



The Task of Lutheran Political Thought Today

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At a Lutheran World Federation conference on human rights, Trutz Rendtorff made the striking claim that Lutheran theology “must come to terms with the *criticism of human rights* within its own tradition..., the criticism of any direct claim to human autonomy over and against a divinely given order. Lutheran theology must accept the material intention of this criticism and set it fruitfully to work.”¹ Rendtorff’s claims are important for three reasons. By calling attention to a criticism of human rights going back to Luther himself, Rendtorff has by-passed the conceptual fog of the Two Kingdoms tradition to identify the real sore point of Lutheran political thought. Second, he has by the same token placed Karl Barth’s contextually acute criticism of the pro-Nazi Lutherans into historical perspective. Paul Althaus particularly, in his enthusiasm for the *Volk* ideology of the National Socialists, turned the theological gravamen of the Lutheran political tradition on its head.² Finally, Rendtorff has thus specified the true task of contemporary Lutheran political thought: “the criticism of any direct claim to human autonomy.”

I. THE PROBLEM

A moment’s reflection on the malaise of the liberal democracies lends plausibility to the apparent paradox of orienting political thought today with a theological tradition that is critical of human rights. “Human rights” once relativized the stifling claims of feudal society, as Allan Bloom has noted: “Class, race, religion,

¹Trutz Rendtorff, “Human Rights in the Context of Christian Faith and Secular Order,” *How Christian Are Human Rights: An Interconfessional Study on the Theological Bases of Human Rights*, ed. Eckehart Lorenz (Geneva: Lutheran World Federation, 1981) 58-59.

²The texts of the Barmen Declaration and of the Rengsdorf Theses are available in translation in *Two Kingdoms and One World: A Sourcebook in Christian Social Ethics*, ed. Karl H. Hertz (Minneapolis: Augsburg, 1976) 184-87. On Paul Althaus, see Robert P. Ericksen, *Theologians under Hitler* (New Haven: Yale University, 1985) 104.

national origin or culture all disappear or become dim when bathed in the light of natural rights, which give men common interests and make them truly brothers.” Yet today the genuine achievement of human rights itself seems to be succumbing to that moral and cultural relativism it once inaugurated. Human rights appear to be groundless, a fiction, an historically conditioned Western ideology. Westerners, we are told, have *no right* to measure others by the yardstick of their own development; such imperialism is belied by their own manifest failures to live by those rules. It is hypocrisy.

Bloom’s book, *The Closing of the American Mind*, sounds an alarm about this

Weimarization of America: “The recent education of openness...[has] no enemy other than the man who is not open to everything. But when there are no shared goals or vision of the public good, is the social contract any longer possible?”³ The proliferation of human rights, often contradictory, seems to imperil social cohesion, while any normative definition of human dignity that might guide us through the contemporary maelstrom of claims and counter-claims is instead battered into privacy by that vulgar public pluralism. The rhetoric of rights appears to be nothing more than a mask worn by contending powers who use moral relativism to obscure moral ambiguity and debunk as hypocrisy any claim to enforce right and forbid wrong. Hence, the dilemma of Weimar: “There seems to be no rational way of securing moral agreement in our culture,” Alasdair MacIntyre observes. “Modern politics is civil war carried on by other means.”

Alasdair MacIntyre thinks that this moral vacuum is endemic to modernity, of which American liberalism is exemplary. Our “political institutions exist to provide that degree of order which makes...self-determined activity possible. Government and law are, or ought to be, neutral between rival conceptions of the good life for man...”⁴ In this reading of our problem, Weimar is not an exception but an illuminating exaggeration of “the crisis of modernity” (Ericksen). The danger is that a state limited by human rights becomes paralysed, unable to defend itself against seekers of unlimited power. The irony is that the achievement of human rights is jeopardized by the “failure of the Enlightenment project to provide a rational justification of morality” (MacIntyre) in lieu of the Christianity of the antecedent civilization against which historically it struggled for emancipation.

