



Volume 1. From the Reformation to the Thirty Years' War, 1500-1648

Radicals vs. Protestants – An Attack on Religious Claims to Temporal Authority (1530)

One of the main points of contention between Protestants and their Anabaptist critics was the authority of secular rulers to coerce in matters of religious belief. This issue – and not the issue of re-baptism – was the real key to the persecution of the radicals. The anonymous pamphlet *Whether Secular Government Has the Right to Wield the Sword in Matters of Faith*, reprinted below, appeared in 1530 in Nuremberg, where it touched off a polemical exchange with Lutheran reformers. The author of the pamphlet argues – against prevailing sixteenth-century opinion – that governments were not to engage in intervention, much less coercion, when it came to matters of faith.

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Whether Secular Government Has the Right to Wield the Sword in Matters of Faith [By an Anonymous Nürnberger, before March 17, 1530]

There is simply no end to executions and banishments for reasons of faith. Lutheran governments will not tolerate Anabaptists or Sacramentarians.<sup>1</sup> Zwinglian governments also refuse to tolerate Anabaptists. Then come the papists, who burn, hang, or banish evangelicals, Lutherans, Zwinglians, Anabaptists and everyone who is not of their faith.

The papists have, I believe, no other grounds for such behaviour than their worthless [canon] law. If they persist and refuse to heed God's word or even reason and justice, then one must let them go their way as long as God permits it.

But from those governments that are evangelical, Lutheran, Zwinglian, and claim to hear God's word, to follow it, and in no way to act contrary to it, even though papal law, as well as imperial laws made under the papacy, demand something else (as indeed all laws, ordinances, and customs should rightly yield before God's word): from those governments, I say, I would very much like to hear where they get the right to control faith either by executing those who do not wish to be of their faith or else by tearing them from property and goods, wife and children, and banishing them from the territory.

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<sup>1</sup> i.e., Zwinglians. [All footnotes taken from: *Whether Secular Government Has the Right to Wield the Sword in Matters of Faith. A Controversy in Nürnberg over Freedom of Worship and the Authority in Spiritual Matters*, translated by James M. Estes. Toronto: Center for Reformation and Renaissance Studies, 1994, pp. 41-54.]

So far as I know, the only justification that has been offered for this is the opinion of some people that since it is the duty of every government to protect its subjects in temporal matters pertaining to body and goods, so that no harm befall them, it behooves government to an even greater degree to do the same in spiritual matters, since these things have to do with faith and the highest good, in order that its subjects not be contaminated or led astray.

But if you ask them to cite scripture in support of this opinion, either no one is at home or else they refer us to the Old-Testament record of the Jewish kings who supported true worship, abolished idolatrous worship, and destroyed idols. If you reply that the Old Testament and Jewish law are no longer binding,<sup>2</sup> and that they should show where in the New Testament the secular government is commanded to be responsible for faith or to punish unbelievers with force or with the sword, then they are stuck.

Now it is certainly true that the Old Testament no longer binds anyone, and if we are bound in one matter on the ground that it is commanded in the Old Testament, how shall we avoid being bound in other such matters? If one thing were necessary, they would all be necessary, as Paul clearly concludes in Gal. 5[:3] and says against those who wanted to make circumcision obligatory that whoever has himself circumcised is obliged to fulfil the whole law. Therefore we must not be bound by anything in the Old Testament but rather give heed to the New Testament.

But the New Testament speaks of two kingdoms on earth, namely the spiritual and the secular. The spiritual kingdom is the kingdom of Christ in which Christ is king. Similarly, the secular realm also has its king, namely the emperor and other authorities. Just as each kingdom has its own distinct king, so each has its own distinct sceptre, goal, and end. The sceptre of the spiritual realm is the word of God; the goal and end to which this sceptre should attract and move us is that men turn to God and after this life be saved. The sceptre of the secular realm, on the other hand, is the sword; the goal and end toward which it should drive and force men is that external peace be maintained.

