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The Adiaphorist Controversy and FC X’s Teaching on the Church and Temporal Authority

Christian J. Einertson

The COVID-19 pandemic raised questions about when and under what circumstances the civil government can regulate the church’s worship practices and right to assemble. As they grapple with such questions, Lutherans ought to consider the witness of the Lutheran symbols. In that spirit, if someone were to ask a reasonably informed Lutheran pastor where Lutherans should look in their confessional writings to find the church’s teaching on her relationship to temporal authority, he would likely be able to point to a variety of relevant confessional passages. The more catechetically minded pastor, for example, may well begin his response by pointing to the two catechisms’ explanations of the Fourth Commandment,¹ where Luther prescribes obedience to governing authorities and describes the Christian’s relationships to both the “fathers of the nation” and “spiritual fathers.”² He would almost certainly mention the sixteenth article of the Augsburg Confession³ and Apology,⁴ where Melanchthon articulates the proper Evangelical teaching on the temporal realm over against both Anabaptist and monastic misunderstandings. Perhaps he could even buttress Melanchthon’s argument against the Anabaptists with Andreae’s condemnation of the teaching of Peter Riedemann⁵ and other sectarians in the twelfth article of the Solid Declaration.⁶ Of course, all of these passages relate to the Lutheran church’s teaching on the church and temporal authority, and this hypothetical pastor would be both likely and absolutely right to reference them in connection with it.

He would be less likely, however, to mention the tenth article of the Formula of Concord as part of the confessional witness on ecclesiastical relations with temporal government. This is hardly surprising, as many prominent commentaries on the

¹ Robert Kolb and Timothy J. Wengert, eds., *The Book of Concord: The Confessions of the Evangelical Lutheran Church*, trans. Charles Arand et al. (Minneapolis: Fortress, 2000), 352, 400–410; Irene Dingel, ed., *Die Bekenntnisschriften der Evangelisch-Lutherischen Kirche: Vollständige Neuedition* (Göttingen: Vandenhoeck & Ruprecht, 2014), 864,7–12, 968,10–992,23.

² Kolb and Wengert, *The Book of Concord*, 408; Dingel, *Bekenntnisschriften*, 986,22–24.

³ Kolb and Wengert, *The Book of Concord*, 48–51; Dingel, *Bekenntnisschriften*, 110,8–113,2.

⁴ Kolb and Wengert, *The Book of Concord*, 231–233; Dingel, *Bekenntnisschriften*, 543,1–549,5.

⁵ Robert Kolb, “The Formula of Concord and Contemporary Anabaptists, Spiritualists, and Anti-trinitarians,” *Lutheran Quarterly* 15 (2001): 453–482.

⁶ Kolb and Wengert, *The Book of Concord*, 657–658; Dingel, *Bekenntnisschriften*, 1600,1–1602,16.

Book of Concord barely mention a connection between the “Ecclesiastical Practices”⁷ that this article addresses and the way in which the church relates to the governing authorities.⁸ Moreover, even those commentators who do note the ecclesiastical-temporal dimension of FC X—or at least the conflict and discussions that gave rise to it—have largely been reluctant to attribute to the article itself a coherent doctrine of the church’s relation to temporal authority.⁹ Consequently, FC X and the Adiaphorist Controversy are infrequently mentioned in the theological discussion of the church’s relation to temporal authority—and this despite the fact that many historical treatments of the conflict place the question of the church and governing authorities precisely at the center of the Adiaphorist Controversy.¹⁰

This situation is as unfortunate as it is understandable because a close examination of the Adiaphorist Controversy reveals that the formulators left the church a helpful and carefully thought-out contribution to her teaching on the church and temporal authority in their article on ecclesiastical practices. Moreover, it is a matter of no small importance that clergy who subscribe to the Formula of Concord and promise to conduct their pastoral ministry in accordance with its teaching¹¹ understand precisely what the Formula contributes to the discussion so that, when necessary, they can apply its teaching to their own congregations’ relationship with the governing authorities. In short, it is both theologically and practically valuable for Lutherans to be aware of the full doctrinal contribution of FC X.

In order to assist pastors and other interested Lutherans as they navigate the increasingly fraught relationship between their churches and their temporal leaders, this paper aims both to demonstrate that FC X offers a coherent and meaningful

⁷ Kolb and Wengert, *The Book of Concord*, 515, 635; Dingel, *Bekenntnisschriften*, 1280,16, 1548,5.

⁸ E.g., Edmund Schlink, *Theology of the Lutheran Confessions*, trans. Paul F. Koehneke and Herbert J. A. Bouman (St. Louis: Concordia Publishing House, 1961), 267–268; Kurt Marquart, “Article X. Confession and Ceremonies,” in *A Contemporary Look at the Formula of Concord*, ed. Robert D. Preus and Wilbert H. Rosin (St. Louis: Concordia Publishing House, 1978), 260–270; Gunther Wenz, *Theologie der Bekenntnisschriften der evangelisch-lutherischen Kirche*, 2 vols. (Berlin: de Gruyter, 1996), 2:734–749.

⁹ Charles P. Arand, Robert Kolb, and James A. Nestingen, *The Lutheran Confessions: History and Theology of The Book of Concord* (Minneapolis: Fortress Press, 2012), 183, for example, claims that the formulators did not write particularly clearly on the relationship between the church and the governing authorities because they disagreed with one another on the topic.

