

WORKS  
OF  
MARTIN LUTHER

WITH  
INTRODUCTIONS AND NOTES

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VOLUME II

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A TREATISE  
CONCERNING  
THE BAN

1520

Vol. II.—3

(33)

## INTRODUCTION

THE ban, or excommunication, is the correlative of communion. Our conception of excommunication depends then, of course, upon our view of what constitutes communion. Luther gives us his view of communion in the preceding Treatise concerning the Blessed Sacrament. From the premise there laid down it follows that excommunication, or the ban, excludes only from external membership in the Church, but cannot really separate a man from the Church if he is in personal fellowship with his Lord.<sup>1</sup> Sin and unbelief cause this separation from Him, and the real ban, therefore, is put into effect not by the Church, but by the man himself when he sins against God. The ban of the Church cannot even deprive one of the Sacrament, but only of the outward use of it, for it can still be partaken of spiritually. This whole position, of course, is fatal to the Roman Catholic conception of the Church, and we do not wonder that it was vigorously opposed by the hierarchy.

Of like significance is Luther's advocacy of the separation of the temporal and spiritual powers, practically of Church and State,—the position which he develops later in the *Open Letter to the Nobility*.

But in this treatise, again, Luther shows himself to be anything but the immoral monster his vilifiers have tried to make of him. He is again the man of conscience—will his critics say, “of oversensitive conscience”? Thank God that there were some sensitive consciences in an almost conscienceless age! Luther fears sin more than the ban, and sin has for him more than an ecclesiastical meaning. Sin is not primarily an act against the Church, but an offence against God. This the ban is to teach; it is to be the symbol of God's wrath against sin and it is to be used by the Church only remedially and in love. When so used it becomes the chastening rod of the dear Mother Church, provided it be accepted and borne in this spirit.

Why, then, did not Luther bear his own ban in this way? The justification for his subsequent conduct is to be found in two brief but important conditional clauses in this treatise. “God,” he says, “cannot and will not permit authority to be wantonly and impudently resisted, when it does not force us to do what is against God or His commandments.”<sup>2</sup> Again he says, “When unjustly put under the ban we should be very careful not to do, omit, say or withhold that on account

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<sup>1</sup> See below, p. 37.

<sup>2</sup> See below, p. 50.

of which we are under the ban, unless we cannot do so without sin and without injury to our neighbor."<sup>1</sup> God and his neighbor were for Luther the factors which made it necessary for him to speak and act, when for selfish reasons he would often rather have remained passive.

The inception of our treatise is to be found in a sermon preached in Wittenberg in the spring of 1518. Luther's pastoral concern for his people made it necessary for him to speak on this subject in order to quiet the consciences both embittered and distressed by the wanton and unjust use of the power of excommunication. Added to this must have been his own personal interest in the ban certain to fall on him. In a letter to Link,<sup>2</sup> dated July 10, 1518, he speaks of having preached a sermon on the power of the ban which produced general consternation and fear that the fire enkindled by the XCV Theses would start afresh. He had desired a public disputation on the subject, but the Bishop of Brandenburg persuaded him to defer the matter. Under date of September 1st, Luther writes Staupitz<sup>3</sup> that because his sermon had been misrepresented and spread by unfriendly spies it became necessary for him to publish it. It appeared in August after Luther's summons to Rome, under the title *De Virtute Excommunicationis*. Our treatise is an elaboration in popular form of this Latin treatise of 1518.

The Grünenberg text given in CLEMEN, Vol. I, which we have followed in most cases, is dated 1520, and must have appeared in its original edition at the end of 1519 or the beginning of 1520.

The text of the treatise is found in the following editions:

Weimar Ed., vol. vi, 63; Erlangen Ed., vol. xxvii, 51; Walch Ed., vol. xix, 1089; St. Louis Ed., vol. xix, 884; Clemen, vol. i, 213; Berlin Ed., vol. iii, 291.

J. J. SCHINDEL.

ALLENTOWN, PA.

<sup>1</sup> See below, p. 51.

<sup>2</sup> See ENDERS, I, No. 84. SMITH, *Luther's Correspondence*, I, No. 69.

<sup>3</sup> See ENDERS, I, No. 90. SMITH, *Luther's Correspondence*, I, No. 77.

