

**The Lesser Magistrate in God's Other Kingdom: A Confessional Lutheran Synthesis of
Resistance, the Two Kingdoms, and Christian Citizenship**

Bryan Stafford

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Abstract

The doctrine of the lesser magistrate, articulated most fully in the Magdeburg Confession of 1550, has often been treated as a freestanding Lutheran theory of political resistance. This paper argues instead that the doctrine is best understood as an application of the doctrine of the two kingdoms, the framework that Daniel Deutschlander develops in *Civil Government: God's Other Kingdom*. After tracing a concise history of the doctrine from the Diet of Augsburg through the Interims to the Magdeburg pastors, the paper sets the lesser magistrate within Deutschlander's account of the left-hand kingdom as the realm of law, reason, natural law, and the sword. Read through this lens, resistance by an inferior magistrate is neither a revolution nor an act of the church, but a vocational act within the civil kingdom, undertaken only when a superior authority compels sin or suppresses the gospel, thereby confusing the kingdoms. The paper closes by drawing practical conclusions for the confessional Lutheran citizen in the United States, where the believer holds a measure of delegated civil authority and is called to honor government, to obey God rather than men only at the proper boundary, and to keep the two kingdoms distinct in daily and civic life.

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Few questions press harder on the Christian conscience than the one Scripture itself seems to answer in two directions at once. On the one hand, the apostle Paul writes, "Let everyone be subject to the governing authorities, for there is no authority except that which God has established" (Rom. 13:1, NIV). On the other hand, when the Sanhedrin forbids the apostles to preach, Peter answers, "We must obey God rather than human beings!" (Acts 5:29, NIV). The believer is therefore bound both to submit and, at some point, to refuse. The whole difficulty of a Lutheran doctrine of resistance lies in locating that point and in naming who may act once it is reached (Pflughoeft, 2022, p. 1).

The richest confessional attempt to locate that point is the Magdeburg Confession of 1550 and the doctrine of the lesser magistrate that it bequeathed to the Lutheran tradition. Yet the doctrine is frequently lifted out of its theological setting and pressed into service as a generic warrant for rebellion. This paper takes a different path. It contends that the doctrine of the lesser magistrate is not a fourth thing standing beside the doctrine of the two kingdoms but an application of it. Read through the framework that Daniel Deutschlander develops in *Civil Government: God's Other Kingdom* (1998), the lesser magistrate emerges as a servant of God's left-hand kingdom, acting within his civil vocation, by the means proper to that kingdom, and only at the boundary where a tyrant has already confused the kingdoms by demanding what belongs to God alone. In doing so, this study builds on Pflughoeft's (2022) close historical analysis of the Confession while extending it in two directions. It reads the doctrine deliberately through Deutschlander's two-

kingdoms framework, giving fuller weight to natural law as the common ground of the left-hand kingdom; and it carries the doctrine into the distinctive setting of American republican citizenship, where ordinary citizenship is itself a kind of distributed magistracy. The argument proceeds in four movements: a concise history of the doctrine, an account of the two kingdoms, a synthesis of the two, and a set of lessons for the confessional Lutheran citizen today.

The Lesser Magistrate: A Concise History

The argument begins with history, for the doctrine of the lesser magistrate cannot be weighed apart from the crisis that produced it. The Magdeburg pastors did not write in a vacuum (Pflughoeft, 2022, p. 6). When Charles V convened the Imperial Diet of Augsburg in 1530, he hoped to resolve the religious dispute, but the Catholic majority demanded submission, and the emperor backed that demand with the threat of force (Pflughoeft, 2022, pp. 6–7). Anticipating war, the evangelical princes formed the Schmalkaldic League as a defensive alliance, defined by its shared subscription to the Augsburg Confession (Pflughoeft, 2022, pp. 7–8). It was at Torgau in 1530 that the Saxon jurists first persuaded the theologians that the imperial constitution itself granted a right of armed self-defense, since the emperor was not an absolute sovereign but an elected head bound by the conditions of his office (Pflughoeft, 2022, p. 8; Macpherson, 2020, p. 18).

Luther, who had earlier counseled only passive disobedience, moved in his *Warning to His Dear German People* (1531) to permit defensive resistance to the emperor in protection of the gospel, while insisting that such defense was not insurrection. To act contrary to an unjust law, he

argued, is not rebellion; the rebel is the one who attacks government in order to seize power for himself, as Thomas Müntzer had done (Luther, 1531/1971, pp. 6–7, 20; Pflughoeft, 2022, pp. 9–10). This distinction between disobedience and insurrection would prove decisive for Magdeburg, whose pastors saw themselves not as innovators but as continuing the path Luther had already marked (Whitford, 2001, p. 62; Pflughoeft, 2022, p. 10).