¹⁰ Oliver K. Olson, *Matthias Flacius and the Survival of Luther’s Reform* (Wiesbaden: Harrassowitz, 2002), 156; Irene Dingel, “Historische Einleitung,” in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 4,24–5,3. Even Robert Bertram’s posthumously published book, hardly a historical treatment of FC X, indicates the connection between the issue of adiaphora and the way in which Christians must interact with “superior secular authority.” Robert W. Bertram, *A Time for Confessing*, ed. Michael Hoy, Lutheran Quarterly Books (Grand Rapids: Eerdmans, 2008), 132.

¹¹ E.g., *Lutheran Service Book: Agenda* (St. Louis: Concordia Publishing House, 2006), 166.

contribution to the doctrine of the church and temporal authority and to outline the contours of that doctrinal position in light of the Adiaphorist Controversy. To accomplish these goals, it will begin with a brief historical introduction to that controversy and how it shaped the Formula of Concord. Next, it will examine writings from authors on both sides of the Adiaphorist Controversy in order to establish precisely where both sides shared a broad consensus on matters of the church and temporal authority and where they disagreed. Finally, it will present FC X's teaching on the church and temporal authority, both the unspoken assumptions that underlie it and its explicit solution to the controversy that preceded it. In the end, a clearer understanding of what FC X contributes to the confessional witness on the church's relationship with temporal authorities will enable clergy and laity alike to consider the ways in which the institutions of God's right-hand realm can interact more faithfully with the institutions of his left-hand realm.¹²

Historical Introduction to the Adiaphorist Controversy and the Formula of Concord

Although the Wittenberg Reformation began not with the modification of churchly practices but rather with a pastoral and doctrinal dispute that blossomed into a preaching movement, as early as the 1520s, Luther and his fellow reformers had begun reworking the rites and ceremonies of the medieval church to bring them into line with the doctrinal insights of the burgeoning Evangelical movement. In 1523, for example, Luther published a revised and translated version of the church's historic baptismal rite that aimed to centralize the word and ordinance of Christ instead of additional humanly instituted ceremonies.¹³ Likewise, the contents—and sometimes the language—of the mass were altered to account for Luther's Evangelical theology,¹⁴ and the number of masses celebrated in the churches was reduced substantially.¹⁵ Various other ceremonies were abolished that the reformers viewed as superstitious violations of the Second Commandment, among which were

¹² Joel Biermann, *Wholly Citizens: God's Two Realms and Christian Engagement with the World* (Minneapolis: Fortress, 2017), 111.

¹³ Kolb and Wengert, *The Book of Concord*, 371–375; Dingel, *Bekenntnisschriften*, 905,10–910,14.

¹⁴ Martin Luther, *An Order of Mass and Communion for the Church at Wittenberg* (1523), vol. 53, pp. 15–40, in *Luther's Works, American Edition*, vols. 1–30, ed. Jaroslav Pelikan (St. Louis: Concordia Publishing House, 1955–76); vols. 31–55, ed. Helmut Lehmann (Philadelphia/Minneapolis: Muhlenberg/Fortress, 1957–86); vols. 56–82, ed. Christopher Boyd Brown and Benjamin T. G. Mayes (St. Louis: Concordia Publishing House, 2009–), hereafter AE; Luther, *The German Mass and Order of Service* (1526), AE 53:51–90.

¹⁵ Kolb and Wengert, *The Book of Concord*, 68–69; Dingel, *Bekenntnisschriften*, 142,6–16, 143,9–18.

consecration with oil and the exorcism of water and salt.¹⁶ Even the vestments that the clergy wore while they led the services of the church were altered or abolished in some places.¹⁷ Crucially, in Saxony and other areas, these practical changes were carried out under the direction and with the explicit support of evangelically minded governing authorities.¹⁸

Of course, these changes in the church's liturgical life did not occur without controversy. Indeed, these perceived innovations were a source of serious consternation among the theologians and estates who were still subject to the papal obedience.¹⁹ While Melancthon responded at length to their displeasure in the Augsburg Confession,²⁰ the question of ceremonies remained a bone of contention between the Evangelicals and the Romanists long after the conclusion of the Diet of Augsburg.²¹

It was hardly surprising, then, that after many formerly Evangelical estates fell under the control of Romanist authorities in the wake of the Schmalkaldic War of 1546–1547,²² their new temporal rulers were often intent on restoring the ceremonies that had been changed during the Reformation. Indeed, chief among these restoration-minded rulers was Emperor Charles V himself, who placed an incredibly high value on a unified Western church united under papal obedience.²³ Charles wasted no time in his attempts to institutionalize his desire for unity, promulgating in 1548 the Augsburg Interim, in which he gave some practical concessions to the Protestant side—among them the marriage of clergy and lay communion in both kinds—yet required the Evangelical estates to conform to Roman doctrine and practice in all other respects.²⁴

This imperial mandate met significant resistance from Evangelical governments and theologians, including such prominent figures as Philip Melancthon

¹⁶ Luther David Peterson, "The Philippist Theologians and the Interims of 1548: Soteriological, Ecclesiastical, and Liturgical Compromises and Controversies within German Lutheranism" (PhD diss., University of Wisconsin, 1974), 131.

¹⁷ Arthur Carl Piepkorn, *The Survival of the Historic Vestments in the Lutheran Church after 1555* (St. Louis: Concordia Seminary School for Graduate Studies, 1956).

¹⁸ James M. Kittelson, *Luther the Reformer: The Story of the Man and His Career* (Minneapolis: Fortress, 1986), 245.