That this is the proper division and distinction between the two kingdoms is powerfully demonstrated in the New Testament, where Christ and his agents, the apostles, observe the order of his kingdom most precisely, ruling in no other wise than with their sceptre, the word of God. With this word they teach, admonish, and censure men, and proclaim that he who accepts and believes it will be saved, while he who does not will be damned. [Mark 16:16] This is their method of government; they leave it at that and thereby their office is fulfilled. Nowhere does one find that if someone did not adhere to their doctrine and preaching but rather believed or taught some other faith, that they appealed to the secular government either to force such a person to accept their faith or else not to tolerate him. Nor does one find anywhere in the New Testament that any government that did this of its own accord was praised for it. On the

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<sup>2</sup> The author is alluding to Luther, *Unterrichtung, wie sich die Christen in Mosen sollen schicken* (1525).

contrary, Christ forbids it, as can be especially well observed in his explanation of his parable of the good seed and the tares, Matt. 13[:24-30, 37-43], where he says that the good seed are the children of the kingdom, sown by the Son of Man; the tares are the children of evil, sown by the devil; the harvest is the end of the world, the reapers the angels. He concludes that the tares should not be rooted up but rather allowed to remain, lest the wheat also be rooted up with them. For just as the tares are gathered and burned in the fire, so it will be at the end of the world: the Son of Man will send his angels, who will gather out of his kingdom all those that offend and cast into the furnace all those that work iniquity.

From this it is clear that Christ does not wish the sword of the secular government to be used to root anything out of his kingdom, but wishes rather to do combat there solely by his word until the end of the world. As the prophet Isaiah proclaims and says, Christ will do battle “with the breath of his mouth and with the rod of his lips,”<sup>3</sup> not with the sword of secular government. Here it is clearly stated that Christ himself will fight, not the secular government for him, with the rod of his mouth and with the breath of his lips, not with the sword of secular government. The prophet Daniel agrees with this and says that Antichrist (that is, all that sets itself against Christian faith and doctrine) shall be destroyed “without hand.” [Dan. 8:25] Whoever, then, seeks by secular power to defend true faith and doctrine or to drive out false faith and doctrine does nothing else than despise and mock the entire New Testament and the prophets as well. And, contrary to what Isaiah and Daniel say—that Christ will do battle in his kingdom by the breath of his mouth and that Antichrist will be destroyed without [human] hand—he also falsely maintains that the breath of Christ’s mouth does not do it and that one must accomplish it with one’s hand.

Furthermore, Christ and his apostles not only observe the order of his kingdom, they also leave the secular government completely unhindered in the possession of its kingdom. For when a man appealed to Christ to make his brother divide an inheritance with him, Christ refused in serious words saying: “Man, who made me a judge over you?” [Luke 12:14] And before Pilate he said: “My kingdom is not of this world.” [John 18:36] He also taught his disciples, saying: “The secular kings exercise lordship and the mighty are called gracious lords. But ye shall not be so!” etc. [Luke 22:25-26] From this one sees how God wishes to have the two kingdoms distinguished from one another. And since Christ remains in his kingdom and lets the secular kingdom go its own way, even though he is far mightier than all emperors and kings, it is all the more proper that the secular government should take care of its own kingdom and not attempt to govern that which belongs to Christ.

Therefore, the sum and substance of the whole matter is this, that a government that wishes to discharge its office and not claim more than has been entrusted to it should and must leave it entirely to Christ the king to determine and judge, by means of the sceptre of his divine word, whether any teaching about faith, how man may come to God and be saved, be true or false.

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<sup>3</sup> Isa. 11:4, where the prophet actually says “with the rod of his mouth and with the breath of his lips.”

Just as one clearly sees that in his kingdom Christ does both things, namely, teaches the true faith and condemns the false, pours the holy spirit into the heart and drives the devil out, doing both through his sceptre, the word, and calls on no secular authority to assist. Hence it is not proper for secular authority to do this. Rather it should use its sceptre or sword in the secular realm against external misdeeds, so that no one may be harmed in his body or goods. In such matters the secular sword is effective and God has established it for that reason. But the sword is of no use in forcing people to adhere to this or that faith. In the final analysis, whether you hang or drown them, the choice must still be left to those who do not want to go to heaven to go down to hell to the devil or his mother instead.