The fragile peace did not hold. After Luther's death in 1546, Charles pursued the Schmalkaldic War and won it quickly by April 1547 (Pflughoeft, 2022, p. 11). Seeking a settlement, he imposed the Augsburg Interim in 1548, which restored most medieval Catholic practice and, most gravely, surrendered the doctrine of justification by faith alone (Kearney, 2016, p. 1; Pflughoeft, 2022, pp. 11–12). Melanchthon and the Wittenberg theologians produced a compromise, the Leipzig Interim, that treated many disputed practices as adiaphora; the Gnesio-Lutherans rejected it as a betrayal, insisting, with Flacius, that nothing is adiaphorous in cases of confession and scandal (Pflughoeft, 2022, pp. 12–14). The walled city of Magdeburg, under the pastoral care of Nicholas von Amsdorf and home to Flacius and Gallus, became the refuge and the printing center of this resistance—"Our Lord God's Chancery" (Kearney, 2016, pp. 1–2; Pflughoeft, 2022, p. 14).

On April 13, 1550, the Magdeburg pastors published their Confession in three parts: a restatement of the articles of the Augsburg Confession, a doctrinal defense of resistance by lesser magistrates, and an exhortation condemning all who would aid the emperor or stand idly by (Kearney, 2016, p. 2). The doctrinal heart of the document is its account of the magistrate's office. Reading Romans 13:3 as a description of the ruler's duty rather than only the citizen's, the pastors

held that the magistrate is established “for honor to good works, and a terror to evil works”; a ruler who reverses this order is no longer doing God’s work but the devil’s, and resistance to such a ruler resists not God’s ordinance but the devil’s (Magdeburg Pastors, 1550/2012, p. 57; Pflughoeft, 2022, pp. 34–40).

To prevent abuse, the Confession graded tyranny into four levels, each with a corresponding response. The first level is private vice that injures the ruler himself; here, lesser magistrates should gently urge amendment and otherwise “cover their father’s nakedness.” The second is unjust violence against an individual or small group, which may be resisted according to conscience but is more often to be borne. Only the third and fourth levels rise to genuine tyranny: when a superior compels a lesser magistrate to sin, and when a ruler persecutes by guile and arms to destroy good works and to attack God himself. At this final stage, the ruler has ceased to be an ordinance of God and become an ordinance of the devil, and resistance becomes not merely a right but a duty (Kearney, 2016, pp. 7–8; Pflughoeft, 2022, pp. 58–59).

The Confession defended this conclusion with three arguments: from the definition of the magistrate in Romans 13, from Christ’s command in Matthew 22 to render to Caesar and to God their respective due, and from a catalog of historical examples in which God restrained tyrants through lesser authorities—Mattathias against Antiochus, Jehu against Joram, and others (Kearney, 2016, pp. 7–9; Pflughoeft, 2022, pp. 25–26). Throughout, two assertions are woven together: a constitutional claim that the imperial order itself authorized the inferior magistrate to resist, and a theological claim that God’s design for government and the natural law both forbid a ruler to compel sin or to suppress true worship (Pflughoeft, 2022, pp. 27–31). The third part then

turned the fifth commandment outward, condemning as murderers not only those who took up the sword against the saints but also those who, able to help, refused to rescue them (Kearney, 2016, pp. 9–10).

Civil Government as God's Other Kingdom

With that history in view, the argument turns from the doctrine's origin to the framework that gives it meaning. To weigh the lesser magistrate rightly, one must first recover the doctrine that frames it. Deutschlander's title states the thesis: civil government is *God's other kingdom*. God rules the world through two distinct kingdoms, or two governments, each with its own object, means, and end. He governs the right-hand kingdom, the church, through the gospel in the means of grace, working faith, and renewing the inner man. He governs the left-hand kingdom, the civil order, through law, reason, and the sword, restraining the outward conduct of sinners so that human life may continue in peace (Deutschlander, 1998). Both kingdoms are God's gift; both are ruled by Christ, even where the rulers themselves do not acknowledge him (Deutschlander, 1998).