¹⁹ Robert Kolb and James A. Nestingen, eds., *Sources and Contexts of the Book of Concord* (Minneapolis: Fortress, 2001), 61–63, 65–66.

²⁰ Kolb and Wengert, *The Book of Concord*, 179–183; Dingel, *Bekennnisschriften*, 413, 12–423, 9.

²¹ Kolb and Nestingen, *Sources and Contexts of the Book of Concord*, 111, 127–128.

²² Arand, Kolb, and Nestingen, *The Lutheran Confessions*, 172–173.

²³ Wenz, *Theologie der Bekenntnisschriften der evangelisch-lutherischen Kirche*, 1:351–358.

²⁴ Kolb and Nestingen, *Sources and Contexts of the Book of Concord*, 144–182.

and his fellow faculty members at the University of Wittenberg,²⁵ Martin Bucer,²⁶ and the council of the imperial city of Magdeburg.²⁷ Yet the dissent of these pre-eminent Protestants was not sufficient to dissuade the emperor from his intended ecclesiastical program, and his Spanish troops quickly began enforcing the provisions of the Interim in many Evangelical areas of South Germany that the war had returned to imperial control.²⁸ Those who resisted often met with stiff consequences. Many clergy who refused to comply with the Augsburg Interim were removed from their offices and exiled by the temporal authorities.²⁹ One of the most famous examples was the aforementioned Martin Bucer, who was expelled from Strasbourg on May 1, 1549, because he refused to adopt the Interim in the city and insisted on reserving his right to preach against the emperor and other governing authorities from the pulpit.³⁰ In short, the political situation was dire for the many Evangelical rulers, preachers, and theologians who were seemingly caught between the Scylla of capitulation to the Roman pontiff and the Charybdis of abandoning the Christians whom they had been called to serve, whether voluntarily or under duress.

One of these Evangelical rulers who struggled to find a way forward in the wake of the Augsburg Interim was Moritz, who by that time had been named Elector of Saxony. Although he had been Charles's ally in the Schmalkaldic War, the emperor's subsequent proclamation put him in an exceedingly difficult situation. He did not want to displease the emperor, but he also knew that a full introduction of the Augsburg Interim would be impossible in heavily Evangelical Saxony, so he sought to find a policy that would placate his superior without angering his populace.³¹ His aim was to find a middle ground between the Evangelical church life that had characterized Saxony in the previous few decades and the emperor's demands in the Interim. For this task he assembled a group of theologians from Wittenberg—chief among them Philip Melancthon—who worked together with his advisors to craft a proposal for church life that later came to be known as the Leipzig Proposal.³² In keeping with Moritz's twin concerns for the emperor and the people, the proposal

²⁵ Hastings Eells, *Martin Bucer* (New Haven: Yale University Press, 1931), 396–397.

²⁶ Martin Bucer, *Ein Summarischer vergriff der Christlichen lehre und Religion/ die man zu Strasburg hat nun in die xxviii. jar gelehret* (Strasbourg: Theodosius Rihel, 1548), <http://www.controversia-et-confessio.de/id/cc99d07b-44ed-41db-9a6e-fdb5862a7d5c>.

²⁷ *DER Von Magdeburgk Ausschreyben* (Magdeburg: Hans Walther, 1548), <http://www.controversia-et-confessio.de/id/fb3d8c80-b71d-4f3f-89d5-260e0b637512>.

²⁸ Arand, Kolb, and Nestingen, *The Lutheran Confessions*, 176.

²⁹ Olson, *Matthias Flacius and the Survival of Luther's Reform*, 106–111.

³⁰ Eells, *Martin Bucer*, 398–399.

³¹ Robert Kolb, *Luther's Heirs Define His Legacy: Studies on Lutheran Confessionalization* (Brookfield, VT: Ashgate, 1996), IV 457; Timothy J. Wengert, "Adiaphora," in *The Oxford Encyclopedia of the Reformation* (Oxford: Oxford University Press, 1996), 1:5.

³² Arand, Kolb, and Nestingen, *The Lutheran Confessions*, 177–179.

begins with a call for obedience to the emperor and then proceeds to outline a compromise position on ecclesiastical practices that would reintroduce many of the objects and ceremonies associated with papal obedience, such as mass vestments, confirmation, and the distinction of foods, without surrendering on issues of doctrine that many Evangelicals saw as the core of the faith.³³

Among Evangelical preachers and theologians, Moritz's Leipzig Proposal aroused a mixed reaction. A substantial number led by the theological faculty at Wittenberg—later often called the “Philippists” due to their affinity for Melancthon—generally supported the proposal, arguing that it was permissible to compromise with the emperor on questions of adiaphora to save Evangelical pulpits for Evangelical preachers by preventing their forced expulsion and replacement with Romanist clergy.³⁴ After all, even though the Leipzig Proposal had institutionalized compromise with the papacy, none of the practices that Melancthon had rejected in response to the Augsburg Interim were included in it,³⁵ so the Philippists believed that they could abide it with a clean conscience.³⁶ Another contingent of theologians and preachers, often called the “Gnesio-Lutherans”—chief among them Matthias Flacius Illyricus, Nicolaus Gallus, and Nicolaus von Amsdorf in Magdeburg³⁷—opposed the Leipzig Proposal, arguing that the church was not permitted to consider compromise with the enemies of the gospel, even if the compromises were in matters of adiaphora. The passionate disagreement between the theologians of these two loosely defined groups gave rise to many written exchanges in the following years.

