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Living as Christians in the Fallen World in Love and Equity

Lutheran Press Papers No. 3



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I. Living in the Fallen World in These End Times

In 1534, Martin Luther (1483-1546) made the following remarks (AE 13:190-191):

[A]lmost everything and everyone wants to be free, and God's Word is despised. Among the pictures of the Antichrist there is an old prophecy which says that at the end of the world, when the deception of the Antichrist is uncovered, people will become wild and fierce, falling away from all faith and saying there is no longer a God and living in all sorts of wantonness according to their own lusts. Such old pictures move me very much indeed and also hit the nail squarely on the head.

Lutherans confess that the deception of the Antichrist was uncovered by the rediscovery of the holy gospel in the 16th century. E.g., SA II, IV:10-11. Following Luther, we should therefore not be surprised when—in our time and place—we see the signs of the end times Luther described above—"everyone wants to be free;" "people will become wild and fierce;" atheism rises; people are "living in all sorts of wantonness according to their own lusts." In a word, the end-times world is a world of an abundance of sin and sinning, beginning with the First Commandment.

How are we to deal with all this sinning? For one, God instituted the government to "protect everyone against the power and wantonness of others." AE 13:193; see LC I:150. But then also parents, pastors, other superiors, and all neighbors are called to do what they can to counteract sin and to raise those under their authority "to the praise and honor of God." LC I:168.

But how do you do that, in practical terms? When it comes to the government, some crimes are punished more harshly than others. We see that some sins are not punished at all; people are given a pass. And that can be troubling. But how do we deal with various sins in our families, in our places of employment, or in our congregations? Just like the government, we also deal with different sins differently in these settings. For example, we deal in one way with a child who forgot to say their evening prayer before going to bed. As a Noncommission Officer, we'd probably deal quite differently with a private who fell asleep on guard duty. And as fellow Christians, we'd probably deal differently yet with a brother or sister struggling with sin. Some sins we call out—at times harshly, at times gently. Other sins we overlook to achieve some greater good.

So we don't simply "lay down the law" when we encounter sin around us. Rather, we take a very nuanced approach. We also hope that others will take a nuanced approach when they must deal with our sins. The question is—is that the right thing to do? Shouldn't we be more consistent, i.e., shouldn't we deal with every sin in the same way, no matter the circumstances?

Luther said no, as in: "No, you should not be unreasonably consistent when it comes to dealing with the sin you encounter on a daily basis." Put differently, in our daily lives, we should deal with sin in a way that takes the specific circumstances into account. Why? Because that is what love and equity require us to do to preserve outward peace and keep people alive, according to Luther.

You may wonder: What does all this mean? Well, I'm glad you asked! Let's delve in.

II. Distinctions, Distinctions

If you know anything about Lutheran theology, you know that making the right distinctions is the name of the game. We need three distinctions to appreciate Luther's invitation to practice love and equity when dealing with sin in this life. First, we need to distinguish between God's spiritual kingdom and God's worldly kingdom, as well as God's three holy orders. Second, we need to distinguish between the uses of the law—the first, the second, and the third. And third, we need to distinguish between doctrine and life.

A. Distinguishing the two kingdoms and three holy orders of God

Distinguishing the two kingdom and three holy orders of God is a complex matter. We do not need to review all of it here, as we're just going to focus on the basics that matter for the question at hand—how are we to deal with sin and sinners in this fallen world?

Let's start with the three holy orders God instituted in his creation for all people to live in. Luther distinguished the following three—home, government, and church. The home produces and feeds children. The government protects the homes. The church turns the children of Adam into children of God. AE 41:176-177.

This seems easy enough in theory, but in reality these seemingly simple tasks include the hard work of "resisting the devil." We certainly cannot resist the devil. This is why Luther referenced Psalm 127 in the context and stated, "God must be over all and nearest to all, to preserve this ring or circle against the devil, and to do everything in all of life's vocations, indeed, in all creatures." AE 41:176-177.

