

SUB IUDICIO NOSTRO

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If these International Congresses for Luther Research continue to be held every five years, then the next one would occur in 1976, the fiftieth anniversary of the death of Karl Holl. Who of this century's *Lutherforscher* deserves commemorating more than he? Without his precedent our own researches, indeed this congress, would be scarcely imaginable. Professor Wilhelm Pauck, whom Professor Pelikan credits with doing for America what Holl did for Europe, was a student of Holl's at first hand.¹ Those legions of us who first learned our Luther from Pauck and Pelikan learned never to settle for less than "the Holl truth and nothing but the truth." (Which, as puns go, is almost as atrocious as the one about Luther's "Lau and Gospel.")

But no need to wait with commemorating Holl until five years hence. It was just sixty years ago this year when that essay of his appeared which English-speaking students know best, *Die Kulturbedeutung der Reformation*.² Holl first presented that essay as a lecture in Berlin three years prior to the outbreak of World War I and he repeated it at Stuttgart in 1918, on the eve of his country's surrender and the bitter settlement at Versailles. In that lecture, you recall, Holl had some sobering things to say about England and America. For example, he undertook to explain historically "the religious feeling Englishmen have about themselves as the chosen people, the imperialism that has engendered along with the English notion of war." During the three score years since then the international tables have turned at least once. But Holl's intimations about

¹ "Wilhelm Pauck: A Tribute," in Jaroslav Pelikan (editor), *Interpreters of Luther: Essays in Honor of Wilhelm Pauck*, Philadelphia: Fortress Press (1968), p. 5.

² Karl Holl, *Gesammelte Aufsätze zur Kirchengeschichte* (seventh edition), Tübingen: J. C. B. Mohr (Paul Siebeck) (1948), three volumes, vol. I, pp. 468-542. E.T.: *The Cultural Significance of the Reformation* (tr. Karl and Barbara Hertz and John H. Lichtblau), New York: The World Publishing Company (1958).

Imperialismus and *Nationalreligion* are still apt, no doubt for all of us and not least of all for my own country. This is the same country, of course, in which Holl discerned also some of the Reformation's more beneficent effects. For instance, "the influence of the English sects upon universal human rights and upon the consequent shift in political thought." The reference to "universal human rights" reminds me--if you will indulge just one more coincidence of dates--that the Holl anniversary in 1976 coincides with the bicentennial of the founding of this Republic, marking what President Nixon risked calling two centuries of ongoing revolution.

I.

The Question

That convenient convergence of *Lutherforschung* and revolutionary democracy leads me, albeit deviously, to my question. The question has to do with "universal human rights" and their anticipation, if any, in the reform activities of Martin Luther. The question was a preoccupation of Holl's, incited to it as he probably was by his great colleague at Berlin and particularly on this score his opponent, Ernst Troeltsch. Troeltsch had written his own *Bedeutung des Protestantismus für die Entstehung der modernen Welt*, known to us in English as *Protestantism and Progress*. The interest in human rights, especially the right of private judgment, with its implications for religious tolerance, underlay the whole baffling question of the Reformation's relation to the Enlightenment and its sequel. The Troeltsch-Holl controversy, though now in altered form, has hardly abated to this day. It is a fair question which of the two principals to the debate has prevailed. Even H. Richard Niebuhr, who did as much as anyone to interpret Troeltsch to America, found occasion where Luther was concerned to prefer Holl.³ It strikes a historian's fancy that one current American theologian, who still tags Luther with a one-sidedly negative view of the state, (moreso even than Troeltsch did) likens Luther and his followers to Ernst

³ Christ and Culture, New York: Harper and Brothers (1951), p. 172.

Bloch;⁴ that prompts a rereading of Karl Holl's critical review (1922) of Bloch's book on Münzer and revolution.⁵ One thing is sure, the question of "Reformation and Enlightenment" is yet with us, especially for those theologians who still cherish some loyalty to the achievements of Luther, though not without having that loyalty challenged by another: the contribution of the Enlightenment to the rights of personal judgment.