But someone may object that this is too crudely put, and that while it might perhaps be appropriate for a Turkish or heathen government to ignore the spiritual welfare of its subjects, a Christian government must not allow its subjects to be led astray by false doctrine. Answer: we have already heard that Christ, the king in the spiritual realm, not only gives true faith and the holy spirit but also drives out false faith and the devil. Now, just as it is neither right nor possible for the secular government, by means of its sceptre or the sword, to give anyone true faith or the holy spirit, so also it is neither right nor possible to drive out false faith, heresy, or the devil by means of the sword. Thus Turkish, heathen, Christian, and popish governments all have exactly the same authority. And both things, namely fighting for or against the true faith, the one as well as the other, constitute interference in Christ's kingdom and rebellion against it. If a government wishes to be Christian and further Christ's kingdom, it may do so as an individual person, but its office remains the same one way or the other. And if it is not proper for Turks and heathen to meddle in Christ's kingdom with the sword, it is even less so for a Christian government. But a Christian government can choose another course of action that is consistent with Christ's kingdom, namely by appointing good preachers who do battle by means of the word of God. Likewise, if it personally wishes to bring others from false faith to Christ, let it remain under the kingdom of Christ, use his sceptre, the word, and not have recourse to its sword in the secular kingdom.

But someone may say: you have said long and loud that the government should not interfere in the teaching of faith or unbelief, but much tumult arises where more than one faith is tolerated, and this a government must not allow. Answer: to be sure, a government must not tolerate tumult. But tumult, even if more dangerous things occur along with it, is no ground for transgressing upon Christ's kingdom and thus engaging in tumult oneself. For tumult and other crimes are caused not by true or false faith or doctrine but solely by evil men, who are to be found everywhere, among Christians and non-Christians, true and false believers. Tumult also arose because of Christ and his apostles, and before that because of the prophets, even though they taught the true faith, so that they were condemned as rebels. Would it therefore have been proper to destroy their faith and the teaching of it? And why speak of the old histories? Is it not the case in our own times that the Peasants' Revolt broke out because of the gospel before anyone had ever heard of any Anabaptist in our lands? Should the preaching of the gospel be banned on that account? Far from it! But if insurrection occurs, or if it is clear from a man's words or deeds that he wants to start one, whether it be among Christians, Anabaptists, Jews,

or whatever faith it might be, then punish those who either engage in insurrection or seek to cause one by words or deeds. But as for the others, who simply follow their true or false faith and are peaceful, leave them undisturbed and let the word of God, the sceptre of the spiritual kingdom, rule and struggle among them.

Someone might say further: ought not one to punish before the insurrection actually appears, for if one waits until words or deeds indicate that an insurrection is brewing, it is already too late, for such sects meet in secret places and conceal their intentions, so that the rebellion has already broken out and is beyond control by the time one discovers the true nature of their actions.

Answer: if an actual rebellion is not sufficient reason for eradicating the faith of those among whom it breaks out, as was demonstrated above, then a rebellion that has not yet happened but that one only fears is an even less sufficient ground for doing so. By far the greater number of the people in this world are evil and one must always fear the worst from them. Should one on that account kill or exile them all in order to assuage one's fear? No, God does not permit the secular government to do this, and the law also forbids that anyone be condemned or punished because of mere fear or suspicion. The secular government has been commanded to punish public crimes that it sees manifest in words and deeds, not secret matters or what someone contemplates doing. Indeed, this would be too difficult for the government, for it could never be certain and might be just as frightened of someone who had no evil in mind as of someone who did.