The Lutheran Confessions had already drawn this distinction with care. The Augsburg Confession teaches that lawful civil ordinances are good works of God, that Christians may without sin hold office, serve as magistrates, render judgment by imperial and other existing laws, and bear the sword—adding only the qualification of Peter's words that one must obey God rather than men when commanded to sin (Kolb & Wengert, 2000, Augsburg Confession XVI). Article XXVIII insists that ecclesiastical and civil power are not to be mixed: the church's power is the power to preach the gospel and administer the sacraments, exercised only through the Word, while

the magistrate governs bodies and external things by the sword (Kolb & Wengert, 2000, Augsburg Confession XXVIII). The two powers are to be held in highest honor as the two chief gifts of God, but they are not to be confused (Kolb & Wengert, 2000).

Three features of the left-hand kingdom matter for what follows. First, its proper instrument is force, not persuasion; the state “does not bear the sword for no reason” (Rom. 13:4, NIV). Second, its proper light is reason and natural law rather than special revelation; the magistrate need not be a believer to govern justly, because the moral substance of his task is written on the human conscience and summarized in the Decalogue (Deutschlander, 1998; Macpherson, 2020, p. 13). Third, its authority is delegated and therefore limited; the ruler is God’s servant for the good of the governed and is himself bound by the law he did not invent (Deutschlander, 1998). Deutschlander’s distinctly Lutheran contribution is to hold these together against two errors: the theonomic temptation to make the state an arm of the church, and the secular temptation to treat the state as autonomous from God. Civil government is neither the church nor a god unto itself; it is God’s other kingdom, accountable to him through the natural law and the providence by which Christ governs all things (Deutschlander, 1998).

Reading the Lesser Magistrate Through the Two Kingdoms

History and doctrine now converge, for the framework just recovered can be laid over the doctrine just traced. Placed within this framework, the doctrine of the lesser magistrate loses its appearance of novelty and takes its place as an application of the two kingdoms. Four observations follow.

Resistance Is a Left-Hand-Kingdom Act, Performed in Vocation

The Magdeburg pastors never authorized the church to take up the sword, nor did they license private Christians to do as they saw fit. The decisive qualification is that the one who resists “must resist in his own station, as a matter of his calling” (Magdeburg Pastors, 1550/2012, p. 57; Pflughoeft, 2022, p. 40). Resistance is thus an act of the civil kingdom carried out by a holder of civil office, using the instruments that the kingdom supplies—law, the constitutional order, and the sword, where the order grants it. This is why the doctrine is properly the doctrine of the *lesser magistrate* and not of the lone zealot. It belongs to vocation, and the lesser magistrate’s vocation to be “a terror to evil works” does not lapse simply because the evil now descends from above (Pflughoeft, 2022, pp. 40–41). The same logic distinguishes Magdeburg from Müntzer: the one acted within an office God had given and an order that authorized it; the other tore down government to install himself (Whitford, 2001, p. 62; Kearney, 2016, p. 6).

The Trigger Is the Tyrant’s Own Confusion of the Kingdoms

It is no accident that the Confession permits resistance only at the two highest levels of tyranny—compelled sin and the violent suppression of true worship (Kearney, 2016, pp. 7–8; Pflughoeft, 2022, pp. 58–59). These are precisely the points at which the left-hand kingdom oversteps its bounds and reaches into the right hand. A magistrate may tax, judge, and punish; he may not command idolatry or forbid the gospel, for conscience and worship belong to God alone (Magdeburg Pastors, 1550/2012, pp. 63–64; Pflughoeft, 2022, pp. 45–47). When the emperor used “guile and arms” to force the Interim upon Magdeburg, he was not merely governing badly; he

was usurping the things of God (Kearney, 2016, pp. 7–8). Resistance, then, is not an assault on the two-kingdoms order but a defense of it. The lesser magistrate acts to restore the boundary that the tyrant has erased, returning to God what Caesar has tried to seize (Pflughoeft, 2022, pp. 46–47).

Natural Law Supplies the Common Ground

Because the civil kingdom is the realm of reason and natural law, the Confession can argue from law written on the conscience and not only from the special claims of the gospel. Its celebrated example is the emperor Trajan, who handed his sword to his officer with the charge to use it against him should he command unrighteously—a saying the pastors call truly a matter of the law of nature (Magdeburg Pastors, 1550/2012, p. 72; Pflughoeft, 2022, pp. 30–31). This is exactly the terrain Deutschlander assigns to the left-hand kingdom, where even pagans can recognize that rulers are bound to rule justly and may be checked when they do not (Deutschlander, 1998; Macpherson, 2020, p. 18). The natural-law argument also explains why the doctrine is not sectarian: it appeals to a standard that obligates believers and unbelievers alike, which is fitting for a kingdom that God governs through reason rather than revelation.