For Example, Pannenberg

One such theologian--and the choice is almost at random--is Wolfhart Pannenberg. He speaks for many in our day, as did Holl in his day, in questing still after some "cultural significance of the Reformation," particularly its significance for post-Enlightenment man. Pannenberg's debt to Holl's research, a debt we all share as virtually self-evident, is apparent enough. The one most general difference, I suppose, between the approach of a Pannenberg and that of Holl is in their differing assessments of Luther's timeliness for our age. Holl could still claim: "Mit dieser Predigt . . . steht Luther dem heutigen Geschlecht noch ebenso nahe wie dem damaligen."⁶ Pannenberg for his part finds this former stance untenable: "Man las Luther . . ., als habe man mit einem Autor der Gegenwart zu tun."⁷ And Pannenberg warns, "dass kaum ein Gedanke, kaum ein Glaubensmotiv der Reformation so, wie sie im 16. Jahrhundert wirksam wurden, unter den veränderten Bedingungen der Gegenwart gültig sein kann."⁸ That is a perennial caution for all historians, at least since the Renaissance, the caution against anachronism.⁹ Of course, Holl was acutely sensitive to that problem. For that very reason he argued--for example, *contra* Troeltsch and the latter's strictures against Luther's medievalism--that we ought to be historians enough not to fault Luther for not being more up-to-date than he was. To which Pannenberg seems to reply: Precisely, so neither ought we pretend that Luther is our contemporary. However, aside from that difference

⁴ Charles C. West, Ethics, Violence and Revolution, New York: The Council on Religion and International Affairs (1969), pp. 35 ff.

⁵ Theologische Literaturzeitung (1922), pp. 401 ff.

⁶ "Was verstand Luther unter Religion?" Ges. Aufs., vol. I, p. 109

⁷ Reformation zwischen gestern und morgen, Gutersloh: Gutersloher Verlagshaus Gerd Mohn (1969), p. 7.

⁸ Ibid., p. 19.

⁹ Myron P. Gilmore, Humanists and Jurists, Cambridge, Massachusetts: Harvard University Press (1963), p. 63.

between protectiveness and criticalness, Pannenberg still pursues Holl's search for some nexus between Luther and *die Neuzeit*.

That phenomenon of the Enlightenment which we have so far called by Holl's general term "universal human rights" is variously referred to by Pannenberg as *die Mündigkeit* or *Selbstregierung* or *Selbstständigkeit* or *Selbstbestimmung des Menschen*, *die Autonomie der Vernunft*, *die religiöse Toleranz* and--what seems to be basic to all of these-- *das Recht des eigenen Urteils*. The corresponding antithesis against which the Enlightenment had to struggle, and still has to, also in the theology of Luther, is "authoritarianism." "Wir müssen die Lektion noch einmal lernen, die die Jahrhunderte seit Beginn der Aufklärung buchstabiert haben mit ihrem Kampf gegen das Autoritätsdenken im Christentum und für den mündigen Gebrauch des eigenen Urteils."¹⁰

True, not unlike Holl, Pannenberg eventually traces even this "right of private judgment" to "the central idea of the Reformation," Luther's doctrine of justification. There the believer is related to "God's absolute truth," God in Christ, *unmittelbar* and is liberated "from every last bond to any human authority."¹¹ But first Pannenberg insists, especially against those confessionalists who would uncritically repristinate Luther today, that a prior embarrassing reminder is in order: the historic actualization of this human right came about almost in spite of the Reformation, *eine ungewollte Folge der Reformation*.¹² Witness how Luther himself still assumed that the precondition of political and civic unity was religious unity; and that meant uniformity in Christian doctrine--all of Luther's personal *Gewissenszwang* to the contrary notwithstanding. His was hardly our modern version of *Gewissensfreiheit*. "Es war nicht gemeint, dass jeder nach seiner Fassung selig werden solle."¹³

But Luther's most resistive impediment to the later "right of private judgment," says Pannenberg, was the still medieval, authoritarian way with which even he continued to

¹⁰ *Op. Cit.*, p. 8.

¹¹ *Ibid.*, pp. 16, 19, 20.

¹² *Ibid.*, p. 14.

¹³ *Ibid.*, p. 12.

regard the Scriptures. Admittedly, he opposed papal authority, but only by appealing to another, namely biblical authority. "That was Luther's problem: not the autonomy of private judgment against the bridling of it by some sort of authority, but rather a conflict between authorities as such."¹⁴ At bottom, Luther failed sufficiently to distinguish between the insights of men, including the insights of Scripture, and "the absolute truth of God."¹⁵ Along with his age Luther was still party to an anti-modern, intolerant absolutizing of religious belief. Granted, that may have been the belief of the biblical authors. But they are still fallible men.¹⁶ That is not yet *die absolute Wahrheit Gottes*.

