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## Freedom of a Christian: The Lutheran Reformation as Revolution

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### Abstract

*The Protestant Reformation began as a religious reform in Germany and ended in political revolutions on both sides of the Atlantic. The early Reformation ideas of human freedom, equality, and dignity, advocated by Martin Luther and his co-religionists, helped paved the way for later democratic revolutions. Particularly influential were the early Reformation ideas of liberty of conscience and freedom of religious exercise, the rights of everyone to a vernacular Bible and to a proper education, and the rights of all fit adults, clergy and laity alike, to marriage and divorce. None of these ideas came to full institutional expression in the sixteenth century, but they created ripples that helped lead to the tidal wave of democratic revolution that swept across the Western World in succeeding centuries.*

**Keywords:** Protestantism; Reformation; Democratic Revolution; Germany, Martin Luther; Political Freedom; Spiritual Freedom

### Introduction

In Protestants: The Birth of a Revolution, Steven Ozment succinctly answers the question whether the Protestant Reformation was a revolution. First, he argues, the Reformation was at least a partial revolution in a number of cities and territories of sixteenth-century Europe -- a revolution especially of private and public spiritual life. Second, even when it was not altogether revolutionary in its own day, the Reformation gave birth to several ideas that inspired later revolutionaries on both sides of the Atlantic.<sup>2</sup>

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<sup>2</sup> Steven E. Ozment, Protestants: The Birth of a Revolution (New York: Doubleday, 1992). See also id., The Age of Reform, 1250-1550 (New Haven, 1980), 245-289; id., The Reformation in the Cities: The Appeal of Protestantism to Sixteenth-Century Germany and Switzerland (New Haven, 1975).

These twin theses aptly describe the revolutionary character of the German Lutheran Reformation. The Reformation led by Luther and scores of other evangelical theologians and jurists did bring revolutionary changes to many German-speaking polities within the Holy Roman Empire. Even while Luther and his coreligionists later reverted to some of the same traditions and practices that they had once condemned, their founding ideas of human freedom, equality, and dignity ultimately provided some of the driving intellectual forces of later democratic revolutions.

### **The Revolutionary Features of the Lutheran Reformation**

The Reformation that Martin Luther unleashed in Germany from 1517 to 1525 began as a loud call for freedom -- freedom of the church from the tyranny of the pope, freedom of the laity from the hegemony of the clergy, freedom of the conscience from the strictures of canon law, freedom of the German people from foreign domination, freedom of the magistrate from clerical privilege and power. "Freedom of the Christian" became the rallying cry of the early Lutheran Reformation. It drove theologians and jurists, clergy and laity, princes and peasants alike to denounce traditional ecclesiastical authorities and structures with unprecedented alacrity. "One by one, the structures of the church were thrust into the glaring light of the word of God and forced to show their true colors," Jaroslav Pelikan writes.<sup>3</sup> Few structures survived this scrutiny in the heady days of the 1520s. The church's canon law and confessional books were burned. Church courts were closed. Clerical privileges were removed. Monastic institutions were confiscated. Endowed benefices were dissolved. Ecclesiastical guilds were converted. Administrative ties to Rome were severed. Sanctuaries, cemeteries, and glebe lands were appropriated. Tithes, annates, and church rates to Rome were suspended. The German people were rallied to the cause of establishing a new Christian church and commonwealth on the strength of the Gospel and the German tradition.

It is well known that the Lutheran Reformation brought profound and permanent changes to spiritual life in the new Protestant polities of Germany -- through the radical resystematization of dogma; the truncation of the sacraments; the reforms of liturgy, devotional life, and the religious calendar; the vernacularization of the Bible and the distribution of the sermon; the expansion of catechesis and religious instruction; the revamping of corporate worship, congregational music, religious symbolism, church art and architecture; the radical reforms of ecclesiastical discipline and local church administration, and much more. To be sure, some of these changes built on a century and more of reformist agitation by late medieval humanists, conciliarists, nominalists, and others. And, to be sure, some of the spiritual changes introduced by the Lutheran Reformation had parallels in Catholic reformation movements, especially during and after the Council of Trent (1545-1563). But it was the Lutheran Reformation that brought these earlier reformist efforts to institutional fruition and expression in Germany. The spiritual changes that the reformers introduced were cast into a unique evangelical ensemble and transmitted to later generations by scores of thick evangelical church ordinances.<sup>4</sup> The

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<sup>3</sup> Jaroslav Pelikan, *Spirit versus Structure: Luther and the Institutions of the Church* (New York, 1968), 5.