This project *had* to fail, MacIntyre has shown, because of the deep “discrepancy” between the inherited morality and the new conception of human autonomy. The earlier culture had thought of the human as caught up in a story, be it Odysseus’ journey home again or Pilgrim’s Progress to his home above; his virtues and vices were rationally knowable helps or hindrances to accomplishing the goal. But what was right and wrong to be, and how was it to be known, when those ancient stories of human dignity were exorcized? And how are regimes which acknowledge human rights to protect themselves from

³Allan Bloom, *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today’s Students* (New York: Simon & Schuster, 1987) 27.

⁴Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (2nd ed.; Notre Dame, IN: Notre Dame University, 1984) 6, 253, 119.

enemies who use the protection of rights—like the early Wittgenstein’s ladder—to climb up on to the roof of power, thence to be kicked away? The grounding of human rights on the basis of anthropology, whether secular or theological, proves elusive since what must be established is precisely a capacity for self-government, for autonomy. The problem is not only, as American experience attests, that this approach provides the least protection to those most in need. In secular terms, such a project defies all knowledge of humanity as a naturally limited and socially determined being. With good cause Marxists and various behaviorists cannot take it seriously and in this camp human rights are pressed into “social rights” and towards collective solutions. In theological terms, the project of grounding human rights anthropologically collides with the biblical understanding of the human as a governed being whose dignity is founded from without, as the creature called out by God for joyful obedience in the care of the creation (precisely not

for autonomous self-government!). Hence, in the hands of theologians human rights become a religiously decorated fiction about human potential, a piece of ethical idealism, or personalism, as implausible as unbiblical. Much of the dispute between individualism and collectivism is to this day informed by the Kantian opposition in 19th century liberal theology between a secular, deterministic vision of human nature and a religious belief in personal freedom.

This failure, then, is why the “material intention” of the old Lutheran criticism of human rights, i.e., of human autonomy, claims our attention. It must be granted that Lutheran theology had to be divested of its naive belief in the paternalism of the state, and shocked at its own evil in the suppression of Jews and Anabaptists and others before it could generalize adequately its critique of human autonomy. The divinely given orders to which Lutherans clung as a “dike against sin” proved themselves not to be impervious of sin, while the use of the secular sword to enforce matters of faith betrayed the most basic evangelical convictions. Nevertheless, the intention of that critique is cogent in the Nietzschean world of the late twentieth century. To deny human rights is to agree with Nietzsche that humanity is not justified, but something to be overcome; that history is pointless pain and closure is desirable; that only she who creates herself in arbitrary acts of assertiveness is worthy.

As both Bloom and MacIntyre have seen from differing perspectives, the current crisis of human rights is precisely that human autonomy *is* groundless but for the Nietzschean vision of the arbitrary, creative will to power; but more ominously, that groundless summons to self-assertion is related to the preeminent political disasters of the twentieth century: state terror and totalitarianism. The crisis is that no one knows how to refute the insipid cliché: might makes right. The “hermeneutics of suspicion” has proved to be an all-devouring pit. If anything ought to be evident, it is that human rights are far from “self-evident” truths; they are instead the precarious products of an historical struggle. Their future cogency depends equally upon historical understanding and the knowledge of God.

II. THE THESIS

I am going to argue that, theologically warranted in terms of the doctrine of justification, human rights “represent the material limits of [the state’s] sovereignty” (Rendtorff). The historical argument may be sketched succinctly: A better key to evangelical reflection on politics is the Reformers’ rejection of millenarianism in Augustana XVII which follows as a commentary upon Article XVI concerning civil government. This rejection is christologically grounded and contains within it the Christian duty to confess the gospel under persecution. The experience of being persecuted by lawful authorities for the confession of the gospel was the genesis of a minority tradition of Amsdorf and the Gnesio-Lutherans which elaborated a right to resist (although this really fructified in the Calvinism of John Knox). As the Magdeburg Confession stated, Christ “has shown one mark of the true Church, namely, that it should not constrain anyone with the sword as the Roman Church does....If a higher magistrate undertakes by force to restore popish idolatry...then the lower godfearing magistrate may defend himself and his subjects against such unjust force.”⁵ The predominant Lutheran tradition, on the other hand—not of misnamed “quietism” but of state paternalism—derived an alliance of “Throne and Altar” from the *cuius regio, eius religio* (whoever the ruler, his religion) settlement associated with the Phillipists. This dominant German Lutheran political tradition is tragically flawed, I judge, but

not wicked; it is akin to Burkean conservatism. Both traditions can appeal to Luther.

