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Independence and Resistance of the Churches

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Thoughts on the Independent Evangelical Lutheran Church in times of COVID-19.

The Independent Evangelical Lutheran Church (SELK) is an independent church. That is, it is not a part of the system of territorial churches that after 1919 replaced the “state church” system, which reflected the efforts in the Reformation and post-Reformation periods to unify the people of one political territory in one church.¹ In the 19th century in particular, these effort resulted in forming “united” churches out of thitherto Lutheran and reformed church bodies, the apex of this process being the “Prussian Union” of 1817. When taking responsibility for maintaining SELK as an independent church, the church body no longer wanted to have the state and its state-church authorities dictate matters of faith and worship for them.

In doing so, they were prepared to bear the consequences of the discrimination and exclusion of the Lutheran confession—and not just financial consequences. Thus, the mothers and fathers of independent Lutheran churches claimed “modern” civil rights—freedom of conscience, freedom of expression, freedom of assembly, freedom of organization, because they wanted to secure Lutheran faith, Lutheran confession, and Lutheran worship in independence for themselves and their descendants. However, this religious nonconformism was regularly accompanied by extensive



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political conformism,² recognizing that the state is also one of the tools God uses to do His work in the world.

How did the Lutheran Churches and particularly the Independent Evangelical Lutheran Church (SELK) carry out their work in the context of state control during the pandemic?

This article can only touch on some of the important interactions between church and state during the pandemic. I hope that these examples will illustrate the thinking and acting of the early period of the pandemic.

Now the second Easter under the conditions of the pandemic (2021) is behind us. A year ago, Easter services were prohibited in the Federal Republic of Germany, and most churches and congregations complied with the policy. This is also true for the Independent Evangelical Lutheran Church (SELK). In March and April 2020, knowledge about the impact of the Sars-COVID-19 infection was still patchy on all sides, and uncertainty among the population and social institutions, including churches, was correspondingly high. The measures taken by political leaders were—and still are—highly diverse.

In contrast to the church bodies that are still largely organized according to the regional principle³ such as the territorial churches in the Protestant Church in Germany, and also, although differently structured, the dioceses of the Roman Catholic Church in Germany, the SELK, which is organized nationwide according to the confessional principle, had to respond in its congregations, church districts, and church regions to highly diverse requirements of the respective state authorities. Uniform guidelines for the entire area of the SELK were thus ruled out from the outset. In addition, almost all ecclesiastical regulations, including those in other churches, were mostly reactions to the dynamic events of the pandemic itself, developments which could not be foreseen or predicted.

This can be clearly seen in the recommendations of the SELK church administration in the circular letters of Bishop Hans-Jörg Voigt D.D., the letters of the central church administration and the College of Superintendents to the congregations, written by a special working group.

At the end of February 2020, there was still talk of “a possible coronavirus epidemic.”⁴ The measures recommended at that time look modest compared to the experience of the following year: thematization of *prevention*, getting along without the handshake at the church door, additional hand washing after the absolution with the laying on of hands and before the distribution of Holy Communion, use of “sugar tongs” and thorough cleaning of the chalice after each communicant, if necessary also getting along without the chalice for communion for particularly sensitive people. In any case, such measures were to be explained to the congregations. It should be noted that in this early phase, when the extent of the pandemic was not yet foreseeable, the

circular letters were directed to the office holders in SELK, not to the congregations. Here, the bishop initially performed his task as *pastor pastorum*, pastor of pastors.

There were reactions to this letter, which “surprisingly” showed a “high level of concern among individual members of the congregations.”⁵ For example, a cautious setting aside of the communion using the chalice was accompanied by a reference to the practice of the “intinction of the host by the pastor himself,” the possibility of the “*communio sub una*” [communion under one kind] was also mentioned. It was also recommended that the measures to be taken should be limited in time. The acquisition of individual chalices was expressly discouraged “for various theological reasons,” which were admittedly not explained in more detail.

Two weeks later, four weeks before Easter 2020, church administration and the College of Superintendents addressed the congregations noting the “present distress” of the parishioners affected by illness and death.⁶ On the one hand, the question of theodicy was touched upon and answered with reference to the hiddenness of God. On the other hand, God’s commitment to giving comfort was strongly emphasized, as manifested in the suffering, death, and resurrection of Christ.

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Now the dimensions of the pandemic became perceptible, which for the ecclesiastical sphere coalesced especially around an “extensive ban on church services.”