## A TREATISE CONCERNING THE BAN

1520

### JESUS

1. We have seen<sup>1</sup> that the sacrament of the holy body of Christ is a sign of the communion of all saints, therefore it becomes necessary to know also what the ban is which is employed in the Church by the power of the spiritual estate. For its chief and peculiar function and power is to deprive guilty Christians of the holy sacrament and forbid it to them. Therefore the one cannot be understood apart from the other, because the one is the opposite of the other; for the Latin word *communio* means fellowship, and thus do the learned designate the Holy Sacrament. Its opposite is the word *excommunicatio*, which means exclusion from this fellowship, and so the learned term the ban.

2. There is a twofold fellowship, corresponding to the two things in the sacrament, the sign and the thing signified, as was said in the treatise.<sup>2</sup> The first is an inner, spiritual and invisible fellowship of the heart, by which one is incorporated by true faith, hope and love in the fellowship of Christ and of all the saints, signified and bestowed in the sacrament; and this is the effect and virtue of the sacrament. This fellowship can neither be given nor taken away by any one, be he bishop, pope, or angel or any creature. God alone through His Holy Spirit must pour it into the heart of the one who believes in the sacrament, as was said

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<sup>1</sup> In the preceding treatise on the Blessed Sacrament.

<sup>2</sup> See above, p. 10.

in the treatise.<sup>1</sup> This fellowship no ban can touch or affect, but only the unbelief or sin of the person himself; by these he can excommunicate himself, and thus separate himself from the grace, life and salvation of the fellowship. This St. Paul proves in Romans viii: "Who shall separate us from the love of God? Can anguish or need, or hunger or poverty, or danger or persecution, or shedding of blood? Nay, I am convinced that neither death nor life, neither angels nor principalities nor angelic hosts, neither things present nor things to come, naught that is mighty on the earth, neither height nor depth nor any other creature can separate us from the love of God which is ours in Christ Jesus our Lord." And St. Peter says: "And who is he that will harm you, if ye be followers of that which is good?"

Rom.  
8:35, 38

1 Peter  
3:13

3. The second kind of fellowship is an outward, bodily and visible fellowship, by which one is admitted to the Holy Sacrament and receives and partakes of it together with others. From this fellowship or communion bishop and pope can exclude one, and forbid it to him on account of his sin, and that is called putting him under the ban. This ban was much in vogue of old, and is now known as the lesser ban. For the ban goes beyond this and forbids even burial, selling, trading, all association and fellowship with men, finally, as they say, even fire and water,<sup>2</sup> and this is known as the greater ban.

Not satisfied with this, there are some who go still farther and use the temporal powers against those under the ban, to coerce them with sword, fire, and war.<sup>3</sup> These, however, are new inventions, rather than the real meaning of Scripture. To wield the temporal sword belongs to the emperor, to kings, to princes, and to the rulers of this world, and by no means to the spiritual estate,<sup>4</sup> whose sword is not to be

<sup>1</sup> See above, p. 18.

<sup>2</sup> I. e., the necessities of life.

<sup>3</sup> E. g., the crusades against heretics, and the inquisition of the thirteenth century. Luther's statement that to burn heretics is contrary to the will of the Holy Spirit was condemned in the Bull *Exsurge Domine*, of July 15, 1520.

<sup>4</sup> Cf. p. 53.



of iron, but the sword of the Spirit, which is the Word and commandment of God, as St. Paul says.

Eph. 6:17

4. This external ban, both the lesser and the greater, was instituted by Christ when He said in Matthew xviii: "If thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. If he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses every word or transaction may be established. If he will not hear them, then tell it unto the whole congregation, the Church. If he neglect to hear the Church, let him be unto thee a heathen man and a publican."

Matt.  
18:15 ff.

Likewise St. Paul says in 1 Corinthians v: "If any man among you be a fornicator, or covetous, or an idolator, or a railer, or a drunkard, or an extortioner, with such an one keep not company, neither eat with him." Again he says in 11 Thessalonians iii: "If any man obey not our word by this epistle, note that man and have no company with him, that he may be ashamed." Again, John says in his second Epistle: "If any one come unto you, and bring not this doctrine, receive him not into your house, neither bid him God speed, and he that biddeth him God speed is partaker of his evil deeds."

1 Cor.  
5:11

2 Thess.  
3:14

2 John 10

From all these sayings we learn how the ban is to be used. First, we should seek neither vengeance nor our own profit, as is at present the disgraceful practice everywhere, but only the correction of our neighbor. Second, the penalty should stop short of his death or destruction; for St. Paul limits the purpose of the ban to the correction of our neighbor, that he be put to shame when no one associates with him, and he adds in 11 Thessalonians iii: "Count him not as an enemy, but admonish him as a brother." But now the ruthless tyrants deal with men as though they would cast them down to hell, and do not in any wise seek their correction.