Re-enter Holl

Holl was hardly unmindful of these criticisms. Ironically, some of the very evidence he had amassed against these criticisms can nowadays be cited to reinstate them. But Holl, who was as much of a systematic theologian as many another church historian has had to be, felt particularly called to be Luther's advocate. Specifically the charge of Luther's *Intoleranz* Holl was intent to refute or at least to alleviate. This drove him to digress into what even historians must sometimes do, to grapple along the way with the conceptual unclarity (*die grauenhafte Begriffsverwirrung*) of his own contemporaries.¹⁷ To be sure, Holl reserved this digression for a footnote, but a footnote which ran to nearly a thousand words! So then, in what sense was Luther "intolerant" and in what sense not?

Distinguendum est.

If a man who is convinced he has found the truth and who wishes to share that find with others is intolerant, then Luther was intolerant. But then so were those others, like the Quaker George Fox, who strove hardest for what today is called religious tolerance. Any religion, at least any world religion, "die sich auf den Standpunkt stellte, jedermann nach seiner Fassung selig werden zu lassen, würde sich selbst aufgeben oder auf die Stufe einer blossen Nationalreligion herabsinken." On the other hand, if intolerance means

¹⁴ *Ibid.*, pp. 11-12.

¹⁵ *Ibid.*, p, pp. 15, 20.

¹⁶ *Ibid.*, p. 24.

¹⁷ "Luther und das landesherrliche Kirchenregiment," *Ges. Aufs.*, vol. I, pp. 367-8.

disseminating one's faith by recourse to governmental coercion, then Holl refers his readers to Luther's public record. Notably in his preface to the Visitation Articles of 1528 but in fact throughout his life, Luther consistently reflected how God desires no forced labor and how compulsion merely produces hypocrites. Seen historically and not anachronistically, this innovation of Luther's, relative though it was, was in truth a break with the millenium-long intolerance of medieval society.¹⁸

In his effort to clarify the meanings of "intolerance" Holl reserved his most polemical distinction for that agonized antithesis between "absolute" and "relative" truth. That antithesis dominated his struggle with Troeltsch, also Troeltsch's struggle with the emerging dialectical theology,¹⁹ and it persists in the language of Pannenberg and wherever philosophical idealism still controls the idiom. That absolute truth has become increasingly relativized, Holl does not deny. But neither does he regard that development as normative. For good reason not. Holl too prizes tolerance. Yet he refuses to equate the growth of tolerance with the growth of relativism. For him tolerance has other and better explanations.

In the first place, says Holl, we falsify history if we pit Reformation against Enlightenment solely in terms of absolute versus relative theories of truth. But we err even worse if we try, by that antithesis alone, to explain the rise of modern tolerance. Leave aside for the moment whether a relativist view of truth is necessarily more tolerant than an absolutist view. For now remember only that absoluteness was attributed also to "Reason," at least by the Enlightenment's earlier spokesmen, even by Lessing. Only later did the notion of truth as an intact natural endowment become relativized, as truth attainable only by progressive and unending approximations to it. In any case it was not this gradual relativizing of truth which really decided the shift toward toleration. Not, if by toleration we mean religious tolerance legally guaranteed.²⁰

¹⁸ Ibid.

¹⁹ James M. Robinson (editor), The Beginnings of Dialectical Theology, vol. I, Richmond, Virginia: John Knox Press (1968), pp. 311-316.

²⁰ Loc. cit.

No, that shift had a complex of other causes, beginning already in the sixteenth century and accelerating among the English sects, namely the religious impetus of Luther's axiom: faith cannot and dare not be coerced. Moreover in the seventeenth century, while religion was still inspiring men to warfare, it simultaneously inspired, under the onslaught of Reason, a growing doctrinal indifference-- *Gleichgültigkeit*, which for Holl is still not the same as relativism. In the end, though, the climactic cause of toleration was the self-interest of power-seeking states. When on pragmatic grounds it at last became clear, not only that a confessionally diverse state was in fact viable but contrariwise that the suppression of dissent is internally debilitating, then first--and not with the relativizing of truth--did legalized tolerance finally turn the bend.²¹

Holl's polemic against relativist notions of truth waxes most aggressive when he explains that they, too, have not been immune to intolerance. "In disparaging those contrary positions which to him seem regressive or reactionary, even the progressive who styles his viewpoint as 'merely relative' can be quite as intolerant as another who regards his own as absolute." The documentation for such "intolerant Reason," not only in the eighteenth century but also today, Holl finds too obvious to belabor. Moreover, what he finds likewise deplorable is the way in which Luther's own partisans appear to have been oversold by their relativist critics. All too unquestioningly they are resigned to concede Luther's "intolerance" if thereby they can but retain his biblically secured *absolute Wahrheit*. As if absolute truth automatically entailed intolerance.²² It is this necessary connection which Holl disclaims, systematically and historically.