Obviously, at that time there were different attitudes in the SELK on the question of worship services; there were also voices that advocated “following the Third Commandment on hallowing the holy day/day of rest and holding worship services in spite of all prohibitions.” “We answer here very clearly that this is not possible,” the church administration and the College of Superintendents explained. They pleaded unequivocally “to abide by the orders of the federal government, the states, and the governmental authorities.” This instruction was within the framework of what the Protestant regional churches and the German [Roman Catholic] Bishops’ Conference also largely recommended.⁷ The reason given was “the commandment of love of one’s neighbor . . . in order to protect people at increased personal risk.”

The creativity breaking out in the congregations to ensure worship services reached beyond the church walls was welcomed: “Our worship services are not cancelled. Instead, they are just held in different places, namely, in our homes.” The superintendents pledged to “conscientiously” fulfill their responsibilities in their respective areas of responsibility. Clarification of policies regarding “visits to the sick and divine services in the homes” was given to the individual pastors with the congregations.

For Holy Week 2020, the topic of “fasting from the Lord’s Supper” along with the idea of a virtual divine service with Holy Communion “with electronic transmission of the service at various locations” was clearly rejected. For the imposed “fasting from the Sacrament” the “cruciform shape of the existence of church and Christians” was invoked, especially since the Eucharist belongs “in the midst of the congregation gathered for worship.” For funeral services and burials, the pastors were referred to the “local very diverse and changing regulations,” which should be observed and followed. Reference was also made to the practical aids provided electronically by Prof. Dr. Christoph Barnbrock.⁸

At the end of April 2020, a handout on the organization of worship services under the restrictions of the Corona pandemic followed.⁹ Above all, it was emphasized that “for any public worship service, the regulations of the states and municipalities in terms of possibilities to gather and for minimum social distancing” were to be in force. The organization and conduct of religious services were recommended strictly on the basis of official guidelines; a main reference for guidelines were the “Definitions and Recommendations” of the Robert Koch Institute [the equivalent of the National Institutes of Health]. These included specifying the “maximum number[s] of worshippers” depending on the size of the church building, a sign-in system and marking of seating, and documentation of worship attendance. Further, it contained a recommendation for “condensed forms of worship,” refraining from congregational singing and brass music, refraining from absolution with the laying on of hands, and more specific suggestions for the celebration of Holy Communion, such as distribution of the elements at two stations to a continuously flowing line of communicants, *intinctio*, and, if appropriate, communion under one kind.

In the summer of 2020, misgivings about the “emergency solutions” adopted could be discerned. Some things might not be quite correct “spiritually, theologically, or from the point of view of ecclesiastical practice.”¹⁰ Thus, in a phase of declining incidence, “modifications in church life” were considered. In this process, regional differences were expressly taken into account in a hoped-for “path to normality.” The “recommendation to completely dispense with congregational singing and brass music” was rescinded. However, it was put back into force after the resolutions of the Conference of the Prime Ministers [Governors] of the German states together with Chancellor Merkel of December 13, 2020, which prohibited congregational singing.¹¹ How markedly conflicted were the reactions from the congregations and the pastorate of the SELK can be read between the lines. There was talk of a “surge of tension in congregational boards, in congregations and also between congregations of our church.” Accordingly, thanks were expressed to those in positions of responsibility, not least for having “also fought out or endured painful conflicts.”

As a part of a pastoral letter for the First Sunday in Advent 2020, the SELK bishop observed a far-reaching loss of trust in science, media, and politics. His diagnosis was that German society as a whole was suffering from a loss of trust in institutions and internal cohesion; he identified “the decline of faith in the country” as a “contributory cause” to this phenomenon. He was not unaware of the fact that, for all the gratitude

for the “forms of community [*Gemeinschaft*]” made possible by “modern communication technology,” a fundamental deficit of human need could be noted: “Corporeality shapes our being.” The incarnation of God in Jesus Christ and the gift of the true body and blood of Christ in the sacrament of the altar touched precisely this corporeality of human existence in a salutary way, he said.

However, it should also be noted that the measures taken by most churches and congregations, which were largely in line with state requirements, were in part met with scathing criticism. As recently as October 2020, for example, the former Prime Minister of Saxony-Anhalt, Christine Lieberknecht, repeated her earlier criticism of the churches’ behavior during the pandemic. “The church and also families had their rights curtailed. . . In such a crisis, the church would have special tasks. But it had not acted as a voice for the people in isolation. At the same time, the human being does not live on hygiene measures alone.”¹² Heribert Prantl pointed in the same direction in the *Süddeutsche Zeitung* in August 2020. The churches acted out of a “mixture of reason, fear and insecurity,” “sycophancy” was his reproach: “They did not protest when the terminally ill had to die lonely and alone in the clinics. They did not express outrage when the elderly people were isolated in nursing homes.”¹³