The Confessional Cautions Remain in Force

A faithful synthesis must also preserve the cautions. Pflughoeft (2022) rightly observes that the Confession’s readings of Romans 13 and Matthew 22 are inferences drawn from texts whose primary aim is to command obedience, not to authorize resistance; the inferences are legitimate, and they have precedent in Luther’s handling of the Fourth Commandment in the Large

Catechism, but they are inferences and must be handled as such (Pflughoeft, 2022, pp. 35–40, 46–47; Kolb & Wengert, 2000, *Large Catechism*). The Confession also assumes a Christian emperor and a constitutional order that already granted the inferior magistrate a right to resist, neither of which transfers automatically to other settings (Pflughoeft, 2022, pp. 51–52). Most important for the present argument, the doctrine must never become an excuse to confuse the kingdoms in the other direction—to wield the gospel as a political program or to baptize a partisan cause. The Magdeburg pastors themselves confessed their reluctance, fearing that wicked men would make of their pious reason a pretext and that even good men, “carnally impatient of injuries,” would abuse a doctrine rightly handed down (Magdeburg Pastors, 1550/2012, p. 53; Kearney, 2016, p. 11).

The Confessional Lutheran Citizen Today

What remains is to carry the synthesis from the sixteenth century into the present. How, then, should a confessional Lutheran in the United States carry this inheritance into daily and civic life? The translation requires the same care the Magdeburg pastors urged, because the American setting differs in two respects (Pflughoeft, 2022, pp. 53–57). There is no established church, so the modern state cannot compel a confession in quite the way the empire did; and the citizen himself holds a measure of delegated authority—through the vote, the jury, the petition, the office—that the sixteenth-century subject did not. In a republic, ordinary citizenship is itself a kind of distributed magistracy (Deutschlander, 1998; Pflughoeft, 2022, p. 55). The parallel must be drawn with care. Like the sixteenth-century lesser magistrate, the citizen of a republic holds a genuine, if modest, share of civil authority that he did not seize but received, and he exercises it within an

ordered constitutional framework rather than by private will. Unlike that magistrate, however, he commands no troops and bears no sword of his own; his share of authority is diffuse and mediated, expressed in the ordinary case through ballots, juries, petitions, and lawful office rather than through the marshaling of armed defense. The analogy, therefore, licenses vigorous civic participation, not freelance coercion, and it locates the modern Christian's resistance among the peaceable instruments his vocation as citizen supplies. Several principles follow.

Begin with Honor and Obedience

The believer's default posture is not suspicion but honor. Government is God's gift and his other kingdom, and obedience is owed to it for conscience' sake (Rom. 13:5, NIV; Kolb & Wengert, 2000, Augsburg Confession XVI; Deutschlander, 1998). The Large Catechism's exposition of the Fourth Commandment binds the Christian to honor every God-given authority, and the Magdeburg pastors themselves promised to render obedience gladly so far as they were able (Kolb & Wengert, 2000, Large Catechism; Magdeburg Pastors, 1550/2012, p. 52). Resistance is the rare exception that proves the rule of submission, never the reflex of a restless heart.

Reserve Refusal for the Proper Boundary

The line "we must obey God rather than human beings" (Acts 5:29, NIV) is not a license to disobey laws one finds merely unwise or unwelcome. The Confession justified resistance to the two highest injuries: being compelled to sin and witnessing a deliberate, persistent effort to destroy the gospel and the good (Pflughoeft, 2022, pp. 54–55). The contemporary believer does well to

apply the same test before invoking the doctrine, asking whether he is truly being forced into sin, whether the gospel is truly being silenced, or whether he is simply impatient with a policy he dislikes (Pflughoeft, 2022, p. 54). A few stylized contrasts make the boundary concrete. A tax the citizen judges wasteful, a regulation he finds burdensome, or a statute he believes imprudent falls on the side of injuries to be borne and contested only by lawful means, for such laws touch his preferences or his purse, not his conscience before God. A command that required him to participate in what God forbids—to swear to a false confession, to take innocent life, or to render to the state the worship owed to God alone—or a sustained effort to silence the preaching of the gospel would cross into the territory the Confession reserved for refusal. The test is not the weight of the burden but its object: whether obedience would compel sin or surrender the gospel, or whether it would merely cost the citizen comfort, money, or his own way. Lower injuries are to be borne in the cruciform patience that the Confession itself models.

