli also literally fought for reform—believing that the Reformation forces in his particular region should take arms against the Roman Catholics and drive them out. Zwingli, again famously, died on the battle field in defense of his Protestant city, Zurich. Surely, here, we could find the sort of militant theologian likely to leverage Moses for civil polity, and even perhaps sedition.

Indeed, we find that the Swiss reformer argued strongly for the “Will of God” in civil affairs, stating that “the laws of the authorities should therefore be of the same kind as the Will of God,” and that the political order should reflect “the law God gave” (Blickle 1984:13). We might, therefore, anticipate that *this* reformer found a place for Mosaic Law in civil affairs.

Those, however, who would assume a “Moses only” view for the militant Zwingli would end up disappointed. While he did call for the taking up of arms in the Protestant cause, he nevertheless *did not* do so based on the law of Moses. Rather, he did so with reference to natural law. Peter Blickle notes Zwingli’s comments:

Note briefly: all laws regarding our fellow man should be founded in the law of nature. Do unto others as you would others do unto you, Matt. 7. Matthew expressed this in even clearer words, Matt. 22: ‘Love thy neighbor as thyself.’ If a law is contrary to this Word of God then it is contrary to God.

(Blickle 1984:13; cf. Zwingli 1984a:263–4).

Even while Zwingli argued that the existing civil order by no means deserved a free pass, and by all means called for a reexamination, the standard of examination was not Mosaic but natural law: he wished to examine “as to whether they conform to the God-given law of brotherly love and nature—these being one law” (Blickle 1984:14; cf. Zwingli 1984a:267).

It is clear from this much, then, that for Zwingli, the standard was not Moses, but “brotherly love” and “natural law.” We can hardly suspect, therefore, that Calvin had Zwingli in mind for his critique of the Moses-only view of civil law.

Furthermore, Zwingli did not even have a very strict standard of *application* of natural or neighborly law. Though he called for a reevaluation of “all ancient and former laws” in light of these standards, he thought it enough that existing laws “approximate” rather than “be in conformity.” He teaches, “Now none of them [ancient and former laws] will be in conformity, for none is exactly like it; but when it approximates it or is in some sense like it we say that it is in conformity” (1984a:267). In other words, even when we do not find existing laws “in conformity,” if we think they “in some sense” come close to brotherly love, then we can go ahead and call them “in conformity.” Thus the ultimate law is not even Scripture but the magistrate’s judgment of that which approximates love “in some sense.”

Despite this pliable standard of “divine law,” Zwingli and his colleagues and disciples interacted with many of the Anabaptists, and through the development and dissemination of their thought provided theological justification for assessing all civil statutes by “divine law” (Blickle 1998:159–60). It will profit us to see what this influence involves.

Zwingli published his developed opinions on civil law in his tract *Of Divine and Human Justice* in July of 1523. He had already published his *Articles* which covered the same subject in January, but in the small space of a few months he had developed his thought with greater recourse to Scripture. The product would again call for a review of existing statutes and systematize an overt challenge to civil law: “If princely statutes prove to be against God, we are told that Christians will say: one has to obey God more than human beings. . . . [F]or this reason Christian princes need to have laws that are not against God, or else . . . there will be unrest” (Blickle 1998:154). For Zwingli, then, the ideal State would have Christian princes *and* Christian laws. The questions would be, how do we find, and what exactly is, the content of divine law or divine justice?

Zwingli, like Karlstadt (and at almost an identical time), would here at least open the courtroom doors to Moses. Matthew 5:17 was a key verse: “Do not think that I came to abolish the Law or the Prophets; I did not come to abolish, but to fulfill.” For Zwingli, “fulfill” meant something like “fill up, make whole, or make complete.” He wrote that Christ intended to “open up what has so far remained hidden” (Blickle 1998:154; cf. Zwingli 1984b:20). Blickle states that the phrase “open up” (*öffnen*) Zwingli took from Swiss legal terminology: it “suggests an almost total merger of gospel and law” (Blickle 1998:154). This would mean Christ was actually upholding and exalting the law of Moses, and thus, civil governments should consider Moses as well.

This does not mean, by any means, that Zwingli found Moses central or exclusive for civil law, as we have already indicated. In fact, once he established that Scripture should inform civil law, despite his interpretation of Matthew 5:17, he grew

more eclectic in his reference to Scripture. While for Zwingli, “every secular authority has to be a Christian,” nevertheless Zwingli does not necessitate Moses, for “all existing statutes need to correspond to the law of nature” (Blickle 1998:155). Nevertheless—and here Zwingli’s vacillation between dependence on “nature” and preference for “divine” recalls the earlier humanist Melanchthon’s position—this law of nature somehow harmonizes with divine law. The magistrates must review “all ancient and established laws... whether they are in harmony with divine rules of nature and neighborhood, both of which are one and the same, or whether they are against it” (Blickle 1998:155; Zwingli 1984a:267). And if general terms like “divine,” “nature,” and “neighborhood,” did not blur the lines of definition enough, Zwingli draws principles for government from both Old and New Testaments—the Ten Commandments, and the Sermon on the Mount (Blickle 1998:156).

Zwingli admired the pagan writers on natural law perhaps more than any of the other major reformers. In one example, for his view that Caesar (the civil magistrate) has no power over the conscience and thus should stay out of religious matters, Zwingli calls not upon Moses or even Scripture at all, but upon the pagan poet Ovid for support (Zwingli 1984b:25).³⁸ Historian John T. McNeill relates that “No Reformer is so generous as he to the pagan teachers of righteousness” (1946:176). Like Calvin soon after, Zwingli’s loyalty to natural law was rooted in his classical humanist education, and that loyalty ran very deep: “His view of natural law is perhaps explicable largely on the very ground of his love of the pagan masters of morality. He loves them so sincerely that he desires their company in heaven” (McNeill 1946:176).

³⁸ He refers particularly to Ovid, *Tristia* (3.7.45–48): “Look at me, my country lost, you two, and my home, / and everything, that could be, taken from me. / still I follow and delight in my genius: / Caesar has no power over that” (This version translated by A. S. Kline, 2003, <http://www.poetryintranslation.com/PITBR/Latin/OvidTristiaBkThree.htm>, accessed March 29, 2010).

Zwingli can therefore exclaim, “Who does not admire the faith of that most holy man [*virī sanctissimī*] [sic] Seneca? . . . Who, pray, wrote this faith upon the heart of man?” (McNeill 1946:176). Furcha goes so far as to say that even Zwingli’s mature theology was a product of “humanistic platonism” (1993:8). Certainly, then, Zwingli did not demand Moses for the ordering of society. If faith itself came apart from hearing, surely even the most holy pagans themselves could order society from that natural law inscribed on the heart.

Unlike some writers who refer to “natural law,” Zwingli often defines clearly what he means. He writes, “The law of nature is this: What you do not want done to you, do not do to anyone else” (1984b:18). He adds, “This law Christ sweetens with love. . . . Christ adorns the law of nature with these words, ‘You shall love you neighbor as yourself’” (1984b:18). This is the standard, Zwingli argues, for “divine righteousness,” by which “human righteousness” fails; he quickly adds, “Everyone fails in this; we all know that well. And human righteousness is deficient in this in every way, for it has taken on self-concern so much that it cannot bring anyone into community; it was destroyed in Paradise” (1984b:18). So having defined “natural law” according to the golden rule, Zwingli immediately recognizes the inadequacy of human righteousness for society. The fall of man demands divine input for human government. This, too, must be considered as part of his definition of natural law: nature is not just nature but creation.

From the failure to keep the single “law of love,” Zwingli argues, comes the need for all the rest of the commandments pertaining to neighborly relations (1984b:18). Here Zwingli demonstrates the difference in application between divine righteousness and human righteousness: were divine righteousness enforced by the civil

magistrate, since we all fail the divine standard in every way, we would all be doomed: “Therefore no one is punished [by the civil magistrate] who is unable to keep this commandment, though all people are guilty; and while some deeds which transgress from this law are penalized, the entire commandment is not enforced” (1984b:18). So while the civil magistrate must not enforce some aspects of divine law, he necessarily ought to enforce others. By this standard the magistrate must therefore punish *some* certain infractions of it.

Nevertheless, this doctrine merely highlights the need for various laws and penal sanctions and does not establish the standard by which magistrates must determine *which* parts of “divine righteousness” to enforce and which not. Zwingli remains unclear on any such standard. Defining “law” in another 1523 tract, *Short Instruction*, he says, “The law is nothing but a manifestation of the will of God” (1984b:53). He clarifies here, however, that he intends to speak of only divine law “which is conducive to the godliness of the inner person” (1984b:53). To support this law, “You should love your neighbor as yourself,” Zwingli draws from various sources: he calls upon Moses (Lev. 19:18), Christ (Matt. 7:12; 22:30; Lk. 6:31), and even the Apocrypha (Tobit 4:16). So Zwingli’s standard for civil laws remains vague. While he calls upon biblical principles, he leaves that principle of “love” broadly open for the magistrate to determine. While Zwingli’s writings allow for Moses perhaps to have some input in civil law, he hardly appeals to any particular precepts of Moses, and certainly does not present a “Moses only” view of civil law.

Whatever his exact standard may have included, we have Zwingli to credit for popularizing this category of “divine law,” at least among the Swiss and German regions within his influence. Some Anabaptists would adopt this category, appealing

to divine law as a means by which to reject the legitimacy of human authorities they deemed rejected divine law. Each of the centers that would emerge appealing to “divine law” could trace their ideas back to the influence of Zwingli in some shape or fashion (Blickle 1998:160).

These Anabaptist peasants, however, would go well beyond Zwingli in defining the extent to which “divine law” could be imposed. Some of them would see fit to bring in God’s will at any cost, even violent revolt (Blickle 1998:161). Ironically, however, one of the most violent and notorious of them all, Thomas Müntzer, essentially parallels Luther as far as he rarely if ever makes reference to “divine law,” or “divine justice” in the civil realm (Blickle 1998:157). A little over a year after Zwingli published his views, the Anabaptists of southern Germany were putting them into action, demanding a redress of grievances from the governments, and threatening revolt if denied.

4.1 GERMAN ANABAPTISTS AND THE PEASANT REVOLT

Tens of thousands of rebels amassed in southern Germany pressing for what they claimed were rights and freedoms. The leaders of this mob would publish their grievances in “Twelve Articles” in March, 1525. For their cause they appealed to “the commandments, love the Lord our God and our neighbor,” but not to anything of Moses in particular (Anon. 2008:169). They would conclude their tract by promising to disavow any of their articles “when it is proved to be against the Word of God by a clear explanation of the Scripture” (Anon. 2008:170). For the amassed peasants, God’s Word, the Scriptures in general, should inform the civil order. They sought justice according to their interpretation of this standard.

Less than a month earlier the leaders met with delegates of the Schwabian League—a decades-old confederation of cities, lords, and knights of southern Germany that had formed for defensive reasons and now governed the region. The rebels offered their list of complaints, not yet published. The Schwabian representatives suggested they submit the matter to the Imperial Chamber Court. The rebels knew that this same Imperial Court long since developed distaste for the string of peasant agitations organized under the name *Bundschuh*.³⁹ It considered them dangerous to the civil order. This same Imperial Court had tried Luther at Worms in 1521, condemning him for doing “more harm to the civil than the ecclesiastical power” (Bainton 1950:189). If Luther could not succeed in this court, the more radical Anabaptists could reason they had no chance.

Nor did they really want that chance, for they appealed to a higher law. Their leader at the moment, Huldrich Schmid, rejected the Schwabian appeal, favoring rather “divine law, which pronounced what each estate could or could not do” (Blickle 1998:177). The delegate—reflecting Luther’s two-kingdoms views—reminded him that divine law or not, this was an *earthly* court: “Dear Huldrich, since you asked for divine law, say, who will pronounce such law? God, after all, will be slow to descend from heaven to hold court” (Blickle 1998:177). Schmid, unswayed, gave his own reminder: divine law was already pronounced on earth, and he would pray that the sides could “decide, judge, and order the conflict according to *scripture*” (Blickle 1998:177). The appeal to “divine law” would characterize the peasants’ efforts until they suffered decisive defeat the following May. From the beginning of 1525, the

³⁹ *Bundschuh* means “tied shoe”, but creates a clever word-play. *Bund* can also mean “covenant” or “league”. The simple soft leather or cloth shoe tied at the top above the ankle was a ubiquitous symbol of peasantry, unable to afford expensively-cobbled hard-soled shoes. Thus this was a union of peasants for peasant power. They used the tied shoe as their logo, of which the mere appearance could mean trouble.

phrase appears frequently and simultaneously in several regions of peasant unrest (Blickle 1998:157).

Thus we have another candidate for a “Moses-only” civil order. What do we know about the content of this “divine law” of the peasants? Did these revolutionaries argue that the rulers must not neglect Moses and must reject the natural laws of the nations? It sounds promising on the surface.

A look at the content of “divine law” and the peasants’ various applications of it, however, shows that they had something broader than Moses in mind, and that they did not reject traditional law out of hand either. Schmid’s appeal above indicates that he had in mind *scripture* in general, and not Moses alone, or even Moses in particular. In fact, one of the few scholars who has looked closely at this issue relates that the peasants often used the terms “divine law” and “gospel” interchangeably, and that this phenomenon appears in many sources (Blickle 1998:151, note 10). If any distinction does arise, it pertains to a division between ecclesiastical order (“gospel”) and secular order (“divine law”), yet even this does not hold as a rule. The “Federal Ordinance” of the Upper Swabian peasants subjected both ecclesiastical and civil orders alike: “subjects had to offer ‘what they owed to ecclesiastical or secular authority according to divine law’” (Blickle 1998:151). For these peasants, then, “divine” law had broad meaning and equally broad application.

The lack of specific definition of “divine law” from these agitators in part derives from the reactionary nature and environment in which they used it. Tired of the oppression of the lords and nobles, these common people simply tried to leverage the power of a higher court where the earthly courts failed. They did not stop to

systematize their legal basis; they simply wished to overcome the entrenched oppressive forces that current legal traditions had erected as a machine against them. “Divine law” gave them the convincing-sounding rhetorical justification they sought:

It offered an alternative to the concepts of “ancient law,” “ancient custom,” and historically generated law, which had legitimized the social order from time out of mind. To place “ancient law” against “divine law” implied that the former had lost its moral authority and the ability to provide solutions for current needs and problems.

(Blickle 1998:152)

We don’t even have to go as far as saying ancient law “lost” its moral authority for this reasoning to apply. We merely have to realize that the peasants found a greater moral authority by which to judge that law and hold it accountable: that is, Scripture. Whatever exactly “divine law” contained,

For the rebels of 1525, it was fully elaborated in the scriptures, where it needed to be “found” and “identified.” Gospel and secular *lex* [law] were not strictly divided, but two branches springing from the same root, the will of God. . . .

(Blickle 1998:153)

For the peasants, “divine law” had broad meaning, equally broad application, and therefore carried very broad implications for civil law. It implied the potential for nothing short of a complete revision of ancient and customary laws. This furthermore implied—especially in the minds of the rulers—a great potential for social unrest. But

with thousands of peasants already gathered nearby, the nobles needed no reminder of that.

It was not Moses, therefore, that they feared, for Moses had hardly entered into the discourse, and when he did he certainly did not have a central role. Rather, the nobles feared above all any threat to their civil peace, for they perceived keeping the peace to be the central aim of the job of governing (as we have already seen in regard to the debate between Luther and Karlstadt). *Anything* that cast doubt upon the legitimacy or fairness of *any* established civil institution would have drawn immediate attention from the rulers as a threat to the social order, and therefore to social peace. This is exactly what happened with the peasants. Moses had nothing to do with it. Threatening the peace was the issue.

4.2 DIVINE LAW AND DISTURBING THE PEACE

The “divine law” to which the rebels appealed would nevertheless lead them to clash directly with the social and civil norms that magistrates had relied upon for centuries. The ancient law custom drew from all sources, including pagan law, and was understood to aim at one purpose: peace. As early as 1478, revised Nuremberg law claimed to codify its statutes for “peace, concord, and due obedience of the whole community . . . to the praise of God” (Rublack 1984:26). A mere two decades later, a similar codification in Worms stated that “justice is a constant mother and ruler of all things, distributing equally and giving to everyone his due, as well as peace and unity without which the common weal cannot endure” (Rublack 1984:27). Most cities and jurisdictions required of citizens a civil oath pledging to maintain the peace; for example, citizens of Frankfurt “should swear a common oath . . . so that all should the better dwell and live with one another in peace, tranquility and greater trust” (Rublack

1984:26). That many of the Anabaptist rebels refused to take oaths in general concerned the magistrates even more: such refusal denied the basic foundation of their social architecture. It thus directly threatened the peace of the realm.

A tract written by the Nuremberg town clerk, Lazarus Spengler, around 1509 continued in this tradition of exalting peace above all civic virtues:

Then what is there more devilish, importunate and damaging than opposition, trouble and disunity over against that which is lovelier, more true and beneficial, as are peace and unity. As we see through daily experience peace and harmony can raise little things and cause them to develop. But large things, an entire community and government can come to nought and completely pass away through disunity and lack of peace.

(Rublack 1984:39)

At the height of the tensions during the Peasants Rebellion, the council in the southern German town of Nördlingen tried to deter its citizens from joining the peasants who had assembled nearby. The council pled for its citizens to uphold peace: “Even those with the least understanding appreciate that no empire, principality, territory or city can endure without peaceful unity. The weak and small are raised through peace and unity, the great decay through lack of peace” (Rublack 1984:39).

With “peace” established as the primary civic virtue, peace in the city could grow to become the measure by which the people rationalized and judged all events. Thus, for example, when a fire destroyed an entire town in 1447, writers interpreted it as God’s punishment on the town for their discord and lack of harmony. The Augsburg

chronicle records: “in holy week the entire city of Hall was burnt out, so that nothing built of wood remained in the whole town. There was great discord among the citizens, which God punished” (Rublack 1984:28). Another chronicler elaborates:

It is said that the citizens of Hall at this time lived together in so unfriendly a fashion and frequently overran one another and had guns and gun-powder in their houses. . . . Certainly I am of the opinion that this was a penalty and a punishment from God, on account of our great sin, which unfortunately no one will amend.

(Rublack 1984:28–9)

Since, therefore, peace played such an intimate and powerful role in the collective mind, it became a means for social control. In Constance a police ordinance declared, “Where peace is, there God is himself” (Rublack 1984:46). But if to have peace meant to have God, then to have disorder meant to have God’s judgment. With such an understanding in place, any appeal to reform the civil order with which the established rulers did not agree automatically became a threat to unity and peace. Even appeals to “divine law” therefore, would have little effect if the rulers did not like the shape of reforms called for under that standard. They could easily cite the danger posed by disrupting the civil order as justification for maintaining the status quo—despite any lack of conformity to any alleged “divine law.”

To make the case even more difficult for the rebels, the ancient legal tradition itself contained countless references to God and divine law going all the way back to the first sentence of the Institutes of Justinian: “jurisprudence is the knowledge of things divine and human” (Blickle 1998:177, note 74). So the rebels had no monopoly on “divine law,” and the magistrates stood with the added advantage of a divinely-

mandated “peace” on their side. So for the rebels now to appeal to “divine law” while threatening insurrection struck the magistrates as both disingenuous and as a threat to the very existence of society. Nothing that disturbed the peace could they even countenance as law, let alone divine law.

This same issue emerges between Luther and Karlstadt, as we mentioned. Luther, citing Romans 13, would argue that Moses did not apply to the civil magistrate; the ruler’s job was simply to keep the peace, even if it meant treating the common people as brutes. Karlstadt accused Luther of sloppy exegesis of Scripture and arbitrariness in legal standards. Luther wrote that the peasants must be

compelled by the sword and law to be outwardly pious, much in the manner in which we control wild animals with chains and pens, so that external peace will exist among the people. To this end temporal authority is ordained, which God would have us honor and fear [Rom. 13; I Pet. 3].

(1967b:161)

Karlstadt responded:

That Dr. Luther set up peace as the reason for external piety or punishment and that he writes in a gloss on Romans [13] that temporal authority is set up for the sake of temporal peace, etc., shows what an ignoramus he is. He does not know what causes laws and legal rights. He has invented a dream in his own brain, and though peace might have been indicated in his prized books as a cause, Dr. Luther would have to look around a bit more for what are the fruits of love of God and neighbor and define them more carefully.

(1995c:373–4)

4.3 SWISS ANABAPTISTS

Despite the fact that Roman Catholics and reformers, including later Calvin, throughout Europe equated Anabaptism with “sedition” and disturbing civil peace, this does not mean that they fit Calvin’s Moses-only description for civil government. Many of them—the more peaceful and private in particular—essentially dispensed with the Old Testament altogether.

Zwingli encountered this type in the so-called Swiss Brethren. The issue of infant baptism drew him back to the Old Testament in order to draw an analogy with the rite of circumcision. His Anabaptist rivals objected to the use of the Old Testament. Zwingli countered by arguing that rejecting the Old Testament meant rejecting “him who is God of the Old Testament and the New” (Roth 1999:37). The two sides would go on to develop their respective emphases more thoroughly over the following years.

The Swiss Brethren Leonhard Schiemer provides an explicit example of the dismissal of the Old Testament. In 1528, he writes

When you read . . . read mostly from the New Testament and the Psalms. You should know that God spoke in a very hidden manner to the Jews through Moses and the prophets, but since Christ himself came he and his apostles have illuminated everything with a much clearer understanding.

(Roth 1999:39)

He concluded that “although it would be good to read in the prophets and the books of the kings and of Moses, it is indeed almost unnecessary. One can find everything in the New Testament” (Roth 1999:39).

This became a central point of debate between the Zwinglian Reformed and the Swiss Anabaptists. Over the next decades they engaged in at least three major public disputations (1538, 1557, 1571). At each, the Reformed side insisted on beginning at the outset with the issue of the relationship of the Old and New Testaments. At the later debate, for example, the first article of disputation read:

Whether the Old Testament Scripture is as valid to the Christian as the New; that is, whether the principle doctrines of faith and life can and must be proved from the Old Testament as well as the New.

(Roth 1999:41)

If Mosaic Law was the issue thought to lead to sedition at the time, it would stand to reason that the Reformed should have wanted to suppress the issue of the Old Testament. This would be especially true coming after the Münster holocaust (1535, as we shall see), which all three of these major disputations were. If Moses really had been the incendiary cause behind the Peasant Revolt, Münster, etc., it would have been rhetorical suicide for the Swiss Reformed to appeal to him publically within that historical context. Apparently, they did not see the issue as relevant to the public unrest.

Nor was it the case that these peaceful Anabaptists leveraged Mosaic Law in order to condemn the validity of human governments. On the contrary, it was upon their rejection of the Old Testament that these peaceful Anabaptists built their doctrine of tolerance and refused to participate in government. Even if they might have allowed for “dual kingdoms” and left the civil realm “legitimate” for non-Christians, their view implied enough for most local authorities to deem it seditious

and dangerous for the social order. Despite their appeal *against* Moses, these Anabaptists still rejected the government, because they rejected all human government as a pagan activity. That was perhaps a worse condemnation of the existing social order than those who wanted simply to reform the laws to reflect divine law or biblical mandates. The Swiss Brethren would argue that all vengeance and punishment of sin against the law had been abolished along with the old covenant. As sometime Anabaptist leader Hans Schnell later put it: “it has been sufficiently shown that in the New Testament Christ has annulled vengeance in the law of Moses and made it powerless and transformed everything into love and mercy” (Roth 1999:50). This would have ramifications for civil government:

If then a magistrate wants to be a Christian he must be obedient to Christ’s teaching and follow his example [which means that] he then may punish nobody according to the law or give vengeance but must love the enemy, suffer blows, drink the cup of suffering and also turn the other cheek, as Christ teaches. . . .

Therefore . . . ruling and being a Christian are two different things.

(Roth 1999:50)

In an age in which rulers assumed to represent and defend their churches (whether Protestant or Catholic), and these churches in turn supported and clung to the protection of their rulers, to flatly call the whole institution of government non-Christian was to invite the wrath of the whole establishment. This is exactly what the Anabaptists got, whether they were peaceful or riotous. And again, it had little or nothing to do with Moses.

Zwingli himself had debated the peaceful Anabaptist view years earlier in his 1523 tract *A Short Christian Instruction*. Civil government is required and Christians must obey civil magistrates; yet Christian magistrates must not pass laws that defy God's word. Zwingli's comments provide a fitting summary to end this section. In them we see his insistence on the need for civil government, his call that magistrates never legislate contrary to the word of God, as well as his eclecticism in drawing from all parts of Scripture. He writes,

Finally, on the pretext that they are Christians, some want to exempt themselves from obedience to true government which we call temporal. They are the worst enemies of the teachings of God. For in addition to acting contrary to the clear word of God, they also slander the teaching of Christ before other people and render it worthless. In the Old Testament in Exodus 18:21–26 God established the government that keeps the human community and justice for peace and rest. In the New, Christ has ordered one's giving to Caesar (which we shall take to mean every government) what one owes to him [Matthew 22:21]. He also commands this through the mouth of Paul in Romans 13; read the whole chapter. Through the mouth of Peter, Book One, Chapter Two: "You should be obedient to the ruler and his governors or captains, etc." [Cf. I Peter 2:13–15.] And soon after: "You should not make Christian freedom a pretext for evil, etc. Fear God and hold the rulers in honor, etc." [I Peter 2:16–17] In Hebrews 13:17: "Be obedient to your superiors, etc." The proof texts are enough for us to see that we are to be obedient by divine command to the government, which carries the sword. However, a government shall command nothing that is against the honor of God and his word, or the true Christian will say, "One must be more obedient to God than people" as Acts 4:19 and 5:29 state. Therefore, it is not appropriate for the

government to demand anything contrary to the word of God if it wants to be truly Christian.

(1984b:65–6)

4.4 CONCLUSION

Anabaptists, then, had no single or comprehensive view on the civil magistracy or civil law. In general, though, they followed one of two routes. First, some took Luther's two kingdoms view to an even greater extreme than the Wittenberg reformer himself and completely separated Christian life from all secular life. Civil government, law, and the military they considered "secular" and thus outside the Christian life. This abdication in essence left the civil magistrate free to legislate anything he wanted since the position considered *no* civil magistracy or law to fall within the sphere of Christian life or legitimately to apply to the Christian. This group simply wished to live peaceably without interference from secular rulers and clerics. Nevertheless, their denial of the legitimacy of earthly kings and courts drew as much censure and persecution as the more revolutionary group.

The second general course again followed Luther's dialectic, but instead of defining civil life as outside of all godliness, comprehended it within the sphere of common grace—natural law and history. This view, as we shall see, led to the episodes of tyranny and excess as some agitators stirred civil councils to overturn established orders and institute various forms of tyranny—usually dominated by a charismatic personality. In this group we find our usual references, Müntzer, the city of Münster, and the like. Yet, these leaders and movements never appealed to Moses alone, Moses primarily, and never rejected non-Mosaic Law in general as the standard for civil law and government. In fact, they rarely appealed to Moses at all.

As we shall see, rather, they usually fell prey to the charismatic prophesying of a radical such a Jan Beukels. So while Anabaptism can account in part for the charges of “sedition,” it has little role to play in Calvin’s charge against an exclusive Mosaic theocracy.

5. THOMAS MÜNTZER, DESTROYER OF THE GODLESS

Among those associated with Mosaic polity we have seen the name of Thomas Müntzer. His name arose amidst Luther's confrontation with Karlstadt, Müntzer providing the fiery violent streak with which Luther attempted unjustly to associate Karlstadt. Again, we also find Müntzer among Battles' endnotes on Calvin's comment on exclusive Mosaic polity (1986:333). Thus, the situation warrants an investigation of Müntzer's ideals and beliefs.

5.1 BINDING LETTERS

Two days after preaching his famous *Sermon before the Princes* (July 1524), Müntzer wrote three letters to Sangerhausen. The third of these he addressed to his persecuted followers, warning them that dangerous persecution would increase. His geopolitical vision revealed in this letter includes a condemnation of the civil order. This condemnation involves little reference to Moses and a lot of apocalyptic doom:

[T]he time has come when a bloodbath must come over this hardened world because of its unbelief. When that happens, I know for a fact that all those who were not willing to sacrifice their possessions for God's sake will have to do so for the devil's, and without his thanks. Why do you let yourselves be led around by the nose for so long? For it is well known, and can be easily proven from the Scriptures, that lords and princes, because of the way they are now acting, are not Christian. . . . Why then should you still hope? There is little to be hoped for from the princes. Therefore, whoever wished to fight against the Turk has no need to travel far afield; the Turk is in the land. . . . So tell them straight to their face: "Dear lord! St. Paul teaches, saying: 'The word of God is to be free and not bound.' Why then do you wish to forbid us from hearing it? You did not previously prevent people from running to St. James and to the devil at Heckenbach, you did

not prevent them from becoming widows and orphans, or having their money and goods taken out of the country. But now you wish to prevent us from going where we must; you will neither allow us to have [our own] right preachers nor to go elsewhere to hear others. If such are indeed your intentions, I will hold you for a Turk not a Christian prince or lord.” Tell them freely and openly that you will take your stand, that you will fear God alone and not be hypocritical. Should injury come to you as a result, God will Himself stand by you and exact revenge. . . . God cannot forsake His elect, even though it may at times appear so, for at the right moment He will take His revenge.

(Friesen 1990:188)

It is clear from just this much that Müntzer’s ideal involved eschatological judgment from God, and mystical-individual revenge from God, not the setting up of a Mosaic judicial system. Eschatology ruled his worldview, not any particular legal system. Müntzer’s eschatology and his anticipation of God-initiated judgment—not Moses—drove him to accept bloodshed for social change in this world.

By these apocalyptic factors Müntzer felt absolutely justified in rebelling against the rulers and encouraging his followers to do so as well. With his followers he established a *Bund* (covenant) in which they consented to refuse paying tithes to monks and nuns and other ecclesiastical establishments that, as they saw it, prayed to the devil. Further, they consented to assist in destroying these idolatrous papal institutions (Friesen 1990:189–98). The burning of a Marian Chapel in Allstedt gave the first major expression of the seriousness of this *Bund*, to which Luther and the rulers took notice, implicating both Müntzer and Karlstadt, as we have already noted. While Karlstadt distanced himself, Müntzer and his followers offered no apology. The Elector’s brother, Duke John, gave the town council two weeks to arrest and to

deliver those responsible. Unwilling, the council stalled. In the following week, Müntzer preached a sermon denouncing the Elector as “that old gray-beard, the prince, who has about as much wisdom in his head as I have in my ass” (Friesen 1990:192)—hardly the sentiments of a submissive subject. And what were the grounds for his antagonism and lack of subjection? He continued: “The prince does not understand the Gospel; nor does he accept it. Therefore he is not worthy of it. He wishes to judge matters he himself does not understand” (Friesen 1990:192). The council continued to delay and negotiate with Duke John. Finally he received a letter refusing compliance: Scripture did not require Christians to defend blasphemers, and the destroyers of the chapel had only stifled the devil. Why should these be imprisoned? In fact, the Duke should join them in their efforts since he was given the sword for the very purpose “to punish the evildoers and the godless” (Friesen 1990:192). Müntzer himself would later say: “Because it is now apparent to the whole world that monks and nuns are idolatrous people, how can pious Christian princes legitimately defend them?” (Friesen 1990:193).