Moreover, the fact that some sects gather together in secret places is obviously not the fault of the sects or their members but of the government that will not tolerate them. Why do the secular authorities not leave faith to the spiritual realm and its king, Christ, and abandon their imprisonments, executions, and banishings on account of true or false belief? Then every sect would prefer to speak of its faith publicly and freely rather than secretly. Thereafter, if someone who had no cause to fear to speak openly of his faith nevertheless desired to practice it in secret, a government would have all the more right to forbid this and say to such a person: since you will not proclaim your faith openly so that one may test it to see if it is true, you must also leave off doing so in secret or else leave the country. But wherever public speech or teaching about faith is banned by the sword, people are thereby forced underground. As a result, there is added to the teaching of their faith the fact that the evil persons become hostile to the government that persecutes them and begin to plot moves designed to secure the free teaching of their doctrine, safe from persecution, so that the government thus to a certain extent causes and promotes secret conspiracy. It might well be argued that if anyone is certain of his faith and doctrine, he ought to bear witness to it in public and not conceal it, even though he were on that account executed. That is true and ought to be so. But not everyone is so perfect that he can die for the sake of his doctrine and faith, even though there are many whose consciences impel them not to remain silent in secret either. Indeed, we see every day that many of our people who adhere to the true faith teach people secretly and do not make much noise within earshot of the government when they find themselves in a place where their doctrine meets resistance. However, one must not despise the doctrine on account of their weak will but rather

acknowledge it nevertheless to be true and have patience with the weak until they become stronger.

They are faint-hearted who fear that an uprising might suddenly prevail. For if a heathen government must rightfully be satisfied not to punish secret matters but only public crimes that it perceives through public deeds or learns of from adequate testimony, why should not a Christian government trust God to preserve it even though it violates neither justice nor the kingdom of Christ and punishes no one except those whose public crimes are known, and leaves the others, concerning whom it is not certain, in peace? For this is their consolation that whoever takes the sword (says Christ) shall perish by the sword. [Matt. 26:52]

Now, insurgents always take the sword that no one has entrusted or commanded to them. Therefore God will surely smite and punish them by means of the other sword, namely that of the government, to whom he has commanded and entrusted it, as Solomon truly warns and says: "My son, fear the Lord and the king: and meddle not with them that are given to rebellion. For their calamity shall rise suddenly; and who knows the ruin of them both?" [Prov. 24:21-22] And David says: "God will scatter the people that delight in war." [Ps. 68:30] A government ought to rely on this and not be so fearful of such loose fellows, who are frightened even by a rustling leaf, that it lay violent hands on anyone or on their account violate the kingdom of Christ and thus also justice and good conscience.

Beyond this there is, in my opinion, only one other thing to recommend for the improvement of every government, whether it be heathen or Christian, namely that it perform its office, which is the maintenance of external peace, but with respect to true or false faith leave its sword sheathed and in matters of faith or sects confidently follow the advice of Gamaliel, Acts 5[:38-39]: "If this counsel or this work be of men, it will come to nothing: But if it be of God, you cannot overthrow it." And [let the government] say with the proconsul Gallio, Acts 18[:14-15]: "If it were a matter of wrong or wicked lewdness, I would hear you: But since it is a question of words and names, and of your law, look to it yourselves; for I will be no judge in such matters. And he drove them from the judgment seat." Or as Abraham answered and said to the rich man that his brothers had Moses and the prophets; if they would not hear them, neither would they be persuaded even if someone rose from the dead. [Luke 16:29-31] Similarly, a government should answer and say in the face of disunity over matters of faith: You have the word of God and his teachers and preachers; if you will not hear them, neither will you be persuaded even if I execute or banish a great number every day. What better thing could a government do than to do justice to the conscience of both and, beyond that, maintain external peace?

In our own day Doctor Martin Luther has given similar advice in his *Letter to the Saxon Princes Concerning the Rebellious Spirit*, where he says: Since Paul writes that there must be sects in order that those who prove good may be made manifest, [I Cor. 11:19] one should confidently let the false spirits preach and let their spirit do battle with his. If their spirit be true, it will have nothing to fear from his. On the other hand, if his be true, it will be preserved in the face of theirs. If in the process some are led astray, so be it. That is what happens in war; whenever there is a

battle, some are killed or wounded, but whoever fights honourably will be crowned [2 Tim. 2:5] And he says further: But where the spirits go beyond this and not only fight with the word but also use their fists, whether it be he or the others, the government should not tolerate this but straightway forbid it and say: We will gladly see and suffer it that you spirits do battle with the word, in order that the true doctrine prove itself. But you must not use your fists, for that is our office. Otherwise clear out of our land!

