204, To Elector John

[Wittenberg,] March 6, 1530

...According to Scripture, however, it is in no way proper for anyone who wants to be a Christian to stand up against the authority of his government²⁷ regardless of whether [that government] acts rightly or wrongly; rather a Christian is to suffer force and injustice, especially from his government. For even if in this case²⁸ His Imperial Majesty acts unjustly and operates contrary to his duty and oath, this does not nullify the authority of the Imperial government, nor does it nullify [the necessity of] obedience on the part of the Emperor's subjects, as long as the Empire and the electors consider His Majesty to be emperor, and do not remove him from office. Even if an emperor or sovereign acts contrary to all of God's commandments, he still remains emperor and sovereign—and yet he is bound more to God by obligation and oath than to man. If it should be [considered] acceptable to resist His Imperial Majesty when he acts unjustly, then one might as well resist him whenever he acts contrary to God ['s will]. The result of this would be that no governmental authority or obedience would be left in the world, because every subject could use the excuse that his government was acting unjustly [and] against God.

In this matter secular or papal laws do not take into consideration the fact that governmental authority is a divine institution; perhaps this is why [these laws] esteem duty and oaths [to men] so highly that in such a case they seldom support and defend governmental authority. But since the emperor remains emperor, [or] a sovereign remains sovereign, even if he trespasses all of God's commandments, or even if he were a heathen, so he is to be [governmental authority for his subjects] even if he does not fulfill his oath and duty, until he has been removed from office, or is no longer emperor. Christ's statement is to stand firm: Render to Caesar the things that are Caesar's, and so is I Peter 2 [:17]: Honor the king. For we ought to be subject in all reverence not only to the kind and just, but also to evil and malicious lords. In summary: sin does not nullify governmental authority nor [the duty] of obeying it, but punishment does nullify them; that is, when the Empire and the electors unanimously remove the emperor from office so that he is no longer emperor. Aside from this, as long as he is unpunished and remains emperor, no one should withdraw obedience from him or oppose him. That would be to start mob action, revolt, and discord.

The legal dictum *Vim vi repellere licet*, "one may fight force with force," accomplishes nothing here, for it may not be applied to governmental authority. **It is even invalid if applied to [those of] equal [standing], unless self-defense or protection of others, or of subjects,**

²⁷ In the text is added: *got gebe*, which means "may God grant [this]." I.e., may God grant that the Christian not stand up against his government; or, may God prevent that the government act wrongly.

²⁸I.e., if the Emperor attacked the Protestants; this attack would be unconstitutional because of the *Wahlcapitulation* mentioned in note 25.

The necessary consequences of this statement would be that, according to Luther, the emperor holds his office by contract, could be removed from this office, and then could be resisted. It has to be pointed out that Luther does not discuss how this possible removal should be executed. One has to ask how Luther would relate this principle of a possible removal from office to his understanding of governmental authority as being instituted by

³⁶ I.e., when the unjustly acting emperor is removed from office then he is punished, and this punishment cancels the duty of obedience on the part of the subjects.

demands [the use of force]. Other legal dictums stand against this [first one]: "No one ought to be judge [of his own case]." And: "He who retaliates is wrong." ...(2 paragraphs removed) What then shall one do?

One should do the following: If His Imperial Majesty proceeds against us⁴³ then no sovereign or lord is to protect us against His Majesty; rather he is to leave territory and people standing open to the Emperor, as belonging to him, and commend the matter to God. No one is to ask his sovereign or lord to do otherwise. But everyone is then to stand for himself and confess his faith by offering his body and life, and not to drag the sovereign into danger or burden him by seeking protection; rather he should let the Emperor deal with his subjects as the Emperor wishes, as long as he is emperor.

If in addition to having land and people open to him, the Emperor wants to go farther and wants to force the sovereigns to attack, imprison, kill, [or] exile their subjects for the sake of the gospel, and the sovereigns believe or know that the Emperor is wrong in this, and is acting contrary to God's will, then this pertains also to the sovereigns' own faith. Then they ought not to obey the Emperor, so that they do not agree and cooperate with him, and make themselves participants of such evil. In such a situation it suffices [for them] to leave the land and people undefended, and the Emperor unobstructed. They ought to say: If the Emperor intends to terrorize our subjects, who are also his own [subjects], then he should do this on his own conscience; we cannot resist him, but we also do not wish to help him or agree with him in this matter, for one has to obey God rather than men.