Despite the vicissitudes of German Lutheran history, this development yields a theological thesis: understood as constitutive legal limits upon the power and claim of the state, the right to the free exercise of religion and the right to life, as the font and norm of all other human rights, are predicates of the christological confession, understood as God's assertion of his own sovereign right upon his lost and erring creature. The world must be safe for the preaching of the gospel; the world must be free to believe or disbelieve it.

III. IS TWO KINGDOMS THEOLOGY USABLE?

In order to argue this thesis, the conceptual blockage created by the Two Kingdoms doctrine has to be cleared away. The interminable argument about it since Nazi Germany speaks neither for or against the Two Kingdoms doctrine as such; it indicates rather that no one knows precisely what the Two Kingdoms doctrine is or how to use it. "The Two Kingdoms doctrine is a maze" (J. Heckel). The root theological problem of a "positive relation of the eschatological faith to the world" (U. Duchrow) is unavoidable; but that means that the "Two Kingdoms doctrine" as such is not a solution to the theological problem but a statement of it; not a Lutheran idiosyncrasy but a central element in the Catholic heritage.

⁵"A Confession of the Magdeburg Pastors Concerning Resistance to the Superior Magistrate," *Christianity and Revolution: Radical Christian Testimonies 1520-1650*, ed. Lowell H. Zuck (Philadelphia: Temple University, 1975) 136-38.

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The Western tradition is imbued with various Two Kingdoms doctrines, beginning with Augustine's contrast of the City of God and the City of Man. The "quietistic" version—so often attributed to Lutheranism (against which in part Augustana XVI is directed)—is actually the product of Menno Simons: "The Scriptures teach that there are two opposing princes....The one is the Prince of Peace, the other the prince of strife." Calvin taught God's twofold rule through the church and civil government, which differs from Luther chiefly on account of Calvin's harmonization of law and gospel. While Luther thinks of two kinds of righteousness in the distinction between law and gospel, Calvin thinks of two forms of righteousness. When one couples these various Western two kingdoms doctrines with the canonical contrast of the old and new covenants, the apocalyptic dualism of the regime of Satan and the regime of God and the dogmatic distinctions between Creator and creature, creation and redemption or law and gospel, one has a recipe for terminal confusion.

According to Karl Hertz, however, much of the confusion in Lutheran circles can be laid at the door of self-professed nineteenth century confessionalists who were themselves ignorant of the wide range of Luther's writings on politics, and "misunderstood" Luther in terms of the modern dualism of the public and the private. Hertz writes:

The distinction between law and gospel, the differentiation of love and justice, tends psychologically and sociologically to lead to a divorce between the public and the private, between personal kindness and official rigor. Pietists in particular follow this logic through consistently, even to the extent that some of them deny Christians any proper place in public life. Conservatives, on the other hand, tend

to defend *Realpolitik* on religious grounds.⁶

Are we to understand, then, that the nineteenth century confessionalists propagated as Luther's what was in fact Menno Simons'? Or are we to think that their political conservatism was a cynical exploitation of Luther? There is an incoherency in this critique. Was their "quietism" really a principled withdrawal from politics based on a supposed misunderstanding of Luther? Or was their "quietism" instead a not-so-quiet support of the *status quo* based upon a most principled, religiously sincere, and historically correct understanding of Luther's mistrust of revolution? Surely the latter is the truth; even the criticism of Lutheran confusion is confused.