Yet as vehement as the debate over the Leipzig Proposal was, its immediate cause was relatively short lived, as the Augsburg Interim and the Leipzig Proposal both ceased to be official government policy within a few years of their promulgation. Specifically, the Augsburg Interim was a dead letter once the Peace of Passau in 1552 and the Peace of Augsburg in 1555 gave the Evangelical estates the legal right to regulate their own ecclesiastical practices without imperial interference. Consequently, the Leipzig Proposal and its attempt to placate the emperor were no longer needed. However, while the occasion for the dispute may have disappeared—at least in law—the Adiaphorist Controversy, as it was called, lived on in the memories of those who were involved in it long after the events of 1555.³⁸ In light of the events

³³ Peterson, “The Philippist Theologians and the Interims of 1548,” 174.

³⁴ Peterson, “The Philippist Theologians and the Interims of 1548,” 122.

³⁵ Peterson, “The Philippist Theologians and the Interims of 1548,” 123.

³⁶ And seemingly without contradicting their confession as it was found in the *Augustana* and the *Apology*, Charles P. Arand, “The Apology as a Backdrop for the Interim of 1548,” in *Politik und Bekenntnis: Die Reaktionen auf das Interim von 1548*, ed. Irene Dingel and Günther Wartenberg (Leipzig: Evangelische Verlagsanstalt, 2006), 211–227.

³⁷ Kolb, *Luther's Heirs Define His Legacy*, III 137.

³⁸ Robert Kolb, “Controversia perpetua: Die Fortsetzung des adiaphoristischen Streits nach dem Augsburger Religionsfrieden,” in *Politik und Bekenntnis: Die Reaktionen auf das Interim von*

surrounding the Leipzig Proposal, each side of the debate felt betrayed by the other and continued to view its opponents with suspicion long after the governing authorities had moved away from their previous policy.³⁹ This was especially true for the Gnesio-Lutheran followers of Flacius and Amsdorf, who continued to allude to the Adiaphorist Controversy⁴⁰ as they attacked their opponents in the later Majoristic Controversy—which was, in turn, later addressed in the Formula of Concord's article on good works⁴¹—many of whom had taken the Philippist side on the question of adiaphora.⁴² Indeed, the damage that the Adiaphorist Controversy did to the general perception of Melancthon's reliability contributed to many of the later debates over original sin, the freedom of the will, justification, and law and gospel that had to be resolved in the Formula of Concord.⁴³

The Adiaphorist Controversy had long-lasting effects within the Evangelical theological discussion and even impacted other controversies that the formulators saw fit to address in the Formula of Concord. It is hardly surprising, then, that the formulators devoted an article (FC X) to resolving this long-standing controversy for the sake of Lutheran unity.⁴⁴ Given the governmental dimension of the Adiaphorist Controversy, FC X devotes significant time to the question of how the church and the governing authorities ought to relate to each other, especially in matters of ecclesiastical practices. Of course, the way in which the formulators describe this relationship reflects the contours of the controversy that they are attempting to address. As a result, understanding these contours, both the points of consensus and the points of disagreement, will help readers of the Formula better to understand the framework for church-government relationships that is laid out in this confessional document.

1548, ed. Irene Dingel and Günther Wartenberg (Leipzig: Evangelische Verlagsanstalt, 2006), 191–209.

³⁹ Arand, Kolb, and Nestingen, *The Lutheran Confessions*, 182.

⁴⁰ For a classic example, see both the title and content of Matthias Flacius Illyricus, “*Wider den Evangelisten des heiligen Chorrocks D. Geitz Major* ([Magdeburg] 1552),” in *Der Majoristische Streit (1552–1570)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2014), 74–95.

⁴¹ Kolb and Wengert, *The Book of Concord*, 497–500, 574–581; Dingel, *Bekennnisschriften*, 1240,27–1246,12, 1414,25–1430,20.

⁴² Irene Dingel, “Historische Einleitung,” in *Der Majoristische Streit (1552–1570)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2014), 6,25–15,5; Irene Dingel, “The Culture of Conflict in the Controversies Leading to the Formula of Concord (1548–1580),” in *Lutheran Ecclesiastical Culture: 1550–1675*, ed. Robert Kolb (Leiden: Brill, 2008), 39–43; Peterson, “The Philippist Theologians and the Interims of 1548,” 313.

⁴³ Timothy J. Wengert, “Adiaphora,” 6.

⁴⁴ Kolb and Wengert, *The Book of Concord*, 515–516, 635–640; Dingel, *Bekennnisschriften*, 1280,16–1284,32, 1548,5–1560,4.

Areas of Consensus in the Adiaphorist Controversy

As strongly as the Philippists and the Gnesio-Lutherans may have disagreed on how the Christian church should interact with temporal authority, most of the crucial questions of the church's relationship with governing authorities were actually matters of general consensus among members of both parties. To begin on the most basic level, both sides of the Adiaphorist Controversy agreed that the governing authorities are instituted by God and that Christians consequently owe them obedience. A couple of examples should suffice on this point. While the Gnesio-Lutheran side was in this instance requiring disobedience to an imperial mandate, the most prominent Gnesio-Lutheran theologian, Matthias Flacius, writes in his exegesis of Revelation 14 that Christians must obey the temporal authorities to whom God has given the sword and the authority to judge and punish evil.⁴⁵ Similarly, Johannes Pfeffinger, one of the most prolific Philippists in the Adiaphorist Controversy, writes in his report on the dispute that it is necessary to obey the governing authorities in all external matters that are not contrary to conscience and God's word.⁴⁶ Indeed, on this issue there is really no evidence of disagreement on either side.