<sup>4</sup> See Emil Sehling, ed., *Die evangelischen Kirchenordnungen des 16. Jahrhunderts* (Leipzig, 1902-1913), vols. 1-5 (Tuebingen, 1955- ), vols. 6-16.

Lutheran Reformation was a full-scale revolution of theology, liturgy, and spiritual life in many German polities.

It is less known that the Lutheran Reformation also brought a number of major changes to German law and politics — building on half a century of “urban legal reformations” (Stadtrechts-reformationen) in strong imperial cities, and a century of legal reforms born of the reception of Roman law and the rise of legal humanism.<sup>5</sup> Lutheran reformers pressed to radical conclusions the ancient Roman concept of the magistrate as the Christian father of the community, called by God to enforce both tables of the Decalogue for his political children. This idea helped to trigger a massive shift in power and property from the church to the state, and ultimately introduced enduring systems of established churches, public schools, and state charities. Lutheran reformers replaced the traditional sacramental understanding of marriage with a new idea of the marital household as a “social estate” of the earthly kingdom. On that basis, Lutheran jurists developed a new civil law of marriage, featuring requirements of parental consent, state registration, church consecration, and peer presence for valid marital formation as well as absolute divorce on grounds of adultery, desertion, and other faults, with subsequent rights to remarry at least for the innocent party. Lutheran reformers replaced the traditional understanding of education as a teaching office of the church with a new understanding of the public school as a “civic seminary” for all persons to prepare for their peculiar vocations. On that basis, magistrates replaced clerics as the chief rulers of education, civil law replaced church law as the principal law of education, and the general callings of all Christians replaced the special calling of the clergy as the *raison d’être* of education. Lutheran reformers introduced a new theology of the “three uses” of the moral law set out in the Bible, particularly the Ten Commandments. On that basis, Lutheran jurists developed arresting new theories of natural law and equity; introduced sweeping changes in civil laws of social welfare and moral discipline; and developed an integrated theory of the retributive, deterrent, and rehabilitative functions of criminal law and ecclesiastical discipline.<sup>6</sup>

For all these and other legal and political changes, however, the Lutheran Reformation did not ultimately eclipse the medieval tradition of Germany. Several German polities remained Catholic, preserved the traditional Roman faith and liturgy, and continued to administer the canon law in traditional church structures. These Catholic polities were ultimately protected in their faith and in their law by the Peace of Augsburg (1555), whose principle of cuius regio, eius religio established in each German principality the preferred religion of the prince, whether Catholic or Lutheran.

Even in many Lutheran polities, the break with medieval legal tradition was not nearly so radical as the early reformers had envisioned. Despite the fiery anti-papal and anti-canonical rhetoric of their early leaders -- symbolized poignantly in Martin Luther’s

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<sup>5</sup> See the Stadtrechtsreformationen of 1479-1520 in Wolfgang Kunkel, et al., eds., Quellen der neueren Privatrechtsgeschichte Deutschland (Weimar, 1936), 2 vols, with discussion of other fifteenth-century legal reforms movements in Winfried Trusen, Anfaenge des gelehrten Rechts in Deutschland. Ein Beitrag zur Geschichte der Fruherezeption (Wiesbaden, 1962), and more recent literature cited in Helmut Coing, ed., Handbuch der Quellen und Literatur der neueren europaeischen Privatrechtsgeschichte (Muenchen, 1973-1977), 4 vols.

<sup>6</sup> See sources and discussion in my Law and Protestantism: The Legal Teachings of the Lutheran Reformation (Cambridge, 2001).

burning of the canon law and confessional books in 1520-- Lutheran jurists eventually accepted and appropriated a good deal of the traditional canon law. This could only be expected. After all, the canon law had ruled effectively and efficiently in Germany for centuries before the Reformation. The canon law had not only governed the internal doctrinal, liturgical, and administrative life of the Church. It had also reached broadly into the temporal life of Germany, and penetrated the law of sundry imperial, territorial, urban, manorial, and feudal polities that comprised the German state. Indeed, the canon law, along with Roman law and customary law, was considered to be part of an integral common law (jus commune) of Germany.<sup>7</sup> Most of the jurists and theologians who had joined the Reformation cause were trained in the canon law; several, in fact, held the doctor iuris canonici or doctor iuris utriusque. In the heady days of revolutionary defiance in the 1520s, it was easy for Protestant neophytes to be swept up in the radical cause of eradicating the canon law and establishing a new evangelical order. When this revolutionary plan proved unworkable, however, theologians and jurists invariably returned to the canon law that they knew. Theologically offensive ecclesiastical structures and legal provisions, such as those directly rooted in notions of papal supremacy or spurned sacraments were still avoided. But what remained was put to ready use in service of the new Protestant theology and law. Accordingly, as a legal and political movement, the Lutheran Reformation was only a partial revolution in sixteenth-century Germany.