If God must do everything in all creatures, where does this leave us in the fight against sin and the devil? As Luther explained in the Large Catechism, we are "only the hands, channels, and means through which God bestows all blessings." LC I, 26. Like the rest of his creatures, we are God's masks, behind which he provides for our neighbors. AE 26:94-95. In fact, the work we do in our vocation is nothing but child's play through which God is pleased to give his good things to our fellow creatures, as Luther explained in his lectures on Psalm 147 (AE 14:114-115):

God could easily give you grain and fruit without your plowing and planting. But He does not want to do so. Neither does He want your plowing and planting alone to give you grain and fruit; but you are to plow and plant and then ask His blessing and pray: "Now let God take over; now grant grain and fruit, dear Lord! Our plowing and planting will not do it. It is Thy gift." This is what we do when we teach children to fast and pray and hang up their stockings that the Christ Child or St. Nicholas may bring them presents. But if they do not pray, they will get nothing or only a switch and horse apples.

What else is all our work to God—whether in the fields, in the garden, in the city, in the house, in war, or in government—but just such a child's performance, by

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¹ Luther expanded on this important doctrine in his 1533 lecture on Psalm 127, which will soon be published by Lutheran Press in a new English translation.

which He wants to give His gifts in the fields, at home, and everywhere else? These are the masks of God, behind which He wants to remain concealed and do all things. . . . God gives all good gifts; but you must lend a hand and take the bull by the horns; that is, you must work and thus give God good cause and a mask.

So much for our work in the three holy orders as God's mask. How do these three holy orders fit into the two kingdoms? First of all, what are the two kingdoms? Breaking it down in a simple way, Luther teaches us to "divide the children of Adam and all mankind into two classes, the first belonging to the kingdom of God, the second to the kingdom of the world. Those who belong to the kingdom of God are all the true believers who are in Christ and under Christ, for Christ is King and Lord in the kingdom of God, as Psalm 2[:6] and all of Scripture says." AE 45:88.

By contrast, "[a]ll who are not Christians belong to the kingdom of the world and are under the law. There are few true believers, and still fewer who live a Christian life For this reason God has provided for them a different government beyond the Christian estate and kingdom of God. He has subjected them to the sword so that, even though they would like to, they are unable to practice their wickedness, and if they do practice it they cannot do so without fear or with success and impunity." AE 45:90.

Only those who believe in Christ, then, belong to the kingdom of God. All who do not believe in Christ belong to the kingdom of the world. While the former—reborn by the Spirit—do good of their own accord, the latter must be forced to do good by the law. AE 45:89. Both kingdoms are necessary because true Christians will always be a minority in the world. AE 45:92.

The distinction between the two kingdoms, then, is a spiritual one. Faith in Christ is the dividing line. So we should not confuse Luther's distinction between the two kingdoms of God with the distinction we are familiar with as Americans—the distinction between (or separation of) church and state under the First Amendment to the U.S. Constitution. We also should not confuse Luther's distinction with a distinction that would have been very familiar to the people of Luther's age—the distinction between the spiritual estates and the secular estates, between the clergy and members of religious orders on the one hand and the laity on the other hand. AE 45:88. The constitutional and the traditional distinctions have in common that they are purely legal in nature and have nothing at all to do with faith in Christ.

Accordingly, Luther's distinction of the two kingdoms runs through all three holy orders, including the visible church. Those who do not believe in Christ as their only Savior are only part of the kingdom of the world, even if they are part of the visible church. They are—and must be—ruled by the law with its threats and promises to preserve outward peace. By contrast, those who believe in Christ are and remain in the kingdom of Christ, even as they discharge their duties in their worldly occupations as pastors, congregants, parents, children, citizens, and government officials for the benefit of their neighbor. AE 45:93-94.

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² This quote is from Luther's seminal 1523 treatise on *Temporal Authority*. This work is available in an easy-to-read format under the title *Christians and Government*, published by Lutheran Press.

Believing in Christ while discharging our duties in the world—Luther expressed this reality by distinguishing between person and office in the Christian. AE 21:23. A different way of putting it is to distinguish between the "Christian person" and the "secular person" in the Christian. What does Luther mean by these distinctions? I'll give you a couple examples to explain what Luther is driving at. As Christians in Christ's spiritual kingdom, we are subject only to Christ. But when carrying out our vocations in the three holy orders in this world, we are subject to (or in charge of) each other, according to our vocations—parents are in charge of children; children are subject to parents, and so forth. As Christians we are not concerned about the things of the world because, in Christi's spiritual kingdom, we already have everything in Christ by faith. But in the kingdom of the world, we provide God's blessings to each other according to our vocations. AE 21:109-111, 113, 170-171.