Müntzer’s covenant of destruction does have remnants of Mosaic Law in it, although filtered through the historical books (but it was more generally expressed as “the Gospel” as quoted above). He explained how he had preached on his *Bund* based on the reforming efforts of King Josiah in 2 Kings 22–23 (Friesen 1990:195). During Josiah’s reign the high priest discovered the book of the law. Josiah had it read aloud, then led a national repentance and reform. This reform included the reading of the law to all the people, and the subsequent destruction of all images of idolatry and removal of idolatrous priests. Müntzer biographer Friesen invites us to see the clear historical parallel as Müntzer likely saw it:

To begin with there was the total corruption of the people of God, of Christendom. This was followed by the recovery of the book of the Law—the resurrection of the Bible through Hus and Luther—which contained God’s commandments to His people. King Josiah and all the people of Judah swore an oath “to walk after the Lord,” to conform their lives to His commandments. Muentzer wanted his followers to do the same: to defend the “holy Gospel” and to have them “live together as brothers.” The affirmative was to be followed by the negative, however: the destruction of the idolatrous priests and their places of worship. Mallerbach [the Marian chapel] was such a place; therefore, it had to be destroyed.

(1990:195–6)

Müntzer, therefore, rhetorically modeled his covenant on Josiah’s efforts. To the degree that Moses underlies Josiah’s reforms, therefore, it may be tempting to say he also forms a basis for Müntzer’s activities. Pursuing this idea, however, we distinguish that Josiah was God’s anointed, official civil ruler; Müntzer could not claim such authority. The authority that did legitimately reign, however—Duke John—rejected Müntzer’s rebellious violence, and he did so, ironically, at least partially on grounds of Mosaic Law (though without naming Moses). A report from the Weimar archives proves the Duke’s motivations to have been grounded in the commandment against stealing or destruction of property: “he was not willing to allow anyone, even the local canons, to have their property rights or its usufruct in the least infringed upon” (Friesen 1990:193). In addition, we have only scant material about Müntzer’s reference to Josiah. While it is clear that he draws a broad analogy for his own purposes, beyond that he says nothing about his own basis for law. Nor does he say why he breaks his analogy when it comes to the issue of who enjoins the civil covenant with the people and imposes civil law—Josiah, the established king—and

rather took it upon himself to incite rebellion and destruction. Nor does he say—despite his argument that the *Bund* was “for the sake of the Gospel”—what role preaching the gospel had in a society that still tolerated idolatry, or how his “the Gospel” relates to Moses. The answer to these crucial questions only grows clearer when we consider both Müntzer’s individualistic mysticism and his view of imminent fulfillment of catastrophic prophecies.

5.2 THE NEO-PLATONIC INFLUENCE

Müntzer’s theology exhibits strong influence of the mystic-spiritualist tradition. It could in fact be argued that his revolutionary violence depends almost entirely on his mystical theology in which Neo-Platonism and the occultic side of Renaissance thought provide the major thrust.

At least two points of Neo-Platonic influence on reformational Christianity carry direct importance for this study: 1) the divinization of man (deification), and 2) the immanence of God in the earth through his elect. A study of Müntzer’s thought actually reveals more influences than this pair, but these will suffice to illustrate the point at hand (Myers 1992). First, Müntzer believed that through the work of Christ, mankind was not only redeemed, but, like Christ Himself, made divine. He wrote,

[W]e must believe that *we fleshly, earthly men are to become gods* through Christ’s becoming man, and thus become God’s pupils with him—to be taught by Christ himself, and *become divine*, yes, and far more—to be totally transfigured into him, so that this earthly life swings up into heaven, Phil. 3.

(Myers 1992:128)

He repeats the point elsewhere: “God wants us to become gods,” and “The word of God must make us divine” (Myers 1992:129). Humanity’s end goal is to be transformed “completely into God, so that earthly life is ruled from heaven” (Lindberg 1977a:39). Müntzer went so far as to write this aspect of his theology into the Christmas liturgy of his church in Allstedt, adding the following verse to a hymn:

So we thank you, Father God,
You Son, you Spirit—and eternal good,
Who made us God-like, through your word,
Now made man through his birth. Amen.

(Myers 1992:130)

This aspect of mysticism and many others draw directly from the mystical theology available to Müntzer at the time, which was considerable, and which we know he studied. Even some of the early church fathers had actually spoken of “exchange Christology” in which Christ as God became man so that man could become God through Him. This had found expression in Irenaeus and Athanasius, but underwent qualification with Augustine: men became “gods” through grace, but not in substance like Christ (Myers 1992:135–6). While Müntzer was aware of this distinction, he followed his contemporary mystics in largely ignoring its importance for the outworking of theology. For example, one of the most formidable and widely read of such works at the time was translated by Luther himself, the so-called *German Theology*. It states, “I must become him [God], and he must become me” (Myers 1992:136). Other writers whom Müntzer studied in detail echoed these very doctrines, in particular, Johannes Tauler and Henry Suso.

The Neo-Platonism which spread through these men had an established history in the medieval era, notably in the works of Hildegard of Bingen and others claiming direct revelation. We know that Müntzer owned their works. In addition to these, his theology exhibits parallels to the works of the mystic Meister Eckhart. While there is no direct proof that Müntzer read Eckhart, the likelihood is very great, and the likeness in thought makes a persuasive case—particularly on the issue of the divinization of man (Myers 1992:14–16). Furthermore, by the time he had thoroughly studied contemporary mystics, Müntzer had received a “classical” education in Renaissance philosophy through lectures on Plato, readings of Plato as translated by the Neo-Platonist Marsilio Ficino, and study of the Neo-Platonic rhetorician Quintilian (Myers 1992:41–42). These he had studied as a student in Wittenberg. His interest in them likely drove him later to seek out Tauler and Suso for deeper study, though the evidence is not conclusive on this point.

The second main point of Neo-Platonism appears in Müntzer’s (as well as these other mystics’) doctrine of the immanence of God in creation, though with the Christian twist of this immanence coming through God’s elect people. Since God makes His elect people become gods, they therefore walk upon the earth as divinized agents of God. As gods, they thus stand ready and authorized to execute His judgment. This belief found expression, again, in Müntzer’s liturgy: he rather freely translated Psalm 93 to reflect his ideas. Some excerpts read thusly:

. . . God shows it is he who rules . . .

. . . you have made the elect man your throne . . .

An awesome, wondrous man is the Lord . . .

Man sees he is the house of God . . .

The tyrants will be overthrown; the splendor of this world cannot coexist with that of God.

(Myers 1992:164)

None of the distinctive features of this translation appear in the Hebrew text, nor in any translation of it except for Müntzer's. Müntzer, in order to imbue his congregation with the revolutionary spirit, filled them with the idea that they had become divine: God would work through his divine agents by "the strength that flows from him," and thus would the tyrants fall "to the ground" (Myers 1992:162–63).

One of the rare scholarly treatments (in English anyway) focused on Müntzer's mysticism concludes that these Neo-Platonic elements directly influence his revolutionary spirit. The logic is as follows:

God is immanent in creation particularly through his presence in the elect. It is through his presence in the elect, according to Müntzer, that God will purge society of the ungodly. God's mystical immanence thus became for Müntzer the foundation of political activism.

(Myers 1992:162)

Müntzer's doctrine of cleansing society required this idea of God's immanence, though it further hinged on an analogy that best makes sense in a Neo-Platonic worldview. This involves the idea of "emanation and return" in which all things emanated from a single source—the Oneness—and must return to that One. As they emanated out, a spiritual hierarchy formed creating an "order" that extends from God all the way down to the lowest forms of matter. Society is a manifestation of this order in which some people return to God (the elect) and some choose to let earthly matter

weigh them down (these are the “godless”). As the time comes (the end times, as we shall see next) for things to return to God, a great separation occurs. Societies get purged the same way individuals do: “In order for the individual soul to return to the origin, it must be cleansed of all impurity. Likewise, before society can return to God, it must be purged of the ungodly” (Myers 1992:192). Since God had emanated Himself on earth in the form of His divinized people, they were called, equipped, and justified to do the purging of these “ungodly.” Müntzer so strongly concentrated on the point of this purging that he neglected most other details of the end-times scenario he advanced: “Müntzer never spelled out the details as to how he believed the end times would transpire, except that first the godless must be destroyed” (Myers 1992:200).

Thus we see the primary artery coursing revolutionary fire through Müntzer’s brain: it was not Moses, not even biblical exegesis primarily at all, but pagan classical and renaissance philosophy. Again, we find no reason to blame Müntzer’s excesses on Moses, for the visionary’s theocracy—if it could even be called that—was a pagan, or at best mystical Christian, theocracy. It was thoroughly dominated by Neo-Platonic ideology:

Neoplatonic categories filled Müntzer’s thought world: his entire understanding of the relationship between God and humanity hinged upon them. They affected his whole perception of what salvation is. They were the basis for his understanding of Christ’s incarnation and resurrection. They provided the framework for understanding his belief in direct revelation from God. And they shed light on his apocalyptic beliefs and his revolutionary activity, having the elect purge society of the godless. In short, Müntzer’s entire world of thought, as well as his ministry

and social activism, were influenced by his Neoplatonic worldview. It is upon this that Müntzer's evangelical theology, his emphasis on charismatic experience, and revolutionary activism are based; and it is this Neoplatonic worldview which ties these together as an integrated whole.

(Myers 1992:200–1)

Müntzer's emphasis in hermeneutics actually ignores Sinai and draws a mystical lesson from the first verse of Scripture. For him "divine law" did not mean the judicial laws of Moses—he does not even mention or comment on them. Rather, he writes "I strive for the purity of the divine law, Psalm 18, by pointing to the beginning of the Bible, to what its first chapter says about the ordering of creation" (Myers 1992:75–6).⁴⁰ The unspoken point implied in the phrase "ordering of creation" is a winking reference to the mystical tradition, in which God first created "heaven," and then earth, and thus the unseen realm of heaven, Spirit, etc., must inform the inner spiritual life of man in order for Him truly to live the divine life. The mystical-occult "law" of "as above, so below" derives from Neo-Platonic theory and Müntzer's theology (and cosmology) is perfectly consistent with this.

When Müntzer's ideas of the deification of man and the divine "elect" as God Himself immanent in the world-order combine with his view of prophecy and imminent divine judgment, the recipe for disaster is complete—and disaster would be inevitable. As Packull puts it: "the apocalyptic and mystical themes in Müntzer's thought were blended into a revolutionary ideology" (1977:31). The tango of

⁴⁰ The Psalm referred to in this instance is actually Psalm 19, the difference between the Vulgate and modern enumerations accounting for the difference. For the earlier reference to Psalm 93, Myers (1992) made the adjustment, but here he left the original in quotation. Since Psalm 19 pertains to the heavens declaring God's works, as well as a declaration of the supremacy of God's law, noting the proper Psalm will help the reader trace how Müntzer made a connection between Genesis 1 and a hidden "divine law" in the created order.

“Immanence and Imminence” would become the dance of chaos and destruction across Europe.

5.3 MÜNTZER’S LAST-DAYS MADNESS

Müntzer further reveals his motivations in his writings on prophecy. As early as 1521, he had shown a preoccupation with Christ’s prophecies of desolation in Matthew 24, and he believed firmly that he was living in the last days. He wrote to a friend:

The time of Antichrist is at hand, as Matthew 24 clearly makes apparent. . . . And the gospel of the kingdom will be preached in the whole world as a testimony to all nations, and then the end will come. . . . With the Gospel reigning in all the world and the Lord’s word forcing its way in everywhere, then we will recognize the abomination of desolation.

(Friesen 1990:202)

The “abomination of desolation,” of course, the Gospel of Matthew had referenced as “spoken of by Daniel the prophet” (24:15). It was to this prophecy of Daniel in its larger context that Müntzer would turn for his *Sermon before the Princes*. Friesen observes this turn: “Müntzer’s shift from Matthew 24 to Daniel 2 is therefore probably another indication of the shift from his preoccupation with the prophecy *about* the future to his belief that the *actual time* of the ‘abomination of desolation’ was upon them” (Friesen 1990:202–3). The preacher would later write to the Elector, “The time of harvest is at hand, Matthew 9. Dear brothers, the tares everywhere cry out that the harvest is not yet. Ah, the traitors betray themselves” (Friesen 1990:203).

5.3.1 The Sermon before the Princes

Müntzer's *Sermon before the Princes* displays his entire historical-prophetic theology for us to witness just as clearly as his audience—including the princes themselves—heard it on July 13, 1524. The preacher made an impassioned and explicit plea to the rulers hoping to enlist their swords in ridding corrupt priests and their idolatry from the land. The time was now, and just as God had once confirmed this to Nebuchadnezzar through Daniel by means of a dream, so now was God drawing the church back to apostolic purity by sending the gifts of the Holy Spirit, in particular visions and prophecy. Müntzer claimed to know of many people having such visions and they all confirmed the same report: great reformation amidst great turmoil lay ahead. All of this confirmed that Christ intended soon to destroy the fifth kingdom of Daniel's vision. The rulers should take care to be on Christ's side in the battle. Since the *Sermon* shows how the intersection of Bible prophecy and individual charismatic revelation lie behind Müntzer's revolutionary violence, let us take a closer look at the emphases in his crucial delivery.

He begins on common ground with his Lutheran audience: Christendom lay in ruins about them, subjugated in the filth of Roman superstition and idolatry. These, he urged, fulfilled all the prophecies of Christ and the apostles that false prophets would arise in the last days. These would defile Christ in the very name of Christ. Through the abomination of the papal mass, indeed, Jesus Christ "has become for the whole world like a rag to wipe off one's boots" (Müntzer 1957:52). He concluded, "Therefore, you dear brothers, we ought to arise from this filth and become God's real pupils, instructed of God" (1957:53). This called for tough measures: "Thus it will be necessary for us that a great mighty power, which will be vouchsafed us from above, should punish and reduce to nothingness such unspeakable wickedness" (1957:53).

Such infusion of knowledge and power would leave inexcusable any “means of human or rational expedients.” Müntzer thus set the stage for a charismatic view of revelation, which he must defend against both Catholics and Lutherans alike. He complains that

almost all divines with mighty few exceptions . . . teach and say that God no longer reveals his divine mysteries to his beloved friends by means of valid visions or his audible Word, etc. Thus they stick with their inexperienced way (cf. Ecclesiasticus 34:9) and make into the butt of sarcasm those persons who go around in possession of revelation, as the godless did to Jeremiah (ch. 20:7f.).

(Müntzer 1957:54)

These mockers of Jeremiah, Müntzer reminded, ended up in captivity to heathen kings because they despised the prophetic gift. This is for his audience’s instruction, he adds: “It is the same way also with the unproven people of our own times. They are not conscious of the [imminent] punishment of God, even when they see the same right before their eyes. . . . For this reason he must withdraw his goodness from us” (1957:55).

Müntzer then spends a good deal of space defending private visions, beginning with Daniel’s interpreting of Nebuchadnezzar’s dream. He distinguishes between genuine revelation from God and false dreamers such as the soothsayers who could not tell Nebuchadnezzar’s dream and whom the king thus had put to death. To these latter Müntzer compared the various theologians and ministers who denied the special Spiritual gift, as well as the monastic mystics whom he said practiced black magic of the devil. Despite those who have abused the gift, Müntzer argues, Christians should nevertheless heed Paul and “Despise not prophesying” (1957:57).

Christians must seek this gift, for without the aid of the Spirit the natural man will remain blind even while looking directly at Scripture: “He [who has not the Spirit] does not know how to say anything deeply about God, even if he had eaten through a hundred Bibles!” (1957:58). Indeed, the continual act of denying the Spirit compounds judgment upon itself: “For the more nature gropes after God [to lay hold upon him], the further the operation of the Holy Spirit withdraws itself therefrom, as Ps. 139:6 clearly shows” (1957:57–8).

Nevertheless, the employment of this gift in godly life required personal tribulation, stress, and hard work. Müntzer rehearses nearly every incident in Scripture in which a Patriarch, prophet, or apostle received visions from God consistently demonstrating this point. He concludes, “Indeed, it is a [mark of the] truly apostolic, patriarchal, and prophetic spirit to attend upon visions and to attain unto the same in painful tribulation” (1957:61). He took a jab at Luther here—whom he judged now too comfortable in his post at Wittenberg for the rigor and discipline necessary to attain visions—calling him “Brother Fatted Swine and Brother Soft Life” (1957:61). This was no mere personal slight. Duke John and his son in the audience divided on their Protestant loyalties: the son favoring Luther and the father leaning towards the radicals. Müntzer appealed to the father’s leanings and thus pressured the son by insulting Luther (1957:47). The message was clear: Müntzer had the Spirit; Luther did not; leave Luther to his ease and join Müntzer in battle on the Lord’s side.

Müntzer’s lengthy defense of visions and prophesying ends in a dovetail with his eschatology:

For God speaks clearly, like this text of Daniel, about the [eschatological] transformation of the world. He will prepare it in the Last Days in order that his name may be rightly praised. He will free it of its shame, and pour out his Holy Spirit upon all flesh and our sons and daughters shall prophesy and shall have dreams and visions, etc. For if Christendom is not to become apostolic (Acts 2:16 ff.) in the way anticipated by Joel, why should one preach at all? To what purposed then the Bible with [its] visions?

(1957:62)

This combination of private with biblical prophecy then culminated in an appeal that the Last Days had definitely arrived:

It is true, and [I] know it to be true, that the Spirit of God is revealing to many elect, pious persons a decisive, inevitable, imminent reformation [accompanied] by great anguish, and it must be carried out to completion. Defend oneself against it as one may, the prophecy of Daniel remains unweakened, even if no one believes it, as also Paul says to the Romans (ch. 3:3). This passage of Daniel is thus as clear as the sun, and the process of ending the fifth monarchy of the world is in full swing.

(1957:62–3)

Full swing it was for Müntzer who was giving his best effort to persuade the princes to join his *Bund* against the godless. So he rehearses the five kingdoms represented in Nebuchadnezzar's dream, rounding out with Rome interpreted as his contemporary realms:

The fourth [was] the Roman Empire, which was won by the sword and a kingdom of coercion.⁴¹ But the fifth [symbolized by the iron and clay feet] is this which we have before our eyes, which is also of iron and would like to coerce. But it is matted together with mud, as we see before [our] discerning eyes—vain, pretentious schemes of hypocrisy which writhe and wriggle over the whole earth. . . .

Therefore, you much beloved and esteemed princes, learn your judgments directly from the mouth of God and do not let yourselves be misled by your hypocritical parsons nor be restrained by false consideration and indulgence. For the stone [made] without hands, cut from the mountain [which will crush the fifth kingdom, Dan. 2:34], has become great.

(1957:63)

These rulers should take note, for peasants had already passed them in spiritual discernment:

The poor laity [of the towns] and the peasants see it much more clearly than you. Yea, God be praised, it has become so great [that] already, if other lords or neighbors should wish to persecute you for the gospel's sake, they would be driven back by their own people! That I know for a certainty. Yea, the Stone is great. . . . Therefore, you esteemed princes of Saxony, step boldly on the Cornerstone as St. Peter did (Matt. 16:18) and seek the perseverance [imparted] by the divine will.

(1957:63–4)

⁴¹ He apparently did not catch the irony of his own preaching here. Perhaps he had not considered how these pagan kingdoms of the sword and coercion very much resembled his own agenda.

These Saxon princes, Müntzer is certain, would certainly raise arms in righteous indignation if only they truly understood the harm being done to Christendom. They needed only to understand. For this they obviously needed help, and Müntzer implied he was the only man to help. In his own words: “Therefore a new Daniel must arise and interpret for you your vision, and this [prophet], as Moses teaches (Deut. 20:2), must go in front of the army” (1957:64). While he misapplies the Mosaic passage due to an improper reading in the Latin Vulgate, the message is nevertheless clear. The princes need to line up behind Müntzer and his interpretation of Scripture.

And the bloodthirsty interpretation had only started. Far from needing the laws of Moses, Müntzer made Jesus himself into a revolutionary and trainer of executioners, appealing to a literal and timely application of Matthew 10:34: “I am not come to send peace but a sword.” Paul did not escape the same revolutionizing: unless the princes forcibly removed and eliminated the wicked from before them, they would “be ministers of the devil rather than of God, as Paul calls you (Rom. 13:4)” (1957:65). As he continued, he drew Isaiah, Peter, Matthew, and Luke into his violent plot: Christ wanted his enemies literally strangled before His eyes (referencing Luke 19:27), and should this not happen the princes responsible would “ruin Christ’s government for him . . . and ruin the whole world with their insidious subterfuge” (1957:65). The princes should not hesitate or even take the chance of offending one of these little ones of the faithful (Matt. 18:6). Indeed, true godly princes drive out the wicked with the sword, and it grows clear that Müntzer truly desired that sword immediately to join his crusade: “Now if you want to be true governors, you must begin government at the roots, and, as Christ commanded, drive his enemies from the elect. For you are the means to this end” (1957:66).

Müntzer continues this pitch with numerous references to the Gospels, Psalms, Paul, and at last, Moses as well. But when he finally does arrive at Moses, he mistreats him. He mistranslates Exodus 22:18, arguing, “For the godless person has no right to live when he is in the way of the pious. In Ex. 22:18 God says: Thou shalt not suffer evildoers to live” (1957:66). As the English edition’s editor, G. H. Williams, notes, the translation “evildoers” is glossed from the original which more properly means “diviner” or “sorcerer” (1957:66, note 83). The verse, then, does not justify the wholesale slaughter of unbelieving and superstitious society in general, though Müntzer argued at the time that it did. Likewise, he appeals to Deuteronomy 7:5 in order to justify the destruction of altars, images etc. Karlstadt, as we have seen, appealed to the same law as justification for removing images. But when God through Moses promises to drive the Canaanites out of the land (Ex. 23:29–33), Müntzer expands this to mean, “The godless have no right to live except as the elect wish to grant it to them” (1957:69). Müntzer thus ignored something that Karlstadt had been at pains to emphasize: God in these verses promised only a gradual removal of the Canaanites themselves—“I will not drive them out from before thee in one year . . . But little and little I will drive them out . . .” (Ex. 23:29–30)—while the removal of the idols in particular was to be done immediately, though through legitimate powers. Müntzer ignores this distinction and simply adds the Mosaic verse as one more in his revolutionary arsenal. He also anticipates the argument that Moses is abrogated: “These words Christ has not abrogated, but rather he wishes to fulfill them for us (Matt. 5:17)” (1957:67). But Müntzer did not take care to distinguish the enduring aspects of Moses’ books from any that might have been genuinely land- and time-bound aspects such as the mission in Canaan. Just like his revolutionizing

of Jesus, Paul, and others, Müntzer liberally subsumes Moses within his general biblical arsenal, all towards his revolutionary ends.

What ruled, therefore, for Müntzer was his murderous intentions, Scripture coming only as an aid for this preconceived agenda. He cobbled together a barrage of Scripture passages from all over the Bible—almost all of them ripped from context and sense—in order to give the appearance of justifying his crusade. The passages included a few from Moses, but Moses certainly did not define or dominate Müntzer’s ethic. His expressions near the end of the *Sermon* expose how his bold, murderous intentions form the root of his interpretation of all of Scripture—indeed, “the whole divine law”:

Without doubt inexperienced people will to such an extent anger themselves over this little book for the reason that I say with Christ (Luke 19:27; Matt. 18:6) and with Paul (I Cor. 5:7, 13) and with the instruction of the whole divine law that the godless rulers should be killed, especially the priests and monks who revile the gospel as heresy for us and wish to be considered at the same time as the best of Christians.

(1957:69)

5.3.2 The Imminence of “God’s War”

We have seen enough of Müntzer, then, to learn that his appeals to violence had less to do with Mosaic Law, and much to do with mysticism and prophecy, both private and biblical. His eschatology of the end of worldly kingdoms and imminent judgment upon unbelievers, and his belief that such things were happening in his time, backed his advocating of violence against all those who did not purify the gospel as he saw fit. Against such a revolutionary context, even if he had never read the books of

Moses at all, he still would have pursued his rebellion and sought to overthrow the established institutions based on the words of Daniel, Christ, and Paul alone. Indeed, we can even venture that in the absence of *any* Scripture, Müntzer might still have justified revolution based only on the circle of private revelations of which he claimed to know.

Müntzer's timeline, taken from the book of Daniel, it is worth noting forms basically the same historical system that undergirded the revolt at the city of Münster which occurred over a decade later. While we will cover this in more detail later, it is worth introducing the similarity here. When the siege forces at Münster sent their letter into the city on May 30, 1535, they received a written rejection including a lesson on prophecy. The details of the prophecy parallel the method of the earlier Müntzerite interpretation of Daniel:

It was divinely prophesied to us by Daniel in chapter 7 that this would happen. This is how the fourth beast, which signifies the fourth monarchy on earth, that is, the Roman Empire, tramples on the saints of God. This is how that beast is inclined not to allow any lawful defense, but to trample the saints of God at his tyrannical will, smashing, slaughtering, destroying, robbing, killing, and devouring them. For the fourth beast is quite different from the previous three, smashing everything and trampling it under foot. The writings of all the Fathers and historians should be consulted. It will be found that with reference to the business of the Faith there has been no tyranny affecting the saints such as is now the case in the time of this beast.⁴²

(Kerssenbrock 2007b:683)

⁴² Like Müntzer ironically complaining of the "coercion" of the fourth monarchy, the Münsterites apparently did not see the irony of their charge of "smashing, slaughtering, etc." Such destruction and trampling characterized their whole takeover of the city.

The Münsterites' letter condemned "this beast's judges and rulers" who had allowed the oppression and bloodshed to continue "in order to gratify the beast" (Kerssenbrock 2007b:683). This paralleled Christ's prediction of great tribulation and the abomination of desolation standing "in the saintly place" spoken of by Daniel the prophet. The letter claimed, "This is manifestly coming to pass in the present, since they are usurping Christ's saintly name and place, but with specious saintliness they are committing abomination all over the earth" (Kerssenbrock 2007b:684). Just as much as Müntzer, the Münsterites would firmly convince themselves that God would vindicate their stand:

[T]he examples provided by the endurance of God's saints will console and ease our afflictions, until the square stone of Scripture crushes the beast's bronze feet and gives to the people of lofty saints the beast's kingdom and its power and magnificence under all of heaven.

(Kerssenbrock 2007b:684)

The Münsterite system arose from the same source and methods as Müntzer's, and their violent kingdom under Jan Mathijs and Jan Beukels parallels Müntzer's covenant to destroy the godless. We shall see much more of their "New Jerusalem" in following chapters.

Meanwhile, Karlstadt's church in Orlamünde received a letter from Thomas Müntzer in July, 1524 urging them to join the revolutionary's "covenant" against the existing regimes. This is where Karlstadt (backed and urged by his congregation) responded quickly in order to distance himself from the incendiary prophet. The response speaks boldly against Müntzer's agenda:

Do you wish to be armed against your enemies, then clothe yourself with the strong crossbow and the invincible armor of the faith, of which St. Paul writes in Ephesians 6. Then you shall overcome your enemies with integrity and put them to shame, so that they will not be able to harm a single hair on your head. You write that we should join you, make a league or covenant with you, citing the example of Josiah in 2 Kings 22–23, who made a covenant with God and His people. In the same place, however, we find that when the book of the law was brought to Josiah he made a covenant with the Lord that he would walk in His ways, treasure His statutes, commands and ceremonies in his heart with all the power at his command, and resurrect the words of the covenant contained in that book of laws. All the people were witnesses of this covenant. That is, Josiah and the people together made a covenant with God. For, had Josiah made a covenant with God and the people, he would have had a divided loyalty, trying to serve both God and the people. But Christ says that no man can serve two masters. Therefore, dear brother, were we to join ourselves to you we would no longer be free Christians, for we would be tied to the people.

(Friesen 1990:211)

The Orlamünde congregation along with Karlstadt understood the stakes, and it understood how its polemical enemies among both the Roman Catholics and the Lutheran/Protestant rulers would view any joining with Müntzer's covenant:

This would really raise a hue and cry against the Gospel and discredit it. The tyrants would love it, saying: these boast in the one God, but now they join in a covenant with one another [clearly demonstrating] that their God is not powerful enough to protect them. They just want to create their own sects, unrest and revolution.

(Friesen 1990:211)

While Karlstadt's following refused to join Müntzer's *Bund*, large numbers of the peasants joined in rebellion along the very lines of his preaching. Müntzer's continued preaching and doctrine indeed had its part in inspiring the sects and unrest of the Peasant Revolt 1524–1525. It is worth noting again, therefore, that the *Twelve Articles* drawn up by the Peasants to express their grievances do not ground themselves in Mosaic Law, nor do they reference Scripture much at all. They present a list of points all dealing with “oppression,” mostly pertaining to property rights, taxation, serfdom, allowances for hunting, fishing, natural resources (wood), extortion through rents, and overworking. The appeals reveal an interest in communal property, and thus that the lords and nobles should redistribute their wealth. This was implied gingerly but clearly: “We do not wish to take it from him by force, but his rights should be exercised in a Christian and brotherly fashion” (Anon. 2008:170). They referenced the formula of Christ: “we should live by the commandments, love the Lord our God and our neighbor,” but no more (Anon. 2008:169). In other words, while war was imminent, Mosaic civil polity was not.

The peasants were long-since aggravated that certain nobles had assumed ownership of lands once assumed to be common. They demanded proof of legitimate ownership or else: “These we will take again into our own hands unless they were rightfully purchased” (Anon 2008:170). Luther originally sided with the Peasants on this issue, arguing,

We have no one on earth to thank for this disastrous rebellion, except you princes and lords, and especially you blind bishops and mad priests and monks, whose hearts are hardened, even to the present day. . . . You do nothing but cheat and

rob the people so that you may lead a life of luxury and extravagance. The poor common people cannot bear it any longer. . . .

The peasants have just published twelve articles, some of which are so fair and just as to take away your reputation in the eyes of God and the world.

(1967a:319, 322)

As much as Luther was ill-disposed toward Mosaic laws, this early comment in support of the peasants is helpful in what it does not say—it says nothing about any appeals on their part concerning Mosaic Law. As we have seen, the peasants' grievances pertained to social and economic matters and yet they did not push an agenda of Mosaic Law. This is true to such an extent that, we should note, the stridently anti-Moses Luther at this point had no problem advocating for their cause as “just” and “fair.” In fact, if the peasants appealed to any particular legal code it was that of nature or common law, as they pleaded over lands and rights once held in “community”.

It would seem that, being inspired to revolution in large part by Müntzer's ministry, the absence of recourse to Moses in the peasants' demands may say something about the content of his arguments as well. In addition to this, we learn that Müntzer rarely (twice only) appealed even to “God's justice” in his writings (Blickle 1998:157). The Anabaptists themselves likely got the idea of divine justice or divine law, as we have seen, from Zwingli (possibly even Melanchthon), and thus not likely from Müntzer. In either case, Moses had little or nothing to do with the system at all, let alone the revolutionary aspect.