### **The Revolutionary Ideas of the Lutheran Reformation**

Luther, however, introduced several revolutionary ideas about human liberty, dignity, and equality that bore ample legal and political fruit in later revolutionary movements, especially outside of Germany. Here we move to the second thesis — that the Lutheran Reformation was not only something of a revolution in its own right, but was also the ideological birthplace of several later revolutions.

The most poignant expression of these revolutionary ideas came in Martin Luther's famous little tract of 1520, *Freedom of a Christian*.<sup>8</sup> This tract was one of a whole arsenal of writings in the early 1520s in which Luther attacked what he called the "false dignity" of the leadership of church and state. Luther scorned the notion that the pope was the "vicar of Christ," "the final interpreter of the Scripture," the ultimate judge of law, "the lord of the world."<sup>9</sup> He castigated the German clergy, who, in his view, used the "false power of fabricated sacraments" to "tyrannize the Christian conscience" and to "fleece the sheep" of Christendom.<sup>10</sup> He criticized the jurists for spinning the thick tangle of special benefits, privileges, exemptions, and immunities that elevated the clergy above the laity, and inoculated them from legal accountability to local magistrates. He was not much kinder to princes, nobles, and merchants -- those "harpies," as he later called them "blinded by their

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<sup>7</sup> Udo Wolter, Ius canonicum in iure civile (Koeln: 1975); R.H. Helmholz, ed., Canon Law in Protestant Lands (Berlin, 1992); id., The Spirit of the Classical Canon Law (Athens, GA, 1996).

<sup>8</sup> De Libertate Christiana (1520), in D. Martin Luthers Werke: Kritische Gesamtausgabe (Weimar, 1883-), 7:49-73 [hereafter WA], translated in Jaroslav Pelikan et al., eds., Luther's Works (Philadelphia: Muhlenberg Press, 1955-), 31:327-377 [hereafter LW]. A shorter German edition, Die Freiheit eines Christenmenschen, appears in WA 7:20-38.

<sup>9</sup> LW 31:341-342.

<sup>10</sup> LW 44:158.

arrogance," and trading on their office, pedigree, and wealth to lord it over the languishing commoner.<sup>11</sup> What all these pretentious folks fail to see, Luther wrote, is that "there is no basic difference in status ... between laymen and priests, princes and bishops, religious and secular."<sup>12</sup> Before God all are equal.

Luther's Freedom of a Christian thus became, in effect, his Dignitatis Humanae -- his bold new declaration on human nature and human freedom that described all Christians in his world regardless of their "dignity or lack of dignity," as conventionally defined.<sup>13</sup> Pope and prince, noble and pauper, man and woman, slave and free -- all persons in Christendom, Luther declared, share equally in a doubly paradoxical nature. First, each person is at once a saint and a sinner, righteous and reprobate, saved and lost -- simul iustus et peccator, in Luther's signature phrase.<sup>14</sup> Second, each person is at once a free lord who is subject to no one, and a dutiful servant who is subject to everyone. Only through these twin paradoxes, Luther wrote, can we "comprehend the lofty dignity of the Christian."<sup>15</sup>

Every Christian "has a two fold nature," Luther argued in expounding his doctrine of simul iustus et peccator. We are at once body and soul, flesh and spirit, sinner and saint, "outer man and inner man." These "two men in the same man contradict each other" and remain perennially at war.<sup>16</sup> On the one hand, as bodily creatures, we are born in sin and bound by sin. By our carnal natures, we are prone to lust and lasciviousness, evil and egoism, perversion and pathos of untold dimensions. Even the best of persons, even the titans of virtue in the Bible -- Abraham, David, Peter, and Paul -- sin all the time. In and of ourselves, we are all totally depraved and deserving of eternal death. On the other hand, as spiritual creatures, we are reborn in faith, and freed from sin. By our spiritual natures, we are prone to love and charity, goodness and sacrifice, virtue and peacefulness. Even the worst of persons, even the reprobate thief nailed on the next cross to Christ's, can be saved from sin. In spite of ourselves, we are all totally redeemed and assured of eternal life.