B. Distinguishing the uses of the law—the first, the second, the third

Now we come to the next distinction—that between the various uses of the law. A standard formulation of the first two uses or applications of the law is found in the Smalcald Articles where Luther explained that "the law was given by God first of all to restrain sins by threats and fear of punishment and by the promise and offer of grace and favor." SA III, II, 1. "However, the chief function or power of the law is to make original sin manifest and show man to what utter depths his nature has fallen and how corrupt it has become." SA III, II, 4.

In the Large Catechism, however, Luther actually works with three uses of the law—the law as a standard for what parents and the government should require of the people (e.g., LC I:168, 173); the law as a standard for God's judgment (e.g., LC I:21-22, 316-317); and the law as a guide for the new life of the Christian in loving service of the neighbor in our vocations in this world (e.g., LC I:311-313).

In fact, given that Luther wrote the catechism as a manual for the Christian life, it is not surprising that the third use is the predominant use. Only consider how Luther taught the Creed (gospel) and the Lord's Prayer as serving the Ten Commandments—the former exist and are necessary for the sake of the keeping of the latter. E.g., LC I:316; LC II:2-3, 69; LC III:2. Of course, Luther does not teach us to keep the law to be saved. Rather, we are saved to keep the law. And we keep the law increasingly in this life, perfectly in the future life. LC II:57-58; LC IV:65-71.

Tying together the first two distinctions, then, it seems that the uses of the law correspond *roughly* to the distinction of the two kingdoms. The first and third uses have their place in the "kingdom of the world," in our interactions with our neighbors, where we act as "secular persons" in our vocations, where we serve as God's hands and masks. There, the law restrain sin and guides our lives as much as possible toward serving the neighbor in love and peace. By contrast, the second use has its place in our relationship to God, in the spiritual kingdom of Christ. There, the law's purpose is to expose all sin to prepare all hearts for the gospel. SA III, III:1-3.

C. Distinguishing between doctrine and life, faith and love

Luther was engaged in many doctrinal disputes during his lifetime. Whenever Luther was invited to make doctrinal compromises, he declined the invitation. At the same time, Luther explained where compromise was possible and necessary—in the lives we lead in this world.

In his 1530s Galatians lectures, he stated this distinction as follows (AE 27:37):

In philosophy a tiny error in the beginning is very great at the end. Thus in theology a tiny error overthrows the whole teaching. Therefore doctrine and life should be distinguished as sharply as possible. Doctrine belongs to God, not to us; and we are called only as its ministers. Therefore we cannot give up or change even one dot of it (Matt. 5:18). Life belongs to us; therefore when it comes to this, there is nothing that . . . we are not willing and obliged to undertake, condone, and tolerate, with the exception of doctrine and faith On this score we cannot yield even a hairbreadth. For doctrine is like a mathematical point. Therefore it cannot be divided; that is, it cannot stand either subtraction or addition. On the other hand, life is like a physical point. Therefore it can always be divided and can always yield something.

In the same context, Luther expanded on this distinction between doctrine and life in terms of faith and love by drawing on 1 Corinthians 13 as follows (AE 27:38):

Love can sometimes be neglected without danger, but the Word and faith cannot. It belongs to love to bear everything and to yield to everyone. On the other hand, it belongs to faith to bear nothing whatever and to yield to no one. Love yields freely, believes, condones, and tolerates everything. Therefore it is often deceived. Yet when it is deceived, it does not suffer any hardship that can really be called a hardship; that is, it does not lose Christ, and therefore it is not offended but keeps its constancy in doing good even toward those who are unthankful and unworthy.

The contrast between Luther and much of what we see in congregations across the political or theological spectrum is breathtaking. Where Luther urged steadfastness—in the realm of God's doctrine—we often observe that generous compromises are made. Conversely, where Luther constantly urged patience, compromise, and tolerance for the sake of peace—in the realm of our life—there we often see a loveless attitude that allows for no compromise at all.

Why this change? Luther understood that, by making compromises in this life, we do not lose Christ who is ours by faith. He also understood that by compromising on doctrine—especially the doctrine of justification—we lose everything. AE 26:26; 67:398. Evidently, those who believe that our love ultimately matters before God more than our faith will be reluctant or unable to distinguish between doctrine and life with Luther. The same will be true of those who believe that deeds matter more than creeds.