2 Thess.  
3:15

5. It may often happen that a person under the ban is deprived of the holy sacrament, and also of burial, and is

nevertheless inwardly<sup>1</sup> secure and blessed in the fellowship of Christ and of all saints, signified in the sacrament. On the other hand, there are many who are not under the outward ban and who freely partake of the sacrament, but are nevertheless inwardly quite estranged and excommunicated from the fellowship of Christ; even though they be buried under the high altar in a golden pall with much pomp and singing and tolling of bells. Therefore, no one is to be judged, even if he be under the ban, especially if he has not been put under the ban for heresy or sin, but for the purpose of correction. For to put men under the ban for the sake of money or other temporal considerations is a new invention, of which the apostles and Christ knew nothing.

6. To put under the ban is not, as some think, to deliver a soul to Satan and deprive it of the intercession and of all the good works<sup>2</sup> of the Church. For where the true faith and love of God remain in the heart, there remains a real participation in all the possessions and intercessions of the Church, together with all the benefits of the sacrament, since the ban is and can be nothing else than exclusion from the external sacrament or from association with men. If I were cast into prison I would, of course, be deprived of the outward companionship of my friends, and yet not be deprived of their favor and friendship; so he that is put under the ban must relinquish the sacrament and association with men, but is not on that account cut off from their love, intercession and good works.

7. It is true that the ban, when it is rightly and deservedly applied, is a sign, an admonition and a chastisement, whereby the one under the ban should recognize that he himself has delivered his soul unto Satan by his transgression and sin, and has deprived himself of the fellowship of all the saints and of Christ. For by the penalty of the ban our mother, the holy Church, would show her dear son the awful consequences of sin and thereby bring him back from

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<sup>1</sup> Cf. p. 10.

<sup>2</sup> See Vol. I, pp. 33, 163 ff.

the devil to God. When an earthly mother rebukes and chastises her erring son, she does not give him over to the hangman or to the wolves, nor make a knave of him, but she restrains him and shows him by her chastisement that he is in danger of the hangman, and thus keeps him at home in his father's house. In the same way, when the spiritual power puts any one under the ban, it should be in this spirit: "Behold, thou has done this or that, whereby thou hast delivered thy soul unto the devil, deserved God's wrath, and deprived thyself of all Christian fellowship; thou art fallen under the inward spiritual ban in the sight of God and art unwilling to cease or to return. So then, I put thee also outwardly under the ban in the sight of men, and to thy shame I deprive thee of the sacrament and of fellowship with men, until thou come to thyself and bring back thy soul."

8. Let every bishop, provost or official,<sup>1</sup> who uses the ban for any other purpose, take heed lest he put himself under the everlasting ban from which neither God nor any creature shall deliver him. There are none to whom the ban is more harmful and dangerous than those who apply it, even though it be laid quite justly and only on account of wrongdoing, for the reason that they seldom if ever have this object in view. Besides they go about it without fear and do not consider how perchance they themselves may be more worthy of a hundred bans in the sight of God, as the Gospel records of the servant who owed his Lord ten thousand pounds and yet would not have patience with his fellow servant who owed him a hundred pence. What will become of these miserable taskmasters, who for the sake of money have brought things to such a pass with their bans, often violently and unjustly imposed, that Turks and heathen have an easier life than Christians? It is very evident that many of them are under the ban in the sight of God, and are deprived of the blessing of the sacrament and of

Matt.  
18:24.  
28

<sup>1</sup> The officials were officers of the bishops' courts; see also below, p. 103.

inward, spiritual fellowship, although they do nothing day and night but cite others to appear, harass them and put them under the ban, and deprive of the external sacrament those who are a thousandfold better inwardly and in the sight of God and are living in the spiritual fellowship of the sacrament. O miserable business! O terrible existence maintained by this abominable trade! I am not sure whether such publicans and officials were wolves before becoming officials or whether they are on the way to becoming wolves; their work is certainly wolves' work.