Since, then, there must be sects and divisions in the kingdom of Christ, and since from them, though evil in themselves, something good will nevertheless result, why then should a government presume to use the sword to drive from Christ's kingdom something that scripture says must necessarily be in it? This would be nothing else than to contradict scripture and to want to make manifest in the spiritual realm the sword and its power rather than those who have proved good or the power of God's word.

But our Lord God knows a way to make us grasp that the sword cannot do the job. For it is well known what sort of a game the devil has played with the Anabaptists for the last two or three years, namely that the more the government has used its sword against them, hanged or burned them, the more they have hastened to that very place and some have even surrendered themselves and said that even if the authorities wanted to imprison and execute them, they were prepared to suffer for their faith. In some places it has gotten so completely out of hand that the government, weary of executions, has had to desist.<sup>4</sup> It seems to me that this has made the sword dull in matters of faith and heresy and turned it into a fox's tail, so that the devil is laughing up his sleeve about it. And if God permits the devil to make his followers so joyous in the face of the sword, should not God give all the more power to his elect and true believers to triumph under his Christ against sword and fire, as the histories testify and as we have experienced in our own day? Thus, whether one uses the sword to execute true or false believers, in neither case is anything achieved except that the more that people see their fellows executed for their persecuted faith the more they are strengthened in it.

Since all of this is in fact so, why should a government make itself guilty of violating Christ's kingdom, which has not been entrusted to it, with injustice and tumult? And besides, will not all its hangings, care, and labour not only be in vain but also be sure to nourish and build up, all the more the longer they continue, the very thing they are intended to eradicate? Furthermore, if a Christian government forbids false faith, it thereby gives governments that adhere to false doctrine a pretext for combatting the true faith. For as soon as one admits that a government may impose penalties upon unbelievers, then every government will assume this right for itself—for none of them will admit to having a false faith—each one executing and banishing one after the other all those who are not of its faith.

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<sup>4</sup> It is not clear what specific incidents, if any, the author has in mind. But in general it can be said that the years 1527 through 1533 were the bloodiest (679 executions, 352 in 1528–29 alone) in the history of Anabaptism in the area of Switzerland, south and central Germany, and the Austrian lands.

And if one offers the excuse that the evangelical governments do not act so harshly but simply bar unbelievers from their lands, that is true; one penalty is more bearable than the other. But no matter how mild a penalty may be, it is nevertheless a penalty and it is thereby acknowledged that it is proper to penalize unbelief. And once the right to penalize is conceded, who will thereafter set limits to the harshness or mildness of the government's penalties against unbelief? And a Christian government will make itself an accomplice in the sins of others, which they could in good conscience have avoided becoming involved in.

For over a hundred years now there have been in the Kingdom of Bohemia Jews as well as three different [Christian] faiths,<sup>5</sup> and their kings have nevertheless maintained external peace and prevented tumult on account of religion. Also, whoever has knowledge of history since the birth of Christ must admit, I think, that usually the emperors and governments who used their sword in matters of faith had far more unrest and tumult than the others, who did not do so but rather left the teaching of faith free to each individual. Why should it not also be possible today for a government to keep peace if it is otherwise diligently alert and watchful?

But if an insurrection should occur, one should not on that account despair. One must after all expect insurrections for far more trivial causes. But the government always has this consolation, as was shown above, that it will survive and that the rebels will fall and perish. As one saw in the peasants' rebellion, even though it occurred in many places because the governments would not tolerate the gospel. For this reason God indeed had ground to inflict a defeat upon them, as perhaps he may still do in due course. Nevertheless, he did not choose to do so by means of the rebellion of their subjects, though it seemed for a while that he did. Instead, when things looked darkest, the tables were turned, the peasants were destroyed in their destroying and the governments escaped, so to speak, without so much as a broken leg. How much more gladly, then, will God help that government which keeps to its office and leaves Christ's kingdom unmolested. God grant that all governments may believe this. Amen. For otherwise the daily torture and execution of both true and false believers will not cease. And it is much to be feared that one day, precisely for the reason that one seeks to exterminate false belief by the sword, governments will come into conflict and whoever is the strongest will teach his doctrine to the others. Then there will be a real blood-letting, which the devil, as the signs already indicate, diligently seeks and promotes.