Moreover, neither side denies the governing authorities the power to institute practices in the churches within their territory. In the same report from 1550, the Philippist Pfeffinger enthusiastically writes that with respect to those things that can be changed in the church, which is to say adiaphora, the governing authorities are able to change them, and the church is obligated to obey what they command.⁴⁷ Likewise, in his polemical response to Pfeffinger's report, the Gnesio-Lutheran Nicolaus Gallus admits from the Gnesio-Lutheran side that temporal rulers do have the authority to promote and implement proper practices in the churches that fall under their jurisdiction.⁴⁸

⁴⁵ "Keyser / König / unnd alle Oberkeit sol man fürchten / Das mann wider jr regiment nicht handele / denn sie haben das schwert / das sie solchs straffen sollen / Man sol inen Ehre geben / Denn Gott hat sie geehret / Und das Richteramt befohlen." Matthias Flacius, *Eine Weissagung / vnd ein schöner Herrlicher trost / für alle hochbetrübtete frome Christiche hertzen / zu diser jtzigen trübseligen zeit / Aus dem XIII. Cap. Der offenbarung Johannis* (Magdeburg: Michael Lotter, 1548), n.p., <http://www.controversia-et-confessio.de/id/e72202d1-b46e-49d1-8343-00f36e821d2b>.

⁴⁶ Johannes Pfeffinger, "Gründlicher und wahrhaftiger Bericht (1550)," in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 680,22–23, 716,4–6.

⁴⁷ Pfeffinger, "Gründlicher und wahrhaftiger Bericht," 715,7–716,11; Kolb, "Controversia perpetua," 206.

⁴⁸ Nicolaus Gallus, "Gegenbericht auf D. Pfeffingers Glossen (1550)," in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 745,25–26. On this and the following point of unity, Olson's account of the dispute in the Adiaphorist Controversy is somewhat incomplete. While he correctly identifies the Adiaphorist Controversy as "primarily . . . a quarrel about the relationship between church and state," he describes Flacius and the Flacian

Further, both the Philippists and the Gnesio-Lutherans tended to agree on the reason why governing authorities should institute ecclesiastical practices in their territories: the good of the church, and especially its unity. Pfeffinger, for example, writes in his treatise on traditions and adiaphora that no one should oppose a Christian ruler who introduces adiaphora in order to unify ceremonies, which would be to the church's benefit.⁴⁹ Similarly, in a letter to Moritz on July 6, 1548, the Philippists Philip Melancthon, Caspar Cruciger, Georg Major, Johannes Pfeffinger, Georg von Anhalt, Johann Forster, and Daniel Greiser write to Elector Moritz that they would be willing to introduce any ceremonies that the governing authorities required that would "contribute to unity and good purpose" in the church.⁵⁰ For their part, the Gnesio-Lutheran preachers of Hamburg seem to agree with their Philippist counterparts in a letter to the Wittenberg faculty in 1549, where they write that the church could in good conscience obey the governing authorities if they were to institute ecclesiastical practices in the interest of the church's unity and edification.⁵¹ Consequently, whatever the disagreement between the two parties of the Adiaphorist Controversy may have been, it does not appear to have been whether temporal authorities can institute ecclesiastical practices. On this issue they are largely in agreement.⁵²

Yet another area of near unanimity in the Adiaphorist Controversy is the apostolic injunction that Christians must obey God rather than the governing authorities if the two should come into conflict. Indeed, the *clausula Petri*⁵³ was a favorite passage of the Gnesio-Lutheran party during the Adiaphorist Controversy. Flacius, for example, cites Acts 5:29 in a letter that he wrote to the mayor, city council, and residents of Lübeck in December 1549, holding up Peter and the apostles as an example of steadfastness in the face of governmental persecution, an example that he desires his readers to emulate in the face of Romanist oppression.⁵⁴

side in terms of "the separation of church and state" and a "struggle for a church free from state domination" in Olson, *Matthias Flacius and the Survival of Luther's Reform*, 156, 159. This portrayal seems not to account adequately for a general acceptance of ceremonies introduced by secular rulers on the Gnesio-Lutheran side.

⁴⁹ Peterson, "The Philippist Theologians and the Interims of 1548," 472.

⁵⁰ Peterson, "The Philippist Theologians and the Interims of 1548," 131.

⁵¹ Johannes Aepin et al., "Brief der Prediger zu Hamburg (1549)," in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 77,26–31.

⁵² This agreement's roots in Luther and Melancthon can be seen in James M. Estes, *Peace, Order and the Glory of God: Secular Authority in the Church in the Thought of Luther and Melancthon, 1518–1559* (Leiden: Brill, 2005), 205–212. Moreover, on p. 211, Estes explicitly describes formulator Nikolaus Selnecker as a preacher whose understanding of the church's relationship to temporal authorities had been shaped by Luther and Melancthon.

⁵³ Acts 5:29.

⁵⁴ Matthias Flacius, "Von Wahren und Falschen Mitteldingen (1550)," in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 195,31–197,9.