It is through faith and hope in the Word of God, Luther argued, that a person moves from sinner to saint, from bondage to freedom. This was the essence of Luther's doctrine of justification by faith alone. No human work of any sort -- even worship, contemplation, meditation, charity, and other supposed meritorious conduct -- can make a person just and righteous before God. For sin holds the person fast, and perverts his or her every work. "One thing, and only one thing, is necessary for Christian life, righteousness, and freedom," Luther declared. "That one thing is the most holy Word of God, the gospel of Christ."<sup>17</sup> To put one's faith in this Word, to accept its gracious promise of eternal salvation, is to claim one's freedom from sin and from its attendant threat of eternal damnation. And it is to join the communion of saints that begins imperfectly in this life and continues perfectly in the life to come.

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<sup>11</sup> LW 7:182; see also LW 44:203ff.; LW 45:75-129.

<sup>12</sup> LW 44:129.

<sup>13</sup> LW 31:342.

<sup>14</sup> LW 31:344-347, 358-361. See also LW 12:328, 27:230ff., 32:173; WA 39/1:21, 492, 552.

<sup>15</sup> LW 31:355.

<sup>16</sup> LW 31:344

<sup>17</sup> LW 31:345.

A saint by faith remains a sinner by nature, Luther insisted, and the paradox of good and evil within the same person remains until death. But there is "a difference between sinners and sinners," Luther wrote. "There are some sinners who confess that they have sinned but do not long to be justified; instead, they give up hope and go on sinning so that when they die they despair, and while they live, they are enslaved to the world. There are other sinners who confess that they sin and have sinned, but they are sorry for this, hate themselves for it, long to be justified, and under groaning constantly pray to God for righteousness. This is the people of God," the saints who are saved, despite their sin.<sup>18</sup>

This brought Luther to a related paradox of human nature -- that each Christian is at once a lord who is subject to no one, and a priest who is servant to everyone. On the one hand, Luther argued, "every Christian is by faith so exalted above all things that, by virtue of a spiritual power, he is [a] lord." As a redeemed saint, as an "inner man," a Christian is utterly free in his conscience, utterly free in his innermost being. He is like the greatest king on earth, who is above and beyond the power of everyone. No earthly authority -- whether pope, prince, or parent -- can impose "a single syllable of the law" upon him. No earthly authority can intrude upon the sanctuary of his conscience, can endanger his assurance and comfort of eternal life. This is "the splendid privilege," the "inestimable power and liberty" that every Christian enjoys.<sup>19</sup>

On the other hand, Luther wrote, every Christian is a priest, who freely performs good works in service of his or her neighbor and in glorification of God. "Christ has made it possible for us, provided we believe in him, to be not only his brethren, co-heirs, and fellow-kings, but also his fellow-priests," Luther wrote. And thus, in imitation of Christ, we freely serve our neighbors, offering instruction, charity, prayer, admonition, and sacrifice even to the point of death. We abide by the law of God so far as we are able so that others may see our good work and be similarly impelled to seek God's grace. We freely discipline and drive ourselves to do as much as good as we are able, not so that we may be saved but so that others may be served. "A man does not live for himself alone," Luther wrote, "he lives only for others."<sup>20</sup> The precise nature of our priestly service to others depends upon our gifts and upon the vocation in which God calls us to use them. But we are all to serve freely and fully as God's priests.

"Who can then comprehend the lofty dignity of the Christian?" Luther wrote. "By virtue of his royal power he rules over all things, death, life, and sin." The person is entirely free from the necessity of doing good works and fully immune from the authority of any one. But by virtue of "his priestly glory, he is omnipotent with God because he does the things which God asks and requires."<sup>21</sup> He devotes himself entirely to doing good works for his neighbor. He submits himself completely to the needs of others.

Such are the paradoxes of the Christian life in Luther's view. We are at once sinners and saints; we are at once lords and servants. We can do nothing good; we can do nothing but good. We are utterly free; we are everywhere bound. The more a person

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<sup>18</sup> Luther: Lectures on Romans [1516], W.H. Pauck, trans. and ed. (Philadelphia: Westminster Press, 1961), 120. See also LW 8:9-12; 12:328-330; 23:146.