Hertz has to concede, for example, in the case of von Harless, "Christians could appeal to this order [of creation] for criticizing existing political arrangements[; yet] the doctrine of the orders easily tended to confer divine legitimacy on the *status quo*." Hertz's pleading begs the question. In either case, of criticizing or of blessing, the divine order is put critically to work in the public realm. Unless one would be so foolish as to think that all change is for the good—another illusion of Weimarization—the material question concerns what kind of social or political change is worthy of support or, for that matter, resistance. What then comes of the complaint that Two Kingdoms theology misunderstood itself in terms of modern privatization? What Hertz really wants to

⁶K. Hertz, *Two Kingdoms*, 68, 326.

say is that this Lutheran tradition failed to generate activism for a certain, unspecified kind of change. But how is that sustained as an immanent Lutheran criticism, if these Lutherans were actively supporting the *status quo* because they valued obedience to established civil authority as the political stance corresponding to God's created order?

The public/private dichotomy of modern culture is tricky business, and it is doubtful that a Lutheran self-criticism which proceeds along Hertz's lines will succeed. Exactly the same strategy of using law as the church's bridge to the public arena is employed, if now with decidedly "activist" and "progressive" overtones. Christology remains as thoroughly privatized and defanged as in Orthodoxy, while a blind eye is cast upon the messianic ferment of politics (Mark 13:5-23). The old Lutheran identification of the *status quo* with the divine order is turned on its head and made an antagonism. Naivete about the powers-that-be is merely exchanged for naivete about the powers-that-would-be. The material questions of real political importance remain unexamined.

Hertz' analysis is admittedly highly dependent on Ulrich Duchrow, whose very fine study *Christenheit und Weltverantwortung* concludes that concepts like the "private" or distinctions like that between the "inner" and the "outer" person cannot rightly convey Luther's meaning today.⁷ Undoubtedly, this is a correct statement of the hermeneutical problem, if not in itself a solution. But the great merit of Duchrow's book is the history it provides.

Duchrow establishes that Luther works with *two types of dualism*. The one is the apocalyptic dualism between the kingdom of God and the kingdom of the devil. These contend for sovereignty over the earth, and their conflict extends simultaneously to the church and the state. Alongside this dualism, however, Luther operates with another set of distinctions which mark the contrast between the Creator and the creature: faith/works; promise/law; future/present

and so forth. To this latter contrast belongs the distinction between the earthly State and the true Church as the communion of saints.⁸ By rights, church and state alike belong to the God of love and are to serve him in his conflict with the kingdom of the devil. Hence one should really speak in Luther of a “Three Kingdoms doctrine in order to make clear the distinction between the two kingdoms of God and the kingdom of the devil.”⁹

Granted that God asserts his sovereignty over the world in dual fashion, through the word of divine justification and the work of civil justice. Pietism and quietism are thus vanquished! Is this Luther? So earnest is Duchrow to coordinate justification and justice as complementary works of the God of love in his conflict with evil that Luther appears to operate with a thoroughgoing harmonization of law and Gospel, the unity of which seems to be God’s love. Yet if anything is certain about Luther it is his insistence upon a qualitative distinction between law and Gospel, and thus between contrasting ethos in church and in civil society. The opposition between the sword and the Word, between obliga-

⁷Ulrich Duchrow, *Christenheit und Weltverantwortung: Traditionsgeschichte und systematische Struktur der Zweireichelehre* (Stuttgart: Ernst Klett, 1970) 584-87. All translations are my own.

⁸Ibid., 461.

⁹Ibid., 526.

tion and grace, between coercion and love and so forth are familiar marks in Luther of the One God’s twofold rule, the unity of which is purely eschatological.

The point is critical. Luther’s eschatology is eminently realistic; it is the definitive statement of the Creator/creature distinction (“God’s kingdom comes indeed without our praying for it, but we ask in this prayer that it may also come to us.”) This militates against every enthusiastic or legalistic attempt to close up the world, to deify the world. Thus, the ultimate unity of law and gospel becomes visible only with that victory of God; their unity cannot be prematurely forced, not even by a (true) conception of the divine love, without robbing the law of its power or the gospel of its mercy. The reason why is that the divine sovereignty is still contested. On the day of the resurrection, the defeat of the powers that oppose God will coincide perfectly with the mercy of Christ. But until that day, God’s governance of the world will admit of considerable paradox, humanly incomprehensible gaps, humanly unanticipated new beginnings. The law/gospel distinction, in other words, belongs within the history of salvation; it is the hermeneutical issue immanent in Holy Scripture regarding the interpretation of the sovereignty of God.