For Müntzer, however, and the boldness he inspired, the source of the revolutionary fervor is found in his spiritualism and eschatology. To the end, the preacher-prophet considered himself as driving the fulfillment of biblical prophecy, referring to the apocalyptic aspects of Matthew 24 and “God’s war” (Friesen 1990:257). To the same end, he radicalized even the New Testament and interpreted apocalyptic texts as finding their fulfillment all around him. He wrote to Albrecht, Count of Mansfield, a Lutheran, despising his refusal to back the prophet. Friesen relates, “It was a pity, he told him, that he abused the Pauline Epistles so miserably in order to justify wicked rulers” (1990:258). Not even Jesus’ mother Mary escaped Müntzer’s hermeneutical vortex: “Had Christ’s mother, inspired by the Holy Spirit, not said of his kind that ‘He hath put down the mighty from their seats, and exalted them of low degree (whom you despise)?’” (1990:258). He then fell back on the apocalyptic: “Could Albrecht not find . . . what Ezekiel had foretold in chapter 37 . . . [and] in chapter 39, and how God had ordered the birds of heaven to devour the flesh of rulers and the dumb beasts to drink their blood, Revelation 18 and 19?” (Friesen 1990:258).

The very next day, May 13, 1525, he wrote to Erfurt confident Armageddon awaited. In a figurative sense, as far as he and the peasants would be concerned, he was correct. Two days later, impatient with the ongoing drama, growing rebellion, and violence, a joint-effort between George Duke of Saxony, Philipp of Hesse, and Henry Duke of Braunschweig led 4,000 infantry and 2,500 cavalry before Müntzer’s hideout city of Frankenhausen. Peasant forces had already gathered outside atop a mountain. A standoff ensued in which each side provided the other conditions of surrender or else annihilation. Müntzer had inflamed peasant courage: he allegedly promised he would himself “catch all the bullets of the enemy in the sleeve of his

coat” (Friesen 1990:261). God was with them; they were invincible. The peasants marched down. When the infantry’s first shots rang the bullets fell short, and Müntzer reportedly yelled, “Did I not tell you no bullet would harm you?” The peasants could have believed this for several moments—until the guns fired again. Once projectiles pierced their ranks, they scattered like mice. Müntzer disappeared. When the smoke cleared, as many as 8,000 peasants lay dead, 600 taken prisoner (Friesen 1990:259–63). This swelled the total throughout Germany of 100,000 peasants slaughtered during the revolt. For the peasants involved, Armageddon had indeed arrived.

Soldiers searching later discovered Müntzer hiding in an attic. He was sent bound to Duke George and Philipp of Hesse who interrogated him and then sent him to Ernest Count of Mansfield. The former boastful and confident prophet folded before his captors. He confessed all he had done and instigated. He confessed a second time under torture. He recanted his sermons, submitted fully to Catholicism, and received the sacrament in one kind. Some took this as a mere show in hoping to save himself before the papists, for in his confession he never took responsibility but blamed the peasants. On May 27, 1525, the authorities had Müntzer beheaded.

5.4 MÜNTZER AND BIBLICAL AUTHORITY

Abraham Friesen (1973) undertook a study of “Thomas Müntzer and the Old Testament” and asserted, “It was to the Old Testament, therefore, that Müntzer turned in order to justify his concept of the Kingdom of God” (1973:8), but the evidence Friesen provides requires considerable nuance of this broadly stated thesis. Yes, of course, Müntzer “turned” to the Old Testament, but in what capacity, scope, and extent? Luther and Calvin also on many occasions turned to the Old Testament

to justify certain positions; are they therefore to be categorized with Müntzer? Was Müntzer especially guilty of reference to a Mosaic theocracy? Mosaic Law? Nothing of the sort appears. Instead, we hear largely about Müntzer's *Bund* referencing the Old Testament kings, and his references to the prophets, particularly the timeline of prophecy found in Daniel. Considering what else we have already seen from Müntzer, then, it is perhaps not ironic that the words "Moses" or "Mosaic" nowhere surface in Friesen's study—neither in quotations from Müntzer nor in Friesen's elucidations of his position.

We do hear something, however, concerning what other contemporaries *thought* about Müntzer, particularly in light of Luther's pointed attacks on "the spirit of Allstedt"—with which Luther associated the Peasant War with Müntzer. In this regard, a letter written by John Rühel—a Mansfield lawyer—to Luther after the capture and interrogation of Müntzer, reveals the common sentiment:

I hear, however, that the Prince [Philipp] was not ashamed of the evangelical teaching and entered into a heated argument with Müntzer. The latter used the Old Testament whereas the Prince stuck to the New; indeed he had his New Testament with him and refuted Müntzer with passages drawn from it.

(Friesen 1973:6)

Friesen adds, "Such a statement could only have confirmed Luther's assessment of Müntzer's thought" (1973:6). But again, what in particular about "the Old Testament"—mentioned here only as a generality—was intended by Rühel? Friesen reveals what we have already seen above: it was a general drive toward a "kingdom of God on earth" that involved eschatology and prophecy, including Old Testament prophecy, first and foremost:

Now, however, in the end times, God had awakened a new Daniel, a new prophet, to declare to the princes, people, and false prophets alike the correct road to salvation.

(1973:8)

In following up this argument, however, Friesen provides little that defines exactly how Müntzer envisioned that earthly kingdom. The sources Friesen provides simply restate the fact of it. And he himself in the end is forced to admit that “it is difficult to establish with any real authority the outlines of Müntzer’s future society” (Friesen 1973:9). If Müntzer had advocated anything like a Mosaic society, this would not be the case—we would have numerous specifics regarding what type of society he envisioned.

In the course of his presentation, however, Friesen demonstrates two ideas that further work against any idea of exclusive Mosaic civil polity on Müntzer’s part. First, Müntzer appealed to *all* of scripture while making his case, not just the Old Testament, and second, Müntzer had a view of revelation that relegated the *written* revelation to a secondary and subservient class beneath that of direct revelations and prophecies from God. On the first count, Friesen notes that for Müntzer, “there was essentially no difference between the Old and New Testaments if only one reconciled them properly” (1973:7). He cited Müntzer directly on this: “For the art of God must be demonstrated in the Holy Scriptures through a strict concordance of its total content which is clearly delineated in *both testaments*” (quoted in Friesen 1973:7–8; emphasis added). Therefore, the Old alone, and certainly Moses exclusively, would not have sufficed for Müntzer.

But even all of Scripture together did not suffice for Müntzer: mystical experience would take precedence over all written revelation. On this second point, Friesen notes Müntzer's distinction between an "inner" and "outer" Word of God—the outer being mere physical Scripture, the inner being illuminated by the work of the Spirit. On this basis, "a cardinal tenet of his faith was that the Bible was a dated revelation of God to man, for according to Müntzer, the Holy Spirit continued to communicate with men in progressive revelation" (Friesen 1973:9).

Here we see yet again the main driving forces within Müntzer's theology: eschatology and charismatic revelation. In this regard we note (again with irony) that Friesen's 1973 study—purportedly on Müntzer and the Old Testament—spends almost half of its fifteen pages expounding the influence of the spiritual mystic Joachim of Fiore upon Müntzer's theology. And while Müntzer himself made direct reference to Joachim only once in his extant writings, the influence of the medieval mystic is apparent at several levels. This influence—for all it may bear in different areas and extents—circles back around to the preeminence of eschatological change and the charismatic gifts so often expressed by Müntzer:

Indeed, Joachim himself stated that in the new era the individual would have immediate contact with God, that the written Word would become superfluous for the religion of the Spirit would reign supreme.

(Friesen 1973:17)

In reference to biblical authority—let alone any specific authority of Moses—we must note that this mystical element led Müntzer to treat the written Word of God as inferior to continuing revelation in general. But this means that any "law" or command

spoken of by Müntzer as authoritative must have had a different ultimate source than Moses or any Scripture for that matter. Else he could not remain consistent with his doctrine of the written (outer, “dead”) law of God as opposed to the living, Spirit-led understanding. Indeed, we find Müntzer criticizing the “outer” Scriptures as the “death-bringing letter” when they were cited by “the scribes in Wittenberg” (Packull 1977:29). And Luther provides evidence from the other side of that argument: in one place he criticized Müntzer’s biblical authority not so much for what he cited but for what he allegedly made up. In a letter to Spalatin, Luther “accused Müntzer of ascribing words and phrases to the Bible that were not found there, ‘as if he were mad or drunk’” (Gritsch 1987:75).

According to researcher Joyce Irwin (1972), therefore, “Müntzer does not want to re-establish Old Testament law any more than does Luther,” (1972:65) even if Müntzer’s objections to doing so are different than Luther’s. Müntzer simply saw Moses along with the rest of Scripture as part of the “dead” word of God—the merely written letter as opposed to the living word infused by the Spirit. By this standard, however, he could equally denigrate Luther’s “gospel” along with Moses, as well as the rest of the Bible. In this regard, Moses is nothing special, but merely “points out the false light of nature through the law” (Irwin 1972:65). Against this, the true law of God transcended the mere letters of Scripture and could only be properly understood by those imbued with God’s Spirit. Commenting on Psalm 19, Müntzer says, “The law of God is clear; it enlightens the eyes of the elect and blinds the eyes of the godless. It is an irreproachable teaching if the spirit of the true pure fear of God is declared through it” (Irwin 1972:69). To this Scripture he connects a comment on 1 Corinthians 2: “The animal man does not hear what God speaks in his soul (I Cor. 2); instead he must be directed by the Holy Spirit to earnest meditation on the true understanding of

the law (Psalm 18 [19])” (Irwin 1972:70). Therefore all non-charismatic (admitting the anachronism) derivations of scriptural truth fail no matter what they claim, and thus Luther’s sola fide and sola scriptura fail for the same reason as Roman doctrines: they are mere natural human contrivances void of God’s true grace. Müntzer argues:

The target is missed by far if one preaches that faith makes us righteous and not works. It is a presumptuous teaching. Nature is not shown thereby how man must come to faith through God’s work, which he must await above all else.

For the more nature grasps after God, the more it is alienated from the working of the Holy Spirit. . . . Indeed if man understood the presumption of the natural light he would without doubt not seek help from stolen Scripture as the scholars do with one or two little passages (Isaiah 28, Jeremiah 8); instead he would soon feel the working of the divine word spring out of his heart (John 4). . . .Our scholars . . . confuse nature with grace without any distinction.

(Irwin 1972:71)

Whether Müntzer’s total view of Luther was accurate or not is to the side here; the point is that Müntzer’s view of “divine law” set *all* of Scripture—including Moses—in the lowly category of the mere natural as opposed to God’s Spirit and grace. To quote from it by itself is to “seek help from stolen Scripture.” Indeed, as Irwin states, “For Müntzer Scripture in itself is no more holy or divine than relics or ceremonies. It is a human testimony of divine workings. . . .” (1972:71). We can conclude, therefore, that for Müntzer to embrace Mosaic polity would have been for him to leave the realm of God’s Spirit and to descend into the impure realm of nature—an impossible goal for this Spirit-filled destroyer of the godless. Indeed, it is likely from this perspective that Steinmetz, for example, according to Gritsch (1987) saw as one basic

component of Müntzer's theology "a doctrine of the Holy Spirit *no longer bound to the authority of the Bible*" (1987:61). Luther himself, a few years after after Müntzer's execution, would recall the spirit of Alstedt in a sermon and charge that "Müntzer denied biblical authority" (Gritsch 1987:78).

5.5 CONCLUSION

When we hear about the radical Thomas Müntzer we may anticipate finding something closer to a "Moses-only" view in his writings, but with such an unsystematic and scant reference to Moses he does not fit Calvin's description. With this candidate we find an example of unrestrained mysticism, charismaticism, and apocalyptic eschatology driving the interpretation of all of Scripture. Once in the mode of inspired prophetic judgment, Müntzer adopted every Scripture he could to justify his crusade against the godless, including even a passage from the extracanonical Apocrypha, and, according to Luther, some he made up. What we have found true of Karlstadt and others so far we find true of Müntzer also: he did not call for the system of Mosaic polity, he did not demand all (or even most) of Mosaic Law, he in fact rejected some Mosaic Law in his insistence on communal property, and he rejected the imposition of any written scripture in theory since it was second-class revelation.

6. LUTHER'S PARADOX

Among the named (and some unnamed) candidates we have viewed so far, we have failed to find any total correspondence with Calvin's accusation concerning Mosaic civil polity. We have yet, of course, to examine the doctrines behind the great upheaval that would occur in the Anabaptist kingdom of Münster in 1534–5, which we have seen mentioned explicitly in this context, but since we have now covered the main candidates among the magisterial reformers who are named in bold terms—for example in Battles (1986) and Williams (1957, 1962)—we must at this point begin opening another line of inquiry. We will now begin examining the possibility that Calvin's alleged opponent has no real-life counterpart. This will require a hypothesis concerning why he might have felt the need to respond to such an extreme position even if there was no actual exponent of the position at the time.

As we begin to develop this idea as a possibility, the answers we will later get from an examination of Münster will become even more illuminating. We will begin to see how certain social and political pressures combined with existing perceptions of Mosaic polity and led to the production of the pointed anti-Mosaic reaction by Calvin. What types of doctrines, and what types of forces combined in this endeavor? The obvious starting place for examining the rejection of Mosaic civil polity within the context of the early Reformation (1520–1536) is with the two kingdoms doctrine and the opposition to Mosaic Law found in the writings of Martin Luther. The influence of social pressures weighing on the application of that doctrine is apparent in Luther's struggles with Karlstadt covered earlier and especially with the forces at work during the Peasant War of 1524–5.

6.1 PEACE IN TWO KINGDOMS

When Luther wrote his booklet *Admonition to Peace* hoping to avert all-out war during the 1525 Peasants' Revolt, he displayed his influential doctrine of the two kingdoms (worldly and heavenly). The construct led him to draw stark conclusions about the confrontation of the peasants and nobles: "Now, dear sirs, there is nothing Christian on either side and nothing Christian is at issue between you" (1967a:340). Did Luther really believe that *nothing Christian*—no Christian principle or law *at all*—applied to the dispute over oppression, wages, property rights, serfdom, and threats of force? Nothing? This is what he says. He argued that all these worldly considerations lay outside of Christianity. Arguments over such matters pertain only to worldly, heathen things, and thus, "both lords and peasants are discussing questions of justice and injustice in heathen, or worldly, terms" (1967a:340). For Luther at this point, work, business, government, law, justice, etc., all fall outside of Christian life. None of it can even be called "Christian."

For this very reason Luther urged the peasants, who had unified as a group for power, to quit calling their union "Christian." If they did, Luther said, he would let them continue in their appeals to the princes. But if they continued using the label "Christian" in this endeavor they would thereby invite the opposition not only of the temporal power (the princes) but the heavenly power as well (the church, i.e. Luther himself). In that case—the mere use of the name "Christian"—Luther said, "I must accept the fact that I also am involved in this struggle and consider you as enemies who, under the name of the gospel, act contrary to it" (1967a:332).

Luther's demand immediately opens itself to questions. If the peasants were indeed acting "contrary" to the gospel, one wonders why Luther did not see their

“justice . . . in heathen, worldly, terms” as opposing the gospel in general. If their actions as “Christian” would be opposing the gospel, how were they, behaving as worldly heathens, not opposing the gospel even without the label? Why did merely adding the name “Christian” bring their actions under the judgment of God? Were they not under God’s judgment otherwise? And how would merely removing the label have absolved it from such? Does the standard by which to judge “pro-gospel” from “anti-gospel” truly hinge merely upon an appellative? For Luther, in this tract, this is the case; and thus for Luther, that which is “Christian” must have nothing to do with worldly matters, but only spiritual matters.

These are the type of dialectical issues that arise from Luther’s two kingdoms doctrine, and which make it so difficult to deal with from the point of view of logical consistency. For example, Luther could not even have made his “Christian” argument without some level of divine law applying to the allegedly external, worldly areas of life to begin with. He in fact appealed directly to *Moses* to pursue his argument in this very tract. He prefaced his argument with a reference to the third commandment, though he did not acknowledge it as a debt to Mosaic Law. He wrote,

In the first place, dear brethren, you bear the name of God and call yourselves a “Christian association” or union, and you allege that you want to live according to divine law. Now you know that the name, word, and titles of God are not to be assumed idly or in vain. . . .

(Luther 1967a:324)

So the dialectical nature of Luther’s doctrine finds expression very quickly in regard to biblical and civil law: it is a dialectic that appears in many places with Luther, and one upon which he does not always remain consistent. The dialectic in this particular

instance is this: Moses (or the Bible, or “divine law” in general) does not apply to civil law, yet Luther references Moses in order to maintain particular aspects of his case against his opponents in a matter of the civil realm. In essence, Luther needs divine law to apply to a worldly affair in order to argue that divine law no longer applies to worldly affairs. Thus the peasants should not call themselves Christians in this affair, for Christ has nothing to say about it, and Christ said so.

Having dislodged the peasants’ position with dialect, Luther goes on to argue that the peasants should rather call themselves something pertaining to fighting injustice, not according to divine law, but “according to the teaching of nature” (1967a:332). Thus for Luther at this point, the standard for civil matters was the law of nature and not divine law. But does this mean that Luther’s view is more than dialectic? Is it instead closer to a dualism in which divine law and natural are mutually exclusive categories?

If this were the case, however, it would lead to an absurd logical reduction: any law stated in Scripture could not be understood also as “natural,” and thus under the guise of “natural law” one could, in the civil realm outside of Christianity, do anything Scripture prohibited. By this logic, one could engage in human trafficking and be justified in such a “worldly, heathen” activity as long as they didn’t call themselves “Christian” kidnappers and pimps. Murderers and rapists have nothing for which to be absolved as long as they refused to engage in “Christian” rape or murder. A dictator could burn six million Jews, as long as he did not call it “Christian” genocide—it’s merely a worldly matter of State. And yet, by the same logic, these murderers, rapists, etc., could indeed have called themselves “Christian” on Sunday morning and received a Lutheran absolution with hardly a word against what they did out of

expediency or “nature” in their political life. Thus many of the local rulers of Luther’s day essentially exploited and overran peasants and confiscate common lands for their own (if the Twelve Articles of the peasants are to be believed), and received little more than an admonition from Luther, ultimately, as we shall see.

Despite any similarity between this extreme logical conclusion and the alleged behavior of the lords and princes, we must consider a more moderate understanding of Luther’s dialectic in regard to civil law. Instead of holding a mutually exclusive dichotomy between divine law and natural law, consider them as overlapping in content yet not necessarily in application or function. This is closer to what, for example, Jürgen Moltmann (1984) arrives at in explaining the two kingdoms doctrine of Luther, even if he still reserves important criticism of it: Moltmann argued that both the worldly kingdom and the spiritual kingdom must be seen “in their common struggle against the kingdom of the devil,” and that the law operating within the natural realm at least included “the law of God, the Ten Commandments, and the natural law” (1984:72). In this view we could understand, for example, that theft or murder are prohibited under both natural and divine law (perhaps even considering natural law as a subset of, or expression of, divine law), yet only as under the realm of natural law is either to be punished by some form of coercion by civil magistrates. Under divine law, the threat is judgment from God alone, or at most excommunication through the church. Nevertheless, under divine law, there can be no coercion by the civil sword, only persuasion by the sword of the Spirit. Under this scenario, civil crime and spiritual sin are overlapping but not identical *magisteria*: both contain some of the same prohibitions and injunctions, but both likewise prohibit some actions not governed by the other. Thus, some civil crimes are sins, and some sins are civil

crimes, but not all crimes as defined by civil governments are necessarily sins against divine law, nor are all sins to be punished as civil crimes.

One distinction following from this is in its institutional application: neither individual Christians (as individuals) nor the church can impose civil sanctions in society. This is the job only of the civil state. In this regard, the two kingdoms doctrine is essentially a statement of a separation of church and state more than an application of any version of biblical or divine law. Yet must not a Christian magistrate make decisions of justice according to divine law and not against it? If so, then the Bible to some degree must inform the worldly kingdom. But this appears to contradict Luther's argument against the peasants. Yet if not, then even in this more moderate interpretation, Luther's doctrine appears to have something of a dualistic element in it. The question for analysis, then, is: to what degree if any does a dualistic element express itself in Luther's doctrine and practice?

While we do not have space or need to give a full elaboration of Luther's views of the two kingdoms, we must consider its fundamentals from his own writings. Wright (2010) argues that while Luther developed and refined his two-kingdoms doctrine from its earliest beginnings in his 1513 commentaries on the Psalms forward (2010:115), and adapted and applied that doctrine to meet the demands of various occasions, nevertheless, "the basic idea found in the early writings remained" (2010:118). In view of this consistency, we will accept the most basic and well-known expressions in Luther's writings as representative of his views in general.

A separation between spiritual freedom and external coercion is critical if not at the heart of Luther's two kingdoms doctrine. As Moltmann puts it, it is "a critical-

polemical separation between God and Caesar” (1984:70). The civil sword and spiritual sword may operate according to the same moral or legal standards in some or even most cases, but they will always by definition have starkly separate functions, and for Luther, must be understood as different laws even if having similar content. No part of the gospel (or divine law in general) may be imposed by civil force, and the moment anything is imposed by civil force it ceases to be gospel. This corresponds to Luther’s teaching in his 1523 tract *On Temporal Authority*, where he wrote, “No one can become righteous in the sight of God by means of temporal government, without Christ’s spiritual government” (1967d:282; quoted in Wright 2010:136). Moltmann sums that in Luther’s thought, since “one cannot rule the world with the gospel,” therefore “Politics is to be executed according to reason and expediency” (1984:70).

From this we may deduce that, for Luther, the Christian may look to divine or biblical laws in determining certain behaviors to be infractions of brotherly love—even by princes and magistrates against the people—but the Christian may not refer to the gospel or biblical standards as a basis by which to organize politically and exert social pressure (or other forms of coercion) upon those whom they have judged as transgressors—at least not while calling such political pressure “Christian”. The gospel is simply not meant to be a means of establishing righteousness externally in the natural realm, in any form, or for any purpose.

But if Luther forbade calling any temporal coercive law “Christian” even if and where such law overlapped in content with divine law, does this logically entail that all temporal authority for Luther was by definition non-Christian? In some of his considerations this is his position. We have already discussed how Luther considered “Mr. Everyman” crude, unbelieving, and only to be controlled by force. In this regard,

temporal authority was designated specifically for non-Christians. His comments in that regard are worth repeating here:

[W]e ought to proclaim the law and its works, not for the Christians, but for the crude and unbelieving. For among Christians we must use the law spiritually, as is said, to reveal sin. But among the crude masses, on Mr. Everyman, we must use it bodily and roughly, so that they know what works of the law they are to do and what works ought to be left undone. Thus they are compelled by the sword and law to be outwardly pious, much in the manner in which we control wild animals with chains and pens, so that external peace will exist among the people. To this end temporal authority is ordained, which God would have us honor and fear [Rom. 13; I Pet. 3].

(1967b:161)

Further supporting this idea was the fact that while he condoned personal and domestic governments and ecclesiastical governments as godly and acceptable, he nevertheless considered the institution of the civil state as only a post-fall requirement and thus a post hoc response necessitated by sin (Wright 2010:119). Since civil government was only in existence for the restraint of sin, it therefore should be aimed only at the suppression and control of the masses of unbelievers. This view finds its clearest expression in Luther again in his *On Temporal Authority*:

God has ordained two governments: the spiritual, by which the Holy Spirit produces Christians and righteous people under Christ; and the temporal which restrains the un-Christian and wicked so that—no thanks to them—they are obliged to keep still and maintain an outward peace.

(1967d:281; see Wright 2010:135)

This was certainly Melanchthon's view as well, at least during the episode of the Peasants' War. In 1524 he announced this position in his own confutation of the peasant's Twelve Articles:

A wild, untamed people like the Germans should not have as much freedom as they presently enjoy. . . . Germans are such an undisciplined, wanton, bloodthirsty people that they should always be harshly governed. . . . As Eccl. 33[:25] teaches; "As food, whip, and load befit an ass, so food, discipline, and work are the lot of a servant."

(quoted in Ozment 1992:144)

This view of the State versus the common man characterized the Lutheran Reformation. Ozment (1992:147) notes, "It would be difficult to find in any age another movement more devoted to unmasking the impossible dreams of the common man and saving him from his own gullibility."

Thus, temporal law was by definition for the suppression of non-Christians, and thereby, the maintenance of "peace" (this is what Karlstadt had criticized as a gloss on Romans 13). On more than one occasion, Luther asserted the same view in terms of this "gloss" on Romans 13. In his 1520 *Address to the Christian Nobility* he affirmed that worldly government should "restrain evil men with the sword and defend good men" (Wright 2010:123). Again in his 1532 commentary on Psalm 2, he repeated that temporal authority "is ordained of God to punish the wicked and protect the good" (Wright 2010:134).

Furthermore, Luther saw the restraint of unbelievers as an all-consuming task for the civil state, for there were so few true believers. In 1523 he says that there are

“very few true believers and still fewer who lived a Christian life” (1967d:280). This being the case, “It is out of the question that there should be a common Christian government over the whole world or, indeed, over a single country or any considerable body of people, for the wicked always outnumber the good” (1967d:281; quoted in Wright 2010:135, 136). Luther’s reasoning leading up to this conclusion repeats the theme:

But take heed and first fill the world with real Christians before you attempt to rule it in a Christian and evangelical manner. This you will never accomplish; for the world and the masses are and always will be un-Christian, even if they are all baptized and Christian in name. Christians are few and far between (as the saying is).

(1967d:281)

For this group of “All who are not Christians,” God has provided “a different government” which is “beyond the Christian estate and kingdom of God” (1967d:280). Just as he would argue later against the “heavenly prophets,” Luther declared in his *Temporal Authority* that this “different government” for the non Christian must be like that used upon wild animals: “In the same way a savage wild beast is bound with chains and ropes so that it cannot bite and tear as it would normally do, even though it would like to” (1967d:280).

Since Luther believed “you will never accomplish” truly evangelizing these masses, then, as Ozment (1992:147) concludes, “Luther and his followers were the chief foes of the various theocratic experiments of the century, both spiritual and social, both mild and extreme. . . .”

Luther's two kingdoms doctrine, then, whatever else the fullness of it may entail, includes at least two important concepts:

- 1) Temporal government exists to coerce "the crude and unbelieving."
- 2) Nothing pertaining to outward coercion can properly be called "Christian".

With this separation of spiritual and temporal governments in place, however, we cannot escape the fact that Luther and his colleagues created to some degree—whether they intended to or not—a license for established civil rulers to commit injustices, at least from the perspective of Mosaic Law, against these "crude and unbelieving" masses in the name of keeping the peace. In any given scenario that the magistrate's civil "natural" laws happen to operate according to similar standards as divine law, this might only be incidental according to the civil ruler's decision (and we saw earlier that this was Melancthon's teaching explicitly)—it can never be purposefully directed as a "Christian" endeavor of "Christian" law. But since the ruler's job as bearer of the civil sword is defined as lying in the realm of nature and aiming only to reduce beastly sinners to an outward silence and peace, he could legitimately enforce laws that fall outside the circle of divine law and perhaps even laws that directly contradict divine law. His job, according to Luther et al, is by definition the imposition of non-Christian violence for non-Christians.

For Luther, therefore, outside of his narrow scope of life governed by the "gospel" (salvation of the soul, faith, organized worship), the Bible need not be used to give prescription for the content of civil laws. At the same time, the rulers could do nearly whatever they willed and be justified in doing so as long as it kept outward peace; and whatever they willed and did would find little if any biblical criticism from

Luther. By Luther's doctrine, then, the peasants had *no legal, temporal recourse against plundering, tyrannical rulers*. Luther's paradox between the two kingdoms manifested as the peasants' paradox in which God's commandments—such as “you shall not steal”—applied only to peasants and not necessarily civil rulers.

Given this implication (and outworking) of Luther's doctrine, how exactly did the social-political context relate to it? And was he conscious and/or approving of such a vulnerability to abuse on the part of the princes?

6.2 THE GREAT REVERSAL

The peasants understood the implications of Luther's comments. Luther apparently did, too, when he at first criticized the rulers in his *Admonition to Peace*. As we noted earlier, Luther chided them frankly (although he seems to imply that the main brunt of the blame belongs on the priests and bishops):

We have no one on earth to thank for this disastrous rebellion, except you princes and lords, and especially you blind bishops and mad priests and monks, whose hearts are hardened, even to the present day. . . . [Y]ou do nothing but cheat and rob the people so that you may lead a life of luxury and extravagance. The poor common people cannot bear it any longer. . . .

The peasants have just published twelve articles, some of which are so fair and just as to take away your reputation in the eyes of God and the world.

(1967a:319, 322)

Luther ended his appeals by rebuking their oppression and stubbornness: “You lords, stop being so stubborn! You will finally have to stop being such oppressive

tyrants—whether you want to or not. Give these poor people room in which to live and air to breath” (1967a:343). Luther originally went so far as to argue that the rising hordes of peasants constituted God’s impending judgment upon the tyrants:

For you ought to know, dear lords, that God is doing this because this raging of yours cannot, will not, and ought not be endured for long. You must become different men and yield to God’s word. If you do not do this amicably and willingly, then you will be compelled to do it by force and destruction. . . . It is not the peasants, dear lords, who are resisting you; it is God himself, to visit your raging upon you.

(1967a:320)

It appears from this that Luther saw the peasants’ cause as just, fair, and divine. Their cause was, indeed, the cause of God Himself.

Despite, however, so clearly condoning the peasants’ cause, Luther suggested a political compromise which could not have favored them. While the stubborn rulers were generally admonished to give space and air for the peasants’ relief, Luther charged the peasants more specifically to “give up the excessive demands of some of your articles” (1967a:343). Since he had already stated that the Twelve Articles were “fair” and “just,” this demand that they should be given up as “excessive” now made his earlier comments ring a bit hollow. His solution to reach this compromise would have rung even hollower to the peasants: he wished for each side to choose representatives to meet and settle their dispute through arbitration.

Whether through ignorance, naiveté, or some other explanation, Luther’s appeal to arbitration ignored the obvious fact that the peasants had already attempted arbitration that had failed badly. At least two months before Luther wrote the

Admonition the Schwabian delegates had ridiculed Huldrich Schmid about his “divine law” and suggested rather to submit their differences to the notoriously biased and sluggish Imperial Court (the nature of which Court Luther was well aware). The peasants well feared that arbitration would only lead to more justification of the status quo in favor of the lords, and this very likely only after a considerable delay. In fact, for the very reason of failed arbitration and continued delay, the peasants plunged into violence and vandalism even before Luther’s *Admonition* could reach the public.

By April, 1525, the rebels had destroyed several castles and church properties in southern and central Germany, and this would have a profound effect upon Luther. He saw the devastation with his own eyes when he traveled through Thuringia. Meanwhile, Frederick the Elector, heeding Luther’s advice, sat waiting for a peaceful situation to develop out of negotiations (Schultz 1967:347). But Luther himself now realized it would take more drastic measures to quiet the rebellion. Despite his earlier stiff warning to the nobles about God using the peasants to judge the nobles, and God being on the peasants’ side, Luther abruptly changed his position. Now he said the peasants carried out “the devil’s work” (1967c:349) and therefore the rulers should wipe them out. He not only changed his view of the peasants’ cause, he revolved a full 180 degrees—and he switched God’s allegiance for Him as well. He called for all-out slaughter, even by laymen, and said God would reward those fighting for the nobles even if they died:

Thus, anyone who is killed fighting on the side of the rulers may be a true martyr in the eyes of God. . . . On the other hand, anyone who perishes on the peasants’ side is an eternal firebrand of hell

(1967c:354)

Even if the nobles lost the battle and themselves ended up in the gallows, God would usher them into heaven:

[N]evertheless, those who are found exercising the duties of their office can die without worry and go to the scaffold with a good conscience, and leave the kingdom of this world to the devil and take in exchange the everlasting kingdom.