<sup>19</sup> LW 31:344-346, 354-358.

<sup>20</sup> LW 31:355-356, 364-5.

<sup>21</sup> LW 31:355; see also LW 17:209ff

thinks himself a saint, the more sinful in fact he becomes. The more a person thinks herself a sinner, the more saintly she in fact becomes. The more a person acts like a lord, the more he is called to be a servant. The more a person acts as a servant, the more in fact she has become a lord. This is the paradoxical nature of human life. And this is the essence of human dignity.

Luther intended his Freedom of a Christian to be a universal statement for his world of Christendom -- a summary of "the whole of Christian life in a brief form," as he put it in his preface.<sup>22</sup> He grounded his views in the Bible, liberally peppering his tract with all manner of biblical citations and quotations. He wove into his narrative several strong threads of argument pulled selectively from the Church Fathers and later medieval mystics. He published his tract both in Latin and in simple German, seeking to reach both the scholar and the commoner alike. He wrote with a pastoral directness and emotional empathy, convinced that if he could point out the Jekyll and Hyde in everyone, his readers would find both ample humility and ample comfort. So convinced was Luther of the veracity and cogency of his views that he believed even the Jews, the one perennial sojourner in his world of Christendom, would convert en masse to the Gospel once they heard it in this simple form.<sup>23</sup> Though this latter aspiration proved fanciful, Luther's views on human dignity did command an impressive readership among Christians. Freedom of a Christian was a best seller in its day -- going through twelve printings in its first two years, and five editions by 1524. It remained a perennial favorite of commentaries and sermons long after Luther's passing, and well beyond the world of Lutheranism.<sup>24</sup>

What all this elegant dialectic theology meant for the nature of freedom of the Christian in this world, Luther's little tract did not so clearly say. Luther did make clear that all Christians have the freedom and duty to follow the Bible conscientiously and to speak out against human ideas and institutions that conflict with the Bible. The Bible was for Luther the great equalizer of Christians -- to the remarkable point of allowing Luther, a lowly Augustinian monk from an obscure German town, to address His Holiness Leo X as if he were the pope's equal. Luther also made clear that clergy and laity are fundamentally equal in dignity and responsibility before God. The traditional assumption that the clergy were superior to the laity, and entitled to all manner of special privileges, immunities, and exemptions was anathema to Luther. Luther at once laicized the clergy and clericized the laity, treating the office of preaching and teaching as just one other vocation alongside many others that a conscientious Christian could properly and freely pursue.

Luther's Freedom of a Christian, however, was no political manifesto on freedom. Spiritual freedom may well coexist with political bondage, Luther insisted. The spiritual equality of persons and vocations before God does not necessarily entail a social equality with all others. Luther became doubly convinced of this discordance after witnessing the bloody Peasants' Revolt in Germany in 1525, and the growing numbers of radical egalitarian and antinomian experiments engineered out of his favorite theological

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<sup>22</sup> LW 31:343.

<sup>23</sup> See That Jesus Christ was Born a Jew (1523), in LW 45:129. See further Ozment, Protestants, 1; id., "Martin Luther on Religious Liberty," in Noel B. Reynolds and W. Cole Durham, Jr., eds., Religious Liberty in Western Thought (Atlanta, 1996), 75.

<sup>24</sup> Mark U. Edwards, Jr., Printing, Propaganda, and Martin Luther (Berkeley, CA, 1981), 39, 64, 100-101.

doctrines of the priesthood of all believers and justification by faith alone. In the course of the next two decades, Luther defended with increasing stridency traditional social, economic, political, and ecclesiastical hierarchies as a necessary feature of this earthly life.

Luther came to defend this disparity between the spiritual and temporal dimensions of human freedom, dignity, and status with his doctrine of the two kingdoms. God has ordained two kingdoms or realms in which humanity is destined to live, Luther argued, the earthly or political kingdom and the heavenly or spiritual kingdom. The earthly kingdom is the realm of creation, of natural and civic life, where a person operates primarily by reason, law, and passion. The heavenly kingdom is the realm of redemption, of spiritual and eternal life, where a person operates primarily by faith, hope, and charity. These two kingdoms embrace parallel forms of righteousness and justice, truth and knowledge, but they remain separate and distinct. The earthly kingdom is distorted by sin, and governed by the law. The heavenly kingdom is renewed by grace and guided by the Gospel. A Christian is a citizen of both kingdoms at once, and invariably comes under the distinctive jurisdiction of each kingdom. As a heavenly citizen, the Christian remains free in his conscience, called to live fully by the light of the Word of God. But as an earthly citizen, the Christian is bound by law, and called to obey the structures and strictures of ecclesiastical, political, and parental authority, even if they are sometimes hard and abusive.<sup>25</sup>