In the meantime, if we conduct ourselves in this way and commend the matter to God, praying in full confidence and daring such danger for his will's sake, then he will be faithful and will not abandon us. He will also find [ways and] means to help us and preserve his Word, as he has done from the beginning of Christendom, especially at the time of Christ and of the apostles. Therefore it seems to me that one would act rashly if one were to oppose governmental authority for the sake of defending the gospel; such action certainly would [document that we have] a false faith which does not trust God that he certainly knows how to protect and help us in many ways without our [own] cleverness and efforts. God preserved King Jehoiachin by even [working] through the [King's] enemy, the Emperor of Babylon, hen the King surrendered [to him] at God's Word; God] also preserved the prophet Jeremiah. For [God's] wisdom and power have neither number nor end, fact] which he wants us to learn and experience through such great danger, as he often in the past has let us see and experience. Therefore he says [in] Isaiah 30 [:15 f.]: If you had remained silent, you would have been helped; through quietness and hope you would have been strong. But you do not want this, and answer: We want to escape on horses. Therefore you shall be fugitives, etc.

Furthermore, this also has to be considered: Even if it were right to resist the Emperor in this way, and if it were done, then we would have to follow through, and chase the Emperor out of the land, and we ourselves would have to become emperor. For the Emperor would fight back, and there would be no end until one party had been fought to the ground; and of course, there is

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⁴³ As in 1522, Luther envisions that he and his co-workers, wherever they may be found in the Empire, are the real targets of any action taken by the Emperor. For the thoughts presented in this and the following paragraph, see also LW 48, 391 f.

⁴⁶ See II Kings 25:27.

⁴⁷ "Surrendered," i.e., to Nebuchadnezzar; see II Kings 24:12.

⁴⁸ See e.g., Jer. 26:24; chapter 38; 39:11 ff.

⁴⁹ See Ps. 147:5 (Vulgate).

[always] the mob. Even if we had won, then we would have to defeat those who had helped us, for no one would want us for emperor, and in such a wild uproar everyone would want to be emperor. What unspeakable slaughter and woe would develop, so that a sovereign should prefer rather to lose three principalities, in fact, he should prefer to be dead three times over, rather than to be the cause of such woe, to assist in it, or to consent to it. For how could any conscience bear this? The devil would like such a development, but may God preserve us from it and graciously help us. Amen.

All this we reply to Your Electoral Grace and humbly submit for Your Electoral Grace's consideration. May Christ our Lord give to Your Electoral Grace strength and wisdom to do what is pleasing to him. Amen.

March 6, 1530 Your Electoral Grace's dedicated, MARTIN LUTHER

235. To the Electoral Saxon Government

[Torgau, about October 27, 1530]

...With the aid of the legal councilors at the Electoral court Brück drafted another brief in which, on the basis of principles of judicial procedure, a legal basis for armed opposition to the emperor was established....

A piece of paper²⁵ has been presented to us from which we see what the Doctors of Law are concluding regarding the question: In what situations may one resist the governing authority? If, then, [this issue] has been settled by these Doctors of Law or experts in this way, and [since] we certainly are in those situations in which (as [the legal experts] demonstrate) one may resist the governing authority, and [since] we have always taught that as long as the gospel does not go contrary to secular law one is to let secular law be effective, valid, and competent [in those matters which it is able to handle], we therefore are unable to oppose [anyone with arguments taken from] Scripture, if in this instance it is necessary to fight back, even if the emperor himself [attacks us], or whoever else may do so in his name.

Further, now everywhere there is the danger that any day other incidents might occur, as a result of which one has to defend oneself immediately, not only because of the secular law, but also because of the duty and distress of conscience. Therefore it is also fitting to arm oneself, and to be ready to meet a force which might suddenly arise, as could easily occur judging by the present pattern and course of events.

That until now we have taught absolutely not to resist the governing authority was due to the fact that we did not know that **the governing authority's law itself**³¹ **grants [the right of armed resistance];** we have, of course, always diligently taught that [this law] must be obeyed.

²⁵ It is doubtful whether the whole brief (see note 21) was presented to Luther, for he would hardly have called it a *zetel*, i.e., a piece of paper. See also note 31.

³¹I.e., as this law was interpreted by Brück and his staff. The legal validity of the legal experts' arguments and of Luther's reaction is a matter by itself. Luther apparently was presented only with an abstract of the brief (see note 25), which contained, perhaps in the form of theses, only the conclusions and not the arguments or the documentations. ...And further, Luther puts the responsibility on the legal experts when he begins his opinion on the matter by stating "*if*" the situation is as the legal experts describe it, *then* armed resistance to the emperor cannot be rejected on biblical grounds.