(1967c:354)

Developing the case for his reversed position, Luther essentially contradicted his own view of civil law as an expression of natural law. He had already appealed to the peasants to change their name from “Christian” to something fitting those who fight *according to nature*. And what is more natural in war than for one kingdom or faction to overthrow another with the natural victor claiming God’s providence in the outcome? Why, then, would Luther not agree that the new faction (as in this case it could have been the peasants) would have been ordained of God and not the devil, just as was the previous civil establishment? Luther was aware of the irony that he saw one side of this fight “according to nature” as “Christian” and the opposition as demonic. He expressed, “These are strange times, when a prince can win heaven with bloodshed better than other men with prayer!” (1967c:354). He said nothing about how this contradicted his view of the “unChristian” realm of the two kingdoms.

Never one to be half-hearted, however, Luther now literally called for open season on the rebels: any individual could kill them with no ramifications. This type of pronouncement coming from him also obviously contradicted his view of the separation of the two kingdoms: for ecclesiastical ministers should have nothing to say about civil policy or establishing civil laws or punishments, but Luther just

deputized the whole citizenry to be civil executioners. Luther allowed himself to play both minister and magistrate. He pronounced the verdict and the sentencing:

[T]hey are starting a rebellion, and are violently robbing and plundering monasteries and castles which are not theirs; by this they have doubly deserved death in body and soul as highwaymen and murderers. Furthermore, anyone who can be proved to be a seditious person is an outlaw before God and the emperor; and whoever is the first to put him to death does right and well. For if a man is in open rebellion, everyone is both his judge and executioner. . . . Therefore let everyone who can, smite, slay, and stab, secretly or openly.

(1967c:350)

6.3 LUTHER'S PRICE

What could have caused such a drastic alteration of Luther's view of the peasants' cause? There are only a handful of reasonable explanations. Perhaps Luther's early belief rested on the assumption that the peasants would never actually rise in revolt, or could never prevail much if they did. Perhaps he had a genuine change of heart. Or perhaps once he saw the castles and churches falling, and defeat appearing imminent for the nobles, he realized his own job and life were on the line as well. After all, Müntzer and Karlstadt (and others) had accused Luther and his State-sanctioned preachers of feathering their nests at the expense of the peasants, via the lords and their taxes (as Luther himself had just accused the greedy nobles and the bishops, priests, and monks of doing). A fall for the lords meant a fall for the established Lutheran clergy as well, Luther himself most of all.

In such a pinch, should it occur, Luther would also find himself without his closest and most trusted defender this time. Luther's original protector and princely

advocate of Lutheranism, Frederick the Wise, had died in the interim between the publication of the *Admonition to Peace* and his *Against the Robbing and Murdering Hordes of Peasants*. This left question marks as to the future of Lutheranism in Saxony. Frederick's brother John immediately succeeded him and carried on his brother's policies of favoring Protestants, thus earning the name "John the Steadfast"; but Duke George, who had taken a more active role than John in suppressing the peasants, stood ready to blame the whole Peasant War on Protestantism—in particular Luther himself. The well-educated George had remained Catholic and had opposed Luther from the first; he had personally helped organize the Leipzig debate in 1519, opposed Luther at Worms in 1521, and now repeated the Catholics' refrain, "We told you so," as the peasants took "Lutheran" license to wreck the social order. This same George now loomed closer to civil authority over Luther. Merely following the chronology reveals that first Luther sided with the peasants, about two weeks later Frederick died, and then within days Luther had written the second booklet switching his position.

How much of a fear factor, if any, did the death of Frederick play in Luther's decision? While it would be impossible to measure, it is also unimaginable that it had none. At least some of Luther's contemporaries felt that Frederick's death influenced the reformer's position. After the princes suppressed the revolt and Thomas Müntzer lay prisoner, one of Luther's friends stood at the scene. John Rühel, the lawyer in Mansfeld whom we found earlier writing to Luther of Müntzer's capture, also included a query to the reformer concerning his turn from peace-advocate to, seemingly, a flatterer of princes:

Be it as it may, it seems strange to many of your supporters that you have given permission to the tyrants to strangle [the peasants] without mercy, thereby possibly making martyrs out of them. And they say publicly in Leipzig that since the Elector [Frederick the Wise] has died, you fear for your skin and play the hypocrite to Duke George by approving of what he is doing.

(Edwards 1975:69)

Luther did write back, but instead of an apology for what so many saw as his inconsistency, he offered a defense of his position—a defense which would continue to span across his letters and sermons for the following few weeks. He never addressed the possibility that he might have erred. Rather, he asserted, “My [our] conscience is certain that whatever came from my lips in this matter is right before God” (Edwards 1975:70).

6.4 GOD’S MAN, GOD’S MOUTHPIECE

The more one reads Luther’s writings in this era and on the matters of Karlstadt, Müntzer, and the peasants—whom Luther unjustly lumped together—the more it seems that Luther mainly purposed to write only to distance his own name from the more disruptive attempts at reform. Luther almost daily woke up to find the blame for all revolutionary violence laid at his doorstep. He continually denied that not only was he not the father, neither were those rebellious types even his step-children. From the time of the earliest troubles in Wittenberg, Luther feared the Catholics would leverage the rebels’ actions to tarnish his own name. So he expressed to the Elector:

Whatever I have suffered hitherto for this cause has been nothing compared with this. I should willingly have averted the trouble at the cost of my life if that had

been possible. We can answer neither to God nor to the world for what has been done. And yet it is blamed on me and, what is even worse, on the gospel.

(Edwards 1975:21)

From his pulpit in 1522 he opened a series of sermons by both affirming his central importance to the Reformation and simultaneously denying any responsibility for rebellion:

Therefore, dear brethren, follow me: I have never been a destroyer. And I was also the very first whom God called to this work. . . . I was also the one to whom God first revealed that His Word should be preached to you. . . . Had I desired to foment trouble, I could have brought great bloodshed upon Germany; indeed, I could have started such a game that even the emperor would not have been safe. But what would it have been? Mere fool's play. I did nothing; I let the Word do its work.

(Edwards 1975:26, 27)

During the Peasant's Revolt, Luther wrote Duke John Frederick in order to distance himself from Müntzer's rebellious tirades. He again emphasized his innocence:

For I can boast in Christ that I have never harmed or wanted to harm anyone with my teaching and advice, as this spirit [Müntzer] intends. Rather I have been consoling and helpful to everyone, so that you simply do not have cause to disdain my advice.

(Edwards 1975:39)

In his *Admonition to Peace* he defended himself even more vehemently. He told the princes,

You, and everyone else, must bear witness that I have taught with all quietness, have striven earnestly against rebellion, and have energetically encouraged and exhorted people to obey and respect even you wild and dictatorial tyrants. This rebellion cannot be coming from me. Rather the murder-prophets, who hate me as they hate you, have come among these people and have gone about among them for more than three years, and no one resisted and fought against them except me.

(Edwards 1975:61)

We could almost summarize Luther's refrain as, "Here I stand, I can do no wrong." The title of Mark Edwards' book *Luther and the False Brethren* captures the situation with no small irony: it was Luther's opinion of himself. He certainly had a matching sense of personal importance, and perhaps rightfully so. Edwards remarks, "Luther's sense of personal responsibility for the gospel increased as he found himself attacked from within by other evangelicals and from without by those who held him responsible for the appearance of sects and for the revolt of the peasants" (Edwards 1975:81). To this sense of personal responsibility Luther wed his unbending spirit. Edwards concludes his work:

The face that Luther turned toward his evangelical opponents was not a pretty one. With a monumental sense of certainty and self-righteousness, he abused and condemned men who, to all appearances, were sincerely searching for the truth and ardently desired to find agreement with the Saxon reformer. But his

followers accepted and supported Luther despite his intemperance and severity; they accepted his faults and excused them.

(Edwards 1975:205)

This list of evangelical opponents included even Zwingli, who eventually suspected the same fault as Edwards does immediately above. Furcha (1993) tells us,

In the only extant letter Zwingli wrote to Luther, he bemoans the fact that Luther had ceased being “an ardent searcher of Scripture,” and that he had become arrogant and hard, as one who judged the truth from the vantage point of his own “superior authority.”

(Furcha 1993:9, note 34)

Luther’s thought indeed seems to contain two kingdoms—Luther’s and that of those who disagreed with him—and God apparently only recognized one side. As farcical as this may sound, it arises from the historical data, and the bifurcation involved tends to parallel analogously Luther’s more famous two kingdoms doctrine.

6.5 THE CHALLENGE OF TWO KINGDOMS IN HISTORY

Steven Ozment (1992) asserts that the two kingdoms doctrine was essentially a *product of* Luther’s political climate, in that the reformer was forced to balance pressures from two sides—one Roman Catholic and one revolutionary. Ozment explains that Luther faced “on the one hand, outright political suppression by the emperor and Saxon rulers loyal to the old church; on the other, incipient socio-religious utopianism among some of his own followers that threatened to make the Reformation politically intolerable to rulers generally” (1992:122). Thus, “The two-

kingdoms doctrine (*zwei Reiche Lehre*) originated and developed as a response to these threats” (1992:122). To this extent we can say that not only was Luther’s two kingdom doctrine more politically than theologically motivated, but that it was more politically shaped as well.

Thus, among other purposes, Luther had to create a doctrine which preserved the power of the sword as a defense *against* his enemies, yet delegitimized the use of the sword *by* his enemies. But any such endeavor is bound to involve logical tensions and to invite criticisms of arbitrariness and special pleading. Indeed, as Berman notes, “Lutheran theology could be invoked to support various political developments at different times” (2003:44). For Luther, the variations would pertain to the degree in which a strict separation between the two dialectical realms was maintained. He held the separation starkly when his position faced a government loyal to his enemies, but as almost non-existent when he encountered opportunities favorable to his cause.

Luther was not unaware of the dialectical nature of his teaching, even if he did not have the term. Ozment cites (with his own expansions) Luther’s view of the two separate kingdoms in *On Temporal Authority*:

In this way the two come together nicely: at one and the same time you satisfy God’s kingdom inwardly and the kingdom of the world outwardly. You suffer evil and injustice [on your own behalf because you do not avenge yourself or seek your own gain], and yet at the same time you punish evil and injustice [by avenging your neighbor and improving his lot in life through the offices of the state]; you do not resist evil [as Christ commanded], and yet, at the same time, you do resist evil.

(1992:128)

So while it is clear that with this doctrine, “Luther believed he had resolved a major dilemma of his age” (Ozment 1992:127), it is also clear that he had to employ something approaching paradox in order to do so. And this means that “resolved” is probably not the best word to describe Luther’s formulation.

This is especially true given that Luther often adopted policies that seemed to fall on either side of the doctrine depending upon the political situation at the time. MacKenzie (2007)—after citing a failure by modern historians to paint Luther “warts and all”—proceeds to present some of Luther’s duplicity on the issue of civil government involvement in church reform. The effort reveals that when it suited his needs, Luther emphasized the stark division between the two kingdoms; yet also when he saw fit he would call on government to implement whatever program he thought it should, even so far as coercive ecclesiastical reforms.

MacKenzie provides multiple examples, one of the clearest arising around the ascension of a new Duke in 1539. The year prior, Luther’s life-long opponent Duke George had mandated sermon content and papal masses, and thus had crossed the two kingdoms divide. Luther responded with a sermon on John 2—“cleansing the temple”—in which he demanded the two kingdoms never cross. Rather, the temporal sword and the spiritual sword “must be kept apart and separate, so that the one does not infringe on the province of the other” (MacKenzie 2007b:4). MacKenzie adds that Luther had “charged the Anabaptists, Thomas Müntzer, the pope, and the bishops with grasping at the temporal sword,” and then “warned the princes against interfering with their spiritual counterparts” (2007b:4). In this sermon, Luther clearly demanded the stark separation:

After the abolition of the Law [of Moses] the secular emperors, kings, and princes were entrusted with the sword of iron, and the oral sword was assigned to the apostles and to us preachers. This distinction must remain intact *But if the princes continue to jumble the two, as they are now doing, then may God in His mercy shorten our lives that we may not witness the ensuing disaster. For in such circumstances everything in the Christian religion must go to wrack and ruin. This is what happened in the papacy when the bishops became secular princes. And if the secular lords now become popes and bishops and insist on sermons that defer to their wishes, then let the devil preach to them; for he preaches too. But let us pray that neither the spiritual nor the secular realm abuses its office that way!*

(MacKenzie 2007b:5; Luther's emphasis)

The very next year, however, that same champion of Catholicism, Duke George, died. Then Luther switched his emphasis as abruptly as he had done during the Peasant War. Instead of advocating and himself maintaining "this distinction," Luther moved to inform George's successor, Duke Henry, of his political duty in regard to church reform, and to demand that he impose ecclesiastical changes, in particular to abolish the mass. "Referring both to the Old Testament kings and to Christian rulers like Constantine and Theodosius, Luther argued that the princes and lords of his day were just as responsible for maintaining true religion in their territories as their predecessors" (MacKenzie 2007b:6). The irony here, of course, lies not merely in the abrupt change of position, but in the fact that Luther had called for the heads of Müntzer and Karlstadt for similarly appealing to the examples of the Old Testament kings. Luther further ignored his own distinction in another letter to Henry within weeks, this time urging him toward even greater measures. "It was not enough, he said, to do away with abuses. One also had to examine the teaching of pastors,

install capable people, and pay them” (MacKenzie 2007b:6). MacKenzie concludes, “Clearly, Luther still did not see a ruler’s promoting true religion in his territory as a violation of the ‘two kingdoms’ theology that he had described in his sermon just the year before” (2007b:6). Thus Luther switched his behavior as quickly as he saw a political opportunity.

Ozment seconds this notion that Luther allowed state interference in the church as long as it was for “true religion,” that is, his own cause. “As long as the ruler in question was friendly to the Reformation,” Luther supported inter-institutional coercion (1992:137). Otherwise, whether they were in favor of Anabaptist or Roman Catholic coercions, Luther saw fit to oppose and to interfere with civil legislation as much as he could. This means that Luther simply ignored his own distinction when it benefited him to do so; he only upheld a rigid two kingdoms theology when princes might impose his opponents’ views on the church. Understanding Luther’s contrasting behaviors involves less nuanced description of his theological views and more consideration of his political opportunism.

The same type of duplicity appears already much earlier in Luther’s *Admonition to Peace*. He demanded, as we have seen, that the peasants cease calling their union “Christian,” for there was nothing Christian in the matters between the peasants and the nobles. Yet early in his efforts at Reform, Luther decided that the church would never reform itself without intervention from civil power: thus he sat down and penned a lengthy tract which he entitled *To the Christian Nobility of the German Nation* (1520). The content of the book itself crossed the two kingdoms divide, for it explicitly called for civil interference in ecclesiastical affairs. Luther even called the ascent of Charles V “this time of grace” in which was an opportunity to root out “the

princes of hell” from the Church (1967d:261). But even the title of the tract violates the very naming rule which Luther held against the peasant’s “Christian” union, by referring to the “Christian” nobility. It would be worth studying to see, even, if the peasants had been inspired to form their “Christian” union based upon Luther’s rhetoric in this tract which had appeared only a few years prior to their twelve articles. It is possible that they were following his lead and now being denounced by the very man whom they imitated. Whether this would hold up under investigation or not, Luther’s duplicity on the issue remains obvious.

Indeed, when favorable governments were in place, Luther assumed the opportunity to be the brain trust. Whereas the doctrine of the two kingdoms should have kept him dealing with only church matters, “He wrote more than one thousand letters to political authorities high and low, involving himself in basic issues of social, economic, and political policy as well as in matters more narrowly affecting the church” (Ozment 1992:129). And, more often than not, such self-involvement strengthened the Saxon rulers rather than limited them (Ozment 1992:129).

We can see, then, that Luther did not live by the dictates of his own theology. He consistently upheld a stark two kingdoms, anti-Moses theology against all of his various opponents, but whenever the political climate favored him, he engaged in the very behavior for which he condemned Karlstadt and the peasants. Whether the two kingdoms doctrine itself may be described properly as “dialectical” or not, the practice that followed it can only be called—at various times—inconsistent.

6.6 CONCLUSION

While Luther's specific rejections of Mosaic Law derive partly from the development of his views on Christian freedom versus temporal authority (the two kingdoms doctrine), and also partly due to the pressures of his intense political environment, his application of this doctrine appears to depend more heavily, comparatively speaking, on the social situation than on his theories on paper. Whether in dealing with the confrontation with Roman Catholics, with Karlstadt, or (as we have seen in this chapter) the Peasant War, or the various challenges of his enemies thereafter, Luther in each case used the two kingdoms doctrine as a lever to stifle his opponents and advance himself. And in doing so, he never once acknowledged transgressing against the logic of the doctrine, but saw himself personally as vindicated in many cases. The common denominator in each case was not the logic of the doctrine itself, but the change of circumstances. It is the historical context that becomes the crucial factor in the doctrine's general utility and specific applications. Thus Luther's two kingdoms doctrine was dependent upon the political and social context both in its formation and in Luther's selective application of it.

With fifty-five volumes in English, however, and even more not translated, to pretend to exhaust Luther's statements on and applications of law in a few pages would prove one hasty at best. However, we have reviewed the texts relevant to Mosaic Law, Karlstadt, the Peasant War, and Luther's various reactions during the relevant historical period of 1520–1536. We have witnessed how Luther drew a line between earthly and heavenly matters—as well as how often he abused or ignored that line for his own benefit—in order to demonstrate the observation of duplicity on his part.

7. MÜNSTER, THE “NEW JERUSALEM”

With all other candidates having failed an examination, we must turn our attention to the most overwhelmingly attested candidate of all. Both scholarly and popular sentiment of today and times past have declared clearly that the radical call to organize the state solely around the precepts of Moses has its source, at least for the context of the Reformation, in the “theocracy” of Münster. As we have already seen, Avis’s comment represents this chorus when he refers to the “explicit manifestation of Old Testament spirit and forms . . . in the city of Münster” (Avis 1975:165). Though many of the citations and secondary source works leave the matter either too simply or too vaguely stated to learn too much of substance about the actual law-order of that unfortunate city, they yet appeal too loudly to begin looking anywhere elsewhere.

Despite the chorus of consent, however, one searches such articles and books in vain for any detailed consideration of the civil law code of Münster during its Anabaptist kingdom phase. We often find, instead, unsupportable generalities: for example, both Bishops Browne (1865:196) and Gibson (1904:282) cite Mosheim’s *Ecclesiastical History* to support the idea that the “New Jerusalem” at Münster tried to impose the Mosaic civil code. But nothing near warranting this conclusion surfaces in Mosheim’s classic history. The Münster fanatics may have appealed to the Mosaic code, but you will search in vain to find any statement in Mosheim about the source of law in that scene. He barely mentions that the city was intended to be “a new kingdom of Christ about to be erected on the Earth,” and his analysis of legal conditions stops there (Mosheim 1847:IV:XVI:I:III:10, IV:XVI:III.II.III.7). With such a loose pedigree of documentation we cannot help but suspect that the “Mosaic” or “Jewish” accusation suffers exaggeration and questionable integrity. Again, none of the accusers, past or present, have produced anything in the way of actual

references to the Münsterite law system. Yet they all blame the city's fate simply on the application of the Mosaic civil code.

A closer look, however, reveals a considerably different picture. The actual history of Münster reveals many forces at work and many important considerations, most of which have roots in the spiritualist tradition. These roots stretch directly through the radical prophet Melchior Hoffman, and delve all the way back to the mystical spiritualism of Joachim of Flora (d. 1202).⁴³ In order further to unravel the popularly maligned but rarely explicated Münsterite hermeneutic, a brief account of its historical development is in order.

7.1 BACKGROUND OF THE MÜNSTERITE REBELLION

Helpful to understanding the hermeneutics at Münster, for one, is the doctrine of Thomas Müntzer, the troubled Bernardine confessor influenced by the mysticism continuing after Joachim (as we have already discussed).⁴⁴ Müntzer admitted his indebtedness to the mystic in whose legacy he “came to think of himself as a chosen instrument of God” (Williams 1962:45). Two successive calls to pulpits in Zwickau placed him in a position to relate his new passion to willing ears. From this situation arose the Zwickau prophets: zealous colleagues and disciples of Müntzer whose biblical knowledge and Anabaptist arguments later caught even Zwingli off guard (Williams 1962:46–7). Müntzer published extensively from 1521, including his mystical doctrine of the “inner baptism” of the Holy Spirit and his apocalyptic use of

⁴³ Norman Cohn (1961:428, note 278) complains about the poor scholarly understanding of Münster to his date: “Despite all the attention the New Jerusalem at Münster has received, its significance has generally been underestimated. This is because it has been viewed in isolation or as a mere excrescence from Anabaptism, instead of as a particularly vigorous expression of the age-old tradition of revolutionary chiliasm.” The situation has more recently improved if from nothing else than the definitive work by Williams (1962).

⁴⁴For a discussion of Joachim's “Trinitarian” spiritualism, both its precursors and exponents, in the context of historical hermeneutics, Reventlow (1985:25–31). For a discussion of Joachimism among the radical reformers see Williams (1962:858ff).

the book of Daniel as theological history which we saw outlined in his *Sermon before the Princes*. In 1524 his views received suspicion and censure from Duke John in Weimar who drew a recantation from the errant priest. The promise, however, apparently meant little to Müntzer who fled a week later to join the Peasant Revolt, which endeavor foreshadowed the disaster at Münster (Williams 1962:57). His enthusiasm lay in his hope that the upheaval signaled the arrival of his eschatological vindication (Williams 1962:75–6), but his foresight was only as powerful as his hermeneutic. Thomas Müntzer, as we have seen, illustrates the powerful influence and disastrous end of mystical and prophetic doctrines upon many of the exponents of radicalism during the Reformation.

Even more relevant to the specific incident at Münster is the teaching of Melchior Hoffman. Hoffman was a fur trader and itinerant preacher who began fairly close to Lutheranism but was moved away by excessive forays into eschatology. Drawing from a timeline of prophetic history derived from the prophet Daniel as Müntzer had done (Williams 1962:858f), he announced the imminent arrival of Christ in Strasbourg which he declared “spiritual Jerusalem.” In 1530 he openly embraced Anabaptism in that city, from whose authorities he barely escaped arrest for sedition (Williams 1962:259–64). Hoffman’s spiritualism and claims to be a channel of prophecy gained him wide attention, many people even believing him to be Elijah returned as one of the two witnesses of Revelation 11:3 (Williams 1962:263). He was finally arrested in Strasbourg after further publications in 1533. He suffered in prison for ten years during which time he continued to publish further predictions of Christ’s second coming and the establishment of a millennial kingdom on earth.

Hoffman had traveled The Netherlands in the early 1530s exerting considerable influence as he went. His chief disciple, John Volkerts, tarnished the movement with a recantation and a disloyalty to his brethren which cost ten of them their heads, his included (Williams 1962:356). This persecution only fanned the flames for the radicals. Dutch Anabaptists Jan Beukels of Leiden and Jan Mathijs of Haarlem, self-appointed prophets, gave fresh application to Hoffman's prophecies. They visited Münster in 1533 and then pronounced throughout Holland that the fateful city might very well be the site of Hoffman's prophecies (Williams 1962:368).

7.2 CHARISMATIC LEADERSHIP

The two Melchiorite leaders, Mathijs and Beukels, joined two locals, Bernard Rothmann and Bernard Knipperdolling, who had been agitating Münster since 1531. Rothmann controlled the pulpit and Knipperdolling the guilds (Williams 1962:363). Thus, "The Münsterites incorporated Melchiorite apocalyptic thought into their theology, even though they eventually transformed Hoffman's theology from a passive into an active apocalyptic" (Haude 2000:11). Active it was: by February 1534, the group gained power in the town council—Mathijs at the forefront—and began re-baptizing citizens and driving out those who refused. Within six weeks they had fully instituted communism (Williams 1962:370).

Nevertheless, their assumption of power in 1534 had taken place according to legitimate elections. The Anabaptists simply gained majority power and key seats of power on the city council—a point often not emphasized. Yet it remains important for those who objected that only legitimate authorities could wield the sword. During this early point in the process of the Münster disaster, the Anabaptist leaders were in fact

legitimate authorities. In subsequent publications, Rothmann would remind his critics of this point (Dipple 1999:94).

Things began to come to a head in Münster when the prince-bishop besieged the city. Mathijs lead a sortie against them in 1534 and died in the assault. Beukels filled his role and immediately tightened the reigns. He declared himself God's mouthpiece, deposed Mathijs' elected council and set up twelve judges of his own. The twelve published a stricter law code which furthered the communism of property and declared any sin after re-baptism a civil crime, and many capital crimes. To support this measure they quoted Amos 9:10: "All the sinners of my people shall die by the sword" (Williams 1962:371). They extended the death penalty liberally even to such "crimes" as back-biting and complaining, and exercised it often in public.

In the end the escalated effort was not a principled appeal to Moses, but the desperation of a tyrant. According to Williams (1962), "It is clear that this was a code of martial law for the Lord's army under siege, where even a minor breach of discipline might cause disaster" (371–2). Nevertheless, the new leader could only postpone the inevitable, and as the siege played out Beukels began to call to other Anabaptists for help. Waves of messengers were sent out—many of whom were captured and executed—as well as theological publications by Rothmann trying to recruit support for the Anabaptist kingdom, all to minimal avail (Williams 1962:374–9).

Famine became the deciding factor as it drove two Münsterites to betray a gate to the prince-bishop's army in June of 1535. Most of the city was slaughtered and the leaders including Beukels captured. Special interest was shown in the leaders who were repeatedly questioned and tortured. In punishing these radical theocrats, who

had allegedly resorted to “theocratic” law to execute those who were heretics in their eyes, the authorities displayed the glorious supremacy of their own natural-law penal heritage: the prince-bishop watched from a house window as executioners chained the Münsterites’ necks to posts. Over the period of an hour they pressed glowing-hot pincers against their bodies, ripped their flesh, scorched their necks, tore their tongues from their mouths, and then pierced their hearts with daggers. Their bodies were hung on display in cages from the tower of St. Lambert’s Church in Münster (Krahn 1981:163–4). The cages still hang today as a memorial of the city’s gruesome history.

7.3 WHAT THE MÜNSTERITES REALLY SAID

Exactly what theological or legal ideas lay behind the murderous episode in Münster? What exactly did they teach? Was Moses to blame? According to one writer of the period, Hermann von Kerksenbrock, the local priest Bernard Rothmann underwent a stark change toward austerity in his manner and in his preaching in September of 1533 (this would have been after the first visit from Beukels and Mathijs). Having already accepted Anabaptism in general, at this time he began to consolidate his pulpit among his peers as the only true doctrine in town. Consequent with these changes, an emphasis on eschatological prophecy came to the fore. Kerksenbrock elaborates Rothmann’s position:

Thus, there was virtually no healthy doctrine and the whole world was corrupt and placed in evil, and for this reason the world would soon be set upon by a horrible and inevitable disaster, which no one would escape except God’s elect, who were marked out with the Sign of the Covenant [re-baptized]. To a man, the rest would die of lethal punishments, being uprooted from the face of the earth with cruel

death. This would be the end of the world, but the Last Judgment would follow a thousand years later. At the end of the world, once the impious were suppressed, God's elect who were marked out with the Sign of the Covenant would, for one thousand years, have Christ as their leader and live a new and blessed life on earth (Apocalypse 20) without law, without ruler, without marriage. . . . The Holy Scriptures of both the Old and New Testaments would not be in force because of the remarkable holiness in living of the pious people marked out by the sign of the covenant, who would of their own accord live well. He kept saying that this destruction of the impious would take place soon. . . . those marked out were to be summoned from the four corners of the earth to a single place, and there their leader Christ would place in their hands the sword of vengeance with which to wipe out the impious.

(Kerssenbrock 2007b:435–6)

The incidents that followed show how Rothmann's preaching had begun to win over the people over against the established civil and ecclesiastical authorities. His new style quickly gained attention from the civil authorities who summoned him for a hearing. Rothmann and his sympathetic preachers lost in debate before the council which subsequently ordered all preaching against infant baptism and the mass to cease along with all other innovations in religion. Despite the ruling, a known Anabaptist mounted the pulpit within days and his mere presence stoked a councilman enough to rush up shouting and to shove the preacher out of the pulpit. To paraphrase Gandhi, the action was the reaction. The councilman's violence in reaction to the mere possibility of hearing prohibited doctrine may have been the final straw for public opinion. Witnesses in the congregation decried the vigilante justice and pinned it on the council as a whole: Would the council turn a blind eye to this violence? If so, it must be removed and replaced. From the reaction of the people we

gain a sense that Rothmann had persuaded a good portion of them with his recent efforts.

From this point, a struggle between the preachers, the council, the people, as well as the prince-bishop continued back and forth for several weeks into months. As always, the devout Catholic author Kerssenbrock viewed the whole train of events stemming from Rothmann's preaching as "seditious," or as he himself put it,

Among the commons, who are always eager for novelty, he had spread an erroneous and seditious doctrine from which the usual result was schism, dissension, sedition, disobedience, contempt for government, and the disturbance and corruption of Christian rituals. . . .

(Kerssenbrock 2007b:447)

Rothmann persuaded not only the local "commons," but soon gained wide fame for his positions and preaching. This arose due to the publication of his articles on the sacraments as presented to the rulers and theologians of Marburg. The officials rejected them but the people raved:

With these articles he so impressed his error on the minds of men in various places and with the help of Satan so bewitched and deranged the populations of many regions, that they abandoned their homelands, children and property and streamed to Münster from everywhere. People of both sexes gathered here from Westphalia, from Saxony, from Holland, from Brabant, from Gelders, from Frisia, from Lüttich, and from many other areas as a result of their eagerness to see and hear Rothmann.

(Kerssenbrock 2007b:452)

At this point of growing popularity, Kerssenbrock summarizes Rothmann's teachings, as they had developed up to that time, in nineteen points. Of these, the points relevant to this study include the following:

- There should be no commerce with the impious and the pagans.
- The government of the pagans should not be obeyed.
- The pagans were not to be taught doctrine before a date preordained of God. For the world would first suffer grievous affliction on account of sin, and the impious would fall upon the face of the sword. Then, the survivors would be called in sermons to the Kingdom of God.
- No Christian was to contest with the impious in court.
- No Christian was to engage in any sort of lending at interest, and accordingly he should neither demand nor make interest payments. For everything would be held in common by the example of the apostles.

(Kerssenbrock 2007b:456–7)

Among these few points, the most important for our purposes is clearly the second one. Kerssenbrock's translator Mackay adds a footnote to this point:

This article in the middle is rather unobtrusive, but it stands at the heart of the Anabaptists' rejection of the (Christian) secular world around them, a rejection that was in part responsible for the extreme hostility that they aroused among not just Catholics but also magisterial Protestants.