II.

The Question Anew

Now a banquet speech leaves room for only a few *obiter dicta*. So let me reserve the question of Luther's "intolerance," his "authoritarianism." For the sake of argument let

²¹ Ibid.

²² Ibid.

that be granted. Nor is this the place to reopen the question of "absolute" and "relative" truth, if indeed that needs reopening at all, let alone the question of which truth is more tolerant. But we might pose a related question. Does modern intolerance, whether of the absolutist or the relativist kind or of Luther's kind, find in Reformation theology some clue to its causes and cures? Concede that even Enlightened men have at times, perhaps in spite of themselves, relapsed into intolerance. Might we by hindsight discern in their precursor, Luther, some theological premonition of their lapse, even some solution?

In posing such a question we betray, of course, the prejudice common to our guild that the Reformation might still be resourceful. I assume it is unnecessary to argue that historians investigate not just any and every past but preferably the usable past, a past which showed some promise for the future. Surely that assumption was prominent in Luther, also in Melancthon, for instance as they defined their difference with the *Confutatores* at Augsburg. The issue for them was not whether their accusers had affirmed Christ and his *historia* but whether they had put his history to "use," whether Christ was being made "necessary." Our subject here, of course, is considerably more modest, namely, how to put the theology of Luther to use for the needs of modern Enlightenment. The particular need in question is for *das Recht des eigenen Urteils*.

God's Judging and Ours

Notice, first of all, not the word *Recht* or the word *eigen* but the word *Urteil*, judgment, *iudicium*. The theological connotations of that word are immediate. For Luther at least it is not only man but God who judges. "Denn wir wissen, dass Gottes urtheil ist recht uber die, so solchs tun." (Rom. 2:2) Yet the word describes also an activity of men, not only in their courtrooms but in the exercise of their critical reason generally, also in their theologies. The word *Urteil* had long since acquired that meaning, too, also in the *neufrühhochdeutsch* of Luther's day--for example, "widder das wuetende urteil der Pariser theologisten."²³ Not that the fallible judgments of men are a one-to-one copy of the divine judgments. Hardly. God alone is *verus Iudex*. All others, everyone from

²³ WA XIII.

emperor to professor to servant, *universa creatura*, are but God's "masks." These include the authors of Scripture.²⁴

Of course, to be able to recognize even that much difference, between God and his creatures, is already an act of good judgment. Yet given only that much discernment a man like Münzer might still draw the hasty conclusion that human authorities, because they are not divine, are therefore expendable. The crucial distinction comes with knowing how to "use" authorities socially, *in politia*, without using them soteriologically. Still, that judgment--which the world cannot make though Spirited men can--does conform to God's own.²⁵ The very fact that Christian folk could now judge the life-style of ordinary laborers to be more God-pleasing than all monastic orders, that for Luther was empirical proof (*experientia magna*) that, thanks to the Gospel, all of life was now *sub iudicio nostro*--subject, as the more ambitious Druck-text adds, "to our certain and infallible judgment."²⁶

Judgment and Criticism

Such judgment is seldom neutral. Almost always it involves evaluation, negative as well as affirmative, criticism of other men and their deeds and institutions. Not only does judgment discriminate--say, between the workingman's life-style and the monk's--but also it incriminates, namely, the monk. Luther cannot hail the "now" of the Reformation without reflecting adversely upon the "then" of past papal oppression. Reference was made earlier to his translation of Romans 2:2 (*to krima tou theou*) as "Gottes Urteil." But Paul's verbal forms of that word, *krinein* and its corollaries, Luther consistently renders with some form of *richten* or even (in the case of *katakrinein*) with *verdammen*, whether the *Richter* in question be God or ordinary men. Thus Luther preserves the biblical reminder of what evaluative, fateful implications inhere in most criticism.