9. From this there follows the truth that the ban of itself ruins, condemns or harms no one, but seeks and finds the ruined and condemned soul for the purpose of bringing it back. For all chastisement is for the correction of sin; the ban is simply a chastisement and motherly correction; therefore it makes no one worse or more sinful, but is ordained solely to restore the inward spiritual fellowship when justly laid, or to deepen it when unjustly imposed. This is proved by St. Paul when he says in II Corinthians xiii:  
<sup>2 Cor.</sup> <sup>13:10</sup> "This I write to you according to the power which the Lord hath given me, to edification and not to destruction." And thus, when he rebukes him who had taken his step-mother to wife, he says in I Corinthians v:  
<sup>1 Cor.</sup> <sup>5:5</sup> "I together with you deliver him unto the devil for the destruction of the flesh, that the spirit may be saved at the last day." Thus also in the passage quoted above he said: "We should not count him who is under the ban as an enemy, but admonish him as a brother, in order that he may be put to shame and not be lost." Nay, even Christ Himself, as man, had not the power to cut off and deliver a single soul to the devil, as He says in John 6:  
<sup>John</sup> <sup>6:37, 39</sup> "Him that cometh to Me I will in no wise cast out, and this is the will of My Father Who sent Me, that I should not destroy or lose what He giveth Me." Again He says: "The Son of Man is not come to destroy, but to save men's souls." If Christ Himself and all the apostles had no other power than to help souls, and have left behind them no other power in the Church, how dare the blind tyrants

presume and boast in their presumption that they have power to curse, to condemn and to destroy, which power is even denied them by their own canon law; for in the *Liber Sextus*,<sup>1</sup> which treats of the sentence of excommunication, we read: "Since the ban is a medicine and not a poison, only a discipline, not a destructive uprooting, in so far as the one subjected to it does not despise it: therefore let every spiritual judge give diligence to prove himself one who seeks by the ban naught but to correct and to cure."

10. From the above passage it is evident that the ban, when it is not despised, is wholesome and harmless, and not fatal to the soul, as certain timid and dejected consciences, frightened by the outrageous abuses of some, imagine; although in apostolic times it was able to deliver the body to the devil and to death,<sup>2</sup> as indeed it might still be, if the judges would wield the ban, not in the abuse of power, but in humble faith and love, for the correction of their neighbor. It follows further that the ban brings greater danger and terror to those who apply it and are not careful to seek only the correction and salvation of those under the ban, according to the words of the above passage.<sup>3</sup> For the ban can be nothing else than a kind, motherly scourge applied to the body and temporal possessions, by which no one is cast into hell, but rather drawn out of it, and freed from condemnation unto salvation. Therefore we should not only endure it without impatience, but receive it with all joy and reverence. But for the tyrants, who seek therein nothing else than power, awe and gain for themselves, the ban must be a terrible injury, because they pervert it and its purpose, turn the medicine into a poison, and seek only to become a terror to a frightened people; of correction they never think. For this they will have to give an awful reckoning—woe unto them!

11. They have devised a saying, to wit: "Our ban must

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<sup>1</sup> In *Vito*, lib. v, tit. xi, c. 1, *Cum medicinalis*.

<sup>2</sup> According to Luther's interpretation of 1 Cor. 5: 5. Cf. also Acts 5: 5.

<sup>3</sup> The passage quoted from the canon law.

be feared, right or wrong." With this saying they insolently comfort themselves, swell their chests and puff themselves up like adders, and almost dare to defy heaven and to threaten the whole world; with this bugaboo they have made a deep and mighty impression, imagining that there is more in these words than there really is. Therefore we would explain them more fully and prick this bladder, which with its three peas makes such a frightful noise.

Now, it is true, the ban must be feared and not be despised, whether it be just or unjust. But why apply this only to the ban, which is a motherly chastening, and not to all the other and greater penalties and tribulations as well? For what great thing have you done for the ban by saying it must be feared? Must we not also fear when we are sick, poor, slandered, despised, or deprived of goods, income or justice, nay, when the Turk and other enemies attack or afflict us? For all these and other adversities, whether deserved or undeserved, we should fear, suffer and endure, and in all things conduct ourselves as though we but received our  
Luke 6:30 deserts, as the Lord teaches: "Of him that taketh away thy goods ask them not again." Why are you not also afraid, dear tyrant, when you suffer injustice, when your income is refused, your property stolen, your rights denied, and why do you not think that you should endure these things in fear, whether they be right or wrong? Do you think that others are commanded to endure your power in fear, whether right or wrong, and that you are free from this commandment and need not endure violence or wrong in fear? You will learn that you also are human and under the same law with which you threaten others, puffing yourself up in your folly.