"Warning to his Dear German People"

Written in Oct 1530, printed April 1531 Vol 47 introduction

The terms of the Recess gave the dissidents six months to accept the Catholic position as stated in the Confutatio Pontificia, the Romanists' reply to the Augsburg Confession. Proselytizing and religious publishing were to be prohibited in their domains; a common front was to be maintained against the Sacramentarians and Anabaptists; while the emperor, for his part, would use his good offices with the pope to secure the convening of a "general Christian council."

Luther viewed these terms as intolerable, as did the Protestant princes and other representatives. But if submission was impossible, one then had to contemplate what would follow the expiration of the six-month period of grace. Luther, for one, viewed it as entirely likely that the emperor would turn to the use of force, using all the authority of his office to marshal sufficient power to bring the evangelicals to heel. It was this conviction which moved Luther to issue the Warning to His Dear German People. On the peril of their souls, he warned, they should in no way collaborate in such an enterprise. The emperor's authority does not extend to lordship over spiritual matters. When the gospel is at stake, one must obey God rather than men.

Luther's argument up to this point, though it amounts to advocacy of civil disobedience.... What distinguishes the Warning is that Luther goes on to sanction active, armed resistance to the emperor.

He does not find it easy to articulate this position, nor had he been quick to arrive at it. As late as March 6, 1530, he had stated in a letter to Elector John of Saxony: "According to Scripture, it is in no way proper for anyone who would be a Christian to set himself against his government, whether it acts justly or unjustly. Rather a Christian ought to suffer oppression and injustice by his government. For even if His Imperial Majesty were acting wrongly in this matter and were transgressing against his duty and his oath, neither his imperial authority nor his subjects' obligation of obedience has thereby been abolished." ...

Even so, his final endorsement of resistance is put in cautious and negative terms. "If war breaks out—which God forbid," he writes, "I will not reprove those who defend themselves against the murderers and bloodthirsty papists, nor let anyone else rebuke them as being seditious, but I will accept their action and let it pass as self-defense."

Luther's new position amounts to saying: Insurrection, to be sure, is still forbidden to the Christian; but defensive action in protection of the gospel—even if military means be used, and even if these be directed against the emperor—is not to be counted as insurrection. The use of force in such circumstances may be justified, as in the case of a "just war" according to the classic doctrine, if the end is just, the means appropriate, and if all peaceful means of settlement have failed. It is in light of such criteria that we may understand Luther's diatribes against the Romanists in the present treatise, as well as his survey, in the concluding pages, of the achievements of the Reformation. These serve to demonstrate that the Reformers' cause is just, while that of the opponents is unjust. Likewise, his emphasis on the peaceful intentions of the Protestants and their frequent efforts at accommodation serves to demonstrate that "all peaceful means of settlement have failed," Under such circumstances, the resort to force is justified.

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In the third place, it is not fitting for me, a preacher, vested with the spiritual office, to wage war or to counsel war or incite it, but rather to dissuade from war and to direct to peace, as I have done until now with all diligence. All the world must bear witness to this. However, our enemies do not want to have peace, but war. **If war should come now, I will surely hold my pen in check and keep silent and not intervene as I did in the last uprising.** I will let matters take their course, even though not a bishop, priest, or monk survives and I myself also perish. For their defiance and boasting are intolerable to God; their impenitent heart is carrying things too far. They were begged, they were admonished, they were implored for peace beyond all reasonable measure. They insist on forcing the issue with flesh and blood; so I, too, will force the issue with them through the Spirit and through God and henceforth set not one or two papists but the entire papacy against me, until the Judge in heaven intervenes with signs. I will not and cannot be afraid of such miserable enemies of God. I disdain their defiance, and I laugh at their wrath. They can do no more than deprive me of a sack of ailing flesh. But they shall soon discover of what I am able to deprive them.

Furthermore, if war breaks out—which God forbid—I will not reprove those who defend themselves against the murderous and bloodthirsty papists, nor let anyone else rebuke them as being seditious, but I will accept their action and let it pass as self-defense. I will direct them in this matter to the law and to the jurists. For in such an instance, when the murderers and bloodhounds wish to wage war and to murder, it is in truth no insurrection to rise against them and defend oneself. Not that I wish to incite or spur anyone on to such self-defense, or to justify it, for that is not my office; much less does it devolve on me to pass judgment or sentence on him. A Christian knows very will what he is to do—namely, to render to God the things that are God's and to Caesar the things that are Caesar's [Matt. 22:21], but not to render to the bloodhounds the things that are not theirs. I want to make a distinction between sedition and other acts and to deprive the bloodhounds of the pretext of boasting that they are warring against rebellious people and that they were justified according to both human and divine law; for so the little kitten is fond of grooming and adorning itself. Likewise, I do not want to leave the conscience of the people burdened by the concern and worry that their self-defense might be rebellious. For such a term would be too evil and too harsh in such a case. It should be given a different name, which I am sure the jurists can find for it.