This eschatology raises the issue of the problematic attempt of much Lutheran theology to superimpose a political ethic on a foundation of natural law—supposedly as the Lutheran alternative to Calvinist biblicism and theocracy. Duchrow has to disavow, for example, that he is attempting “to Christianize worldly institutions”; rather the church’s proclamation is to serve worldly government by summoning it to responsibility for the world. This summons is not a “heteronomous” imposition, Duchrow writes; it arises “out of the nature of the community’s existence.” Political reason therewith takes its “orientation from the needs of the community and the need for peace.”¹⁰ Love is the law of life that can be rationally discerned, which the church’s proclamation lifts to articulate consciousness. This extraordinary convergence between reason, the structure of our being, and the love commandment is brought to light by the “center of the

doctrine of justification...which leads us to orient ethics...on the true needs of the fellow creature. God asks after the direction of human activity according to its effective accomplishments for his creation. Such goods are mediated institutionally, insofar as the neighbor is a social and political being.”¹¹ Such an argument leaves the significant questions hanging: What are the true needs of the fellow creature? Who decides and how? Who counts as a member of “the community” and why? Surely some material notion of rights has to limit and orient an ethic of duty. Duchrow rightly wants the needs of our neediest neighbors to serve as a practical guide, but just that counsel is not self-evident; it is a guide for political reason that derives from Holy Scripture: “You shall not oppress a stranger in your midst, for you were once strangers in the land of Egypt.”

In the Bible, to speak anachronistically, human rights are born as generalizations from Israel’s history of salvation, universalizing the surprising

¹⁰Ibid., 569.

¹¹Ibid., 530.

regard of the God of the Bible for what is low and despised in the world. “Israel’s founding memory,” Robert Jenson has written, “was of contingency as new creation, of the unexpected rescue of oppressed outsiders from stagnation within an established religious civilization.”¹² The human right is a predicate of the inbreaking divine right, while the sense and orientation of duty is decisively qualified by the knowledge of God “who brought Israel up from the land of Egypt, from the house of bondage.” Thus the formulation, “responsibility for the world,” is highly ambiguous in utilitarian culture. Does it mean, as the later Bonhoeffer speculated, human responsibility for its own future in a world without God? Or does it mean human responsibility *to God* for the world, as in Luther? If it means the former, it has lost all interest in the Lutheran critique of human autonomy; if the latter, it follows that Luther’s left hand kingdom is not so easily secularized.

IV. THE REJECTION OF MILLENARIANISM

Luther’s politics continue to claim our attention for the simple reason, as historian J. M. Porter puts it, that his “perspective on politics is almost entirely theological.” The salient point about his theological politics is that he is “constantly opposed to rebellion and offensive warfare.”¹³ Luther’s well regarded opposition to a holy crusade against the Turk is cut from the same cloth as his much lamented rejection of Muentzer’s summons to a revolutionary bloodbath. To 1530, much to the consternation of the incipient Smalkaldic League, he opposed even the right of the Lutheran territories to self-defense against the armies of the Empire. Here we find the true root of Lutheran criticism of human rights, namely, the Sermon on the Mount’s ethic of non-resistance to evil. As the Father in heaven whom Jesus proclaimed causes his rain to fall on the just and the unjust alike, and patiently bears with a rebellious humanity, so the children of this heavenly Father are not to resist evil but to endure it in self-sacrificing love. Christians are to think of their duties, not their rights. Like Peter in Gethsemane, the church is not to resort to the sword; the sword is a tool that fast masters its user. God will preserve the church.

Despite Luther’s desires in the matters, this stand as such could not be maintained. Yet his stance exerted pressure beyond his lifetime and immediate circle for a whole new political

arrangement. Quentin Skinner has narrated the evolution from the crisis in 1531 with Luther's most tentative legal justification of self defense to a radical Lutheran doctrine around 1546 of the right to resist a renegade overlord who has broken his covenants and persecutes the gospel. It is an irony of history, according to Skinner, that Calvin, who insisted all the more firmly than Luther on the duty of absolute obedience even to "the unjust magistrate," is credited with introducing a doctrine of resistance when in fact the Calvinists were rescued from abject passivity by the Magdeburg Confession of Amsdorf. The important point is that apolitical right to resist the state implies

¹²Robert W. Jenson, "The Logic of the Doctrine of the Trinity," *dialog* 26 (1987) 246.