²⁴ WA XL: 172 ff.

²⁵ Ibid.

²⁶ Ibid., 342.

Our modern word "criticize," in fact, is etymologically closer than "judge" is to Paul's forensic originals. With that word "criticism" we have arrived at what certainly is one of the basic motifs in modern history: all the way from Shakespeare's Iago, who is "nothing if not critical," to Kant's three *Critiques*, to that which for most of us here is bread-and-butter, historical "criticism." This idiom, which first gained currency among the French, is really rather new--seventeenth century Englishmen were still writing "criterion" with Greek letters²⁷ but it caught on fast, apparently filling a need. "Das eigentlich junge wort ist schon tief eingewurzelt," as Grimms' *Wörterbuch* marveled. "Es ist längst über die kreise des wissenschaftlichen und kunstlebens hinaus gedrungen; namentlich auch im politischen leben gibt es 'kritik.'" More than that, "wenigstens in einer redensart ist es sogar schon allgemein geworden, auch in nichtgelehrten kreisen. 'Das ist unter aller kritik' sagt man von etwas, das man als völlig wertlos oder verwerflich bezeichnen will."²⁸ Criticism, as a well-nigh universal judiciary, is by now well established.

Of course, modern criticism has worked long and hard to allay the caricature of mere fault-finding. There is not only "eine zerstörende kritik," Goethe cautioned, but also "eine productive." Luther knew too, as he preached to his Wittenbergers, that their criticisms of their fellows dare be only for the latter's "improvement"; and then, as perceptively as any Freud, he added that even such high purpose is treacherously liable to rationalization.²⁹ The modern appreciation of progress, relying as it does on the ongoing corrigibility of history, likewise intends for criticism to be always and only constructive. But these very commitments to human corrigibility, to neighborly improvement, only reveal the more that there is first of all someone wrong who--by "productive kritik," of course, never less -needs correcting.

That necessarily judicial component in criticism has sometimes gone unnoticed, but then only perhaps by those positivist critics who aspire to the objectivity of the natural sciences. Yet that aspiration in turn, all too often maligned, might just reflect an almost

²⁷ *The Oxford English Dictionary*, Oxford: at the Clarendon Press (1933), vol. II, p. 1179.

²⁸ Jacob Grimm and Wilhelm Grimm, *Deutsches Wörterbuch*, Leipzig: Verlag von S. Hirzel (1873), vol. V, pp. 2335-2336.

²⁹ WA XXXII: 475 ff.

religious awe about criticism itself. For there do have to be those superhuman controls on prejudice, those canonical rules of evidence, and all the rest, simply because of what all is at stake: the value or disvalue of the one being criticized. From that standpoint Herbert Butterfield as well as his detractor, Sir Isaiah Berlin, could both be right. Perhaps both are reflecting that judgment, though it is we who must mediate it, is what Luther called it, *res divina*.³⁰ And it is an awesome fact that probably never before in history have so many people, present and past, name by name, been *sub iudicio nostro*.

Two Dilemmas

No wonder then that men of the Enlightenment still believed, as did Luther before them, that no one may pass judgment on his fellows unless he first has authorization, a *Recht* or, as Luther sometimes called it, a "commission" (*Aufgabe*). As for the universality of that right and its ultimate source, there was, of course, widening disagreement between the sixteenth century and, say, the Age of Reason. A model of political democracy Luther was not. And his own warnings against directly imitating the heroes of the past we ought not begrudge.³¹ But on this much there was abiding agreement in principle: the criticizing of others, far from being arbitrary, needed by some final court of appeal--whether deist or rationalist or contractual--to be justified.

Nothing less than that would do, given the dilemma at hand. How to free each man to make his own judgments, free from the heteronomy of others, without subjecting others in turn to his judgment? This dilemma was anguishing enough to tempt later men to evade it. Luther at least recognized, as many of his successors did not, what fateful power every critic has at his command. Not only might he entertain critical thoughts in the privacy of his bosom, but like any magistrate he can dispose of his neighbor's "goods,"

³⁰ WA XL: 177.