We must not let everything be considered rebellious which the bloodhounds designate as such. For in that way they want to silence the lips and tie the hands of the entire world, so that no one may either reprove them with preaching or defend himself with his fist, while they keep their mouth open and their hands free. Thus they want to frighten and ensnare all the world with the name "insurrection," and at the same time comfort and reassure themselves. No, dear fellow, we must submit to you a different interpretation and definition of that term. To act contrary to law is not rebellion; otherwise every violation of the law would be rebellion. No, he is an insurrectionist who refuses to submit to government and law, who attacks and fights against them, and attempts to overthrow them with a view to making himself ruler and establishing the law, as Münzer did; that is the true definition of a rebel. Aliud est invasor, aliud transgressor. In accordance with this definition, self-defense against the bloodhounds cannot

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¹⁶ I.e., the Peasants' Revolt of 1525. Cf. Luther's writings on the subject in LW 46, 17–85: Admonition to Peace, A Reply to the Twelve Articles of the Peasants in Swabia, 1525; Against the Robbing and Murdering Hordes of Pearants, 1525; and An Open Letter on the Harsh Book Against the Peasants, 1525.

¹⁷ "An invader is one thing, a transgressor is another."

be rebellious. For the papists are deliberately starting the war; they refuse to keep the peace, they do not let others rest who would like to live in peace. Thus the papists are much closer to the name and the quality which is termed rebellion.

For they have no law, either divine or human, on their side; rather they act out of malice, like murderers and villains, in violation of all divine and human law. That can easily be proved; for they themselves know that our doctrine is correct, and yet they want to exterminate it. Thus a great Nicholas bishop declared in Augsburg that he could tolerate it if everyone believed as they do in Wittenberg; but what he could not tolerate was that such a doctrine should originate in and emanate from such a remote nook and corner. What do you think? Are those not fine episcopal words? The papal legate, Cardinal Campeggio, confessed similarly that he could easily accept such a teaching. However, this would establish a bad precedent, and one would then have to accord other nations and kingdoms the same privilege, which would be out of the question. Another important bishop declared of their scholars: "Our scholars do a fine job of defending us. They themselves concede that our cause is not based on Scripture." Thus they are well aware that our doctrine is not wrong, but that it is founded on the Scriptures. Yet they condemn us arbitrarily and try to exterminate this doctrine in contravention of divine law and truth.

It is also obvious that they are acting contrary to imperial and to natural law; for in the first place, they hardly gave our side a hearing, and then, when they delivered their tardy, flimsy confutation orally, they simply refused to hand us a copy of it, nor did they give us an opportunity to make reply. To the present day they shun the light like bats. It is, of course, in accord with divine, imperial, and natural law, as the heathen Porcius Festus also held in the controversy between the Jews and St. Paul [Acts 25:16], not to condemn a man without a hearing. Even God did not condemn Adam until he first gave him a chance to reply. We appeared voluntarily at Augsburg and offered humbly and eagerly to render an account. This, however, was maliciously and arbitrarily denied us. Nor did they give us their confutation, no matter how often and how much we pleaded for it. Yet we were condemned by the holy fathers in God and by the Christian princes. O excellent teachers! O fine judges, who force all the world to believe and still clare not to publish what is to be believed! I am expected to believe without knowing what to believe. I am told that I am in error, but I am not shown in what I err!

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If you are open to advice, this warning against obeying the emperor and your prince in such circumstances will suffice. As the apostles say, "We must obey God rather than men" [Acts 5:29]. If you accept this advice, good; If not, never mind—go ahead and fight confidently. Christ will not be afraid of you and will also (God willing) stand his ground against you. But if he does, you will have quite a battle on your hands. In the meantime we shall be watching to see who will overwhelm the other with his defiance and hold the field.

These things I wanted to say to my dear Germans by way of warning. And as I did above, I testify here again that I do not wish to incite or spur anyone to war or rebellion or even self-defense, but solely to peace. But if the papists—our devil—refuse to keep the peace and, impenitently raging against the Holy Spirit with their persistent abominations, insist on war, and thereby get their heads bloodied or even perish, I want to witness publicly here that this was not my doing, nor did I give any cause for it. It is they who want to have it that way. May their blood be on their heads! I am exonerated; I have done my duty faithfully. Henceforth I shall let Him judge who will, must, and also is able to do so. He will not tarry, nor will he fail. To him be praise and honor, thanks and glory in eternity! Amen.