(Kerssenbrock 2007b:457, note 89)

That Rothmann was preaching that pagan civil government, at least in some contexts, should not be obeyed strikes a note with Calvin's description: that there were some who said that a commonwealth was not duly framed which . . . is ruled by

the common laws of nations. Rothmann is here accused by Kerssenbrock of teaching essentially this point: “pagan” governments are invalid. But Calvin had also added within this description that these same people denied the validity of a commonwealth if it also neglected the civil polity of Moses. Up to this point, Moses has not entered the story of Rothmann or Münster. Besides, the rejection of civil government in general as “pagan” was a common Anabaptist trait (indeed, had not Luther prescribed civil government only for non-Christians?), and none of them that we have seen so far have simultaneously called for Mosaic polity—most wanted no civil government at all. So while we have a point of similarity here, it is certainly not conclusive, and may not even be helpful. As we shall see, the latter is actually the case. But as we shall also see, it was most likely the more general Anabaptist rejection of civil government that reformers like Luther and Calvin worked so loudly to distance themselves from in the eyes of their scholarly peers and especially of their respective civil rulers.

Events surrounding Rothmann continued to escalate, but especially so after the two alleged prophets permanently arrived in town: Beukels and Mathijs. Mathijs grabbed power first though his reign was short-lived, as we shall see. The two arrived around January 13, 1534. By February 23, new council elections had allowed the Anabaptist majority to take control of the city.

A mere two days later, Mathijs preached a sermon demanding measures to prevent—ironically—sedition amidst the fledgling New Jerusalem. The measure required a campaign of ridding the city of all non-Anabaptists—or as Kerssenbrock put it, “killing the papists, Lutherans, Sacramentarians, and all those who disagreed with his doctrine” (2007b:512)—and rewriting the laws to be “Christian.” Yet another

two days later and Mathijs took to the streets in a prophetic frenzy of preaching which culminated in him prophesying to the crowds that rebaptism would now constitute civil law:

This is the Father's will, His command, His order: unless the impious are willing to be baptized, they are to be immediately driven from the city, since they are always obstructing our pious endeavors. Since the people of God are being polluted through interaction with the impious, let this saintly city be cleansed! Since this place, this saintly city, this house, this inheritance is owed to the sons of Jacob and the true Israelites, drive away the sons of Esau!

(Kerssenbrock 2007b:514; cf. Haude 2000:11)

This marked a turning point for tyranny and bloodshed. Most of the populace enthusiastically obeyed Mathijs and drove out those who refused to join the now civic duty of Anabaptism. They beat the backs of those who walked too slowly. In one case, a woman who refused rebaptism stayed behind because she was too obese to move. Rothmann threatened to kill her if she would not submit to rebaptism, saying, "If you don't stop resisting the Spirit of God so obstinately, you must be removed from associating with the pious through death, so that you won't call the Father's anger upon us with your impiety and make us participants in your crime" (Kerssenbrock 2007b:518).

This rapid escalation of events led the prince-bishop to take action against the city, now under full control of the Anabaptists. From February 28 through the next week or so the prince-bishop gathered a mixed army of Catholics and Lutherans and laid siege to Münster, the city he had so recently ruled himself.

Once under siege the leaders in Münster rallied and emboldened their people with speeches and entrenched themselves more firmly with stricter discipline and military training. With the councilmen occupied with drills, Mathijs gradually assumed control over all judicial and legal matters. He eventually entrenched himself as a dictator. He instituted the strict communism, confiscating all property and wealth, all gold and silver of any form. He “abolished private property and destroyed all documents representing the former political and spiritual dominion, including title deeds, certificates of indebtedness, accounting books, court records, and civic privileges” (Haude 2000:12).

When one blacksmith named Hubert Ruescher vocalized the grievances of several citizens, Mathijs executed him brutally as an example to the public. The smith had denounced the dictator’s prophecies as madness and fraud, saying, “It is we who are stupidest since we take him to be a prophet who is so often proven wrong in his predictions! My judgment is that as a prophet he gives shit!” (Kerssenbrock 2007b:531). Mathijs had the man dragged before him and all the people and denounced him as demon possessed and “an impious disturber of the peace.” He decreed Hubert should be executed by appealing to the New Testament, particularly 1 Peter 4:17: “For it is written: it is time for judgment to start with the house of God” (Kerssenbrock 2007b:531–2). Amidst the crowd, Mathijs’ soon-to-be successor, Jan Beukels, leapt to the fore brandishing a sword and demanded Hubert’s immediate death. Not to be outdone, Mathijs immediately thrust a double-headed axe into the body of Hubert. Noticing the blacksmith actually survived the blow, Mathijs then grabbed a handgun from a bystander and shot his wounded victim to death. The murderer then warned the people against further rebellion, and led them all in singing

a hymn to the praise of God. Thus did the tyrant further consolidate his power through terror.

Mathijs' reign, however, would prove short-lived. Within only a few months of deceiving nearly everyone in the city during his rise to power, the mad prophet proved he had also deceived himself. He believed he enjoyed such divine protection that he could not die, and he convinced a squad of ten to twenty men that they alone could defeat the armies of the siege—armies comprised of both infantry and cavalry, stationed in seven camps, surrounding the entire city, and numbering in the thousands. He went forth, as the chronicler puts it, “with more boldness than sense,” and contrary to Mathijs' prophecies, the sortie turned out to be a suicide mission: “In vain did he ply his axe. In vain did he strive to turn to flight. In vain did he call for assistance from his men, some of whom had taken to their heels, some of whom were dead” (Kerssenbrock 2007b:538). The prophet himself soon fell beneath a spear. When the soldiers who dropped him recognized him, they “rushed upon him from all sides, slashing at him with such butchery that all the joints of his body were severed with frequent sword blows, and his guts spilled out with a gush of blood” (Kerssenbrock 2007b:538). They even allegedly cut off his genitals and tacked them to one of the city gates. Thus ended the reign and the legacy of Jan Mathijs.

With the people in mourning and derision, Jan Beukels seized the opportunity at the throne. From the lower middle class shops of Leiden, through Hoffmanite apocalyptic, to the throne of New Jerusalem, Beukels would incarnate Solomon's warning against the fool who reigns. Haude captures the spectacle:

Jan van Leiden had made a rapid career from tailor to prophet to king of Münster and beyond. He set up a grand household with an extraordinary royal suite and a wide array of court officials. His jewelry and stately attire, his royal insignia—scepter, crown, and ring—bespoke his claim to world dominion. A golden chain with a golden orb hung around his neck: the orb, pierced crosswise by two swords, represented the globe; the two swords symbolized the spiritual and secular powers he united.

(Haude 2000:15)

Among things beneath which “the earth quakes,” the Proverbist writes of “a slave when he becomes king, and a fool when he is satisfied with food” (Prov. 30:21–22). The earth would more than quake as Beukels turned Münster upside-down.

Beukels would prove himself twice the deceiver and tyrant than his predecessor. Blaming Mathijs’ death not on his false prophecy but on a failure to give God alone credit, Beukels justified a new government with even stricter laws. He claimed to have new revelation from the Father for a system of government, and consequently set up his twelve new rulers over the city, calling these men “the twelve elders of the tribes of Israel” (Kerssenbrock 2007b:543). Upon their appointment, Rothmann—now the court propagandist—rationalized that God had ordained these “to copy the image of His beloved people Israel” (Kerssenbrock 2007b:543).

If the arbitrary nature (as opposed to any careful attention to Mosaic code) of the laws of Münster were not already evident, from this point in the story the departure from any reliance upon Mosaic civil polity grows even clearer. Despite the claim to be an image of Israel, the twelve elders did little in actual resemblance to that

nation's lawgiver. They revealed their subjectivism in their immediate decree of the new laws for Münster:

Having the Highest One's law and will inscribed upon our hearts by the finger of God, all of us in this saintly community of Münster rightly fulfill this law with words and works, so that from now on there is no need to place our Lord's written law before our eyes and to delineate it in advance.

(Kerssenbrock 2007b:544)

They then proceeded to delineate thirteen new ordinances—most of them a paragraph long or more—punishable by the sword. These included blasphemy, cursing of the judges, the prince, or parents, wives disobeying husbands, adultery, fornication, stealing, trickery or deceit, lies, disparagement, obscenity, strife, sedition, slanders, and divisiveness (Kerssenbrock 2007b:546–9). It is not clear whether “will be punished by the sword” literally means execution for all of these sins, but the elders did wield the sword liberally enough. To manage the greater queue of death penalties, the new King installed Bernard Knipperdolling as his full-time executioner.

The elders' thirteen-point list of sins provides the clearest test case for the popular “Münster as a Mosaic theocracy” claim. The list provides a great test case because the elders saturated it with biblical references—44 references to be exact, as far as Kerssenbrock records. And how many of these references for this “Mosaic theocracy” actually came from the books of Moses? The answer is 18—well less than half. In fact, 25 of the biblical references came from the New Testament (Kerssenbrock 2007b:548).⁴⁵ The remaining verse did not even come from the Bible,

⁴⁵ The text itself attributes one verse to Psalm 21, but the reference is mistaken in regard to the text quoted. The modern translator Mackay rightly corrects it to Revelation 21:8, and thus it counts as a

but from the apocryphal book “Wisdom of Solomon.” A theocracy willing to base murder more on the New Testament, and even on apocryphal books hardly deserves the title “Mosaic,” let alone has much at all to do with the judicial laws of Moses in particular.

The emphasis on New Testament passages corresponds to Rothmann’s views which he had published nearly six months earlier. In his most important work, *Restitution of Right and Sound Christian Teaching* (October 1534), he had clearly affirmed the New Testament’s superiority over the Old:

Now we will show the difference between the Scriptures of the Old and New Testaments: we say that the Scripture of the Old Testament believes and teaches what was to come, in images and different things. But the Scripture of the New points out that the head of the promises has come and from henceforth his will and being must be promoted in the spirit and in truth. But everything in the Old is foreshadowed, that in the New is traded.⁴⁶

(Dulmen 1974:198)

In the Old Testament, God’s will is merely “foreshadowed” (*Vorgemalt*, literally “forepainted”). The obscure pictures and various aspects of the Old Testament have been “traded” (*gehandelt*) for the “spirit and truth” of the New. In comparison to the clarity of truth in the New, the Old remains “not so obvious” (*nicht so offenkundig*) (Dulmen 1974:198).

New Testament reference.

⁴⁶ „Nun sollen wir den Unterschied zwischen der Schrift des Alten und Neuen Testaments zeigen; so sagen wir, daß die Schrift des Alten Testaments glaubt und lehrt, was da kommen sollte, und zwar in Bildern und anders. Aber die Schrift des Neuen weist darauf hin daß das Haupt der Verheißungen gekommen ist und nun fortan sein Wille und Wesen in dem Geist und in der Wahrheit getrieben werden muß. Aber es ist alles in dem Alten vorgemalt, was in dem Neuen gehandelt wird [sic].“

The quotation given above from the elders' siege laws of Münster provides yet further consideration against a "Moses-only" view in that city. Aside from the overrepresentation of New Testament texts, two other factors stand out. First, it could be argued that the concept of "Having the Highest One's law and will inscribed upon our hearts by the finger of God" represents more of a "natural law" view of ethics as opposed to a revealed law view (though a certain nuance could balance these two views). Second, the Münsterites' conclude that this "inscribed upon the heart" view of law renders any recourse to Moses, or any of the rest of the Bible, explicitly pointless, as they say: "from now on there is no need to place our Lord's written law before our eyes." In light of this, Kerksenbrock's description of Rothman's early preaching rings true. The preacher had allegedly said that

God's elect who were marked out with the Sign of the Covenant would, for one thousand years, have Christ as their leader and live a new and blessed life on earth (Apocalypse 20) *without law, without ruler, without marriage. . . . The Holy Scriptures of both the Old and New Testaments would not be in force.*

(2007b:435–6, emphasis added)

It's no wonder that a later scholar like Lightfoot could refer in a passing comment to the rioters of Münster simply as "antinomian" (1995:350).

From this evidence it is clear the Münsterites did not even need New Testament references, for in reality they relied on their own spirits and individual "prophecies" as the basis for their indiscriminate meting out of the death penalty, most of which were not sanctioned in the Mosaic civil code. The leaders of course ignored the Decalogue in setting up their strict communism. The maintenance of this particular law led to innovations nearly as extreme as some modern totalitarian regimes (or even many

western bureaucracies). For example, when the elders quickly issued an additional set of ordinances meant to cope with life under siege (while maintaining their communism), they outlawed fishing, apparently to ensure that no individuals could hoard fish from the waters during a time of scarcity and thus have an individual advantage over anyone else in regard to food. As government-enforced “equality” would have it, the Münsterite State then set up a government monopoly over fishing. Quoting from the second set of “siege ordinances”: “No one will fish apart from superintendents of fishing, Christian Kerckering and Herman Redeker, and their attendants. . . .” (Kerssenbrock 2007b:551). Likewise the new edicts strictly regulated other aspects of normal business and life, such as slaughtering, curing, and selling meat, blacksmithing, clothing, medicine, money, tanning, veterinary care, agriculture, food, immigration, communication, and more (Kerssenbrock 2007b:550–3)—all of which the law of Moses left free of any civil coercion or regulation, with only minor possible exceptions.

This tyranny lasted throughout the year of 1534, as did the siege. Neither side budged; each took turns in taunting and leading the other in cruel jests and the like. In one instance, the Münsterites sent a horse carrying an effigy into the camps, and when the siege soldiers rushed it in hopes of plunder they unwittingly bunched into a crowd easily fired upon with success from the tower walls of the Anabaptists. Many were killed and most were wounded. These types of incidents happened though without much progress on either side.

After many incidents and official exchanges of letters between the landgrave Phillip of Hesse and the Münsterite leaders, including the famous tractate from Rothmann, *On Restitution*, the two sides still stifled progress. In January 1535, King

Beukels instituted yet another new set of ordinances, though the purpose and relevance these new laws bore to the situation lack any good explanation. For our purposes, it is enough to highlight their arbitrary and egocentric nature represented by the introductory paragraph:

Be it known . . . how and in what way the Christians and their adherents ought to live and conduct themselves under the banner of righteousness as the true Israelites of the New Temple in the present kingdom. This kingdom has been foreseen for many centuries now, was promised by the words of all the Prophets, and was begun and passed on by Christ and His Apostles by virtue of the Holy Spirit, and now this kingdom has been restored by the righteous King John [Beukels], who was placed on the Seat of David.

(Kerssenbrock 2007b:653–4)

Deriving from such an exclusive and holy (if completely farcical) source, the decree continues: “Therefore, each and every one of these articles will be maintained under penalty of death for the glory of Almighty God and the increase of His Kingdom” (Kerssenbrock 2007b:654).

As the siege wore on, Beukels found himself and his kingdom in a strait, and so to encourage the people he prophesied that the siege would be broken miraculously by Easter of that year. He also established twelve new dukes to guard the gates of the city. “To these officials he promised positions in his kingdom if they carried out the royal commands as carefully as possible, saying that once the siege was broken, which would take place on Easter, he would attack the entire world after killing all the princes apart from the landgrave and would bring it under his rule” (Kerssenbrock 2007b:660). Beukels, well ahead of his time, had mastered a rule of modern politics:

when you cannot follow through on your big promises, make a bigger, more outlandish promise to inspire hope and change.

It is clear that such individual prophecies and end-times expectations had the greatest influence on continuing the Münsterite upheaval. Martin Luther himself saw the arbitrary application of dreams and prophesying as the number one cause behind the Münster debacle. Lecturing in 1542 on Jacob's dream (Genesis 28) and how to determine the difference between true and false dreams, Luther recalled about the charisma-inspired bloodshed from seven years prior:

Therefore the godless err in their interpretation and understanding of dreams, just as they talk nonsense when they explain signs and prodigies; for they neither observe nor have the Word. This is what happened to the Anabaptists in Münster, who had seen a bow in the clouds and next to it a bloody hand. This they seized for themselves as a sign of victory, even though destruction was threatening them, as the outcome showed. But they erred in the interpretation because they paid no attention to the foundation or the calling. For they had neither the Word nor the power of the sword, since they were not administering the government in accordance with the divine ordinance and calling. . . . Accordingly, political dreams that are vague and without foundation—that is, when a person is not a public functionary or in the government, and when the agitation and the analogy are not added—are good for nothing.

(1968:239–40)

As we noted earlier, the Anabaptists originally gained power via election, which Luther may not have known, so his condemnation against their illegitimacy to govern does not apply as clearly as he seems to think. We could, however, possibly share in

this condemnation as applied to the seizures of singular power by Mathijs and later Beukels. Either way, however, Luther's pinpointing of the charismatic nature of their error confirms our thesis. And while he had himself engaged in anti-Moses polemic against Karlstadt, the peasants, and Müntzer a decade earlier than the Münster affair, yet he makes no mention of Moses as an underlying cause here in reference to Münster. The issue, in other words, was not Moses, but prophecy and eschatology.

Likewise, commenting on Beukels' "twelve rulers" setup, Mackay notes the influence of apocalyptic:

Since the 144,000 pious men who were to do battle against the wicked in the Last Days were to be drawn from the twelve tribes ([Rev.] 7:4–8), it is hard to escape the conclusion that this new institution was part of a self-conscious effort to organize the forces of Münster after the model of the book of Apocalypse.

(Kerssenbrock 2007b:660, note 35)

Apocalypse it became: the pale horse rode (Rev. 6:8). As the siege wore on, starving townspeople began to defect or attempt to defect more frequently. Many were caught in the act or caught planning or knowing of plans. This led to several public beheadings of both men and women, among other punishments. But starvation overwhelmed the city; the people grew desperate in search of food, eventually eating horses, then dogs, then cats, then rats, then frogs, slugs, snails, strips of leather from shoes and even book covers, and tree bark. Finally, like during the fall of Jerusalem in AD 70, parents even took to slaying and eating their withered children. The wife of one councilman allegedly gave birth to triplets whom the parents immediately butchered and preserved in salt (Kerssenbrock 2007b:673–4). The people wasted away, as Kerssenbrock describes,

Becoming limp as the flesh was eaten away, the skin of the townsmen dried up and turned black. The ribs and inner organs could be counted through it, the bones stuck out, the fingers grew stiff with emaciation, the nose became pointy, the cheeks sagged and became furrowed, and the eyeballs sank deeper into their sockets, seemingly covered over. There was a color of bruising on their faces, and they were so debilitated by the starvation that you would have said they were more like spectres and ghosts than humans. Only the shape of human bodies could be seen, their operations and functions were missing. Some were so broken down with rotting sores that they seemed to waste away and decay while alive, becoming the walking dead, while others burst apart as their sin was stretched taut [from distended bowels]. In short, the city was full of death.

(Kerssenbrock 2007b:674–5)

Sweeping death from starvation left streets filled with bodies. Daily carriages of corpses rolled to fill mass graves.

Beukels, meanwhile, sitting in opulence and abundance amidst his royal stores, and well-guarded, gave little care to the situation save to promise the miserable people that the Father could yet turn the paving stones of the street into bread if need be. Meanwhile, he said, the privation was merely a test of faith from the Father. He himself promised to remain faithful and guard Münster even if everyone else left.

Many of the people took this “even if everyone else left” as permission to leave the city, and it apparently was. For the young men this meant immediate death—for the siege forces’ deadline for mercy upon surrender had passed—yet they would prefer imminent death to slow wasting. As they rushed out daily in droves, most of the young men were executed, the women, children, and elderly spared but kept

hemmed in a barricaded section between the camps and the city. There they continued to starve until the prince had mercy and removed them as prisoners; they were tried, some executed, and others allowed to recant and return to different parts of the diocese.

Yet a large contingent of true believers remained entrenched in the city. The siege commanders knew of the desperate conditions and on 30 May 1535, sent a letter urging surrender to avoid the bitterest of conclusions to the city. The leaders of the town replied with a letter rehearsing their stubbornness along with a brief discourse on Bible prophecy. Drawing from the book of Daniel and Matthew 24, they presented virtually the same Danielic timeline taught earlier by Müntzer and Hoffman. They argued that they were living at the end of the fourth monarchy (the Roman Empire, as they believed it had been extended through the Holy Roman Empire and the Roman Catholic Church), and that all of the recent calamity only proved Christ's prophecy, "At that time there will be great affliction, such as there had not been since the beginning of the world down to the present day, and such as there will not be" (Kerssenbrock 2007b:683–5). Yet just as Müntzer before them, the Münsterites firmly convinced themselves that God would vindicate their stand amidst this eschatological drama:

[T]he examples provided by the endurance of God's saints will console and ease our afflictions, until the square stone of Scripture crushes the beast's bronze feet and gives to the people of lofty saints the beast's kingdom and its power and magnificence under all of heaven.

(Kerssenbrock 2007b:684)

The more one follows the history of the Münsterite affair (along with their influences and parallels such as Hoffman and Müntzer), the more obviously eschatological beliefs rather than Mosaic Law thoroughly characterizes the situation. From the remarkable change in Rothmann's demeanor until the final days of Beukels' Davidic-Danielic delusions, we see little if any relevant recourse to Moses. In fact we find that from day one of this period—Rothmann's preaching in September 1533—Moses as well as all of written revelation had *no necessary part at all* in the future of their Kingdom. They intended to usher in the millennium “without law, without ruler, without marriage” where “The Holy Scriptures of both the Old and New Testaments would not be in force” (Kerssenbrock 2007b:435–6). Yet even as they did depart from this ideal in proof-texting their decrees, two things stand out which must be remembered: first, they referenced the New Testament more often than the Old Testament in general, and far more than Moses in particular. This fact remains consistent with Rothmann's published views as his 1534 *Restitution* clearly shows. Second, the King's credential as prophet and spirit-filled dreamer and interpreter of prophecies always superseded and justified any use of Scripture anyway. So, the apocalyptic passages and charismatic episodes remained central and authoritative through the Münsterites' last letter to the siege forces.

7.4 HERMENEUTICS IN MÜNSTER

The events that transpired in Münster were not, therefore—despite popular sentiment then and now—the result of an attempt systematically to realign civil law according to the Mosaic code, nor even an effort to apply the Pentateuch in anything close to a reasoned or principled manner. Rather, the tyrannous scene was the fallout of a “grim morality play of the good against the bad . . . with a plot drawn eclectically from the Old and New Testaments and the lives of kings and emperors, and with characters

impersonated by an extraordinary company of figures. . . .” (Williams 1962:363). The metaphor involves little exaggeration, and the key word for the purposes of our thesis is “eclectically,” for it is the arbitrary use of biblical passages equally from the historical books, prophets, and gospels, all according to the spiritualist and charismatic desires of Münster’s prophet-leaders that defined the catastrophe in that city. They were not trying to establish a civil law-order as much as trying to *transcend it* in order to hasten the “self-centered messianic ambition of Jan van Leiden [Beukels], the king, and his Israel” (Krahn 1981:141). Their use of Moses, when they used him, was merely pragmatic in that it provided piecemeal warrants for their violent intentions. Concerning the hermeneutical method of “Maccabean Münster,” Williams explains that “the unitive principle was the Spirit of God common to the Old and New Testaments taking possession of the reader or of the charismatic leader” (Williams 1962:828). The result was usually an exercise in *eisegesis*—reading pre-conceived agendas into scriptural texts. Exegesis played little part. According to Williams, “Most of these efforts were a continuation or recombination of the traditional Catholic or medieval sectarian resort to allegory, concordance, typology, and the other nonliteral interpretations. The Anabaptists, needless [sic] to say, were eclectic . . . especially given to typology” (1962:830). Eclectic indeed, but in the service of a violent agenda: like a serial killer cutting letters from magazines in order to paste together messages to his victims, so the Münsterites used various biblical passages to back their threats of death.

In the Anabaptists of this genre—Müntzer, Hoffman, Mathijs, Beukels—the main focus of hermeneutical force was the claim to special personal revelation, over and above scriptural exegesis. This had been true of Anabaptist thought in general:

The first mark of an Anabaptist approach to Scripture, then, is the insistence that the Spirit must inform any true reading of Scripture. Anabaptist pneumatology was central to early Anabaptist hermeneutics, but there was no consensus on how far to extend the influence and activity of the Holy Spirit in the interpretive process.

(Snyder 1995:161)

This lack of consensus renders a study of Anabaptist hermeneutics a kaleidoscopic subject. It allowed the rise and continuation of the more radical interpreters—Melchior Hoffman being prominent if not chief among them his influence upon Mathijs and Beukels, and therefore for the events at Münster. Hoffman stressed two doctrines which enhance our understanding of the Münsterite hermeneutic and both of which flowed out of his endeavor to interpret history according to his personal apocalypse. Snyder explains,

History, thought Hoffman, is determined by God and furthermore, a description of the future course of history has been hidden in prophetic Scripture. Since this was so, a “figurative” interpretation of all of Scripture—Old Testament as well as New—was possible for those who, through the Spirit, possessed the crucial interpretive “key of David.” Those who held the interpretive key would be able to apply the principle of the “cloven hoof,” which harmonized apparent Scriptural contradictions.

(Snyder 1995:167)

Both the interpretive “key of David” and the “cloven hoof” principle illustrate the emphases found so far: mystical direct revelation and arbitrary latitude in hermeneutics. These two forces stood squarely behind the situation at Münster:

For Hut, Matthijs and Rothmann, the acceptance of both extrabiblical prophecy and a preference for exegeting apocalyptic Scripture (Daniel, Esdras, Revelation) opened the door to an acceptance of the sword of righteousness in the hands of the elect in the End Times scenario.

(Snyder 1995:171)

Possessing the revelatory “key” in practice basically meant having the power to convince everyone that God was speaking to you and leading you so that your understanding of God’s word (be it written or privately revealed) could be trusted amidst all other self-proclaimed prophets. To help secure this status on behalf of his preferred rulers—Mathijs at first, then especially under Beukels—Rothmann turned once again not to Moses but to biblical examples of charisma. He “justified the elevation of a king on the basis of the Old Testament, where the Jewish prophets predicted that in the last days of the world God would erect a king” (Haude 2000:14). The people’s willingness to accept Beukels as fulfillment of such prophecy had much to do with their established charismatic hermeneutic to begin with. What followed from their prophesying leader only compounded the issue.

A revealing effect occurs in Rothmann’s writings after the death of Mathijs and with the assumption of power by Beukels. Rothmann’s respect for “legitimate” civil authority begins to transform in order to fit his new situation. He makes less and less appeal to legitimacy via political process, and emphasizes legitimacy via the purity that comes from direct divine ordination. From this point on all secular authority, he argues, comes from heathen, godless roots (Dipple 1999:95). He begins to work through Scripture in order to develop a historical argument justifying his separation of authority between a godless line from Nimrod and a godly line through Abraham and David. It grows increasingly clear that by this point Rothmann was serving as a

propaganda mill for the tyrant Beukels and the Kingdom—contrasting his “legitimate” authority as the New David against the heathen secularists besieging the city. “As a result, his writings are often seen as primarily *ex post facto* rationalizations for decisions already made and actions already undertaken” (Dipple 1999:92).

Along with this shift in perspective also shifted Rothmann’s willingness to abuse the sword. Recent scholarship states that the Münsterites at first remained undecided and divided on the use of the sword. Rothmann in the early part of the episode left the matter of the sword to the secular authorities, even when it was employed against some ecclesiastical matters. It was again the shift toward Beukels’ charismocracy that ultimately led Rothmann to justify violence, though it may have gradually progressed up to that point (Dipple 1999:93).

Yet these changes in Rothmann’s theology provided nothing new to the Reformation scene. Dipple (1995) has noted how Rothmann’s new expressions tightly parallel the “sacred versus profane” (a parallel of two kingdoms doctrine) history of civil government published by the peaceful, non-revolutionary Anabaptist Sebastian Franck. Franck’s large work *Chronica* detailed the history of godless rulers parallel to God’s elect just as Rothmann would express, though Rothmann would add his Hoffman-inspired eschatological doctrine and thereby grow violent where Franck was content as a suffering pilgrim in this world. Frank had written,

And although rulership comes from the heathen, whom the Jews then copied, nonetheless all power comes from above as Christ said to Pilate, and it is a divine ordinance as Paul teaches. [It is] implanted by nature and [human] reason for the protection of the righteous and the punishment of the evil. . . .

(Dipple 1999:103)

In addition to the point about sacred versus profane histories, Franck also argued that civil government arises from “nature and [human] reason.” Rothmann would also make this point. In an incomplete tract left in the rubble of fallen Münster, *On Earthly and Temporal Authority*, he would argue that while secular authority is divinely instituted, nevertheless the standard of law is human wisdom and the law of nature (Dipple 1999:94). With this standard, there was no recourse to Moses. Thus, the main contemporary parallels for the source of law in Münster stem from the “two kingdoms” dialectic between worldly and heavenly matters so prevalent among the Lutherans and many Anabaptists to differing degrees—both of whom seem to have gotten it through late Renaissance Neo-Platonism.⁴⁷ Rothmann may have gotten some influence from Franck, although his view fits just as well with Luther, so it is difficult to spot any immediate influence.

With the prophetic so-called “key of David” established in Beukels and the forces of history conveniently parsed, the power to distort Scripture would have had no limit. A key tool for doing so was Hoffman’s version of the “cloven hoof” principle—a hermeneutic device that turned deadly in the hands of Mathijs and company as it had for Müntzer and Hans Hut before them.⁴⁸ The principle in itself is quite simple. It relates that God designed the Old and New Testaments as one book with two inseparable parts analogous to the two clefts of the hoof of a clean beast (cf. Lev. 11:3) (Williams 1962:830–1). The two parts are equal but different, images of the other. By this understanding, “All events in the Old Testament are images to which some happenings in the New Testament, or yet to take place, correspond” (Williams 1962:831). In the Hoffmanite-Münsterite version a special call and endowment from

⁴⁷ Franck himself ultimately made his Neo-Platonism total, even so far as “to proclaim Plato and Plotinus as furnishing a better background to Christianity than Moses” (Dickens 1990:266).

⁴⁸The “hoof” was not solely an Anabaptist invention, however, but was used broadly even by the Magisterial Reformers for understanding prophecy and typology.

God was required to enable one to properly use the method. It was reserved for elite leaders and prophets (Williams 1962:831). The tool was exploited by would-be dictators such as ruled Münster at the time. Those who believed that the more pacifistic teachings of the New Testament had superseded the Old in some way were countered by the argument “that the ethic of Jesus can be relegated to an earlier ‘dispensation’; the ethical rules that will apply in the ‘Last Days’ then come to depend entirely upon how interpreters understand the shape and the needs of the current dispensation” (Snyder 1995:195). This scenario played out in Münster. Mathijs supplied the allegorical interpretation of the Old Testament and the conviction that the Last Days had arrived. Rothmann added a literal element which found expression in the sword-slinging that took place, and by such a literalism they effected a table-turn on New Testament pacifism by what they claimed the Last Days would require (Snyder 1995:205).

The subjectivity of the scheme becomes obvious not only as the personality and ambitions of the person interpreting come to the fore, but also in what “time” any given scriptural event is prophetically announced to be fulfilled. Was it fulfilled in the New Testament? Or shall it be in some contemporary event? The problem of “times” or “dispensations” was always present when applying the cloven hoof principle, even if that problem was not explicitly addressed. For Rothmann, vagary came in handy. Snyder explains,

Rothmann was convinced that since the final age of salvation history had arrived, the letter of Scripture needed to be read differently. His “canon within the canon” became the Pentateuch and the Old Testament Prophets. The Old Testament injunctions concerning God’s vengeance on the ungodly at the end of time were

to be applied once again, in a literal way, in the time of Restitution. Thus the New Testament injunctions of Jesus (e.g. in Matthew 5) needed to be understood in a non-literal mode: the Mosaic rules of behavior applied to the Christians of the Last Days. The time of suffering and “turning the other cheek” belonged to the second age, which had now passed.