12. What perversity! The spiritual powers come along with their ban and say it should be feared and endured, whether right or wrong. But if they are subjected to violence and injustice they will not endure it to the extent of a single heller, but without any fear at all, cast up the accounts in their favor and demand what is theirs. Thus

they withdraw themselves from God's commandment, in keeping which they, most of all, should be an example to others. For if it is true that pope, bishop and the whole spiritual estate may without fear resist injustice, injury and contempt in their own interest, then it is also true that the ban may be resisted and be repelled, as vigorously as they seek their interest. There is no distinction in God's commandment, it concerns every one alike. But may God forbid that! We are to bear both the ban and whatever tribulation may befall us in fear, as the Gospel teaches. Therefore, if any one wrong you or take your income, and you do not endure it in fear, but would frighten him with the ban,<sup>1</sup> especially when you are seeking not his improvement, but your own benefit or self-will, take heed, you are already worse than he. For you intend to draw yourself out of fear and to draw him in, which you have no right to do, and compel him to keep the Gospel which you tear to pieces. How will you be able to stand before God? Therefore when they say, "Our ban must be feared, right or wrong," we reply: "Yes, that is true, but it is also true that your unjust ban harms no one but yourselves, and harms you in body and soul. And the just ban harms you more than it harms me. Therefore you should also endure your injury in fear, be it right or wrong, and if you glory over me because of the ban I will glory over you because of your suffering. If a criminal took my coat and said: 'You should endure it in fear and humility,' I would say, 'I will; not for the sake of your theft, which harms me not, but for the sake of Christ's commandment.' Just so I fear your ban, not for the ban's sake (it does not harm me, but rather yourself), but for the sake of Christ's commandment."

Matt.  
5:40

13. Though it is true that the ban must be feared, whether it be right or wrong, yet those who lay the ban are always in greater danger than those on whom it is laid. He who is banned is in no danger but that of despising the ban and

<sup>1</sup> For instances see the *Gravamina of the German Nation* (1521), WREDE, *Deutsche Reichstagsakten*, II, 685.

not bearing it, whether it be right or wrong. But he who bans is in danger, in the first place, of not enduring injustice in fear; in the second place, of avenging himself through the ban without any fear; in the third place, of not seeking, with singleness of purpose, his sinful neighbor's correction by means of the ban. This is evident because he despises his own sin and that of others, and only attacks the man who injures him, all of which is contrary to the Gospel. Hence it comes that by means of their dreadful perverseness those who use the ban nowadays pick up the spoon and tread in the dish;<sup>1</sup> they put others under the external ban and put themselves under condemnation inwardly; in addition, they become so blinded that they boast how greatly their external ban is to be feared, and inwardly they condemn themselves, and rejoice boldly and without fear like fools and madmen. For this reason I am sure that the Holy Spirit did not invent the saying, Our ban must be feared, right or wrong. It does not become a Christian, not to say one in the spiritual-estate,<sup>2</sup> to wrong another, much less to lord it over him and boast that this injustice must be feared. It behooves me to say, Thy injustice makes me tremble; it behooves thee much more to take heed and be in fear lest thou do me wrong and threaten me besides, saying that I must endure it in fear; for thy injustice can harm me only in time, but thee it harms to all eternity. So evil and lamentable are these present times, in which such furious tyrants shamelessly and openly boast of their sin and everlasting hurt (which would be horrible even in Turks and heathen), in order that they may be defiant now and mock at the misfortunes of those who suffer, whom they do not seek to correct, but only to inspire with fear and false terror.

In a word, the higher estate is always, with all its works, in greater danger than the lower estate, and where the lower estate must needs be in fear once, there the higher estate needs be in fear ten times over. On this account those who

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<sup>1</sup> THIELE, *Luthers Sprichwörterammlung*, No. 276.

<sup>2</sup> I. e., a cleric.



exercise the ban have no reason to lord it over those who are under the ban or to deal arrogantly with them, but all the more reason to weep for themselves. For God's judgment will not be pronounced on the lowly, but on the mighty, as the wise man says. Wisdom  
6:8 f.