While Luther himself resisted drawing out many of the radical political implications of his views on human dignity, equality, and freedom, later Protestants did, and with increasing alacrity. Luther remained quite content, in his later life, to leave the heavenly and earthly kingdoms in healthy juxtaposition. And he began, somewhat clumsily, to defend the anthropological paradoxes of saint and sinner, freedom and bondage, equality and hierarchy as a natural and necessary feature of this dualistic ontology. By contrast, later Protestants — Lutherans, Calvinists, Anglicans and Anabaptists alike -- sought to bridge these juxtaposed heavenly and earthly kingdoms, even while retaining this dualistic starting point. In effect, they sought to render the heavenly ideals of grace, freedom, and equality more of an earthly reality for all persons, and the earthly realities of sin, bondage, and hierarchy more of a heavenly responsibility for all Christians. In pursuit of these political aims, later Protestants recast Luther's specific picture of Christians into a more general picture of persons. They likewise converted his guarded theological calculus into a bold political platform.<sup>26</sup>

On the one hand, later Protestants argued, every person is created in the image of God and justified by faith in God. Every person is called to a distinct vocation, which stands equal in dignity and sanctity to all others. Every person is not only a priest and a king, but also a prophet, and responsible to exhort, to minister, and to rule in the community. Every person thus stands equal before God and before his or her neighbor.

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<sup>25</sup> See sources and discussion in Harold J. Berman and John Witte, Jr., "The Transformation of Western Legal Philosophy in Lutheran Germany," *Southern California Law Review* 62 (1989): 1575-1660, at 1585-1595.

<sup>26</sup> The following paragraphs are adapted from my *Religion and the American Constitutional Experiment* (Boulder/Oxford, 2000), chap. 1; and "Law, Religion, and Human Rights," *Columbia Human Rights Law Review* 28 (1996): 1-31, with detailed sources cited therein.

Every person is vested with a natural liberty to live, to believe, to love and serve God and neighbor. Every person is entitled to the vernacular Scripture, to education, to work in a vocation.

On the other hand, later Protestants argued, every person is sinful and prone to evil and egoism. Every person needs the restraint of the law to deter him from evil, and to drive him to repentance. Every person needs the association of others to exhort, minister, and rule her with law and with love. Every person, therefore, is inherently a communal creature. Every person belongs to a family, a church, a political community.

These social institutions of family, church, and state, later Protestants argued, are divine in origin and human in organization. They are created by God and governed by godly ordinances. They stand equal before God and are called to discharge distinctive godly functions in the community. The family is called to rear and nurture children, to educate and discipline them, to exemplify love and cooperation. The church is called to preach the word, administer the sacraments, educate the young, aid the needy. The state is called to protect order, punish crime, promote community. Though divine in origin, these institutions are formed through human covenants. Such covenants confirm the divine functions, the created offices, of these institutions. Such covenants also organize these offices so that they are protected from the sinful excesses of officials who occupy them. Family, church, and state are thus organized as public institutions, accessible and accountable to each other and to their members. Calvinists especially stressed that the church is to be organized as a democratic congregational polity, with a separation of ecclesiastical powers among pastors, elders, and deacons, election of officers to limited tenures of office, and ready participation of the congregation in the life and leadership of the church.

By the turn of the seventeenth century, Protestant groups began to recast these theological doctrines into democratic norms and forms. Protestant doctrines of the person and society were cast into democratic social forms. Since all persons stand equal before God, they must stand equal before God's political agents in the state. Since God has vested all persons with natural liberties of life and belief, the state must ensure them of similar civil liberties. Since God has called all persons to be prophets, priests, and kings, the state must protect their constitutional freedoms to speak, to preach, and to rule in the community. Since God has created persons as social creatures, the state must promote and protect a plurality of social institutions, particularly the church and the family.