¹³"Introduction," *Luther: Selected Political Writings*, ed. J. M. Porter (Philadelphia: Fortress, 1974) 3.

a transformation in the concept of sovereignty with which Luther operated: "it is now asserted that the Emperor and the princes stand in...[a reciprocal] legal relationship with each other, and not in a relationship of ruler and ruled."¹⁴ Thus the real criticism of Luther's political thought in the light of these developments has to focus on his naivete in imagining that evangelically instructed authorities would behave well—without a redefinition and redistribution of power.

How might we then retrieve an evangelical perspective on politics? J. M. Porter detects three contributions. First, Luther recognized the "reality of power" and "that power's chief justification is found in securing order and peace." Porter says that Luther consequently was able to "de-divinize" politics; it would be theologically more precise to say that Luther "de-soteriologized" politics. The civility of civil righteousness depends on its being divested of pretensions to theological righteousness. Second, "Luther alone identified political millenarian movements and developed a critique of them." And third, Luther had important insights "in the relation between politics and ideology," i.e., the role that deception and self-deception play in political legitimation.¹⁵ What is of central theological import in this constellation is the christological rejection of chiliasm. If the unity of the Two Kingdoms has to be believed in view of the eschatological triumph of God over the power of evil, then everything turns on a precise statement of that eschatology. In terms of dogmatics, the precise statement of Christian eschatology is the proper distinction of law and gospel; the Two Kingdoms ethic has a claim on us only as a lucid development of that distinction.

In point of historical fact, there is almost a direct line between our age and Luther's in this regard. In "A Sermon before the Princes on Daniel Chapter Two" delivered in 1524, Thomas Muentzer declared, "For the godless person has no right to live when he is in the way of the pious." Following this with his *Highly Provoked Defense* (against Luther), Muentzer avows, "I stated clearly before the Rulers that the entire congregation is in possession of the sword." What is original with Muentzer in these momentous claims is not the traditional claim of the Church to the sword which was well known from the holy crusades and the Inquisition. Rather, it was that Muentzer made these claims, not on behalf of Christendom, but in the name of his own immediate divine inspiration and on behalf of an economically disenfranchised peasantry—the "true" church, in his eyes. Lowell Zuck is right therefore to maintain that "Muentzer treated social revolution as secondary to his primary theological concern." Thus, after a catalogue of charges to the effect that Luther, "the pope of Wittenberg," is a stooge of the princes, Muentzer writes, "You turn into an archdevil by making God a cause of evil....This is a result of your

fanatic reasoning which you got from your Augustine. Truly it is blasphemous to despise men impudently concerning free will.”¹⁶ What is at issue between Muentzer and Luther

¹⁴Quentin Skinner, *The Foundations of Modern Political Thought* (2 vols.; Cambridge: Cambridge University, 1978) 2:196. Cf. T. Rendtorff, “Human Rights,” 59: “Only when the State is bound by law can it also be bound by human rights.”

¹⁵J. Porter, *Luther*, 18-21.

¹⁶Quoted from *Christianity and Revolution*, ed. L. Zuck, 37, 39, 38, 43.

theologically, in Muentzer’s view, is human autonomy, i.e., in religious guise, the capacity to know and do the divine will. For Luther, one may at best speak of a struggling obedience to God’s will; and even here the main thing is the event of the external Word from Scripture which draws the hearer out of his bound will, *incurvatus in se*. Hence, from Luther’s standpoint, Muentzer is aptly designated an *enthusiast*, literally, one who has obliterated the line between Creator and creature, believing himself to be “infused with deity.” Millenarian eschatology, which posits, in the words of Augustana XVII, “that, before the resurrection of the dead, saints and godly men will possess a worldly kingdom and annihilate all the godless,” follows inexorably from this obliteration.