[Letter of the Anonymous Author to Spengler]

Dear Mr. Secretary, I would very much like to read the memorandum by... though I do not have the time to do so today. But judging from your memorandum and from the note that you wrote me today, you did not correctly understand me, or perhaps neither of us understood the other, in

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<sup>5</sup> Ordinary Catholics; Hussites, known as Calixtines or Utraquists; and the Bohemian Brethren (also known as the Unity of the Brethren), an offshoot of the Hussite movement.



our recent war of words.<sup>6</sup> For it is not my opinion that a government should not have the power, in the faith to which it adheres, to conduct visitations, to appoint and dismiss preachers, and to establish ceremonies. Indeed, I say more: not only should a government have the power to do this with respect to its own faith, but so also should every group or sect in its own faith, so that Christians, Jews, Anabaptists, etc., all would be free to establish and observe without hindrance those doctrines and ceremonies which they regard as right and by which they hope to come to God, but in separate places, namely the Christians in their churches, the Anabaptists and Jews in their designated houses or synagogues.

I also say further that not only the government in its faith but also every sect—the Jews, Anabaptists, or others—should have the power to dismiss preachers or ministers whom they had appointed and subsequently found unfit for office, and to appoint others in their place, just as a government or community appoints and dismisses schoolteachers or shepherds.

But just as the Jews or Anabaptists may not tell a Christian secular government how it shall order its worship or whom it should have for teachers, so also the government should not forcibly impose preachers, ceremonies, or doctrines upon the Jews or Anabaptists.

This alone should be the government's office: if in its principality or territory anyone among the Jews, Christians, or Anabaptists resorts to force or crime, as for example if one party forcibly invades the synagogue or church of the other in order to establish its worship there, to attack the doctrines or disturb the ceremonies of the other, the government should not suffer this but administer penalties and restore peace.

Similarly, if a sect has dismissed a preacher or minister who nevertheless attempts to occupy and exercise his office<sup>7</sup> in the place from which he has been dismissed, or if a preacher attempts to preach where he does not have an appointment, then the government should, on the complaint of the injured group, step in and restore peace in such a way that every faith or sect, in such cases or in others that might arise, may have peace and quiet in its worship, doctrine, and ceremonies, as otherwise in secular affairs, just as hitherto peace was everywhere maintained for the Jews in their synagogues.

At the same time, the government should not prevent a preacher dismissed from one faith from being received into another, as for example from the Christian faith into the popish or Anabaptist faith. Nor should it prevent any of its subjects from going from one kind of worship to another in order to observe and learn, provided only that they not mock the doctrine and worship in any

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<sup>6</sup> A reference to the fact that the anonymous author and Spengler had had a long private discussion of their differences.

<sup>7</sup> It is entirely possible that the correct translation of this passage should be “a preacher...who nevertheless attempts to exercise his office and collect his pay....” It depends on whether one reads “soldt einnemen” as “sollte einnehmen” (should occupy) or “Sold einnehmen” (collect pay).

church or synagogue or cause any tumult or disorder, as hitherto Christians have visited Jewish synagogues.

Thus you have, along with the previous memorandum,<sup>8</sup> my full and complete opinion, unless Osiander's memorandum,<sup>9</sup> or one by you or someone else, has something new to say to me.

Source of original German text: Johannes Brenz, *Frühschriften*, edited by Martin Brecht, Gerhard Schäfer, and Frieda Wolf. Volume 2. J.C.B. Mohr (Paul Siebeck): Tübingen, 1974, pp. 517-28.

Source of English translation: *Whether Secular Government Has the Right to Wield the Sword in Matters of Faith. A Controversy in Nürnberg over Freedom of Worship and the Authority in Spiritual Matters*, translated by James M. Estes. Toronto: Center for Reformation and Renaissance Studies, 1994, pp. 41-54.

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<sup>8</sup> i.e., the memorandum here translated.

<sup>9</sup> cf. the first sentence of this letter, where the name of the author of one of the Nürnberg counter-memoranda was deliberately excised. The inclusion of Osiander's name here was undoubtedly an oversight on Spengler's part.