³¹ Hans Walter Krumwiede, *Glaube und Geschichte der Theologie Luthers*, Göttingen: Vandenhoeck und Ruprecht (1952), pp. 75 ff. – John M. Headley *Luther's View of Church History*, New Haven, Connecticut: Yale University Press (1963), pp. 47-51. – Hermann Dorries, "Lutheran Understanding of History," in Julius Bodensieck (editor), *The Encyclopedia of the Lutheran Church*, Minneapolis: Augsburg Publishing House (1965), vol. II, pp. 1026-1027.

notably that one good which next to life itself is the most precious, a man's "good name." All criticism, not only the state's, is retributive, commending good and reproaching wrong. Recompense, of which the "sword" happens to be only the most dramatic instance, is ingredient in nearly all judgment. In his explanation of the Eighth Commandment Luther is less concerned whether the criticism of one's neighbors is true (that at the very least) than with its effects on their "honor."³² But the dilemma seems unavoidable. Free me to make my own judgments and, alas, no one else is then free from my judgments. Even without invoking Hobbes' questionable egoism--"every man is enemy to every man"--the dilemma persists. Then all the more reason that criticism, mine and everyone's, dare be only by special "right."

The second dilemma is worse. Practically everyone, even for Luther, had to exercise judgment upon someone in one social role or another. And each one did so by "right," perhaps less in the sense of a privilege he had coming to him than in the sense of an assignment, for the *Besserung* of his fellowmen, his share in the *Politia*, his contribution to "history" (the *saeculum*). His private "right" to judge was in truth a public responsibility *coram Deo*. It was his particular witness "stand" to which he was being "called" to give account: was he meeting his obligation to criticize? For a man in that circumstance not to pass judgment, a temptation which Luther knew was often overwhelming, was sin. "Ia auch ein jglicher Christ ist schuldig, wo er sihet das sein nehester ubel thut, das er jn vermane und were: das kan ia nicht on urteilen und richten zu gehen."³³

Still, that is but half the story. The other half, the other horn of the dilemma, is that every such judge is himself a culprit and he only compounds his culpability by his judgments. If it is true that often he shrinks from his critical duties, it is just as true that he relishes them, exploiting them as proof of his own rightness. It is here, says Luther, where all sins against *Tolerantia* begin.³⁴ But the critic's plight then is not only that he is

³² Der grosse Katechismus, Die Bekenntnisschriften der evangelisch-lutherischen Kirche (6. durchgesehene Auflage), Gottingen: Vandenhoeck und Ruprecht (1967), pp. 624-633.

³³ WA XXXII: 475.

³⁴ Ibid., p. 476.

a hypocrite, faulting others for what he, too, commits. Worse than that, by entering into criticism (as he must) he approvingly participates in God's own critical work, thereby endorsing God's right to work that way--also against him. As he by his own act concurs in divine judgment, he himself incurs it. God's guilty agent, *qua* judge, unwittingly turns state's evidence against himself. Thus "you give Him the right"—*so gibstu jm ursach--* to reciprocate in kind.³⁵ But, of course, this thought did not originate with Luther. He was only sermonizing those ("harte . . . strenge") words of Jesus: "Denn mit welcherley gerichte jr richtet, werdet jr gerichten werden." (Mt. 7:2) To call this a dilemma, where criticism is at once duty and self-incrimination, sounds on second thought like understatement. For if all of life must be *sub iudicio nostro* (and it must) then by that "right" we, being who we are, fall *sub iudicio Dei*. "Denckistu aber, o mensch, der du richtest die, so solchs thun, und thust auch dasselbige, das du dem urteyl gottis entrynnen werdist?"³⁶ (Rom. 2:3)

The Newer Criticism

In face of that dread impasse, what Enlightened critics require is more even than Immanuel Kant required of them: daring, courage. "The motto of Enlightenment," said Kant, who at least construed this motto as a "duty," is to "have the courage to use your own minds."³⁷ Courage, yes, but courage born of change not only in men but previously in God or, better, a change in God's history with men. For if with Luther what intimidates criticism or what over-activates it is its inextricable collusion with the final *iudicium Dei*, then that *iudicium* must be relieved of its finality. It must be overcome, and overcome where it directly oppresses us, in the midst of critical history. One suggestive solution, of course--a solution which has not eluded the imagination of modern man-- is to deny for humane reasons that there is any God, at least any who is ultimately critical or, at the very least, who would implicate his criticism with our sordid versions of it. The thing

³⁵ LW XXI: 217. WA XXXII: 480.

³⁶ See WA LVI: 188 ff.