One may look forward into our own age from this dispute between Luther and Muentzer. Friedrich Engels sought a secular interpretation of Muentzer in his book, *The Peasant War in Germany*, which was equally revealing, however, of the roots of Marxism in millenarian eschatology. Muentzer’s

theologic-philosophic doctrine attacked all the main points not only of Catholicism but of Christianity as such. Under the cloak of Christian forms, he preached a kind of pantheism...and at times even taught open atheism. He repudiated the assertion that the Bible was the only infallible revelation. The only living revelation, he said, was reason....Faith, he said, was nothing else but reason become alive in man....Through this faith, through reason come to life, man became godlike and blessed, he said. Heaven was to be sought in this life, not beyond, and it was, according to Muentzer, the task of the believers to establish Heaven, the kingdom of God, here on earth.¹⁷

V. THE CHURCH AND HUMAN RIGHTS

If we had no choice but to speak in the terminology of our Platonic tradition, we would have to say that natural rights are conventions, i.e., human, historical artifices, not “natural” at all. Mercifully, we are not at the sole mercy of that way of speaking. There is another language with which to think about human rights: “For freedom Christ has set you free! Stand fast, therefore, and do not again submit to a yoke of bondage” (Gal 5:1). This apostolic declaration and exhortation, of course, is not directed to humanity-in-general but to the church of Christ; yet, in the apostle’s way of theological thinking, the church of Christ is the pre-eminent “political” *factum*, a living epistle addressed to the whole world, the harbinger of the reign of God, the definitive sign of the future “glorious liberty of the children of God.” The fact, that the church is not the state, and is sharply delimited from it, does not speak against this at all. The public realm

is vaster than the pretensions of the *res publica*; the state is only a temporary expedient between the sin of humanity and the coming redemption. It has no real future. It *ought* to be limited.

When nascent liberalism was developing its theory of natural rights, it had to suppress awareness of its own historical dependency on Protestant preaching of Christian freedom—for the very good reason of disestablishing a church that still wanted to execute heretics, or wage confessional warfare. In the end, the

¹⁷Friedrich Engels, *The Peasant War in Germany* (New York: International Publishers, 1976) 65-66.

Lutheran separation of the Word and the sword prevailed under the concept of *toleration*: open questions cannot be forced; God must judge; the state has no competence here. The state is delimited by religious dispute concerning what is worthy of humanity's ultimate concern. It may for the common good disarm that conflict but dare not try to resolve it. The early liberals, of course, could not have imagined our "mass society" with its suppression of all significant religious and moral conflict, with its "repressive tolerance" that levels and atomizes all people and makes them ready for the siren call of a millenarian promise to resolve the pathos of human finitude within time. Here, decisively, the question of faith in God and of the renewal of the church as the bearer of the divine Word should come on the scene. The apostolic faith "comes" (Gal 3:23); it enters human history as the message of the faithfulness of Jesus Christ which gathers and unites the church. The Christian faith is not a dimension of meaningfulness, even ultimate meaningfulness, within a closed cosmos, but the implosion within history of the promise of God which opens human life to the love and service of God which is its destiny. Most emphatically, it is a message then not of divine law and order, but of divine mercy that has surpassed in the cross and resurrection of Jesus even the law of the love of God, therewith establishing by divine right a right to safety and freedom precisely for human beings otherwise unworthy or incapable.

Just so, this Christian faith can sustain insight into moral ambiguity without succumbing to moral relativism. The existence of the church as the creature of this message of God's justification in Jesus Christ creates in distinction from itself the secular realm, which delimitation *is* the chief political contribution of Christianity. Just so, the church's political thought "holds onto the distinction between what human beings are required to do and what they can only receive" (Rendtorff). The task of Lutheran political thought today ought not to be "to locate [human] dignity in some natural characteristic of the human being, but rather in a relationship of the human being to God which is and should be *distinguishable* from the relationship of the human being to the State" (Rendtorff).¹⁸ That distinctive relationship is given in Jesus Christ.

¹⁸T. Rendtorff, "Human Rights," 61.