The passage from Acts also plays an important role in the Gnesio-Lutheran Magdeburg Confession, which argues that the city of Magdeburg is justified in resisting the emperor's religious edicts because it must obey God rather than men.⁵⁵ However, the Gnesio-Lutherans were not the only ones to invoke the *clausula Petri* in their writings. Even before the Augsburg Interim had been written, the prominent Philippist Georg Major wrote that it is necessary to obey God rather than men—even if the man is the Holy Roman Emperor—when that man commands something contrary to the will of God.⁵⁶ Similarly, after the promulgation of the Leipzig Proposal and the ensuing controversy, Pfeffinger referred to this biblical text multiple times as he defended himself and the Wittenberg faculty from the charge that they had been willing to give way to the governing authorities in all things. Rather, he claims, “the apostolic rule is taught and kept among us in every way: ‘it is necessary to be obedient to God more than to men.’”⁵⁷ Thus the Christian's responsibility to obey God instead of men, even divinely instituted governing authorities, who command something contrary to God's will was not a subject of debate in the Adiaphorist Controversy.⁵⁸

This responsibility to resist rulers who make commands that contradict God's will does not only apply to the individual Christian, however. Rather, both sides of the Adiaphorist Controversy agreed that the institutional church as a whole has both the ability and the obligation to resist the governing authorities when they require something that is contrary to God's word. From the Gnesio-Lutheran side, Flacius counsels the city of Lübeck that by virtue of their office, preachers must resist rulers who want to persecute the divine truth or use it for their own purposes.⁵⁹ The Philippist Pfeffinger likewise allows the church to resist governing authorities when it comes to central issues of the faith. For him, this means that if the government imposes external things upon the church, it is incumbent upon the church to decide whether resistance is justified or not. That resistance is not only justified but necessary if those governmental prescriptions impinge upon central matters of the Christian faith.⁶⁰

⁵⁵ “Magdeburger Bekenntnis (1550),” in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 562,14–569,6.

⁵⁶ Peterson, “The Philippist Theologians and the Interims of 1548,” 461.

⁵⁷ “. . . ist alle wege die Apostolische Regel von vns gelehret vnd gehalten worden: ‘Man sol Gott mehr gehorsam sein denn den Menschen.’” Pfeffinger, “Gründlicher und wahrhafter Bericht,” 718,4–6.

⁵⁸ On this point, both parties stood firmly in the tradition of Luther himself, whose polemical writings encouraged resistance against Romanist authorities. Mark U. Edwards Jr., *Luther's Last Battles: Politics and Polemics, 1531–46* (Ithaca, NY: Cornell University Press, 1983), 20–37.

⁵⁹ Matthias Flacius, “Von wahren und falschen Mitteldingen (1550),” 192,18–195,18.

⁶⁰ Pfeffinger, “Gründlicher und wahrhafter Bericht,” 652,35–42.

On the basis of the primary sources from the Adiaphorist Controversy, it is possible to identify many areas on which both sides seemed to be in broad agreement. Both sides agreed that the governing authorities are instituted by God with the result that Christians should obey them. Gnesio-Lutherans and Philippists alike wrote that it was not inappropriate for the temporal authorities to institute ecclesiastical practices in the churches under their jurisdiction. All of the disputants agreed that if rulers command something contrary to God's will, the *clausula Petri* remains in force, and the resulting resistance was not seen as merely an activity in which individual Christians engage but rather as a collective obligation of the whole church. While the participants in the Adiaphorist Controversy disagreed fiercely on some aspects of the relationship between church and temporal authority, none of these aspects of that relationship were areas of serious disagreement. Accounting for this general agreement among these mid-sixteenth-century theologians is critical for understanding the thinking that lies behind FC X, but equally crucial is a clear understanding of where the Philippists and Gnesio-Lutherans came to differ on questions of the church and temporal authority.

Areas of Disagreement in the Adiaphorist Controversy

When it comes to the relationship between the church and temporal authority in the Adiaphorist Controversy, the disagreement between Philippists and Gnesio-Lutherans largely came down to one question: may the church obey temporal authorities who do not share her confession of faith when they demand that she observe certain ecclesiastical practices?

It would be an understatement to say that the Philippists tended to answer that question in the affirmative. Indeed, the prevailing answer on the Philippist side was not just that the church may follow the practical prescriptions of heterodox rulers but rather that she ought to do so. Ever the quintessential Philippist, Pfeffinger wrote in 1550 that the governing authorities can require ecclesiastical acts that do not harm the conscience whether they share the church's faith or not. Moreover, he writes that if he were subject to a "papistic authority"⁶¹ who allowed Evangelical clergy to preach the word freely and administer the sacraments according to Christ's institution but wanted them to exhibit greater uniformity with the Romanist churches in festivals, hymns, or vestments, it would be better for the Evangelicals to accept those governmental demands at a cost to their Christian freedom than to reject them with the result that their parishioners are robbed of the free preaching

⁶¹ "Papistischen Obrigkeit." Pfeffinger, "Gründlicher und wahrhafter Bericht (1550)," 721,36.

of Christ.⁶² On this issue Pfeffinger was not an outlier. To take another example, the student body of the University of Wittenberg crafted a document in 1560 in response to a challenge that Gallus issued to their faculty on the question of adiaphora. In this document they claimed that since Elector Moritz had assured the Wittenberg faculty that sound doctrine would remain unmolested in Saxony, the faculty were not able to refuse his demand that various ecclesiastical practices be brought into line with the Roman obedience. They were, after all, required to render unto Caesar what was Caesar's.⁶³ Here one can easily hear the echoes of the beginning of Moritz's Leipzig Proposal, which called first and foremost for obedience to the emperor.⁶⁴ In sum, when the Philippists faced the question of whether they could obey heterodox rulers' demands for ecclesiastical practices—assuming those practices were not directly antithetical to God's word—their answer was overwhelmingly in the affirmative.