14. It were indeed better if Christians were taught to love the ban rather than to fear it,<sup>1</sup> as we are taught by Christ to love chastisement, pain and even death, and not to fear them. But these prattlers speak only of fear in the ban, though they teach that all other chastisements and misfortunes are to be borne cheerfully. Whereby they betray their blind and cursed purpose, which is to rule by force over the people of Christ, and as it were to take the free Christian Church captive in fear. Therefore let us learn what is our chief duty with respect to the ban, namely, not to despise it or bear it impatiently, and this for two reasons. First, because the authority of the ban was given by Christ to the holy mother, the Christian Church, that is, to the community of all Christians. Therefore, in this matter we should honor and submit to our dear mother Church and to Christ. For what Christ and the Church do should have our approval, our love and our filial fear. Secondly, because the effect and purpose of the ban is beneficial and salutary and never injurious, if one endures it and does not despise it. To use a homely illustration: When a mother punishes her beloved son, whether he has deserved it or not, she certainly does not do it with evil intent, but it is a maternal, harmless and salutary punishment, if the son bears it patiently. Only when he becomes impatient, and is not influenced by it to leave the wrong or to do the good for the sake of which he is punished, but turns against his mother and despises her, does the punishment begin to do him harm; for then he offends against God, Who has commanded: "Thou shalt honor thy father and mother"; and out of a light, harmless, yea even beneficial Ex. 20:12

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<sup>1</sup> This statement also was condemned in the papal bull.

chastisement he makes a terrible wrong and sin, to his everlasting pain and punishment.

15. Thus it happens in our day that certain officials<sup>1</sup> and their associates are murdered, beaten and bound, or are in constant fear of death. Doubtless this would not occur at all, or at least much less frequently, if the people did not hold the wrong opinion that the ban is more harmful than profitable. For this reason they venture everything, and commit such crimes as it were in despair. Although this is terrible, yet by God's dispensation the tyrants get what they deserve, because they conceal the real benefit of the ban from the people, and misuse it, making no effort toward correction, but aiming simply to increase their own power. For although every one ought to endure the ban, they too ought not to despise a poor human being, be he guilty or innocent, as Christ says: "Take heed that ye despise not one of these little ones that believe on Me, for I say unto you that their angels do always behold the face of My Father which is in heaven." Why should they wonder if, in the providence of God, at times their heads are broken and their commands despised, because of the unjust tyrannical ban, since without ceasing they act so insolently against God's commandment? True, there is great wrong on both sides. Yet if the people were taught that the power of the ban is wholesome and necessary and that it is not ordained nor used to their hurt, but to their benefit, the officials would be in less danger, and find greater and readier obedience, nay, greater love, good will and honor among all the people.

16. Therefore the people should be taught in some such way as this: My dear people, let not those who have and use the power of the ban drive you to despair, whether they be pious or evil, whether they do you justice or injustice. The power of the ban cannot harm you, but must always be beneficial to the soul, if only you bear and endure it aright; their abuse of the ban does not hinder its virtue. Or if

Matt.  
18:10

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<sup>1</sup> The "officials" were the administrators of this discipline, see above, p. 41.

you cannot endure it, then try to escape from it with meekness, not with revenge and retaliation by word or deed. And in all things look not to them, but to the dear mother Church. What difference does it make to you whether she lays her rods of chastisement upon you through pious or through wicked rulers? It is and remains, nevertheless, your dearest mother's most salutary rod. From the beginning of the world it has been so, and will ever remain, that spiritual and temporal power is more often given to the Pilates, Herods, Annases and Caiaphases than to the pious Peters, Pauls and the like, and as in all other estates so in that of government there are always more of the wicked than of the pious. It is not to be supposed or hoped that we shall ever have an entirely pious government, nay, it must come as a pure gift of grace or by special prayer and merit, if good government or a right use of power is to be had at all. For God punishes wicked subjects by wicked rulers, as He says: "I will give children to be their prelates and their rulers shall be childish men, I will take from them every mighty man, the wise, the prudent and the man of war," etc. Isa. 3:4 Since, then, incapable or evil rulers are God's chastisement, and there are so many among us who deserve such chastisement, we must not be surprised if the government wrongs us and abuses its power toward us, nay, we must wonder and thank God when it does not wrong us and do us injustice.