III. Love and Equity Direct the Law (and Us) Toward Peace and Concord in this Life

Let's now begin to put it all together. We'll start with the uses of the law in the two kingdoms. As Luther explained it, the law as it is used in Christ's spiritual kingdom to expose all sin does not "make any allowances for the circumstances or accidental occurrences." AE 12:239. God's law, as applied in Christ's kingdom, condemns all sins and all people. In fact, the justice of the second use of the law is so absurdly strict that, apart from God's Word, it must appear to be contrary to everything that is just and right in this world. AE 33:206. In fact, the law indiscriminately drives men to hatred of God and condemns all to hell—which is the goal of the devil—unless the second use of the law is limited by the gospel and becomes a pedagogue toward Christ. Galatians 3:24; AE 73:132, 134-135.

In our relationship to our neighbor, God's law by itself really has the same effect. It causes death and destruction. It makes sinners more rebellious. SA III, II, 1-2. This again is the goal of the devil who is a murderer. John 8:44; LC III:80. To have the beneficial effects of restraining sin, promoting peace, and preserving life, the law must also in this life be limited in its strictness. What the gospel does in the spiritual kingdom, this the command to mitigate the law by love must do in the kingdom of the world. Put differently, while God limits the law in the spiritual kingdom by the gospel, he limits the law by itself in the worldly kingdom, in our interactions with our neighbors in the three holy orders. Love, then, is not only the summary of the law. It is also the law's limitation.

Luther discussed the mitigation of the law by love frequently in his writings. In the process, Luther uncovered a profound agreement between the philosophical tradition on equity and the biblical teachings on love.³ One such instance is Luther's discussion of Titus 3. Before we go to Luther, let's look at what Paul wrote in the first few verses of that chapter:

Remind them to be subject to rulers and authorities, to obey, to be ready for every good work, to speak evil of no one, to be peaceable, **gentle**, showing all humility to all men. For we ourselves were also once foolish, disobedient, deceived, serving various lusts and pleasures, living in malice and envy, hateful and hating one another. But when the kindness and the love of God our Savior toward man appeared, . . . He saved us, through the washing of regeneration and renewing of the Holy Spirit . . . This is a faithful saying, and these things I want you to affirm constantly, that those who have believed in God should be careful to maintain good works. These things are good and profitable to men.

From the context, it is evident that Paul here juxtaposes the life of unbelievers with the new life of those saved and reborn by the Holy Spirit. While the life of the unbelievers is characterized by

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³ See generally M. Arnold, "La notion d'epieikeia chez Martin Luther," Revue d'histoire et de philosophie religieuses 79:187-208, 315-325 (1999); J. Gehrke, "The Virtue of Epieikeia: A Study in Luther and His Sources," Seminary Ridge Review 17:68-101 (2014); J. Hahn, "Recht, Reform, Reformation: Luthers Billigkeitsverständnis als Impuls für die aktuellen Debatten um Recht und Barmherzigkeit," in M. Pulte & R. M. Rieger (eds.), Ecclesiae et scientiae fideliter inserviens (FS R. Henseler) 142-157 (2019); J. Hahn, "Billigkeit bei Martin Luther," in M. Armgardt & H. Busche (eds.), Recht und Billigkeit: Zur Geschichte der Beurteilung ihres Verhältnisses 207-227 (2021).

lusts, envy, hatred, and division, the life of the believers is marked by submission to the government, obedience, peace, gentleness, and humility.

For our purposes, I want to focus on the word that is translated in Titus 3:2 as "gentle." The Greek word is *epieikeis*, an adjective from the same root as the Greek word *epieikeia* which is typically translated as equity. This fact was not lost on Luther who was a student of the ancient Greek philosopher Aristotle (384-322 BCE) and a professor of moral philosophy early in his career. This is why Luther commented on this term as follows (AE 29:74-76, modified):

This term is quite famous among the Greeks . . . Aristotle says in the fifth book of his Ethics that when a legislator sets down a law, he makes a distinction [between what is right and wrong]: [This] is impossible, because moral questions concern themselves with the [individual] person. Therefore the law [. . .] deal[s] only with the general situation. The head of a household decides that his family should get up at the third hour. This is a general law. But a special case arises if someone in his family has a headache and cannot do this. If he is foolish, he pushes his way through and does not observe [equity]. He does not soften the rigor of the law. This is what is meant by equity in moral laws. . . .