Protestant doctrines of sin were cast into democratic political forms. The political office must be protected against the sinfulness of the political official. Political power, like ecclesiastical power, must be distributed among self-checking executive, legislative, and judicial branches. Officials must be elected to limited terms of office. Laws must be clearly codified, and discretion closely guarded. If officials abuse their office, they must be disobeyed. If they persist in their abuse, they must be removed, even if by revolutionary force and regicide.

Protestant doctrines of moral law were cast into human rights terms. God's moral law, particularly as summarized in the Ten Commandments, prescribes duties of love that each person owes to God -- to honor God and God's name, to observe the Sabbath day of rest and worship, to avoid false gods and false swearing. This same moral law prescribes duties of love that each person owes to neighbors -- to honor one's parents, not to kill, not

to commit adultery, not to steal, not to bear false witness, not to covet. Church, state, and family alike were responsible for the communication and enforcement of these cardinal moral duties, later Protestants argued. But it was also the responsibility of each person to ensure that he and his neighbors discharged these moral duties. This was one important impetus for later Protestants to translate duties into rights. Each person's duties toward God could be cast as her rights of religion -- the right to honor God and God's name, the right to rest and worship on one's Sabbath, the right to be free from false gods and false oaths. Each person's duties towards a neighbor could be cast as a neighbor's right to have that duty discharged. One person's duties not to kill, to commit adultery, to steal, or to bear false witness thus gave rise to another person's rights to life, property, fidelity, and reputation. For a person to insist upon vindication of these latter rights was not necessarily to act out of self-love. It was also to act out of neighborly love. To claim one's own right was in part a charitable act to induce one's neighbor to discharge his or her divinely ordained duty.

These Protestant teachings helped to inaugurate what R.R. Palmer once called the "age of the democratic revolutions."<sup>27</sup> They were among the driving ideological forces behind the revolts of the French Huguenots, Dutch Pietists, and Scottish Presbyterians against their monarchical oppressors in the later sixteenth and seventeenth centuries. They were critical weapons in the arsenal of the revolutionaries in England, America, and France. They were important sources of inspiration and instruction during the great age of democratic construction in later eighteenth and nineteenth century America and Western Europe.

### Conclusions

In his monumental tome, Law and Revolution, Harold J. Berman defines a great revolution as a "violent upheaval, in which the preexisting system of political, legal, economic, religious, cultural, and other social relations, institutions, beliefs, values, and goals have been overthrown by a new one." Among the marks of a revolution, Berman writes, are fundamental, rapid, violent, and lasting changes that are grounded in fundamental law, a remote past, and an apocalyptic future.<sup>28</sup>

Judged by this weighty standard, the sixteenth-century German Lutheran Reformation is a controversial candidate for the honor roll of great revolutions. Several German polities -- Wittenberg and Strasbourg, Wuerttemberg and Saxony -- did have total revolution on this scale. But other German polities had more tepid revolutionary experiences, and some rejected the Reformation altogether. The very political pluralism and fragmentation that had made Germany so ripe for radical revolt made it resistant to total revolution.<sup>29</sup> Some areas of private and public life -- religious doctrine and sacramental life, lay piety and moral discipline, church polity and state power, public education and social welfare, marriage, inheritance, and the family -- were fundamentally

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<sup>27</sup> R.R. Palmer, The Age of the Democratic Revolution (Princeton: Princeton University Press, 1959-1964), 2 vols.

<sup>28</sup> Harold J. Berman, Law and Revolution: The Formation of the Western Legal Tradition (Cambridge, MA, 1983), 19.

<sup>29</sup> See Bob Scribner, "Germany," in id., ed., The Reformation in National Context (Cambridge: Cambridge University, 1994), 4-29, at 5-7.

transformed in the sixteenth century in expression of cardinal Lutheran convictions. But in other areas of public and private life and law, medieval traditions continued with little interruption.

The revolutionary character of the Lutheran Reformation, however, must be judged not only by the height of its splash but also by the strength of its ripple. The Lutheran Reformation did not immediately produce the new German Christian church that Luther had envisioned. But evangelical churches to this day cling firmly to the cardinal theological teachings of the Lutheran Reformation. And the evangelical catechisms, confessions, and canons of the sixteenth century ring with as much power for a Lutheran in 2000 as a Lutheran in 1600. The Lutheran Reformation did not realize immediately the transforming power of Luther's founding ideals of liberty, equality, and dignity. But later Western revolutionaries took these ideals as so "self-evident" that revolutions were fought for their abridgement and constitutions were forged for their protection.