17. Wherefore, since the world is at present overburdened, as it has abundantly deserved to be because of its heinous sins, with young, imprudent and inexperienced rulers, especially in the spiritual estate, so that this age of ours is extraordinarily perilous, we must act very prudently and by all means see to it that we hold the government and all authority in the highest honor, even as Christ honors the authority of Pilate, Herod, Annas, Caiaphas, and of the temporal rulers of His time; we must not permit such grievous abuses and the childish rule of the prelates to move us to despise all authority, so that despite those unworthy persons who

bear rule we may not at the same time despise their authority, but cheerfully bear what it imposes, or refuse to bear it at least with humility and proper respect. For God cannot and will not permit authority to be wantonly and impudently resisted when it does not force us to do what is against God or His commandments,<sup>1</sup> though they themselves do as much as they can against God, or injure us as much as they will. There are some whom He Himself would judge and condemn, and such are those great and powerful tyrants; so too, there are those whom He would help, and such are the oppressed sufferers. Therefore we should yield to this His will and leave the mighty to His sword and judgment, and allow Him to help us, as St. Paul says: "O

Rom. 12:19  
Deut. 32:35

dearly beloved brethren, neither avenge nor defend yourselves, but rather give place unto the wrath of God, because it is written, Vengeance belongs to Me alone and I will repay each one."

And yet we should humbly tell these prelates (especially should the preachers rebuke them, yet only by showing them from the Word of God) that they are acting against God and show them what He would have them do, and in addition diligently and earnestly pray to God for them; even as

Baruch 1:11  
Jer. 29:7

Jeremiah wrote to the children of Israel in Babylon that they should zealously pray for the king of Babylon, for his son and for his kingdom, although he had taken them captive, had troubled and slain them and done them all manner of evil.

And we can easily do this if we remember that the ban and all unrighteous authority cannot harm our souls, provided we submit to them, and they must ever be of profit, unless they are despised. So also are the authorities a thousandfold worse in the sight of God than we, and are therefore to be pitied rather than wickedly to be despised.

Ex. 22:28

For this reason we are also commanded in the law of Moses that no one shall revile the rulers, be they good or evil, even though they give great occasion. In short, we must have evil

<sup>1</sup> A very important limitation for Luther's position.

or childish rulers,—if it is not the Turk, then it must needs be the Christians. The world is far too wicked to be worthy of good and pious lords, it must have princes who go to war, levy taxes and shed blood, and it must have spiritual tyrants who impoverish and burden it with bulls and letters<sup>1</sup> and laws. This and other chastisements are rather what it has deserved, and to resist them is nothing else than to resist God's chastisement. As humbly as I conduct myself when God sends me a sickness, so humbly should I conduct myself toward the evil government, which the same God also sends me.

18. When we are justly and deservedly put under the ban our chief concern should be to correct the sins of commission and omission which caused the ban, since the ban always is imposed on account of sin (which is far worse than the ban itself), and yet here as elsewhere things are perverted, so that we only consider how much the rod hurts and not why we are punished. Where can you find men to-day who are as much in fear of sinning and provoking God as they are in fear of the ban? Thus it happens that we are more in fear of the wholesome chastisement than of the heinous sins. We must let men think and act thus, because the natural man does not see the spiritual harm in sin as he feels the smarts of chastisement; although the fear of the ban has also been exaggerated by the tyrannous methods and threatenings of the spiritual judges who drive the people to fear punishment more than sin.

When, however, we are unjustly put under the ban, we should be very careful that we in no way do, omit, say or withhold that on account of which we are under the ban (unless we cannot do so without sin and without injury to our neighbor),<sup>2</sup> but rather should we endure the ban in humility, die happily under it, if it cannot be otherwise, and not be terrified, even though we do not receive the sacrament and are buried in unconsecrated ground. The

<sup>1</sup> See *Open Letter to the Nobility*, below, p. 98.

<sup>2</sup> Again an important limitation.

reason is this: Truth and righteousness belong to the inner, spiritual fellowship<sup>1</sup> and may not be abandoned under penalty of falling under God's eternal ban. Therefore they dare not be surrendered for the sake of the external fellowship, which is immeasurably inferior, nor because of the ban. To receive the sacrament and to be buried in consecrated ground are of too little consequence that for their sake truth and righteousness be neglected. And that no one may think this strange I will go further and say that even he who dies under a just ban is not damned, unless indeed he did not repent of his sin or despised the ban. For sorrow and repentance make all things right, even though his body be exhumed or his ashes cast into the water.<sup>2</sup>

19. The unjust ban then is much more to be desired than either the just ban or the external fellowship. It is a very precious merit in the sight of God, and blessed is he who dies under an unjust ban. God will grant him an eternal crown for the truth's sake, on account of which he is under the ban.

Ps. 109:28 Then let him sing in the words of Psalm cix, "They have cursed me, but Thou hast blessed me." Only let us beware of despising the authorities, and humbly declare our innocence; if this does not avail, then we are free and without guilt in the sight of God. For if we are in duty bound by

Matt. 5:25 the commandment of Christ to agree with our adversary; how much more should we agree with the authority of the Christian Church, be it exercised justly or unjustly, by worthy or unworthy rulers.