In summary, whenever we Christians abide in the world, in the kingdom of the devil, it is necessary that certain things be decided upon; but when what is decided upon is carried out imperfectly, one must be courageous and sing: "So what!" I will not grieve myself to death, as new rulers sometimes do. One must [overlook]⁴ a great deal, ignore and not see, which is a necessary virtue. Whoever does not know how to [overlook sin] does not know how to rule; he does not know how to live with people. . . . This virtue is related to gentleness and kindness; yet these latter do not depend on our [overlooking] a great deal whether our brother has done us injury of one kind or another, so that I torture myself but put the best construction on it. Therefore this virtue is praised most of all and is the treasure which the Lord entrusts in consequence of [equity]. A gentle person does not become angry. Then they are [equitable people], that is, they [overlook] a great deal.... Therefore [equity] is a patience toward public evils as well as a patience and tolerance toward private evils. Whoever is able to be gentle in that area, to soften the rigor of the law and of justice, is [an equitable person]. Therefore when those who have been placed under magistrates see many things in the public realm which offend us and which ought to be changed, you must, if you want to be a good example to the heathen, put up with them and let them go, even though they trouble and bother you. Yet there will always be many things that do not go as they should. Therefore this is a necessary virtue for those who want to live either in the midst of public affairs or among those who administer public affairs.

Luther discussed here two aspects of equity we find in book 5 of Aristotle's Nicomachean Ethics. First, equity as suspending the law's general rule in situations where applying the general rule

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⁴ Dissimulare in WA 25:59; AE 29 confusingly translates the verb here and in what follows as "dissemble."

would result in an unjust result.⁵ Luther illustrates this by noting how foolish it would be for a household manager to lay down a general rule—let's get up at a certain time—and then to insist that this rule must be followed by all, even by a household servant who is ill. The second, closely related aspect of equity is that of overlooking and patiently putting up with the shortcomings of others that are unavoidable in a fallen world.⁶

As Luther recognized, without the moderating virtue of equity, it is impossible to rule people. In fact, more fundamentally, it is impossible to live together with other people without this virtue. Why? Because there will always be plenty of shortcomings in others we must patiently overlook, lest peace and community be destroyed.⁷

There is no shame in practicing equity, a virtue Luther called the "miracle of the jurists." AE 3:262. In fact, as Luther explained, those who practice this miraculous virtue in their daily lives do nothing less than following the example of God's own goodness and love, as he saved us according to his mercy, not because of our exact compliance with his holy law. AE 29:79.

Of course, equity can become a loophole so that the exception swallows the rule. AE 46:103-104. There is not only the tyranny of rigid legalism. There is also the chaos of anarchy when there are no rules. LC I:168.⁸ Thus, equity must not be confused with "a rash relaxation of laws and discipline" because "no undermining of natural law and divine law must be allowed." AE 54:325; AE 8:174. Put differently, granting an equitable exception—or overlooking shortcomings—out of love in order to preserve outward peace must not become the general rule.⁹

In other words, the exceptions that have their place in the kingdom of the world in our life together must not become doctrine in Christ's spiritual kingdom. Tolerating sin in love to avoid greater harm is different from changing God's moral law to turn sin into righteousness. Christian love itself makes this distinction, according to 1 Corinthians 13:6-7: Love tolerates everything, but rejoices only in the truth, not in iniquity.

Nonetheless, sin is a reality in this world, sometimes more obvious, sometimes less so. And finding the middle path between tyranny and anarchy is difficult, calls for "courageous and extraordinary men," and is often missed in this life. AE 2:338; 12:237-238. Therefore, "it is enough that one should attain something because, as it has been said, one can go no further: 'Let a person do as much as he can; but that a person should do a perfect job simply doesn't happen." AE 12:242.

⁵ Aristotle, *Nicomachean Ethics* V, 10, 6 (tr. H. Rackham): "This is the essential nature of the equitable: it is a rectification of law where law is defective because of its generality."

⁶ Aristotle, *Nicomachean Ethics* V, 10, 8: "[T]he equitable man is . . . one who by choice and habit does what is equitable, and who does not stand on his rights unduly, but is content to receive a smaller share although he has the law on his side."