On the Gnesio-Lutheran side, however, the answer was a clear no. The church simply may not obey governing authorities who do not share her faith when they require ecclesiastical practices of any sort. This can be seen in Gallus's response to Pfeffinger's writings on the subject, where he writes that the government does have the responsibility to promote sound doctrine and practice, but when it compromises with those who persecute the truth, it overreaches its authority. When such a government in league with unbelievers requires the church to observe certain practices, it has done away with Christian freedom, and the church both may and must resist it.⁶⁵ Similarly, in his letter to the city of Lübeck, Flacius stops short of advocating for open rebellion against heterodox rulers, but he does write that the church and her preachers must resist rulers who want to persecute the divine truth or use it for their own purposes.⁶⁶ On the whole, then, the Gnesio-Lutheran disputants in the Adiaphorist Controversy rejected any possibility of the church obeying the practical prescriptions of temporal authorities who stood outside her fellowship.

Despite the several important church-government issues on which both the Philippist and Gnesio-Lutheran sides tended to agree, this question is where agreement on the church's relationship to the governing authorities broke down. The Philippists not only allowed but required precisely that which the Gnesio-Lutherans forbade outright: ecclesial compromise with heterodox rulers in matters of practice.

⁶² Pfeffinger, "Gründlicher und wahrhafter Bericht (1550)," 721,36–722,12.

⁶³ Matthew 22:21; "Summa und kurzer Auszug aus den Actis synodicis (1560)," in *Der Adiaphoristische Streit (1548–1560)*, ed. Irene Dingel (Göttingen: Vandenhoeck & Ruprecht, 2012), 860,2–14.

⁶⁴ Peterson, "The Philippist Theologians and the Interims of 1548," 174.

⁶⁵ Gallus, "Gegenbericht auf D. Pfeffingers Glossen," 745,25–746,8.

⁶⁶ Matthias Flacius, "Von wahren und falschen Mitteldingen (1550)," 192,18–195,18.

In short, the two sides were at an impasse on this point, and any resolution that the formulators wished to offer to this church-government dimension of the Adiaphorist Controversy would have to account for this question somehow.

The Formula's Solution

With the areas of consensus and the crucial area of disagreement in the Adiaphorist Controversy firmly in view, it is possible to consider the Formula's contribution to the discussion of church and temporal authorities. First, it is worth noting that the Formula of Concord does not give much attention to those aspects of the church-government relationship where the two main parties of the Adiaphorist Controversy were already broadly in agreement. Thus, the formulators have no need to assert that the governing authorities are instituted by God and Christians must obey them, that believing governing authorities may institute practices in churches, that Christians must obey God rather than men should those two come into conflict, and that the church as a whole can and must resist governing authorities when they command something that is explicitly contrary to God's word. On these questions there was no dispute, and besides, these issues had largely already been addressed in the Augsburg Confession, to which the formulators were bound.⁶⁷ Thus, it would be fair to say that the Formula assumes these points of agreement without needing to state them explicitly.

Rather, the concern that needed to be resolved relating to temporal government was the question at issue in the Adiaphorist Controversy: may the Christian church obey the practical prescriptions of temporal authorities who do not share the church's faith? The formulators knew this, so they framed the issue in precisely this way. As they begin the article with a description of the Philippist party, the formulators write that these theologians had been willing to allow compromise in ceremonies "under the pressure and demands of the opponents," whom the formulators further describe as the enemies of the church who had not come to doctrinal agreement with them.⁶⁸ On the other side, the formulators describe the Gnesio-Lutherans as refusing to compromise with rulers who want to change doctrine or ceremonies "through violence and coercion or through craft and deceit."⁶⁹ From both of these descriptions, one can see that for the formulators, there is no difference

⁶⁷ Kolb and Wengert, *The Book of Concord*, 48–51; Dingel, *Bekennnisschriften*, 110,8–113,2.

⁶⁸ Kolb and Wengert, *The Book of Concord*, 635–636; Dingel, *Bekennnisschriften*, 1548,11–18. Timothy Wengert is correct to highlight the fact that the formulators specifically have in mind a situation where "we [are] dealing with enemies of the gospel who are using real (not imagined) force" in FC X. See Timothy J. Wengert, *A Formula for Parish Practice: Using the Formula of Concord in Congregations*, Lutheran Quarterly Books (Grand Rapids: Eerdmans, 2006), 173.

⁶⁹ Kolb and Wengert, *The Book of Concord*, 636; Dingel, *Bekennnisschriften*, 1548,19–25.

between heterodox rulers who promulgate practices within the church of God and rulers who force ceremonies on the church through “violence and coercion,” presumably because rulers who are not united with the church’s faith have no means except force to impose practices. Rulers who share the church’s faith and are part of her fellowship, however, will have no need to resort to force but will rather institute practices for the good of the church of which they are members and in Christian cooperation with the clergy and the whole body of believers.⁷⁰ At any rate, the formulators make clear the issue that they intend to address: the religious commands of authorities who do not hold to the true faith.