(1995:206)

While Snyder’s assessment is not quite accurate—there was not such a stark dichotomy between the Pentateuch and the implied peaceful Sermon on the Mount, but as we saw with Rothmann, the New Testament had superseded the Old in importance—the legitimization of violence due to a new eschatological dispensation played the central role. The pacifist aspects of the gospel had passed—if only temporarily—and now Christians were called to turn physical swords on the ungodly. But this hermeneutic was thought so extreme even at the time some Anabaptists actually fought against the Anabaptist kingdom of Münster (Snyder 1995:211–2; Williams 1962:831), although to no avail:

Once Rothmann had established (to his satisfaction) that he was living in the time of Restitution, that the time of the “Gospel” was passed, and that the throne of David was being reestablished in Münster under the second David (Jan van Leiden [Beukels]), Rothmann could apply, in a literal way, the Old Testament prophecies concerning the judgement [sic] that would befall the “godless.”

(Snyder 1995:206)

Notice here the various aspects that went into the hermeneutic which legitimized the violence and dictatorship in Münster. A unique and flexible system of dispensations, an eschatology of imminent judgment, and a series of extrabiblical

individual-charismatic prophecies were all taken together as a hermeneutical framework in which various passages were applied when convenient. How the blame ever got thrown on Moses is hard to decipher, but the source of the tirades at Münster are not. Krahn points them out: “From the time of the arrival of Jan Matthijsz [sic] and Jan van Leiden early in 1534, life in Münster was dominated largely by the two foreign prophets. All their doings were supposedly based on the revelation of God, be that found in the Scriptures or discovered personally” (1981:138).

Based on the dominance of these factors, it is not reasonable to conclude that Münster was the inevitable result of applying Mosaic civil precepts to a commonwealth or other system of civil polity. Rather than a group of Mosaic reformers, “Anabaptist visionaries came to control the ‘state’” (Snyder 1995:181). Snyder concludes,

The internal theological dynamic that led to the Anabaptist Kingdom of Münster was prophetic apocalypticism. The reading of Scripture was done in the light of prophetically interpreted “signs of the times” and led to the conviction that Münster was the New Jerusalem of the Last Days, and further, that in this time of “restitution of all things,” unique social/political rules applied.

(1995:181–2)

Their negligence in handling Moses clearly stands out in that most commonly noted feature of their “kingdom,” the imposition of communism—which constituted a misunderstanding of a passage from the book of Acts and a direct abnegation of the Mosaic laws that protect private property (Ex. 20:15, 22:1–5, Deut. 19:14, 27:17). The Münsterites themselves confessed that their standard for this civil injunction came from the New Testament apostles and not Moses. A 1534 letter composed in meter

and hurled at the encamped soldiers outside the city walls taunted the Catholic Bishop in this regard:

If he read the Holy Scripture of the Gospel, he would arm himself for a different war. . . . He should read the Acts of the Apostles, from which he will learn that God institutes baptism in the manner in which it is practiced by us, and that He decreed that all goods would be held in common, a doctrine which we too have embraced.

(Kerssenbrock 2007b:572)

While the fact of their communism is attested widely, few if any writers then or now note the direct contradiction it presents to the view that the Münsterites set up a Mosaic theocracy. They did not, but rather relied on hermeneutical methods that subjected all Scripture to the dictates of the charismatic leader.

The institution of communal property features not only as law proper, but also as an element of the Münsterites' eschatological agenda. Earlier we noted Kerssenbrock's summary of Rothmann's preaching in September 1533—an outline of theological history taken from Daniel that the Münsterites maintained through their last letter. That program of events included the following:

[T]he world would soon be set upon by a horrible and inevitable disaster, which no one would escape except God's elect, who were marked out with the Sign of the Covenant [rebaptized]. . . . those marked out were to be summoned from the four corners of the earth to a single place, and there their leader Christ would place in their hands the sword of vengeance with which to wipe out the impious.

(Kerssenbrock 2007b:435–6).

The institution of communism played a key role in marking Münster as that single place—the call to peasants and poor farmers to come get their share provided considerable impetus for immigration to the city. Modern studies of Münster reveal “that the community of goods was the *foundation* and not the *consequence* of the appeal to other Anabaptist groups to come to Münster” (Haude 2000:12, note 38). This means that community of goods had become the visible sign that Münster formed the center of Daniel’s and Matthew’s prophecies in the manner that many Anabaptists and others believed they would see them fulfilled in their own times.

The point here, in short, lies in the near total neglect of Moses and the primary reliance on imminent eschatological events. Not only did they neglect Moses, but they contradicted his law in the particular institution of property. This threat (and in Münster’s case, reality) of socio-economic uprooting perhaps startled authorities more than anything else. The Peasants who had revolted ten years earlier in 1524 had aimed at reclaiming portions of formerly communal lands and waters—much less of a demand than Münster’s absolute monarcho-communism—and for this the princes saw fit to slaughter the peasants wholesale. One can easily predict, then, their feelings toward Münster as that communistic city sent out waves of missionaries and literature proclaiming a paradise of communal property, and as Anabaptist immigrants initially streamed that way. With their keen sense of retaining property rights, the magisterial establishment formed much more of a Mosaic theocracy than anything seen in Münster—they actually wished to enforce that eighth commandment! In fact, had the Münsterites simply remained Mosaic on this one issue, they may well have avoided much of the disaster that followed.

Scholars who set out from a different angle have confirmed prophetic zeal (and noticed nothing of Mosaic Law) as the source of Münster’s terror. P. G. Rogers,

writing about the “Fifth Monarchy Men” who pushed this same millenarian view of Daniel a century later in England, traced their prophetic ideas from the pre-Reformation Taborites and then through Müntzer and then Münster. His comments on Münster confirm our thesis:

John Buckhold [Beukels] and his followers were called Anabaptists by their contemporaries because they rejected infant baptism, and therefore required their followers to be re-baptized. It was, however, their *other* doctrines, bound up with their belief in the imminence of the millennium, which caused the greatest scandal and horror.

(Rogers 1966:8)

Indeed, Hillerbrand (1988) sees this eschatological element as fundamental to the events in Münster, even as those events progressed into more trying degrees:

Of course, basic was the Anabaptists’ conviction that they were living in the last days and that recent events had vindicated the prophetic pronouncement of scripture concerning the end. A “restitution” of the true faith had occurred, as scripture had anticipated as a sign of the imminence of the last days.

(Hillerbrand 1988:507)

From this much we can see that two hermeneutical factors lay behind much of upheaval in Münster: direct revelation and eschatology. As we saw clearly with Müntzer earlier, the Anabaptists in Münster were driven by charismatic prophecies and a conviction that the prophecies of Daniel were culminating in their day and were centered upon them. This meant that their ultimate law was that emanating from their human leader, not Moses.

7.5 CONCLUSION

The story of the horrors of Münster, therefore, requires little reference to Moses and instead, mostly an emphasis on eschatology and charismatic leadership. It is clear that Calvin's Mosaic nemesis did not reside in Münster, at least not as per his description.

It still remains possible, however, that Calvin had Münster in mind when he wrote his "foolish and false" assessment of exclusive Mosaic polity—the subject of this study. He might well have simply relied upon popular caricatures of their beliefs. After all, the magnificent drama and media flooding Europe from that venue would inflate passions against anything Anabaptist, especially as authorities perceived them as threats to their own civil power. As far as rumors and media associated the Anabaptist furors with Jewish theocracy, Moses' Law, Old Testament penalties, etc., any recourse to Moses would tend automatically to set the mark of treason upon one's head, rightfully or not. In such a case, Calvin would need to distance himself and the fledgling French reform movements from that very outlaw, Moses, if they wished to survive. Thus, even if lacking any thorough understanding of the true reasons or religious and legal ideas behind the various Anabaptist revolts—and it is doubtful whether Calvin could have even known much about the details within the city of Münster—Calvin pronounced judgment against Mosaic Law as a proxy judgment against Münster-style rebellion in general. We shall cover this in more detail when we return to Calvin in chapter 9. But before we can truly appreciate these political pressures enough to accept that they molded and shaped the theologian's public statements about Mosaic civil polity, we need to review, for the sake of a fuller understanding, just how widely and intensely Europe's rulers grew in their fear and

hatred of Anabaptism. Let us then turn to the fallout generated by that explosive series of movements.

8. ANABAPTIST FALLOUTS

The clashes with Anabaptism in general, especially after the climax of the Münster outbreak, created waves of panic across Europe. Waves of prejudice and pejorative led to persecution enough for the Anabaptists, but also flooded the Continent and England alike with underground movements, political maneuvers, official proclamations, revisions to legislation, and religious publications in reaction. “Anabaptists, together with the Turks, were the great enemies of the sixteenth-century Holy Roman Empire, and ‘Münster’ displayed the worst example of this heretical movement yet” (Haude 2000:20). This held true in England, France, and much of the rest of Europe. The mental associations lasted for over a century: “For a hundred years and more the ill-omened name of Münster was enough to destroy the arguments in favor of religious toleration, enough to prove that Anabaptists, however law-abiding, were better suppressed” (Chadwick 1972:191).

This severe reaction against everything Anabaptist would require theologians freshly to address the topic of law and government in regard to the Christian faith, and—should they wish to retain favor with those in power—to distance themselves from the “seditious” radicals in every manner possible. To appreciate fully how powerfully these forces impinged upon the theologians and legal scholars at the time, we need a brief overview of how broadly and intensely they permeated Europe.

8.1 MÜNSTER ON ENGLAND’S HORIZON

As well as the continent of Europe, Anabaptism affected England, and catalyzed reactions from king, clergy, and commons alike. As early as 1531, the first news of Anabaptism entered the general English public. William Barlow, who had traveled in Germany, published *A Dialogue Describing the Original Ground of these Lutheran*

Factions (Horst 1972:44), in which he discussed groups of Anabaptists who “affirm that it is impossible for kings, princes, justices, and other governors of the commonwealth to be Christian men,” and “obstinately hold it is unlawful for a judge to require any oath of a Christian man” (Horst 1972:45).⁴⁹ Thus, the rumors of social unrest associated with Anabaptism manifested at this early date. Royal action would follow not far behind. In the following year the king’s papers report the arrest of five men along with a list of four others who escaped. The accused had engaged in the crime of importing and distributing copies of an “Anabaptist confession” (Horst 1972:49–50).

In 1533 Henry and his aid Thomas Cromwell contacted the German princes which led to the crown’s embroilment in the local German politics. By 1534 Cromwell involved them in affairs at Lübeck which had undertones nearly as revolutionary as Münster (Horst 1972:68). The entangled situation leads Horst to conclude that, “The English were too involved in German affairs by 1534 not to be well informed about the anabaptists [sic] and especially the course of events at Münster” (Horst 1972:69). Indeed the king had direct reports of unrest in the region. In March of 1534, Sir John Hackett, one of Cromwell’s agents, wrote from Brussels, “I never saw this Low Countries with less obedience of justice” (Horst 1972:69). Dissent had arisen because “divers places be infected of this new sect of rebaptizement” (Horst 1972:69). About the same time John Coke reported an exodus of radicals leaving their towns to support Münster (Horst 1972:69). Hackett followed up concerning,

this new sect [in Münster], all sworn to obey no prince neither prelate . . . it were great pity that God should permit that such unhappy people should have

⁴⁹ For the title and all quotations of Barlow’s work I have modernized the spelling.

dominion; for if they might come to the chief of their intents in this parts, they would be the bolder in other parts to attempt such like enterprise. I pray God save us from that.

(Horst 1972:70)

Hackett's report was followed more bluntly by Walter Mersche on July 4, 1534, nine days after the fall of Münster, with a warning concerning radicals on the run: "Mynster [sic] was taken . . . Nevertheless there is great watch kept and very strait search made. . . . It is reported that they are fleeing from this country into other countries and many into England" (Horst 1972:71).

Imagine the fears aroused by such accounts, especially the fears of the king: all the news of Anabaptism that had reached his ears from 1533 to 1535 had emanated from the rebellions centered at Münster. Each report had to have confirmed the association of Anabaptism with sedition, a perennial fear of the English throne. Many waves of Anabaptists throughout Europe had emphasized various heresies, but the English crown had no deep concern with them. "The Münster anabaptists [sic], however, established a state, and this had many political implications for other states, including England" (Horst 1972:71). (This would be true not only in England, but on the Continent as well.) Münster especially imposed a threat for two reasons: first, because "it took on a theocratic rule. This rule of the saints triggered uprisings and revolt in various places in Germany and the Low Countries" (Horst 1972:71). Propaganda regarding appeals to the Old Testament leading to social upheaval could have no better setting. Secondly, Münster had made an enterprise of missions at one point, and her emissaries also triggered similar revolts: "As the reports of the English agents indicated, the danger of the anabaptists [sic] establishing themselves at other places was a very real one" (Horst 1972:71).

The historical record, therefore, indicates that the English crown during Henry VIII kept a considerably close eye on revolutionary movements in the Netherlands, as well as in Münster especially. Well-placed informants kept Henry's administration informed of the disastrous outfall of Anabaptist rebellion as well as the fact that radical refugees headed for the king's back yard. With tales of the Peasant's Revolt still fresh, and even memories of the social unrest that came with Lollardy (14th–15th Centuries) not too far forgotten, the king and his men must have had interest to take action against the problem's theological source lest chaos and social foment invade their dominions. That very source had arisen like a cloud on the horizon with the smoke of falling Münster. Horst argues that the atmosphere in England involved awareness but not alarm, and that any danger of a real Anabaptist uprising in England stayed remote (1972:76–8). Whatever the real danger, in 1535 a proclamation against the heresy of Anabaptism “announced the recent arrival of many Anabaptists, identified their heresies, warned people to avoid all heresy, and ordered the newcomers to leave” (Horst 1972:37). As far as the public was concerned, Münster had recently starred as “a sensation of the mid-1530's” as news books and novels popularized the event, continually rehearsing and ingraining the propaganda of Münster into the minds of Court and public alike (Horst 1972:76–7).

8.2 THE CENTRAL FEAR: “SEDITION”

Opponents of the Anabaptists often pointed out the revolutionary tendencies of Anabaptism. It afforded such opponents the greatest chance of swift action against the alleged heretics, for civil authorities might allow a theological question to linger, but not if they perceived it as a threat to the public peace. In 1529, the empire outlawed Anabaptism—as it had before with Lutheranism—not because of the theological danger, but as a civil threat (Grieser 1993:394). The authorities could care

less what religious hue any particular civil threat had—whether it appealed to Old Testament, New Testament, or no testament—they cared only whether or not it in fact posed trouble for civil peace.

Luther decried certain Anabaptists' usurpation of the civil sword. Like many others, he described the Münsterite revolution as “sedition” (Haude 2000:25). Likewise, he equated the earlier upheavals like the Peasant War of 1525—led by Müntzer—with the later disaster at Münster. The propagandistic value of ringing “Müntzer” with “Münster,” Luther, like so many of his contemporaries, could not resist (Haude 2000:25). This connection may well have held some truth. Beukels had read Müntzer's writings even before he met Mathijs (Durant 1957:398). The Haarlem baker then added Hoffman's fire to the batch and sent himself out to leaven the countryside. Within a year the duo arrived in Münster. So, one could prove a direct line from Müntzer to Münster through the tailor from Leiden. Historical lineage or no, the similarity in sound of the two names helped solidify all Anabaptists as violent revolutionaries that civil authorities should like to avoid. “With Thomas Müntzer and ‘Münster’ right in front of them, political leaders were bound to see a connection between Anabaptists and insurrectionists” (Haude 2000:29).

Hoffman, Mathijs, and other Anabaptists sent out many wandering missionaries to spread the news of their prophetic visions, especially their claims that New Jerusalem would soon arrive and the rule of saints commence. The society of the middle ages had long detested vagabonds and wanderers as leeches and pests, but these particular wanderers in addition carried the particularly dangerous plague of “sedition”. Münster's ousted prince-bishop, Franz of Waldeck, himself provided some of the most prolific commentary on the Anabaptists in that city. In October 1533 (early

in the city's rebellious episode), he warned Münster's council that "out of their own volition and without a proper Christian calling, quite a few vagabonds and wandering unknown fellows have penetrated our city of Münster in order to incite the common man with their seductive and seditious teachings" (Haude 2000:21). We saw earlier how ancient law, medieval tradition, as well as Lutheran ideals upheld "peace" as the end goal of society and thus of civil rule. Outsiders who agitated the status quo in such a cosmos posed a particularly keen threat to local governors.

While the Münster affair rolled on, interested parties like Waldeck especially kept the presses rolling. He reported,

After the rebels had taken control of Münster through their murderous and tyrannical tactics, they destroyed all godly Christian order, law, and justice, devastated both the spiritual and secular government entirely and erected instead a voluntary, beastly, self-willed way of living.

(Haude 2000:29)

We might expect the prince-bishop to villainize the Münsterites this way: he aimed at regaining his own recently-lost power, and thus had personal interest in the public perceptions of his enemies. But even writers who had no direct personal interest in the matter demonized the group just as harshly. One report compared them to past barbaric invaders like the Goths and the Huns, concluding, "And now Jan van Leiden presents himself as Atilla" (Haude 2000:30). While familiarity with the polemic spirit of that age may tempt modern readers to judge such reports as mere rhetorical exaggerations, one of the few historians who has given the original sources thorough review concludes that "the reports were overwhelmingly based on facts" (Haude 2000:30).

One of the most popular “newspapers” of the day, the *Neue Zeitungen* (oddly translating as something like “New Newspapers”) chronicled the events of Münster with graphic detail, focusing often on the personal lives of the polygynous leaders. Haude (2000) relates the following excerpts:

They depicted the leader as a blood-thirsty tyrant: “Those who contradict his judgments soon lose their heads.” Alluding to the women’s difficulties with the introduction of polygyny, a newspaper related: “If a wife is angry with another one or quarrels with her, they have [already] lost their heads.” As the situation in Münster grew insufferable, van Leiden’s violence toward his own wives became a special target of news stories: “The king personally cut off the head of his housewife since she wanted to join other women, who were leaving the city. And he ordered his other housewives, thirteen that is, to watch. And there was one among them who averted her eyes so as not to watch [the scene], whom he wanted to treat in the same way.” The newspapers further reported that, when Jan van Leiden learned that one of Münster’s inhabitants, Claus van Northwalde, contemplated treason, “the king beheaded him personally, then he had the body chopped into twelve pieces. And he called the twelve princes of the commune, gave each duke a part, which they were to hang ... over the entrenchment of the city. And the head he stuck on a pole on top of the cathedral tower”

(Haude 2000:26–7).

Whatever justifications may have attended their installment of polygyny, the Münsterites in practice, it is claimed, eventually devolved that practice into vice, even pedophilia. One of the chroniclers of the episode, Heinrich Gresbeck, relates that the men “took whatever women they could find. They wanted to have women no matter whether or not they were fertile. At last they took little girls who were not yet even

fertile” (Haude 2000:34). From the beginning, even, the only rule governing the acquisition of more wives required the men first to get the current one pregnant. Then, as one report put it, “[H]e grabs another out of the pile and so forth” (Haude 2000:34).

Like the other Münsterite offences, polygyny threatened not only ecclesiastical values but the civil order as well. Where the household forms the nuclear government of civil society, overturning domestic mores implies sedition as well. One Lutheran reformer, Justus Menius, argued *a fortiori*: “for those who destroy the government of the house will do the same with all other divine orders” (Haude 2000:35), including, he implied, the civil government of the realm.

Menius would publish widely against the Anabaptists in general, urging the civil authorities to repress them, and creating a negative caricature of Anabaptism that would last until the twentieth century (Klassen 1964:15; Oyer 1964). His publications reveal detailed refutations of Anabaptist theological views along with accusations of their overturning the social order. Nevertheless, he never encountered the need to highlight the law of Moses; in fact, some of the Anabaptists he dealt with, Melchior Rink in particular, fell into a category that completely rejected Scripture as an authority (Oyer 1964:2004). Once again we see spiritualism and charisma and not Moses underlying the rejection of earthly governments. For Menius, this rejection would make “a temporal hell out of the world, and nothing less than an incarnate devil out of man” (Oyer 1964:205). For nearly two decades Menius attacked the Anabaptists as blasphemers and recommended the death penalty for blasphemers (Oyer 1964:198–200). On this he followed Melanchthon’s legal recommendations from 1530 (Oyer 1964:154–6, 199). While decrying some of his Anabaptist

opponents for using force to achieve their ends (Oyer 1964:208), Menius nevertheless himself urged the civil authorities to suppress his opponents by force.

Another Lutheran polemicist, Urbanus Rhegius, had attacked the Anabaptists in print as early as 1527. He gained a wide audience. By 1536, Rhegius pointed to Münster as confirmation of his warnings against sedition, and painted all Anabaptism with the image of that cursed city. He even recruited his congregation as spies against the heretics: “From his pulpit he thundered against the insidious doctrines, and advised his parishioners how to apprehend the disseminators of sectarianism” (Klassen 1964:16).

The image of savagery found its most grandiose exponent during the miserable city’s last months as the siege reduced the people to that beastliest nightmare of survival, cannibalism. Once the regular food stuffs failed, the people resorted to foraging and gathering roots and herbs. Then, according to the papers, they ate cats, dogs, and mice. Finally, they “did not spare human flesh” (Haude 2000:35). Another report relates what the besieging soldiers discovered when they finally conquered the city: the Münsterites had undertaken to

cut up all those whom they had killed . . . or who had otherwise recently died . . . and to distribute these (pieces) among their lot. . . . The same were then cured with salt. And since they had nothing else to eat because of the famine, they also turned these pieces (of human flesh) into sausages.

(Haude 2000:36)

Much like the Roman soldiers during the A.D. 70 destruction of Jerusalem who found starving Hebrew mothers roasting their own children, the citizens of so-called New

Jerusalem succumbed to the fate of misery and beastliness. These images and their requisite feelings in association with Münster spread across Europe, stoking the fears of Anabaptist “sedition” as they went.

The fears of further political uprising had some foundation. Melchior Hoffman, as we have said, had originally predicted Strasbourg as the site for the New Jerusalem in 1533. While he lay imprisoned in that city, emotions among radicals swelled and rumors from all sides went in all directions across Europe. The city’s leaders moved to institute ordinances to deal with attempts at civil or ecclesiastical takeover. Late in 1533, the local reformer Jacob Sturm received wind from North Germany, and wrote to his peers that “Melchior Hoffman has won out here, and the whole city [of Strasbourg] holds his opinion” (Brady 1998:146). This rumor indeed originated from Münster itself, according to one of the Münster affair’s chroniclers; the leaders there had “told the common folk in the city of Münster that they had a vision of three cities in the night. . . . One was the city of Münster, the second Strasbourg, and the third was Deventer. These same cities . . . God has chosen as the places where he would raise up a holy people” (Brady 1998:146). Meanwhile, news of the then fledgling revolt in Münster trickled down to Strasbourg’s leaders via letters from Philip Landgrave of Hesse (Brady 1998:146). So while fighting the rumor that their prisoner Hoffman was winning over the city to radicalism, the city council got updates on the progress of sedition to which the visionary tanner’s very doctrines had led. They could do little to help Münster, and still feared for their own city, and they were in no hurry to let Hoffman out of prison.

Other local wars and political maneuverings involved rumors of Anabaptist influence, particularly Jürgen Wullenwever’s attempt at the Danish throne from the

city of Lübeck, mentioned earlier in connection with English entanglements in Westphalia. After Wullenwever's failure, the rumors turned out true that the Baltic burgomaster indeed had arrangements with Anabaptists to overthrow magistrates in other North German cities. Haude aptly concludes:

“Münster,” therefore, stood center stage in a highly charged political and religious climate. If unruly Lübeck threw its lot in with the Münsterites, the entire North German part of the empire could be in rebellious Anabaptist hands. The extreme reaction against the Münsterites, then, seems only natural, for not only did they call up frightening images of foreign, thieving, barbaric insurrectionists and devilish conspirators, but in 1534 the political and religious cards were shuffled anew when, with the events of Münster, a wildcard was introduced into the game.

(Haude 2000:37)

With the fall of Münster, the more well-known protestant writers took up pens to conclude how Anabaptism in general implied sedition. Melanchthon wrote of the Münsterites: “Like thieves, [the Anabaptists] had robbed [Münster's citizens] of their belongings and set up a king; and, like murderers, they intended to subdue the land with the sword. In addition they carried on all kinds of fornication. Thus their spirit revealed itself” (Haude 2000:21; Dulmen 1974:286–7). But since these very Anabaptists, like many other Anabaptists, had at first started out peacefully and with proclamations of peace, Melanchthon then pinned the same fears upon all Anabaptists, for their appearance of peace was “nothing but devilish hypocrisy” (Dulmen 1974:286). Likewise, Heinrich Bullinger, Zwingli's successor in Zurich, echoed the sentiment: “God opened the eyes of governments by the revolution at

Münster, and no one thereafter would trust Anabaptists who claimed to be innocent” (Chadwick 1972:191).

The confessions of the Münsterite leaders themselves stoked the fears even more. “The interrogation records of arrested Anabaptists reveal similar and worse fears about Münsterites making alliances either with political parties or with the common man in order to usurp the existing governing system” (Haude 2000:136). Another confession revealed a strategy of spreading the sedition pervasively throughout Europe:

Six men were sent out from Münster, one to Strasburg . . . one to Frisia . . . [those to] Holland and Wesel were from Frisia. . . . They were supposed to start an uprising in the aforementioned cities and countries. . . . A thousand books of three quartos have been sent from Münster to the surrounding cities and villages to incite the common people so that Münster may be freed.

(Haude 2000:137)

These tales of Münster’s extended tentacles provided critics with enough material to keep magistrates throughout Europe on edge for some time. Like the threat of terrorist cell groups today, it thrust “national security” into the forefront of kingly matters.

Political insurrection, therefore, formed the central fear attending Anabaptism: “Viewing the Anabaptists’ success in Münster as a threat to their own civic and rural regions, rulers strained to secure the established political, social, and religious order at home” (Haude 2000:115). Thus, in Protestant Hesse, Landgrave Phillip “predicted that ‘if the common man saw how effortlessly he was able to depose councilors, take

their belongings, and act willfully against all honor, law, and truth, he would continue to act as he did in Münster” (Haude 2000:27). So within a year after the fall of Münster, Hesse took action: he instituted the “Anabaptist Law” (*Wiedertäuferordnung*), which assumed an inevitable link between Anabaptism and civil rebellion, as exemplified by Münster. The new ordinance read,

Heresy always involves insurrection and destruction of all good customs and morals (*Sitten*); it is preceded by the disruption of government, as is now the case with the Anabaptists, through which the devil first hypocritically under the pretext of God’s word and then with public knavery seeks nothing but to pull down all doctrine, discipline, and government, as the horrible example of the miserable city of Münster has demonstrated more than enough.

(Haude 2000:25)

Thus, for all of the fears and condemnations of Anabaptism leading to sedition, Phillip declared in behalf of all of Europe (most of which would certainly accept the sentiment) that Münster provided the ultimate demonstration.

Even the fall of the Anabaptist dictatorship did not end the fears and accusations of sedition arising from reformation. The fall of the miserable city only rounded out the tragedy that would serve Catholics, especially, as a useful icon of anti-Reformation propaganda. The fear would linger as the ashes of Münster smoldered—and more importantly, as many retold the story. It made an easy task for Catholics to cast aspersion on any continuing efforts of reformation.

8.3 THE CATHOLIC LEVERAGE

The Roman Catholic church early and often exploited the link between Anabaptism and seditious upheaval as a way to condemn the Reformation in general. Haude discusses how Catholic orders in different regions, even in limited venues, leveraged the news of current events: “When the Dominicans outside of Cologne did discuss Anabaptism, they used it as a foil with which to attack the Lutherans. After all, the Catholics made Luther responsible for emergence of these radicals” (2000:54). Dominicans in the city of Cologne (where they had influence in the university) saw Münster Anabaptism actually as a *form* of Lutheranism and responded to it as such (2000:53). In fact, during the early build-up of hype in and about Münster, in 1534, one of the chief Catholic polemicists, Johannes Cochlaeus, published an analysis of Anabaptism. He “asserted categorically that Anabaptism was the logical outcome of Luther’s heresy” (Klassen 1964:16).

Early in his career as a reformer, Luther himself had provided the fuel needed to keep his name aligned with the fire of revolt and violence. In between the Leipzig debates with Eck (1519) and the Diet of Worms (1521), the pope’s own palatial theologian, Prierias, attempted to flush out Luther with a vehement defense of papal infallibility and indulgences. Luther reprinted the work with marginal criticism and an afterword which shocked the world:

If the raging madness (of the Roman churchmen) were to continue, it seems to me no better counsel and remedy could be found against it than that kings and princes apply force, arm themselves, attack those evil people who have poisoned the entire world, and put an end to this game once and for all, *with arms, not with words*. Since we punish thieves with the halter, murderers with the sword, and

heretics with the fire, why do we not turn on all those evil teachers of perdition, those popes, cardinals and bishops, and the entire swarm of the Roman Sodom *with arms in hand, and wash our hands in their blood.*

(Engels 1850:416; Brecht 1985:347)⁵⁰

Despite Luther later trying to mitigate the language of revolution, the statement had been made. He would have to defend against this quotation as it was later used against him many times by Catholic opponents.

Thus the Reformation as a whole, and not just the peasants and Anabaptists after Luther, had violent revolutionary associations from very early on, and the Catholic authorities laid responsibility at Luther's feet (Brecht 1985:247–8). For this reason, the Emperor's Edict of Worms cast upon Luther the very same type of rhetoric that Luther would later cast on the plundering peasants. The Edict expressed great concern over sedition and social upheaval which it declared would attend Luther's doctrine. The Diet was, after all, a civil court, and it declared Luther's crime to be high treason. The civil order should fear Luther more than the Church. The Edict included a reference to Luther's own words:

He . . . encourages the laity to wash their hands in the blood of the clergy. His teaching makes for rebellion, division, war, murder, robbery, arson, and the collapse of Christendom. He lives the life of a beast. He has burned the decretals. He despises alike the ban and the sword. He does more harm to the civil than to the ecclesiastical power.

(quoted in Bainton 1950:189)

⁵⁰ Unfortunately, the full quotation cited above only seems to appear in English within the writings of the Marxist tradition, certainly owing to Engels' work. The shorter version found in Brecht and elsewhere tends to leave off the explicit call to kings and princes.

The Anabaptist leaders in Münster certainly acted in light of these facts as justification of their revolutions. After all, had not Luther once called for it himself, and had not the princes themselves used force and rebellion in order to advance Lutheranism? Beukels himself eagerly pointed out that “Philip [of Hesse] himself had fought bishops, reinstated the duke of Würtemberg, and plundered monasteries. Who was Philip to talk?” (Haude 2000:32). A clear parallel appeared. It stands to reason then why the Lutheran apologists would in turn attack the Anabaptists: they had to distance themselves from the Anabaptist social upheavals in order to disprove the Catholic rhetoric.