⁷ Based on texts such as Colossians 3:14 and 1 Peter 4:8, Melanchthon similarly discussed love and equity as necessary moderators of the law to enable outward peace and concord in a fallen world. Ap. IV, 241-243.

⁸ Luther developed the distinction between tyranny and anarchy—and pointed to the middle path of love and equity—in his lectures on Psalm 127 that will soon be published by Lutheran Press.

⁹ See Thomas Aquinas, *Summa Theologica*, II-II, q. 120, art. 1 ad 1: "[Equity] does not set aside that which is just in itself but that which is just as by law established. Nor is it opposed to severity, which follows the letter of the law when it ought to be followed. To follow the letter of the law when it ought not to be followed is sinful."

The contrast between attenuating the law in equity and love and rigidly enforcing the law is stark when it comes the impact these two approaches have on our life together as sinners in church, state, and the home (AE 2:340):

According to the theologians, the concept of law necessarily includes the counsel of a devout man who controls the law as cases develop; thus it does not become harmful, but the purpose of the law is maintained, namely, to be beneficial and to preserve the peace. If a law is in conflict with love, it is no law. Love is the mistress and teacher of the law, who commands a law to keep silence; for in certain cases the law teaches injustice, not justice. It does this if someone should want to follow it without moderation.

Hence the German proverbs about the young doctor of medicine who needs a new cemetery, about the jurist who recently took over a public office and starts wars all over the place, and about the young theologian who fills hell with souls. Because these men lack the practical experience that engenders [prudence], ¹⁰ they do everything in accordance with their own canons and rules. This is why they get into difficulties and make mistakes to the great detriment of people and affairs.

Therefore you must learn that peace and love are the moderator and administrator of all virtues and laws, as Aristotle beautifully says about [equity]¹¹ in the fifth book of his Ethics. And Augustine . . . says that not everyone is to be clothed, fed, and ruled in the same way, because not everyone is in the same state of health. A very wise saying.

IV. Conclusion

In closing, sin is a pervasive and persistent reality in these end times. Some people try to confront this troubling situation by laying down the law. They are frustrated when others take a laxer approach to sin. Others feel overwhelmed and want to give up because sin always seems to prevail. When sin runs rampant, it seems completely foolish to take circumstances into account, to be tolerant, to be patient, to do what is possible to resist sin without destroying outward peace.

Luther was aware of the power of sin in all people. He also knew how sin destroys community. Luther was also faced with well-intentioned efforts to deal with sin that included the extremes of tyranny and anarchy: Some advocated for removing evil rulers by force. Others favored withdrawing into monasteries just to get away from the evil world.

But Luther did not become a tyrant or anarchist. He did not join the peasants. He did not remain in the monastery. He did not need to do that because he rediscovered the critical distinctions

¹⁰ Prudentia in WA 42:505. AE 2:340 translated the word generically as "wisdom," obscuring a critical philosophical nuance. See AE 76:274-275 (Church Postil on Romans 13:8-10), where Luther analogized the virtue of prudence—as another aspect of love—to the driver of a wagon who carefully steers the wagon according to the conditions of the road instead of going the shortest route from point A to point B, even if the wagon were destroyed along the way. This is consistent with Aristotle who, in Nicomachean Ethics VI, 12, 6, defines prudence as the ability to select the appropriate means to achieve virtuous goals.

¹¹ Epiikia in WA 42:505. AE 2:340 confusingly translates the word as "clemency," a totally different virtue.

between the two kingdoms of God, between the three uses of the law, and between doctrine of life. Luther also appreciated the profound connection between the biblical teaching on love and the philosophical virtue of equity as moderators of the rigidity of the law to preserve peace.

What made it possible for Luther to pursue the middle path between tyranny and anarchy was that Luther recognized that God is God, that God is the Creator of this world; that we are but his masks, hands, and channels. Compared to God's almighty work in the preservation of this world, our contribution is mere child's play: "God must be over all and nearest to all, . . . to do everything in all of life's vocations, indeed, in all creatures" against the devil. AE 41:176-177.

With this conviction in our hearts and minds, we can embrace the Christian alternative to tyranny and anarchy. Put differently, we can daily do what is possible by resisting sin in love and equity. In this way, we will resist sin—and the devil!—without destroying outward peace.