³⁷ "Was heisst Aufklärung?" in Immanuel Kants Werke (ed. by Ernst Cassirer) Berlin, 1922, eleven volumes, vol. IV, pp. 169 ff.

about such atheism or anomy which might have puzzled Luther most is not, Why do men deny God, but rather, What is it about "the hidden and dreadful will of God" which lets them deny him?³⁸

Luther could afford such theocentric consistency only because he was sure that, no thanks to himself, he had found a more radical solution. The divine criticisms which he saw so profusely mediated throughout human history he conveniently reduced to a single historical process, *lex*--conveniently, because that made it easier to cope with. He took special delight in the way Paul for rhetorical reasons personified this process.³⁹ That furnished Luther with the literary ingredients for his *iucendissimum duellum* between God's law and God's Christ. Christ personified God's other history, the *promissio*, and simultaneously personified his own fellow sinners. That made Christ at once the God-man (*purissima persona*) and "the worst of sinners" (*peccator peccatorum*).⁴⁰ In the ensuing duel, as Luther loved to joke, the poor *lex* was in a helpless fix. It had every *Recht*, indeed it was under sacred obligation, to criticize its victim in view of the guilt he insistently shared. On the other hand, since this *socius peccatorum* was at the same time and inseparably the law's own lord, the law's criticism of him amounted to insubordination, a direct violation of its own "first and greatest commandment."⁴¹ The divine criticism, thus discredited, was hoist on its own petard, as was manifest in the resurrection which followed. If we might amend Professor Pelikan's favorite Troeltsch quotation, history was being overcome by history--old history by a newer one.

However, (a point which also Troeltsch might have appreciated) this was for Luther not a matter of a *sacra historia*, the promissory history, being so sacrosanct as to be exempt from criticism. On the contrary, it was precisely because of this divine subjection to criticism that it--the Christ, God's promise kept--overcame. And his own with him. The implication of this victorious subjection for the courage also of ordinary Christians was not lost on Luther. He reminded them--for instance, in his *Uon weltlicher uberkeytt*--that

³⁸ WA XVIII: 684.

³⁹ WA XL: 277.

⁴⁰ *Ibid.*, 432 ff.

⁴¹ *Ibid.*

they now required no special exemptions from critical authorities, not even from those which are tyrannical. Such a *Recht* in their own behalf they need no longer invoke, that is, insofar as they are Christian enough to endure. It is understandable that Luther's advice (which again was not original with him) sounds like the most craven submissiveness or the most visionary otherworldliness. But that was hardly Luther's intention. Rather he was encouraging a community of men who, by absorbing in their own persons the critical process of history without invoking it in return, by that much at least might diminish it and thus help dry it up at its source. A similar hope, if somewhat too millennialist, later revived in Luther's namesake, Martin Luther King, Jr. With Luther himself the prototype for the Christians' ability to take criticism began with their daily mortification of themselves in repentance. From that head-start even Lessing's author "der so empfindlich ist dass er die schonendste kritik nicht vertragen kann," might advance to courage.

However, everyone--*ia auch ein jglicher Christ*--still retains the "right," nay the *Aufgabe*, also to exercise criticism of others. Only now he enjoys a new freedom: henceforth he need criticize only for the others' *Besserung*. Liberated from the need of self-justification, his criticism becomes distinctly other-concerned and social. "For others . . . he may and should seek vengeance, justice, protection, and help, and do what he can toward this."⁴² "Das kan ia nicht on urteilen und richten zu gehen." That, too, requires courage. But in view of the one overriding norm, which more even than truth is neighborly care, courage may just as likely suggest forgiveness and withholding criticism.

But what if the criticism, once made, proves to have been extreme? Then the offending critic dares to sue for his brother's--for example, Erasmus'--forgiveness. "Si vero et in tuam Diatriben acerbior videbor, ignosces mihi . . . Invicem libenter condonare debemus."⁴³ Such condoning, remember, has solid and cosmic backing. After all,

⁴² WA XI : 259.

⁴³ WA XVIII:756.

Erasmus, "not all will go astray if you or I go astray." God sees to that.⁴⁴ William James once said, who himself showed strong affinities to Luther: "There are worse things in life than being mistaken." One thing worse, Luther might agree, is to be unforgiven. But that is no longer an option for faith, what with the newer historic developments in *iudicio Dei* and, consequently, in *iudicio nostro*.

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⁴⁴ *Ibid.*, 787.