Prefer Lawful, Vocational Means

Because resistance belongs to vocation and to the left-hand kingdom, the citizen's first instruments are the lawful ones his order provides. Before anything more dramatic, the Confession itself prescribes a sequence: prayer to God, then supplication to superiors that they cease, and only then, when these are ignored, recourse to lawful force by those whose office bears the sword (Kearney, 2016, p. 10). For the American citizen the analogous and ordinary means are voting, petition, the courts, lawful assembly, and the holding of public office—the very powers his vocation as citizen confers (Pflughoeft, 2022, pp. 55–56). A father resists within his calling to

protect his children; a citizen resists within his calling by the instruments of self-government. To leap past these to private violence would abandon the doctrine's own logic.

Keep the Two Kingdoms Distinct

Perhaps the most urgent lesson is the one Deutschlander labors to teach: do not confuse the kingdoms (1998). The church's weapon is the Word, never the sword or the ballot; her commission is to preach law and gospel, not to enlist as the chaplaincy of a political movement. When believers act in the civil realm, they do so as citizens exercising reason and natural law, not as the church wielding spiritual authority over the state. To turn a party into a confession, or a confession into a party, is to repeat in a new key the very error the Interim committed—mixing what God has distinguished (Kolb & Wengert, 2000, Augsburg Confession XXVIII; Deutschlander, 1998). The believer can be a vigorous citizen precisely because he refuses to make an idol of the city of man.

Act in Confidence, Not in Fear

Finally, the Confession ends not with a battle cry but with Psalm 93, a reminder that the Lord reigns and that he preserves his church even when she is small (Kearney, 2016, p. 11). The confessional citizen acts soberly and reluctantly, but also without the anxiety that drives so much political life, because the outcome rests in the hands of the Christ who rules both kingdoms. He does his duty in his station—teachers by teaching, magistrates by bearing the sword, citizens by faithful participation—and leaves the rest to God's providence (Magdeburg Pastors, 1550/2012, p. 85; Deutschlander, 1998).

Conclusion

The doctrine of the lesser magistrate is not a Lutheran theory of revolution. It is the doctrine of the two kingdoms applied to the hard case in which a superior authority, by compelling sin or suppressing the gospel, has already broken faith with both kingdoms at once. Understood through Deutschlander's account of civil government as *God's other kingdom*, resistance appears as a vocational act within the left-hand realm, governed by law, reason, and natural law, undertaken reluctantly and only at the boundary where Caesar has reached for the things of God (Deutschlander, 1998; Magdeburg Pastors, 1550/2012; Pflughoeft, 2022). For the confessional Lutheran citizen, this yields a posture that is neither quietist nor revolutionary: honor and obedience as the rule; refusal reserved for compelled sin and a silenced gospel; lawful and vocational means preferred; the two kingdoms held distinct; and the whole carried out in the confidence that the Lord reigns. Such citizenship is finally cruciform—willing to suffer wrong rather than to grasp, yet willing also, when the gospel itself is at stake, to obey God rather than men.

References

- Deutschlander, D. M. (1998). *Civil government: God's other kingdom*. Northwestern Publishing House.
- Kearney, M. (2016, May 20). *Introduction to the Magdeburg Confession with an appeal to the LC-MS* [Conference presentation]. IDE Symposium: The Just War Doctrine.
- Kolb, R., & Wengert, T. J. (Eds.). (2000). *The Book of Concord: The confessions of the Evangelical Lutheran Church*. Fortress Press.
- Luther, M. (1971). Dr. Martin Luther's warning to his dear German people (M. H. Bertram, Trans.). In F. Sherman (Ed.), *Luther's works: The Christian in society IV* (Vol. 47). Fortress Press. (Original work published 1531)
- Macpherson, R. (2020). Natural law in the Lutheran Reformation. *Logia*, 29(1), 13–19.
- Magdeburg Pastors. (2012). *The Magdeburg Confession: 13th of April 1550 AD* (M. Colvin, Trans.). CreateSpace. (Original work published 1550)
- Pflughoeft, A. L. (2022). *Lutheran political resistance: The Magdeburg Confession of 1550 and the doctrine of the lesser magistrate* [Master of Divinity thesis, Wisconsin Lutheran Seminary].
- Whitford, D. M. (2001). *Tyranny and resistance: The Magdeburg Confession and the Lutheran tradition*. Concordia Publishing House.