An obedient child, though it does not deserve the punishment it receives from its mother, suffers no harm from the unjust chastisement, nay, by its very patience it becomes much dearer and more pleasing to the mother; how much more do we become lovable in God's sight, if at the hands of evil rulers we endure the unmerited punishment of the Church, as our spiritual mother. For the Church remains

<sup>1</sup> See above, p. 41.

<sup>2</sup> The ashes of Hus were cast into the Rhine (1415), and the body of Wyclif was exhumed and cremated and the ashes cast into the water (1427).

our mother because Christ remains Christ, and she is not changed into a step-mother simply because of our evil rulers. Nevertheless, the prelates and bishops and their officials should be temperate and not hastily use the ban, for many bans means nothing else than many laws and commandments, and prescribing many laws is to set many snares for poor souls. And so by numerous ill-advised bans nothing more results than great offence and an occasion for sin, by which the wrath of God is provoked, although the ban was ordained to reconcile Him. And although we are truly bound to obey them, still more are they bound to direct, change and regulate their decree and authority according to our ability and need and for our correction and salvation; for we have shown from St. Paul<sup>1</sup> that power is given not for destruction but for edification.

<sup>2</sup> Cor.  
13:10

20. The ban should be applied not only to heretics and schismatics, but to all who are guilty of open sin, as we have shown above from St. Paul, who commands that the railer, extortioner, fornicator and drunkard be put under the ban. But in our day such sinners are left in peace, especially if they are bigwigs; and to the disgrace of this noble form of authority, the ban is used only for the collection of debts of money, often so insignificant that the costs amount to more than the original debt. In order to gloss this over they have hit upon a new device, saying they put under the ban not because of debt but because of disobedience, because the summons was not respected; were it not for debt, however, they would forget the disobedience, as we see when many other sins, even their own, escape the ban. A poor man must often be disobedient if he is cited to go so many miles, lose time and money and neglect his trade. It is utter tyranny to summon a man to come such a distance across country to court.

<sup>1</sup> Cor.  
5:11

And I commend the temporal princes<sup>2</sup> who will not per-

<sup>1</sup> See above, p. 42.

<sup>2</sup> In 1518 both George and Frederick of Saxony took the position that spiritual jurisdiction should be limited to spiritual matters. Gess, *Akten und Briefe zur Kirchen politik Georgs I.*, 44.

mit the ban and the abuses connected with it in their lands and among their people. What are princes and counsellors for if they do not concern themselves with and judge such temporal matters as debts, each in their city and province and among their subjects? The spiritual powers should be concerned with the Word of God, with sin, and with the devil, in order to bring souls to God, and should relinquish temporal cases to the temporal judges, as Paul writes.<sup>1</sup> Indeed, as things are now, it is almost necessary to use the ban in order to drive the people into the Church and not out of it.

<sup>1</sup> Cor.  
6:1 ff.

21. Whether one be justly or unjustly under the ban, no one may exclude him from the Church until the Gospel has been read or the sermon preached.<sup>2</sup> For from the hearing of the Gospel and the sermon no one shall or can exclude or be excluded. The hearing of the Word of God should remain free to every one.<sup>3</sup> Nay, those who are under a just ban ought most of all to hear it, that they may perchance be moved by it to acknowledge their sin and to reform. We read that it was the ancient practice of the Church to dismiss those under the ban after the sermon, and if a whole congregation were under the ban the sermon must be allowed to proceed just as though there were no ban. In addition, even though he who is under the ban may not remain for the mass after the sermon, nor come to the sacrament,<sup>4</sup> nevertheless he should not neglect it, but spiritually come to the sacrament, that is, he should heartily desire it and believe that he can spiritually receive it, as was said in the treatise on the sacrament.<sup>5</sup>

<sup>1</sup> Luther puts a peculiar construction upon this passage.

<sup>2</sup> The ancient service was divided into the service of the Word (*missa catechumenorum*) and the celebration of the sacrament (*missa fidelium*); before the second, those under the ban as well as the catechumens were required to withdraw.

<sup>3</sup> The "great ban" excluded from all services.

<sup>4</sup> According to Roman Catholic usage there is a distinction between hearing mass and receiving the sacrament.

<sup>5</sup> Compare *Treatise Concerning the Blessed Sacrament*, above, p. 25.