The blaming and distancing followed other attempts at reform across Europe. While Haude’s study (2000) highlights the reactions almost exclusively in Germany, we have documentation and analysis of reactions to Anabaptist inroads in Calvin’s homeland of France as well. Eric W. Frugé’s 1992 doctoral dissertation, “Anabaptism and the Reformation in France, 1534–1648,” shows that for the Catholics of the era, “The most employed method of indicting French protestants was to accuse them of holding certain doctrines in common with the Anabaptists” (1992:127). So strong was the social repugnance of Anabaptism, and so damaging an association was it to be perceived as aligned with Anabaptism, that “Catholics continued to liken French Protestantism to Anabaptism throughout the sixteenth century” (1992:127).

Thus the Catholics had an easy task when it came to their propaganda: simply create a pervasive mental association between events like the Peasant Rebellion or Münster and “reformation” in general, and the common people as well as the crown would naturally turn against the reformers. Shock value against reformers would secure loyalty to Rome. Throughout the campaigns the Catholic polemicists focused

on the peace of the civil state. The charges constantly rang “seditious” and “sedition,” appearing in prominent critiques such as Johann Eck’s *Enchiridion* and Gabriel Du Préau’s *Of the Life, Sects, and Dogmas of All Heretics* (Frugé 1992:126). Frugé explains,

By associating French evangelicals with the Anabaptists, Catholics sought to prove the seditious nature of the French Reformation movement. It was an accusation with substance in the minds of Catholics. They believed that civil revolt was fundamental to the entire European Reformation.

(1992:125)

The crown by nature feared sedition, and this was exacerbated by the historical context of revolution. The widespread news of Münster made propagandizing the people nearly as easy: “Reformation” equals “sedition.” The social carnage of Münster simply allowed the Catholics to leverage the power of the state that much more powerfully against the budding Reformation.

For their part, the German Lutherans at least had lesser magistrates to protect them, and they had Luther’s many forceful denouncements (at least from 1521 onwards) against the peasants to counteract his own early call to revolution. Luther also had given the magistrates freedom from Moses and any biblical legal imperative. Over time, the Lutherans could deflect the shock value of the Catholics’ cries of sedition.

The Reformed camp, however, had to work doubly hard at this effort: “The reformed participants, for whom the theological differences were murkier and who suffered from the problem of guilt by association, the social aspects of the debate

were of even greater consequence” (Grieser 1993:386). France of the mid-1530s saw this scenario play out: as we shall see, an early attempt at propaganda provoked extreme reaction from the crown, and persecution followed.

Exactly during this time, and certainly affected by the events, a young academic upstart named John Calvin began his transition from college prodigy to indicted party to motivated reformer. Persecution drove him to flee Paris, and the events that followed would motive his most monumental writing, and as we shall see, underlie his most memorable criticism of Moses.

9. YOUNG CALVIN'S CRUCIBLE

On Sunday morning, October 18, 1534, Francis I awoke like many Frenchmen with plans of attending mass. And as for many throughout French cities that morning, a shocking surprise interrupted this normal order of service. On the way to mass, posted throughout the cities overnight, placards greeted Catholics with the affront: "True Articles on the Horrible, Great and Unbearable Abuses of the Papal Mass Invented Directly Contrary to the Holy Supper of Our Lord, Sole Mediator and Sole Savior Jesus Christ" (Rupp 1958:220).⁵¹ Francis' first personal encounter came quickly: someone placed one placard on the very door leading to his bedchamber—a rude awakening indeed.

More than the perceived blasphemy, the breach of royal security highlighted Francis' greatest concern: more than just an attack on the pope and his mass, these posters caused considerable social unrest, and Francis therefore assessed them as a threat to the King personally and civil order in general. It marked a turning point for Francis I. While he had so far tolerated (suspiciously) Protestantism in his realm, the Affair of the Placards pushed him to link the security of his rule with his Catholic Orthodoxy (McGrath 1990:74; Battles 1986:xviii–xxi). He immediately arranged a public display of both. Protestants in France soon suffered the heavy hand of persecution. Within a month, authorities had arrested 200 and burned 24 (Rupp 1958:220).

The turning point for Francis I would lead to turning points for Calvin. Almost immediately Calvin fled to Basel, finding a temporary haven among a small enclave of French-speaking refugees. Barely a month after Calvin's settling, Francis I sent a

⁵¹ "Articles véritables sur les horrible, grands et importables abus de la mess papale inventéé directement contre la Sainte Cène de Notre Seigneur, seul médiateur et seul sauviour Jésus-christ."

letter to the German princes on February 1, 1535: Francis defended his persecution by classifying the French reformers—*évangéliques*—with the rebellious German Peasants as opposed to the magisterial Luther (McGrath 1990:76, 291, note 26; Battles 1986:xl). Gathering news of Francis' sentiments in this letter, Calvin and his company would feel the pain of the charges: on top of the unwarranted comparison to the Peasant Rebellion, the flames of Münster would also give the mental association a fresh and particularly effective expression at the very moment. Under siege for nearly a year by this time, Münster by now provided news for all of Europe, and had only begun to generate the most frightful of her tales. For Calvin and the French reformers, any association with Anabaptist radicals could not have come at a worse time. Battles describes how Francis' letter affected the young reformer:

It did not serve its purpose of allaying the fears and misgivings of the Germans, but it did convince the more conservative spokesmen of the French Evangelical party of the need to dissociate themselves, theologically and politically, from more radical forces of reform, and to make their distinction very clear not only in the minds of their fellow Protestants outside France but to their own monarch and his advisers.

(Battles 1986:xl)

Calvin himself would become the most important of these “more conservative spokesmen”.

Another key turning point for Calvin came when he learned that among many of his fellow reformers in Paris, one of his friends, Etienne de la Forge, perished in the flames of persecution on February 16 (McGrath 1990:76). The pain of this loss remained with him throughout his life, as we shall see momentarily. It capped the

mountain of injustices Calvin was observing in regard to his beliefs and efforts. The reactionary piety of Francis, the necessity of expensive and likely dangerous flight from Paris, the false association with the radicals for Francis' political convenience, the persecutions and burnings of many people based on these pretenses and exaggerations—all things frightening enough by themselves—now stabbed the young Calvin personally in his own heart as he learned of the unnecessary and truly unjust death of his friend.

Within this crucible of events, Calvin reacted by writing the first edition of his *Institutes*. Though not published until 1536, he actually finished it in August 1535, only six months after Forge's death and Francis' letter. It began with an explicit dedicatory letter to Francis I, and its primary purpose was to distance the French reformers from the radicals. Thus the inclusions of a quite mainstream treatment of civil government, and the denunciation of those who denied human civil authority and who sought to subject secular kings to Moses—things that had come to be perceived, whether warranted or not, with Anabaptism, the Peasant Revolt, and the city of Münster. Calvin took several opportunities to show himself an opponent of Anabaptism in general as well, provided negative critiques of their positions, and positioned himself and his brethren as orthodox in doctrine and loyal subjects in practice. Thus it is clear that Calvin was moved to finish and publish the *Institutes* in reaction to persecution, primarily as an apologetic, not didactic, work, and with a strong interest in removing all suspicion of “sedition” in his movement.

9.1 CALVIN'S APOLOGY

Calvin confirms the reactionary and apologetic nature of his work definitively in his own words. The following quotations from his “Author's Preface” to his *Commentaries*

on the *Book of Psalms* (1557) demonstrate two things: first, that the accusation of “sedition” and “overthrowing . . . all civil order” pained Calvin personally as a false and malicious charge, and secondly, that this very charge and the vindication of the French reformation from it gave Calvin his chief impetus to write the *Institutes*. He writes,

But lo! whilst I lay hidden at Basel, and known only to a few people, many faithful and holy persons were burnt alive in France; and the report of these burnings having reached foreign nations, they excited the strongest disapprobation among the Germans, whose indignation was kindled against the authors of such tyranny. In order to allay this indignation, certain wicked and lying pamphlets were circulated, stating, that none were treated with such cruelty but Anabaptists and seditious persons, who, by their perverse ravings and false opinions, were overthrowing not only religion but also all civil order.

(Calvin 1949:xli; cf. Frugé 1992:125; McGrath 1990:75–6)

Calvin therefore saw the charge of sedition as a tool of political leverage. He explains the charade as a dishonest attempt to justify the burnings already carried out by the reinvigorated Catholic crown. Additionally, he saw the propagandistic association of the Reformation to which he belonged with Anabaptist-style civil upheavals as an attempt to desensitize all of Europe to the complete annihilation of the reformers through use of the pyre:

[T]he object which these instruments of the court aimed at by their disguises, was not only that the disgrace of shedding so much innocent blood might remain buried under the false charges and calumnies which they brought against the holy martyrs after their death, but also, that afterwards they might be able to

proceed to the utmost extremity in murdering the poor saints without exciting compassion towards them in the breasts of any. . . .

(Calvin 1949:xli)

And what was Calvin's reaction to this treachery—the public tarring of French reformers as Anabaptist insurrectionists and the charge of “sedition”? As Alister McGrath (1990:76) puts it in his study of Calvin's life: “Calvin decided on action of the only type available to his politically naive yet literary and adept mind: he took up his pen, and he wrote a book.” Calvin tells us the same in his own words:

[I]t appeared to me, that unless I opposed them to the utmost of my ability, my silence could not be vindicated from the charges of cowardice and treachery. This was the consideration which induced me to publish my Institutes of the Christian Religion.

(Calvin 1949:xli–xlii; cf. Frugé 125–6)

He further reveals his personal aim in writing what at that time was, as he put it, “a small treatise”:

My objects were, first, to prove that these reports were false and calumnious, and thus to vindicate my brethren, whose death was precious in the sight of the Lord; and next, that as the same cruelties might very soon after be exercised against many unhappy individuals, foreign nations might be touched with at least some compassion towards them and solicitude about them.

(Calvin 1949:xlii)

Calvin's confession here contradicts the opening paragraph of his Dedicatory Epistle to the *Institutes* where he says,

I undertook this labor especially for our French countrymen, very many of whom I saw to be hungering and thirsting for Christ; very few who had been imbued with even a slight knowledge of him. The book itself witnesses that this was my intention. . . .

(Calvin 1986:1)

The rest of this Epistle has little catechetical spirit, but rather direct apologetic fervor, and thus seems to betray the opening claim just as his reflections later in life describe. It may be that Calvin had *begun* the body of the work in the *Institutes* with the intention of it being only an instructional manual, but was merely moved to *publish* it early and with more pointed references to the political climate than he had originally intended. This is uncertain, and without proof that Calvin began writing the *Institutes* earlier and quite apart from the burning of his friends and peers in France, we should rely on his own more mature reflections as represented by his “Preface” to the *Psalms* quoted above.

While we have possessed this confession of Calvin’s since the publication of his commentary on the Psalms in 1557, some Calvin scholars do not seem to have taken much notice of its full import. Battles (1986) does relate the historical context thoroughly in his “Introduction” to the 1536 edition of the *Institutes*, noting both a catechetical and apologetic nature in the work (xvii–lix). More recently, however, William S. Barker (2008) acknowledges the historical setting, but he limits its influence to Calvin’s dedicatory epistle as an apologetical statement. For Barker, the text of the *Institutes* itself “was a basic manual educating Calvin’s followers in the Christian faith”; Calvin’s “purpose is to provide a basis for the study of the Scriptures” (Barker 2008:9, 10). Likewise, Godfrey takes for granted that the historical context

had minimal influence in shaping Calvin's rejections of Moses, for while "Calvin's strong words may have been inspired in part by the radical, violent Anabaptist theocracy at Münster (1534–1535)," nevertheless, "he comes to this conclusion from a clear line of reasoning" (1990:302). These overemphases on the didactic nature and systematic coherence as Calvin's purposes neglect Battles' more thoroughly grounded historical context and, more importantly, Calvin's own words in his "Preface" to the *Psalms* commentary quoted above.

McGrath, however, confirms the view that the *Institutes* was originally designed as an apologetic work:

The intended readership of the *Institutes* is often thought to have been French evangelicals, anxious to consolidate their understanding of their faith. . . . In fact, however, it seems . . . the book is primarily intended to prove the utter stupidity of the allegation that the persecution of the *évangéliques* could be justified by comparing them with German Anabaptists.

(McGrath 1990:76–7)

Indeed, as McGrath continues,

Calvin wrote vigorously against those who portrayed the *évangéliques* as 'Anabaptists and seditious men.' His presentation . . . is intended to demonstrate the orthodoxy of the views of those working for reform, and thus to discredit those who, for political purposes (Francis I needed the support of the German princes against the Holy Roman Emperor Charles V), sought to portray them as heretical and radical.

(McGrath 1990:76)

McGrath's explanation echoes Calvin's own appeals as recorded in the very Dedicatory Epistle under discussion. The reformer writes to Francis I,

Lastly, they [the Catholic accusers] do not act with sufficient candor when they invidiously recount how many disturbances, tumults, and contentions the preaching of our doctrine has drawn along with it, and what fruits it produces among many. The blame for these evils is unjustly laid upon it, when this ought to have been imputed to Satan's malice. . . . And first, indeed, he stirred up men to action that thereby he might violently oppress the dawning truth. And when this profited him nothing, he turned to stratagems: he aroused disagreements and dogmatic contentions through his Catabaptists [Anabaptists] and other monstrous radicals in order to obscure and at last extinguish the truth.

(Calvin 1986:11–2)

It is clear, further, that while Calvin's subject matter centered on Christian doctrine, halting the charge of and punishment of sedition and civil disruption formed the axis of his agenda in publishing:

It is sheer violence that bloody sentences are meted out against this doctrine without a hearing; it is fraud that it is undeservedly charged with treason and villainy. So that no one may think we are wrongly complaining of these things, you can be our witness, most noble King, with how many slanders it is daily traduced in your presence. It is as if this doctrine looked to no other end than to subvert all orders and civil governments, to disrupt the peace, to abolish all laws, to scatter all lordships and possessions—in short, to turn everything upside down!

(Calvin 1986:2)

Calvin states this in the opening section of his Epistle. He sounds the same note at its end:

But I return to you, O Generous King. May you be not at all moved by those vain accusations with which our adversaries are trying to inspire terror in you: that by this new gospel (for so they call it) men strive and seek only after the opportunity for seditions and impunity for all crimes.

(Calvin 1986:13)

Calvin further ridiculed the idea that the French reformers were seditious:

We are, I suppose, contriving the overthrow of kingdoms—we, from whom not one seditious word was ever heard; we, whose life when we lived under you was always acknowledged to be quiet and simple; we, who do not cease to pray for the full prosperity of yourself and your kingdom, although we are now fugitives from home! We are, I suppose, wildly chasing after wanton vices!

(Calvin 1986:13)

Then he turned from the absurdity of the idea to a cause for lament:

Even though in our moral actions many things are blameworthy, nothing deserves such great reproach as this. And we have not, by God's grace, profited so little by the gospel that our life may not be for these disparagers an example of chastity, generosity, mercy, continence, patience, modesty, and all other virtues. It is perfectly clear that we fear and worship God in very truth since we seek, not only in our life but in our death, that his name be hallowed [cf. Philippians 1:20]. And hatred itself has been compelled to bear witness to the innocence and civic

uprightness of some of us upon whom the punishment of death was inflicted for that one thing which ought to have occasioned extraordinary praise.

(Calvin 1986:13)

He concluded by appealing that, of course, the rule of law against sedition is just, but the King should never allow any party to abuse it:

But if any persons raise a tumult under the pretext of the gospel—hitherto no such persons have been found in your realm—if any deck out the license of their own vices as the liberty of God's grace—I have known very many of this sort—there are laws and legal penalties by which they may be severely restrained according to their deserts. Only let not the gospel of God be blasphemed in the meantime because of the wickedness of infamous men.

(Calvin 1986:13–4)

Clearly Calvin's motivation in writing and aim in publishing his *Institutes* centered, just as he would later write in 1557, upon distancing the French Reformation from any associations with sedition. Battles (1986:231) notices this aim in Calvin's Epistle, "He is at great pains to dissociate the French Evangelical party from the more revolutionary reformers, exemplified by the Münster incident of 1534–35, with which subversive colors Francis I's ecclesiastical mentors were trying to paint the Evangelicals." Great pains indeed, for he was not only concerned in general, he was emotionally charged by the absurd but effective accusation: "Calvin was outraged by such suggestions. . . . He was deeply wounded by the implication that the *évangéliques* owed their inspiration to political, rather than religious, motives" (McGrath 1990:76).

Oxford History Professor Diarmaid MacCulloch (2003) recognizes Calvin's mission in the *Institutes* and notes that despite revising and expanding that book throughout his life, the Genevan sage never rescinded the original dedicatory letter to King Francis I from 1536; he in fact never altered it, even though Francis died in 1547, twelve years earlier than the final 1559 edition. The work, therefore, originally intended and always thereafter served to press the same agenda of distinguishing Calvin's reformed theology as true Christianity over against both the accusations of his Catholic critics and the excesses of various radicals. MacCulloch states,

Symbolic of this agenda, Calvin kept his first Preface of 1535 in all subsequent editions of the *Institutes*. It was a passionate plea to King François to distinguish his loyal evangelical subjects, the true Catholics, from the radical vandals of 1528 and 1534; the King had identified them with the Anabaptists who were being rounded up in the city of Münster as Calvin wrote.

(MacCulloch 2003:195)

As for the thesis of this study—that the aspersions of Mosaic civil law Calvin penned in his *Institutes* derived from the fear of association with radical Anabaptism, Münster, and “sedition”—we find confirmation from MacCulloch's review as well: “Much of Calvin's subsequent development of his theology was designed to show how different he was from an Anabaptist; significantly, his *Institutes* was the first statement of protestant belief to include a lengthy discussion of civil government” (2003:195).

The apologetical intent is further confirmed by the fact that Calvin wrote his original 1536 edition in Latin, the language of the elite and of scholarship, not the vulgar language. Again, few scholars seem to have commented on the import of this

easily observable fact. Had Calvin truly undertaken to write for his “French countrymen . . . hungering and thirsting for Christ” as he himself wrote in his introductory paragraph to Francis I, then why did he write in a language completely unintelligible to those common countrymen? Since, rather, he chose to write in the language of the courts and scholars, it seems more likely that he intended to communicate primarily with the courts and the scholars.

Owing to the fact that Calvin would likely have feared for his life after going into print, he published that first 1536 edition of the *Institutes* anonymously. While this originally derived from his desire to keep a low profile during times of persecution, he could yet leverage the fact later after critics accused him of seeking fame. He recalled, “That my object was not to acquire fame, appeared from this, that immediately after I left Basle . . . nobody there knew that I was the author. Wherever else I have gone, I have taken care to conceal that I was the author . . . until at length William Farel detained me at Geneva” (Calvin 1949:xliv).

From all of these points we can see that political and social pressures more than didactic concerns determined Calvin’s publishing the 1536 *Institutes*. The work filled the need for a political apologetic on behalf of the evangelicals against the perception of Anabaptism and radicalism on the one hand, and the propaganda streaming from Catholics on the other. Calvin purposed to write an apologetic as a defense against these events and tactics. The *Institutes* resulted.

9.2 CALVIN’S INCONSISTENCY WITHIN THE EPISTLE TO FRANCIS I

In pursuing this defense, however, Calvin unwittingly contradicted his own argument for a “two kingdoms” standard. As he did in other places in the *Institutes*, he argued

that the king must submit to God's revealed Word, and that the earthly king is indeed engaged in the maintenance of the spiritual kingdom of Christ as well as the worldly:

It will then be for you, most Serene King, not to close your ears or your mind to such just defense, especially when a very great question is at stake: how God's glory may be kept safe on earth, how God's truth may retain its place of honor, how Christ's Kingdom may be kept in good repair among us. Worthy indeed is this matter of your hearing, worthy of your cognizance, worthy of your royal throne! Indeed, this consideration makes a true king: to recognize himself a minister of God in governing his kingdom [Rom. 13:3f.]. Now, that king who in ruling over his realm does not serve God's glory exercises not kingly rule but brigandage. Furthermore, he is deceived who looks for enduring prosperity in his kingdom when it is not ruled by God's scepter, that is, his Holy Word.

(Calvin 1986:3)

From this Calvin makes it clear that the king's (or civil magistrate's in general) duty before God is to maintain God's Glory and *His* Kingdom among men. Not only must the king do this, but in order to be considered a "true king," he must subject himself to God as *God's* minister, else he be considered a brigand—one who makes war—against God and men. Further, only from instituting his civil rule upon God's Word can the worldly kingdom expect "enduring prosperity."

Further, not only must the king maintain God's Kingdom on earth according to God's Word, but he must do so in light of Christ's universal rule, Christ's omnipotent Word of dominion, as described in its magnificence by the Old Testament prophets. As Calvin continues,

[F]or it is not of us, but of the living God and his Christ whom the Father has appointed King to “rule from sea to sea, and from the rivers even to the ends of the earth” [Psalm 72:8; 72:7, Vg.]. And he is so to rule as to smite the whole earth with its iron and brazen strength, with its gold and silver brilliance, shattering it with the rod of his mouth as an earthen vessel, just as the prophets have prophesied concerning the magnificence of his reign.

(Calvin 1986:3)

Against those who impugned the reformers’ adherence to God’s Word in civil affairs by associating it with sedition, Calvin defended,

Furthermore, how great is the malice that would ascribe to the very Word of God itself the odium either of seditions, which the wicked and rebellious men stir up against it, or of sects, which imposters excite, both of them in opposition to its teaching!

(Calvin 1986:12)

It is informative to contrast this quotation with Calvin’s rejection of the Mosaic judicial laws which forms the basis of this study. In that rejection, Calvin impugns the argument that only biblical law should apply to civil governments as “seditious” and “foolish and false.” But here he defends adherence to the ultimate authority of the Bible as the *necessary* duty of the magistrate and refutes those who describe such preaching as “sedition.” There is disparity between these two positions.

9.3 CONCLUSION

This chapter has reviewed the socio-political pressures in which Calvin lived, moved, and had his being during the time he finalized and published the first edition of his

Institutes. It is clear that this was no time of peace and quiet meditation for the young reformer. Instead, he wrote in reaction to the threat of life both to him and his close friends. He wrote under the pain of losing his friend to the flames of Catholic persecution—the very Catholic persecution that justified itself by associating the French Evangelicals with seditious radicals. In Calvin’s eyes, both the persecution and the justification of it were gross injustices. Under the influence of such tense emotions, Calvin reacted by writing and publishing his most famous book. Its apologetical nature—in both its Epistle to Francis I and its discussion of civil government and law—are testimonies to the intense personal context in which he wrote.

This context was one in which “sedition” was often equated, whether rightly or wrongly, with appeals to Mosaic civil polity. In Calvin’s apologetical dissociation of his position from that of the seditious radicals, he categorically rejected any necessity for Mosaic Law in civil polity.

And yet we know that he did not, personally, categorically reject the need for civil rulers to adhere to at least some Mosaic laws in civil polity, for in his very Epistle to Francis, and in the text of his work, he urges kings and magistrates to uphold both tables of the Law in order to maintain the rule of Christ in their worldly kingdoms for both God’s glory and earthly prosperity.

So as we have seen Calvin acting under the influence of political pressures heaped against any standard of law aside from the status quo, it is congruent to suspect such pressures at work in the production of his disparate applications of Mosaic Law and Old Testament ideals. To maintain such tensions, Calvin, like

Luther, would employ a strict two kingdoms doctrine. And just as with Luther, this doctrine would allow Calvin both to reject the need for Mosaic standards, and yet require and impose those same standards whenever it was within his power and desire to do so. We will cover this tension in the two reformers more in the next chapter.

10. LUTHER, CALVIN, AND TWO KINGDOMS ETHICS

We have briefly covered Luther's dialectic in both theory and practice in regard to the issue of the two kingdoms. We have seen him cross his own line between the kingdoms on the use of social and political power to advance his agenda—falling on two sides of the same debate at different times, and often with his practice contradicting his writings in other places. The problem, for the purposes of the thesis regarding the rejection of Mosaic civil polity among the magisterial reformers is not such prevarication in itself, but the system of thought that can be manipulated to empower such prevarication—not only on the part of theologians, but of kings and judges. Whether Luther remained consistent or not is not the most important question; what is more important is that he did so against the backdrop of his division of the two kingdoms. We must, then, further examine the nature and use of Luther's (and then Calvin's) two kingdoms doctrine.

10.1 RELATIVE STANDARDS

Luther's self-assurance—for it was Luther who said, "My [our] conscience is certain that whatever came from my lips in this matter is right before God" (Edwards 1975:70)—does little to explain why his views of religious liberty for his opponents seemed to grow less favorable to them over time. William Mueller summarizes Luther's historical pattern:

One may say that between 1517 and 1525, Luther was more or less consistent in his advocacy of religious freedom. Between 1525 and 1530, he modified his erstwhile liberal attitude considerably, although he seems to have halted between two opinions in this period. After 1530, Luther fell victim, it seems, to a rather harsh and often merciless attitude towards dissenters, no matter whether they

were Anabaptists, Zwinglians, or Calvinists. Towards the Jews Luther, in the latter part of his life, evidenced a tragically despicable mood of hatred and contempt.

(Mueller 1954:61)

Roland Bainton notes the same phenomenon more generally: Luther “was not without a measure of inconsistency all along the line” (see Mueller 1954:61). And while Ozment seeks to refute the “consensus” that “the political thought of the younger Luther contradicts that of the older” (1992:134), his resolution of the problem is only to demonstrate that Luther’s consistency lay in his always leveraging political power favorable to his beliefs. This principle remains consistent in Luther from at least as early as 1523 until its fruition at the Peace of Augsburg (1555) which established the “principle of a ruler’s determination of the religious confession of his land” (1992:137; cf. Berman 2003:50, 61). But Ozment’s arrival at this conclusion only confirms the position that he appears to want to rebut, namely, that “Whereas the younger [Luther] resisted the efforts of magistrates to rule over the soul and the conscience, the older is said to have eagerly delivered the franchise for reform into their hands” (1992:134). Thus the consistent principle in Luther is not his distinction between the two kingdoms, or his rejection of Mosaic Law, but rather his effecting possession and exercise of political power on his side rather than that of his various opponents.

How could the great opponent of mere human authority not recognize for others the same liberty of conscience for which he had staked his own life at Worms? The answer, partly, lies in creating space—consciously or not—for relativistic standards of civil law. Luther’s two kingdoms doctrine was developed to allow princes to rule in his favor, while not having to be held, by any outside influences, to revealed standards themselves. This means the doctrine created space for prince-relative standards in

the realm of civil law. Particularly eschewing the standards of Mosaic Law in favor of whichever of the varying legal codes would be prevalent in any given domain allowed for an elastic application of penal sanctions in reaction to parochial desires of the nobles, all in the name of maintaining peace. Luther's views simply evolved to secure progressively greater immunity for his position against all his opponents, and eventually to impose punishments on certain of those opponents. Without transcendent, authoritative standards of civil punishment that bound princes and churchmen alike, Luther gradually complemented the evolution of his view with greater and greater acquiescence to—and eventually demands for—the prince's duty to punish dissenters against Lutheranism with the sword.

At some points in this trend, Luther himself appealed to Moses when it suited his interest. Though he could not condemn Karlstadt openly and often enough for appealing to Moses on images and on usury, he himself in a 1530 sermon used Moses to support Melanchthon's proposal to execute blasphemers. Luther preached:

Moses in his law commands to stone such blasphemers (that is, who teach against a public article of faith which is clearly grounded in Holy Writ and believed throughout the world), yea and to stone all false teachers. Therefore let us not engage in long disputations, but condemn such public blasphemy forthwith and without a trial.

(see Mueller 1954:64)

Luther would likely have defended this move by saying that he chose to impose Moses freely, not because of any obligation to, or continuing validity of, Moses' laws. In his two kingdoms system, as we have seen, the ruler could choose any laws he desired, for all civil legislation and adjudication stood outside of the gospel and thus

outside of official ecclesiastical censure. This put princes in the ironic role of determining when Scripture would and should apply outside of the censure of Scripture. In Luther's system, they were essentially given the divine throne themselves in the areas of civil matters. They could then exercise that power to absolve their own governments of any legal responsibility before the bar of biblical law. But this opens wide the possibility—indeed, the virtual certainty—of relativism in civil law based upon the dictates of the legislative power.

For Calvin, the rejection of Mosaic civil polity entailed just such a relativism in actual civil laws. For while there may be a general "equity" by which all natural law and brotherly love remains the same in all ages (even lying behind Mosaic judicial laws), the outward constitution of any given state (including the ancient Jewish state) would of necessity conform to the needs of the time and place. Calvin first states this as fact: "[S]urely every nation is left free to make such laws as it foresees to be profitable for itself" (1986:216). And while these should in theory conform to the "perpetual rule of love," nevertheless they need not be identical to revealed norms or to each other, but can "vary in form." For, "Constitutions have attendant circumstances upon which they in part depend. It therefore does not matter that they are different, provided all equally press toward the same goal of equity" (1986:216). Calvin then provides examples of just how different they may allowably be:

God's law forbids stealing. The penalties meted out to thieves in the Jewish state are to be seen in Exodus [22:1-4]. The very ancient laws of other nations punished theft with double restitution. . . . Some proceeded to banishment, others to flogging, others finally to capital punishment. False testimony was punished by damages similar and equal to injury among the Jews [Deut. 19:18-21]; elsewhere,

only by deep disgrace; in some nations, by hanging; in others, by the cross. All codes equally avenge murder with blood, but with different kinds of death. Against adulterers some nations levy severer, others, lighter punishments. . . .

(Calvin 1986:216)

Calvin then defends the necessity of this “diversity,” arguing that the mere fact that most nations punish the same infractions—murder, theft, etc.—means that they all “together with one voice” testify to the general equity of God’s law (1986:217). “But they do not agree on the manner of punishment. Nor is this either necessary or expedient” (1986:217). Rather, civil laws ought to be relative to time and place else some nations might perish altogether, or fall into “a particular vice”. Indeed, the flexibility of law towards the preservation and repression of such vicious and vice-ridden nations is so important in Calvin’s thought that he denounced all criticism of this “diversity” as “malicious and hateful towards public welfare” (1986:217). Since relativism in law is thus necessary, Moses is to be ousted: “For utterly vain is the boast of some, that the law of God given through Moses is dishonored when it is abrogated and new laws preferred to it” (1986:217). For, as he argues, 1) the part of Moses that endures is determined by the same principles he has just elucidated between equity and constitution—equity being the eternal principle, and constitution being the time- and place-bound expressions of those principles. What survives of Moses are the eternal principles, and thus when we see diverse punishments for infractions of these laws, they are not only as approved of as they had been under Moses, but “more approved,” because they are newer (and by implication more relevant) applications of those same principles “with regard to the condition of times, place, and nation” (1986:217). On the other hand, those aspects of Moses which Calvin (or whoever the particular determiner may be) determines to be bound by the

particular time and place of Moses can be dismissed as laws “abrogated that had never been enacted for us” (1986:217). Thus Calvin uses a “two kingdoms, two laws” theory in order to reject Mosaic judicial law unless the particular situation may by happenstance benefit from it. Else, that the diversity of punishments *be relative*, according to human judgment, to time and place is both *necessary* and *expedient*.