In the end, the Formula of Concord lands on the Gnesio-Lutheran side of the argument. When authorities who are not united with them in faith institute ceremonies that they require the church to observe, Christians may not obey them. This is because, as the formulators begin their argument, the authority to change adiaphora lies nowhere other than with “the community of God,” which is to say the church.⁷¹ Consequently, those who are not a part of the community of God—regardless of the temporal authority that God may have given them—may not institute practices in the church, which is why the Formula disallows compromise with those who use “violence or chicanery” in order to do so.⁷² This means quite simply that the church cannot submit to or even compromise with temporal authorities who insist on external things “where Christian agreement in doctrine has not already been achieved.”⁷³

At this point, the Formula contains extended citations of the Smalcald Articles, which take this general principle and apply it to the specific situation of the Leipzig Proposal. In the first of these passages, Luther pointedly denies that the Romanist bishops are the church.⁷⁴ This polemical assertion is, in fact, crucial to the Formula’s argument concerning the church and temporal authority because if the Romanist bishops were the church, they might well have legitimate authority to command ceremonies, as in Pfeffinger’s aforementioned hypothetical situation. Yet these are not the church but rather heterodox political lords who have tried to usurp the authority of the “community of God” to govern its own ceremonies. Thus, on Luther’s confessional authority, the formulators are able to reject the Romanists’ authority to institute ecclesiastical ceremonies in Evangelical churches without rejecting the assumption that was common to both Philippists and Gnesio-

⁷⁰ This is similar to Gnesio-Lutheran Joachim Westphal’s understanding as it is described in Hans Christoph von Hase, *Die Gestalt der Kirche Luthers: Der casus confessionis im Kampf des Matthias Flacius gegen das Interim von 1548* (Göttingen: Vandenhoeck & Ruprecht, 1940), 95.

⁷¹ Kolb and Wengert, *The Book of Concord*, 637; Dingel, *Bekennnisschriften*, 1550,24–33.

⁷² Kolb and Wengert, *The Book of Concord*, 637; Dingel, *Bekennnisschriften*, 1552,1–24.

⁷³ Kolb and Wengert, *The Book of Concord*, 638; Dingel, *Bekennnisschriften*, 1554,12–22.

⁷⁴ Kolb and Wengert, *The Book of Concord*, 639; Dingel, *Bekennnisschriften*, 1554,30–1556,12.

Lutherans that believing authorities may indeed institute adiaphora in the church. The next citation from the Smalcald Articles reiterates this point even more strongly, identifying the pope with the antichrist.⁷⁵ According to the Formula's logic, then, since the pope is the ultimate heterodox temporal authority, the church may not compromise in matters of ecclesiastical practices with him or with any secular authority who obeys him, as was the case with Elector Moritz's Leipzig Proposal.

Conclusion

While it assumes the areas where theologians of the Augsburg Confession had enjoyed widespread consensus on issues of the church and temporal authority, the Formula of Concord adds to that consensus a thorough account of the relationship between heterodox rulers and the church's communal practices, precisely the area where the sixteenth-century debates over adiaphora showed that resolution was needed. From this it is clear that the Formula's article on ecclesiastical practices offers a coherent and meaningful contribution to the doctrine of the church and temporal authority in light of the preceding Adiaphorist Controversy. In short, it teaches that the authority to determine adiaphora belongs exclusively to the church, which means that while governing authorities who belong to the fellowship of the church may certainly institute ecclesiastical practices for her good as her members, temporal authorities who are not in agreement with the church's doctrine may not prescribe her ceremonies, and any attempts by them to do so must meet with principled ecclesial resistance.

Of course, it is worthwhile for confessional Lutheran clergy of every age to understand the contribution that every article of their confessional writings makes to their articulation of the *corpus doctrinae*. Yet in the wake of the year 2020, when heterodox magistrates in the United States and the world over used force, threats, and coercion to regulate the church's ceremonies, from restricting her gatherings⁷⁶ to regulating her means of distributing the Sacrament of the Altar,⁷⁷ the confessional witness of FC X is as timely and practical as ever. Hopefully a closer read of this article in its sixteenth-century context will offer twenty-first-century Lutherans some desperately needed clarity concerning how they might navigate their congre-

⁷⁵ Kolb and Wengert, *The Book of Concord*, 639; Dingel, *Bekenntnisschriften*, 1556,13–18.

⁷⁶ E.g., State of Minnesota Executive Department, *Emergency Executive Order 20-20: Directing Minnesotans to Stay at Home*, Tim Walz, 2020, https://mn.gov/governor/assets/3a.%20EO%2020-20%20FINAL%20SIGNED%20Filed_tcm1055-425020.pdf.

⁷⁷ E.g., Mark Hayward, "After Outbreak among NH Worshipers, AG Warns Defiant Greek Orthodox Church to Stop Sharing Chalice," *New Hampshire Union Leader*, October 3, 2020, https://www.unionleader.com/news/health/coronavirus/after-outbreak-among-nh-worshipers-ag-warns-defiant-greek-orthodox-church-to-stop-sharing-chalice/article_d37e3747-df15-56f0-8f13-dc9fe0703395.html.

gational and broader ecclesial relationships to the governing authorities—both those who share their faith and those who do not—in light of their confessional commitments. It is admittedly likely that the Formula’s teaching will not resolve all of these difficult situations in the church’s interaction with governmental authorities; in fact, it will almost certainly lead faithful Christians to ask new questions about how their churches should interact with temporal rulers. Yet, as they face these new questions and difficult situations, the witness of FC X will be crucial in the current age of church-state relations, if only Lutherans will believe, teach, confess, and live according to it. For their sake, and for the sake of broader ecumene, may the Lord grant it.