Thus Calvin argues very similarly to Luther, that any application of Mosaic Law should come merely at the determination of the civil ruler who decides what punishments his particular social situation may require. But this seems to subject civil law to the dictates of human reason, which may or may not honor God’s law or the situation. This leaves open the problem of tyranny, for nations may decide to impose penalties harsher than necessary, or to penalize behaviors not described as crimes in Scripture, or not to penalize certain crimes at all. The theory of relative penal expressions based on a civil ruler’s perception of natural law and “equity” thus allows for subjective, corrupt, tyrannical, and even godless laws.

In confronting this problem briefly, Calvin exposes a difficulty in his reasoning. He argues, “I do not think that those barbarous and savage laws (such as gave honor to thieves, permitted promiscuous intercourse and others both more filthy and more absurd) are to be regarded as laws at all. For they are abhorrent not only to all justice, but also to all humanity and gentleness” (1986:216). Therefore, for Calvin, there is a transcendent, objective standard by which to judge that some civil laws are null and void. This standard is that “perpetual rule of love” which underlies God’s law in general, and which leads to “humanity and gentleness.” But this answer runs Calvin into a problem: Is this standard of love, humanity, and gentleness to be determined by humans or by God? If by God, then we are to judge civil laws

according to God's word; but then why not just the *penal* sanctions by the same word? How, for example, does it tend toward "humanity and gentleness" to crucify someone for false witness? Yet if the judgment of love, humanity, and gentleness in regard to penal sanctions is made by human reason, then why should the same reason have power to determine the need (or lack thereof) for civil laws in general? But this would run against the argument Calvin intends to head-off, namely, that some nations create laws promoting blasphemy, fornication, and idolatry, and why—based on their own determination of the needs of time and place—should they not follow human reason in this regard?

Calvin never addresses—indeed, does not appear to even have seen—this difficulty. But assuming he would probably have maintained his view of both equity ("love") and diverse constitutions (penalties), he would then have to respond that even the harshest penalties would indeed constitute expressions of "love" in certain social circumstances. Killing perjurers by crucifixion could indeed demonstrate God's love in some societies, depending on their circumstances. This, indeed, is how Calvin argues in general, as we have just seen. But this means that not even the harshest-sounding of Mosaic penal sanctions has any comparison to the degree of what God may require even today in some societies. And indeed, if anything does, this certainly seems to indicate that in some cases, the State should be free to impose the harshest, most seemingly corrupt and tyrannical of penalties, if it deems it proper for the cause of "humanity" relative to that society.

On the issue of susceptibility to tyranny in general, it must be admitted, neither revealed law nor natural law guarantees immunity. Luther was certainly correct in saying that law does not make Christians, and thus not even the most divinely

revealed and perfect laws and penalties could ever change the hearts of those destined to break the laws and suffer the penalties. Neither does having objective divine standards guarantee that rulers will themselves obey the laws, or justly administer those laws. The difference, however, arises in that prohibiting Mosaic Law or subjecting it to human preference (indeed, often self-interested human preference) banishes the objective standard from the public square. In this sense, though tyranny lurks just as prominently as within any other system, the “two kingdoms, two laws” approach of Luther and Calvin guarantees that the public square has less chance at justice, because it has less chance at hearing divinely-revealed standards of justice, and little if any chance that God’s law can be appealed to in order to restrict tyrannical princes.

This problem occurred even where “natural law” was administered by “Christian princes”. Calvin and his town created stringent laws concerning dress, recreation, art, and other things that hardened civil polity into an austere externalization of alleged spirituality and laid punishments and fines upon those who stepped outside dress codes, etc. Too large a table-setting the Genevan council banned as excess; naming a child after a Catholic saint required a censure and a renaming. An improper word spoken in public could draw punishment; appointed watchmen monitored compulsory church attendance (Schaff 1996:489–94). Yet Calvin’s own two kingdoms basis for civil polity was a gentle-sounding ethic of “equity” and “the perpetual rule of love” (1986:216). So, the historical reality of the application of this ethic demonstrates how the attempt to base civil law on broadly undefined spiritual principles opens the door broadly to many and degrees of interpretations, applications, and penalties in the civil realm. This type of process has led to questionable civil experiments ranging from these dress codes of Calvin’s Geneva to “Christian Socialism” and the Prohibition of

Twentieth-Century America—and it is directly attributable to a two kingdoms ethic for civil law (there could be no Prohibition, for example, and no communistic or state-owned property under Mosaic Law). It is directly represented, therefore, in Calvin's rejection of Mosaic civil polity as a necessity for a commonwealth to be duly constituted.

10.2 TWO KINGDOMS, TWO LAWS

Calvin recognizes the tensions caused by claiming Christ's kingship and yet having to maintain civil governments with positive law on earth. Many Anabaptists had used the doctrines of Christ's kingship and Christian freedom to reject the legitimacy of human governments and human laws altogether. This, obviously, is what so often earned the charge of sedition. In his sections on Christian freedom in his *Institutes*, Calvin arrives at this very issue. Once certain individuals decided that freedom of conscience annuls "bonds of laws and constitutions" (1986:184), they proceed purposefully to deduce that *no* laws have validity, including civil laws. Calvin explains: "For immediately a word is uttered concerning the abrogation of human constitutions, huge troubles are stirred up, partly by the seditious, partly by slanderers—as if all human obedience were at the same time removed and cast down" (1986:184).

Towards a remedy of this problem Calvin employs the doctrine of two kingdoms. He pleads, "[L]et us consider that there is a twofold government in man: one aspect is spiritual, whereby the conscience is instructed in piety and in reverencing God; the second is political, whereby man is educated for the duties of humanity and civil life that must be maintained among men" (1986:184). Built on this consideration, Calvin creates a view of human government that is divided between the "spiritual" and the

“political.” The division is as stark and dualistic as anything Luther conceived. Calvin writes:

Now these two, as we have divided them, must be examined separately; and while one is being treated, we must call away and turn aside the mind from even thinking about the other. There are in man, so to speak, two worlds, over which different kings and different laws have authority.

(Calvin 1986:184)

Here his view of the two kingdoms is at its most stark, equaling if not surpassing that of Luther’s. Not only do we have “two kingdoms,” but never shall the twain meet. We must not even think about them at the same time, but consider them only separately. We must erect a partition in the mind between these two and keep them locked in separate rooms; when we look at one we must necessarily divert our eyes from the other. Two kingdoms (indeed two “worlds”), two kings, and most importantly, *two laws*.

If in each of these kingdoms “different kings and different laws have authority,” then we must deduce that he who rules the one may not necessarily rule in the other, and the legal standards that govern the one do not necessarily apply in the other. This theological expression allows the adherent in theory to pursue ecclesiastical reformation without threatening the magistracy. Calvin stated this explicitly: “Since, therefore, whatever we have said concerning Christian freedom pertains to this spiritual kingdom, in this discussion we have no contention against the political order of laws or lawgivers” (1986:184). In other words, whatever Calvin may say about throwing off the legal and spiritual jurisdiction of the Catholic Church, his doctrine left the king free to pass any laws he wished without an official challenge from the agents

of God, or from the Bible. In regard to Mosaic civil polity, certainly, this doctrine provides the same effect as even Luther's most vehement denunciations of Mosaic Law: "away with Moses."

In fact, Calvin may well have simply followed Luther's usage of this doctrine as a conscious tactic of applying this decisively dualistic version of the two kingdoms as his antidote to Anabaptist radicalism in the view of the civil magistrate. Luther made just such an appeal in a similar atmosphere in his tract *On Secular Authority* in 1523, and even more explicitly used it against the Anabaptists in his *Commentary on the Sermon on the Mount* finished in 1532 and 1533. In the Preface to the latter work, Luther decries the "factitious spirits and Anabaptists" who "teach that one should have nothing of his own, should not swear, should not act as ruler or judge, should not protect or defend, should forsake wife and child, and much of such miserable stuff" (1892:viii). He condemns their use of the fifth chapter of Matthew as "a masterpiece of the devil," (1892:vi) and concludes, "So completely does the devil mix things up on both sides, that they know no difference between an earthly and a heavenly kingdom, much less what is to be taught and to be done differently in each kingdom" (1892:viii–ix). Calvin's *Institutes* represents the same two kingdoms response to the same radical type of Anabaptists. While we cannot determine with certainty if Calvin actually read these particular works of Luther's, we do know that Lutheran ideas pervaded Paris during Calvin's college days (McGrath 1990:47–50; Blackburn 1865), and we know that Calvin modeled the layout, substance, and structure of his 1536 work on that of Luther's 1529 Lesser Catechism (McGrath 1990:137). It would not seem too much of a stretch to assume that Calvin would at least have agreed with Luther's expression of the two kingdoms, even if the young humanist had begun to formulate it on his own.

Both in theory and in practice, Calvin would not remain consistent with such a dualistic doctrine. His various works display contradictory views in several places. Despite paralleling Luther almost completely on the acceptance of two kingdoms, two kings, and two laws, Calvin in practice held that magistrates must not legislate anything that contradicted God (Acts 5:29). This view—which was held by reformers magisterial and radical alike—appears in more than one of Calvin’s series of sermons. Calvin would go so far as to argue that infractions of this veil between divine and human kingdoms would essentially nullify the authority of the tyrannical imposers. Kingdon provides a couple of instances of this in Calvin:

(1) In 1550, in his sermons on Acts, Calvin says that if princes “wish to turn us from the honor of God, if they wish to force us to idolatries and superstitions, then they have no more authority over us than frogs and lice.” (2) In 1560, in his sermons on Genesis, Calvin says, “if kings wish to force their subjects to follow their superstitions and idolatries..., they are no longer kings” and their subjects must be prepared to “die a hundred times rather than abandon the true service of God. They must render to God that which belongs to him and denounce all edicts and menaces, all commandments and traditions, holding them all for filth and dirt produced by earthworms in the face of Him to whom alone obedience belongs.”

(Kingdon 2000:117–8)

Thus, despite his defense of the “common laws of nations” and his dismissal of the need for “the political system of Moses,” and despite his going even so far as to say that man resides under a “twofold government” with “different kings” and “different laws”, Calvin here places the civil order under the same laws that govern the so-called spiritual kingdom of the mind within. He demands that princes bow in subjection to God and create only laws that honor and obey him. He argues that

should they depart from God's laws and try to impose ungodly laws then not only are these laws not to be obeyed, but they actually cease being kings.

Thus historian Philip Schaff (1996) could assess Calvin's doctrine of Church and State as involving only one Lord and one Law, namely Scripture, despite Calvin's appeal to two kingdoms with "different laws". While Calvin did in theory separate the *institutions* of Church and State, "His fundamental idea was, that God alone is Lord on earth as well as in heaven, and should rule supreme in Church and State" (1996:472). And as these two have one Lord, so they also have one law: "The law for both is the revealed will of God in the Holy Scriptures" (1996:472). Schaff further adds that Calvin's own arguments for his form and constitution of society lean heavily on Moses. They are, in fact, "taken exclusively from the Old Testament" (1996:472). But this alone does not accurately represent Calvin's political views, because it contradicts what else we have seen from the extra-biblical invasive measures in Calvin's Geneva, as well as the very quotation against Mosaic civil law which underlies this whole study. Like Luther, Calvin selectively chose what he desired, when he desired, from Moses in order to meet his own political and social needs at any given time. Schaff seems to have based his conclusion more upon a selective historical assessment, and less upon Calvin's writings.

Yet considering Calvin to have been generally more systematic than Luther, scholars have determined to put Calvin on one side or the other of natural law or theocracy. Calvin's editor and historian John T. McNeill notes simply a similarity to Luther on this issue: "Calvin's view of natural law, like that of Luther, has been variously interpreted" (1946:179). McNeill goes on to document no less than five major scholars who either disagree totally or at least nuance similar views. Yet

throughout the disparate perspectives or emphases one may find in Calvin, his writings “exhibit a consistent pattern of thought in which natural law has constant recognition.” (1946:179). Despite piecemeal scriptural references, then, Calvin maintained the two kingdoms view of the state as well as official endorsement of natural law and relative penal sanctions for the civil realm. In doing so, he made Scripture, and Moses especially, at least subservient to the prevalent political power within the civil realm, if not irrelevant altogether.

10.3 SOLA POTENTIA

It has become clear by this point that the several prevailing views of civil law which various reformers and radicals promoted all seemed to grow as much if not more out of social and political pressures as from biblical exegesis. More often than not the latter was bowed to serve the former—despite the legacy of the Reformation’s *sola scriptura*. It follows from this that the dominant position would prevail not through theological debate or persuasion, but through the advance of civil power, and even war. In the relevant time period, this is often what we encounter. Thomas Brady notes how this phenomenon left the Lutheran view, as far as Protestantism was concerned, as the last man standing:

The Peasant’s War, which engulfed the southern and central sectors in 1524–1526, was settled by the princes, and with it the possibility of a general reformation from below. Its Anabaptist successor movement was settled when the city of Münster fell to Imperial troops in 1535. The Swiss reformation’s settlement came in 1531 with Zurich’s defeat and Zwingli’s death at Kappel. These settlements left Lutheranism after the mid-1530s as the Empire’s sole form of Protestant reformation.

(Brady 1998:371)

And how did Lutheranism gain and maintain this advantage into the following decades? Brady answers, through gaining the rulers' favoritism and protection:

The Lutheran reformation's survival depended on an adequate political representation of its interests at the Imperial level. At the end of the 1520s, its leaders gathered behind the Elector of Saxony, ably seconded by Landgrave Philip of Hesse (1504–1564). They gained a collective voice through their protest (whence "Protestants") against the Imperial Diet of Speyer in 1529 and their statement of faith (Confession of Augsburg) submitted at Augsburg in 1530, and through the military alliance, called the "Smalkaldic League," which they founded in 1531.

(Brady 1998:371–3)

But how did the Lutherans gain this favor and protection? After all, several of the groups in question operated and argued simultaneously within the regions where Luther's view later prevailed. The answer is simple: the rulers, newly separated from responsibilities or obligations pertaining to the Roman Catholic ecclesiastical machinery, and newly empowered in areas formerly left to Roman Catholic canon law, generally favored the theologians whose theology gave secular rulers the greatest range in applying their own laws in regard to their new power. Thus, Luther's two kingdoms theology won out:

Rulers, magistrates, and clergy had acted with impressive speed to adopt and adapt Luther's dualistic ideal—the ruler to keep law and order, the clergy to proclaim God's Word and administer the sacraments. In theory, the clergy's authority was grounded in the Word alone; in practice, the Lutheran ministers could not—and would not, or not until too late—guard religious life from

intervention at will by princes and magistrates. Consequently, in the Empire with few exceptions the Protestant reconstruction of church life was undertaken by clergymen under the authority, with the permission, and as employees of princes and magistrates.

(Brady 1998:373)

It should not surprise us, then, that when writing immediately after the fall of Münster, and amidst the spreading rumors of other cities possibly soon imitating it, that Calvin might find comfort in mimicking the Lutherans' path to success: decrying those who allegedly required "the political system of Moses" and refused the legitimacy of "the common law of nations." In this measure, Calvin again comes very close to Luther on civil law (Locher 1981:199–201). Brady states that Calvin opposed the Lutheran type of fusion of institutional church and state which ended with state-sanctioned clergy and rulers meddling in church affairs, yet his view of the origin and nature of the civil law differed little if any (1998:373). One could say that Calvin, as far as he had "success" at Geneva as Brady says, simply maintained a more stark division between the "kingdoms" than did Luther. He did, we may often forget, consider himself Luther's disciple (Pelikan 1984:86).

10.4 "THE HOLY PRETENCE"

Luther has had many such disciples, and many have relied purely on power to advance political agendas in the name of "Christianity." In fact, the two kingdoms construct, as it was practiced by Luther and others, makes it possible to legitimize a civil policy simply due to the faith of the prince. The practice has ancient roots, but gained popularity during the Reformation era via Machiavelli's idea of "reason of state"—the idea that the prince's job requires him first and foremost to do whatever

necessary to preserve the power of the state (which may or may not have been interpreted, presented, or associated with the enduring purpose of preserving peace). Strict adherence to biblical ethics and Christianizing of laws during this task come only secondarily unless, of course, such is needed to maintain the power of the State. Luther's and Calvin's view—that the prince existed primarily to maintain order and “peace” by whatever measures he decided—essentially shares in this Machiavellian view.

The task of trying to make such a prince's rule appear “Christian” to the populace Mosse (1957) has termed “the holy pretence” [sic]. Mosse took his title from the words of an anonymous Jacobean pamphlet in which the author advised the King that in order to deal with the demanding masses he must find a way to bend them to his will by “some craft or by some holy pretence” (Mosse 1957:12). In the context of the magisterial reformers, 1520–1536, the agitation of the masses arose not so much from irrationality or lack of education, but from their education in “divine” or biblical law: for the first time, because of the relatively widespread reading of Bibles in common languages, the common people learned that Moses condemned as injustices some of the practices by which the nobles had suppressed them for centuries. In order to stymie the demands of “Mr. Everybody” (as Luther named the common folk) for social and political reform, the holy pretense has reigned from at least Luther to, we could argue, the modern day.

The central problem that this particular duplicity involves is the subjugation of Christian ethics to relative or even pagan policy, as opposed to reforming pagan policy according to biblical ethics. The holy pretense—a two kingdoms view—allows for every Bismarck, and possibly even a Hitler, to call himself a “Christian statesman,”

while imposing definitions and penalties that could not be justified by biblical standards. Mosse has noted this problem. He begins,

A recent historian has had this to say about the 'Christian statesman': such a concept can be misleading, and only if one employs it to denote a statesman who as a Christian acts responsibly in the political realm is it usable. But if the Christian statesman follows out the Christian ethic in his political action, such a man invites a danger, especially that of becoming a hypocrite.

(Mosse 1957:103)

Mosse immediately notes that Bismarck fits the first category, and it must be noted that the Lutheran Bismarck derived his views of government directly from the two kingdoms tradition. Thus, he erected a modern welfare state while taking pains not to allow his social programs and laws to be termed "Socialism" or "Communism" unless they were first termed "practical Christianity" and "practical Christianity legally demonstrated" (cf. Shearon 1967:4, 5). But could we not go even further and argue that Hitler's social policies should also avoid criticism if civil laws lie outside of biblical critique, or if he merely first named his policy "practical Christianity eugenically demonstrated"? Unless revealed law can be appealed to in order to judge laws as either acceptable or not, then even such extremes must be left, logically, under the relative decisions of the powers that be. Mosse notes this dilemma inherent in the Lutheran system: in order to criticize aggressors in society we need Christian ethics as a basis. He writes, "But this battle against the aggressor could be fought only from within the framework of Christianity and not by separating the world of politics from that of Christ" (1957:104). He himself does not take the further step to ask what happens when the statesmen themselves act as the aggressors, but the same logic

would apply: government and civil law can only find their standards and limits from within the framework of Christianity, not by separating the civil realm from that of Christ, nor by subjecting the Christian framework itself to the needs of merely preserving the state. Yet the latter is what the proponents of the two kingdoms doctrine preferred and fought to keep.

10.5 CONCLUSION

We see in both Calvin and Luther a consistent pattern in regard to the two kingdoms doctrine: namely, that they could not remain consistent with it. While each held a similar view in theory, and similarly used the doctrine to stifle Catholic-friendly princes on one hand, and to distance themselves from radicals on the other, nevertheless each also could not remain consistent with the doctrine themselves in practice. Both on various occasions called for civil rulers to interfere in ecclesiastical reform, to involve themselves in civil legislation, to demand kings legislate to the glory of God, sometimes to impose Mosaic penalties, even appealing directly to Moses for the death penalty for blasphemy. And yet both consistently denied the validity of such appeals on behalf of their opponents, and both had previously dismissed the need for Mosaic laws. The phenomenon could be labeled “consistent inconsistency”. Perhaps it is only logical that a dialectical doctrine should end up with a dialectical name.

When used as a protection against their opponents, the two kingdoms doctrine introduced relativism into civil law. Kings need not institute penalties according to biblical laws, or according to ecclesiastical traditions, but only according to their own wisdom in regard to their time and place. This kept the radicals (often Biblicists) and Catholics (canon lawyers) at the mercy of the kings as far as civil punishments were concerned. This was the separation of the worldly and heavenly kingdoms, and represented the stricter expression of the two kingdoms doctrine.

And yet we have seen that neither could remain consistent with this arrangement. For often when opportunity arose, both Luther and Calvin would urge and direct civil power to impose their own reforms, thus ignoring the boundary between the two realms. This means that the more primary agent in the advancement of reform was political power rather than persuasion. Those princes who desired to break free of Roman domination, and yet who wished to maintain their own power unchecked by Protestant forms of theocracy (the radicals' or Karlstadt's types of Biblicism) naturally accepted those theologians who gave them the most leniency in civil law. These would be the most open proponents of two kingdoms theology. In turn, those theologians who sought favor and influence (of various degrees) in Protestant friendly courts naturally came with two kingdoms theology on their lips. Yet, to maintain that favor and influence, these theologians often resorted to an ecclesiastical alliance with the civil sword themselves.

Just as the two kingdoms doctrine was largely the product of a particular political context, so also was its sister-doctrine of "two laws". There would always be a tension between a "Christian prince" and a set of laws that may or may not obviously reflect biblical standards of justice—depending upon the observer, or the oppressed—or a set of laws that may, in fact, work against the "true religion" of the Reformation. There is always a necessary tension at work where the Bible is accepted as an "objective and authoritative" revelation of the King of kings, and yet where the kings are allowed subjectively to legislate according to their relative situations. It is this very tension at work which requires Luther and Calvin so often to depart from their ideal of the two kingdoms and fall back upon the civil imposition of biblical and even Mosaic norms. For the very theological notion of two kingdoms was formed in the midst of and to meet the demands of a certain political atmosphere;

and as such, it carries with it the types of hedges, tensions, and compromises that made the situation unstable to begin with. And thus, the very stability of Mosaic polity—demanding of the princes as it would have been economically, among other things—had to be set aside officially in view of the authorities with whom Luther and Calvin courted favor.

11. CONCLUSION

If we are to judge by those figures named or implicated in extant works, histories, letters, and secondary sources—whether the suspect be Karlstadt, Strauss, Müntzer, certain Anabaptists, the Münsterites, etc.—this study has not found a single instance where the subject fits Calvin’s accusation of requiring the Mosaic political system, denying common laws, and denying the validity of the existing civil government based on these criteria. None of the subjects even comes close to this description.

We find the classical humanist Melanchthon open to Mosaic laws, but only on the pretext that we first understand them as entirely abrogated. Thus he sees them valuable only as divine suggestions for the possible consideration of the modern prince. At the height of the Wittenberg campaign against Anabaptism, in 1530, Melanchthon is already on record as condemning Karlstadt (inaccurately) for wanting to impose the laws of Moses. On the same charge he calls Karlstadt “insane” in 1531. And yet at the same time Melanchthon is helping to rewrite civil ordinances to deal with the Anabaptists. But having thus publicly decried the use of Mosaic Law as improper and insane, Melanchthon stays true to his two kingdoms view and finds justification for executing Anabaptists instead in the common law of nations—the Code of Justinian.

So while Melanchthon certainly does not fit the description, he names Karlstadt as the obvious exponent of the suspect view. And yet we find that Karlstadt only appealed to Moses on very limited issues and for a limited period. In a debate with Luther over the use of images and on the validity of various forms of taxation and usury, Karlstadt did indeed appeal to Moses. But, he never called for the whole system of Mosaic polity, nor denied the use of common law, nor denied the validity of

the government for not upholding his ideals. In fact, Karlstadt argued that portions of Mosaic civil law—in particular many of the death penalties—should not be followed. And we find Karlstadt later in life, after 1530, appealing positively to the Roman legal tradition in which he had been trained. This study then reads critically Luther’s fierce campaign in which Karlstadt’s claims are misrepresented, exaggerated, and unjustly associated with the revolutionary violence of Thomas Müntzer. Aside from this campaign, accusations of Karlstadt wanting to impose Moses come only from Melanchthon; but coming during the height of the battle against Anabaptism in Wittenberg, while the rhetoric of Luther’s campaign against Karlstadt remained useful to their propaganda, and with no other critical or corroborating evidence, Melanchthon’s accusation is highly suspect in its accuracy. Karlstadt emerges in this study nowhere close to Calvin’s description.

When modern scholarship has picked up on Karlstadt in this regard (undoubtedly via Melanchthon), it has simultaneously presented the radical Lutheran Jacob Strauss confidently as a culprit. In Battles (1986) and Williams (1957, 1962) we find dramatic statements against Strauss, who allegedly wished to impose the “entire Mosaic code.” But this study has shown such a claim to fly wide of its mark when we actually read Strauss’ sources. He had nothing of the sort in mind. He appealed more to the Gospels than Moses, referred to only a narrow aspect of Moses, and did not reject the common law legal system. Oddly, it is against this obscure figure, of whom among all these characters we have the least documented evidence, that we find the most confident and radical claims. The evidence simply does not support those claims, but rather proves quite the opposite.

Huldreich Zwingli, who actually holds the classical pagan authors in higher esteem than did Melanchthon, speaks broadly of love as the basis for law, but essentially leaves it open for magistrates to define and to interpret. Zwingli's trust in the pervasive power of natural law to express God's will through men's hearts and a variety of texts, Christian and pagan, leaves him far short of Calvin's description.

Likewise different Anabaptist groups treated Moses' law in various ways, but none that we seen approach Calvin's accusation. Some rejected civil law altogether or rejected the legitimacy of civil government; some even rejected Scripture altogether. For each of these groups Moses could have no place in civil affairs at all and thus would not fit Calvin's accusation concerning Mosaic civil polity, although he does address their general rejection of civil authority in another place (1986:207). Other Anabaptists appealed to "divine law" or "Scripture" in general. From what we can see, these appealed to the New Testament more than the Old in general, let alone Moses in particular. And this standard is difficult to differentiate from appeals to "divine law" found in Luther, Melanchthon, Zwingli, Müntzer, Karlstadt, and others. Still other Anabaptists, the most radical, subjected all law and order to private prophecies and charismatic gifts. These sometimes did reference Moses, but also just as quickly referred to the Gospels, Paul, Revelation, the Prophets, even the Apocrypha, or their own inner thoughts. None of these groups supply us with Calvin's culprit.

In the case of the Anabaptists of Münster, allegedly the "most extreme and explicit manifestation of Old Testament spirit and forms" (Avis 1975:165), the radicals subjected Moses along with the rest of Scripture to their cataclysmic end-times scenario. Eventually, they even cast both Old and New Testaments away in favor of

King Beukels' private dictates and prophecies. Likewise, many of the operational laws of Beukels' kingdom—such as those made specifically to endure the height of the siege—derived purely from him with no reference to Scripture. Münster does not fit Calvin's description because the rebels there only rarely appealed to Moses, appealed only to narrow portions, in fact rejected part of Moses with their communism, and later totally rejected him in favor of allegedly divine inner prophecy. Therefore, Münster defies Calvin's description as well.

The nearest subject we find is perhaps Thomas Müntzer, who at one point at least does misapply Moses in an attempt to justify slaying unbelievers and those who refuse to join his reform. But even this abuse does not come close to a desire to impose "the political system of Moses". In Müntzer we learn that charismatic prophesying and interpretations of biblical prophecy ruled his hermeneutic; and these rarely made reference to Moses' laws at all, let alone featured them. As with others, in Müntzer we learn that he did not call for the system of Moses, and rather appealed to the Gospels and Paul far more than his selective use of the Old Testament lawgiver. It is not even clear whether or not Müntzer denied the validity of the common law tradition, or the legitimacy of a civil government founded upon it. What is clear is that his forays into mysticism and prophecy gave the greatest impetus to his revolutionary violence.

So, after canvassing the most prominent and representative figures of the Reformation as well as some obscure ones, and looking in the places the most prominent scholars have told us to look and then some, we return to Calvin's anti-Mosaic polity comment empty-handed. It appears that no one, not even the most widely, openly, and loudly accused suspects, ever held the position Calvin speaks of.

Not one of these important figures of the Reformation ever held the view that a commonwealth is improperly constituted if it neglects the legal system of Moses and is ruled by the common laws of nations (which includes every commonwealth, virtually, in history, by the way).

So why did Calvin make a point to denounce this view? We find answers to that question from analyzing the socio-political situation of Luther and Calvin in regard to the issue of legal standards. The reputation pinned on radical reform and “sedition” inflated immediately throughout Europe and remained throughout the Reformation. This had especially great influence in the spread of news following the Peasants’ War (1524–5), and even more greatly after Münster (1534–5). Indeed, Latourette argues that stories of sacrilege and atrocity “grew as they were told and retold and departed further from the facts” (2000:784). Luther’s publications against Strauss and campaign against Karlstadt strongly associated Mosaic Law with civil unrest and thus with sedition, though the parties he charged never advocated Moses to anywhere near the extent Luther’s rhetoric indicated. Calvin appropriated the same tactic and rhetoric, and with the combination of his youthful zeal to respond along with his limitations on actual source material, he likely repeated what had grown into a popular myth. (It is, in fact, possible that Calvin, perhaps during his time in Basel in 1535–6, had read Melanchthon’s *Defense of the Augsburg Confession* or Luther’s pamphlets, picked up the anti-Mosaic idea there, and just chose not to name Karlstadt as Melanchthon had done. But without evidence of Calvin’s reading habits while in Basel this is pure speculation.) With Münster smoldering across the headlines in 1535, and with the news stories retold person-to-person, Calvin saw the need immediately to denounce all things “seditious” and all things perceived as Jewish theocracy or “New Jerusalem,” and thus to deny any necessary allegiance to

Mosaic polity. With Francis I's correspondence with the German princes, Calvin found an even more immediate urgency to distance the fledgling French reform movement from all things seditious, and by all means to endorse a system which at least in word undergirded and legitimized Francis' rule. In his 1536 section on civil government, he did just that: he went out of his way to teach the legitimacy of the King's rule and to refute anything that would formally assert itself against that rule. On the issue of law, this necessarily included refuting what had become a popular idea—mythical as it might have been—that “some” saw legitimacy only in the political system of Moses.

While Calvin's opponent does not seem to have existed, great fear of it did. But since no one at the time appears actually to have thought through the political system of Moses, no one truly had any rational reason for why it should be feared—unless it would be from either misunderstanding or self-interest. Those who seemed most bothered by Karlstadt and Strauss, for example, and whom Luther subsequently defended, were the established lords, nobles, kings, and perhaps bankers (or money lenders) for whom Mosaic Law would have meant curtailing much of their warring, taxing, confiscating, appropriating, collecting, regulating, controlling, and other perceived tyrannies. These were the very narrow contexts in which some of these “radical” preachers most often appealed to Mosaic Law: usury, rents, excessive pensions, control in local churches over tithes and images, etc. The tyrants refused to give up their great advantages, even if unbiblical, and rather accused the proponents of these types of reforms of sedition. Since Moses lay at the root of these few touchy issues, Moses was blamed. As the criticism grew exaggerated beyond reality, Moses became consistently associated with sedition. The association stuck.

The magisterial reformers—particularly Luther and Calvin, but Melanchthon and others also—all sought the protection of the implicated tyrants, and once in positions of influence, all sought to abuse the very actions they once denounced. The price of this relationship has been the ascendancy of non-Mosaic law and the acceptance of anti-Mosaic political practices in society ever since. This in turn has entailed the domination of society and law by the secular state and the consequent decline of the influence of churches in society. And for that same time span, any attempts at biblical legal reform have met stiff opposition from the very two kingdoms, two laws tradition in which Luther, Calvin, and their heirs have rejected and blamed Moses.

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