Conversely, the churches were met with fierce reproach because, or if, they held to the celebration of Easter services this year (2021). When an appeal was made at this point to the churches and religious communities to refrain from celebrating Easter again in 2021, clear opposition arose on all sides.¹⁴ “We have been surprised. Easter is the most important festival for us; worship services are not an accessory,” said the chairman of the German Catholic Bishops’ Conference, Bishop Bätzing of Limburg, in his reaction to the March 2021 request by the Prime Ministers’ Conference with the German Chancellor for an “Easter pause.” The pause was then overturned after all with a remarkable request from Mrs. Merkel for forgiveness.¹⁵ In addition to the outstanding importance of Easter for the Christian faith, the reference point for the churches was the hygiene concepts that had already been applied at Christmas 2020.

As early as November 2020, the chairman of the Council of the Protestant Church in Germany defended the exemptions for churches: It is important that services may be celebrated in churches, “The soul must be strengthened, especially now!”¹⁶ At Easter 2021 he spoke of an increasing “incidence of psychological problems” and called for “more attention to the social and psychological consequences of the long Corona lockdown.”¹⁷ At the same time, there were pastors who considered the government-imposed measures, such as bans on visits to nursing homes and denial of access to infirmaries, to be wholly

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In regard to the SELK itself, it was observed “that tensions have also increased considerably in our congregations.” This was countered by an exhortation to peace. Finally, the working group encouraged “the divine services be conducted in strict compliance with the hygiene concepts that have been developed,” but also emphasized the “freedom . . . to also stay away from these services if this appears necessary due to danger in an individual’s own situation, one’s own conscience, or also for the preservation of peace in the family.”¹⁹

Attempts at classification

The common good and the love of neighbor

“Seek the welfare of the city” (Jer 29:7). “You shall love your neighbor as yourself” (Lev 19:18; Mt 22:39).

The recommended far-reaching implementation of state and officially prescribed measures in the statements from the SELK church administration obviously followed the prophetic instruction “Seek the welfare of the city” (Jer. 29:7). It is connected with Jesus’ commandment to love one’s neighbor: “You shall love your neighbor as yourself” (Lev 19:18; Mt 22:39). Thus, it is an application, even if not explicit, of Martin Luther’s interpretation of the Fourth and Fifth Commandments to the conditions of this time and world. This concerns orderly relationships in the coexistence of family, society, state (Fourth Commandment) and respect for the right to life, the physical and mental integrity of the neighbor (Fifth Commandment). These rules, instructions, counsels, and standards are valid everywhere and always, no matter how the social or political conditions may change historically. We human beings are given standards for a life that is pleasing to God and, at the same time, humane.

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The disregard of the divine instructions for a life in the community of humankind on this earth is a profound indication of a deep-seated illness of our time and world. This is certainly true for the political sphere. This includes attitudes born of conspiracy-theories, denigration of scientific results, also by physicians²⁰, and not least, attacks on officeholders of the Federal Republic of Germany.²¹ Unfortunately, the same symptom of illness can also be found in certain areas of church life.

What is “best for the city”—in terms of the earthly well-being of individuals and the population as a whole—can only be determined according to the rules of scientific investigation, consensus-oriented discussion, and reasonable understanding. This requires sufficient expertise, careful research, and a collaborative effort to find appropriate solutions that are commensurate with the hazards and circumstances. Medical, economic, social, and psychological aspects, local and regional conditions must all be taken into account. This means that extremely complex contexts must be subjected to thorough analysis.

Churches can contribute to the discourse in society on the basis of information or with the voice of members of the congregation who have such competencies. Admittedly, this requires the most informed judgment possible; for the churches are inevitably composed of a wide range of people, who are, like all others, also capable of error.

That churches in particular should not only have the protection of weak members of society in mind, but also need mediating and energetic commitment to them, should be self-evident on the basis of the commandment of love for the neighbor. The fact that the church has its own contribution to make beyond the living conditions of this earth, a contribution which serves the community and the world best, must not be lost sight of, especially in times of crisis.

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Between the duty of obedience and the autonomy of the church

“Let every person be subject to the governing authorities” (Rm 13:1). “We must obey God rather than men” (Acts 5:29).

For Martin Luther and the Lutheran Church, according to its confessional writings in the 16th century, all Christians are addressed in the same way when it comes to shaping their walks of life.²² Luther rejects a two-level ethic according to which special “evangelical counsels” apply to monks and nuns, which go far beyond what the “simple Christian” must do and refrain from doing.

However, all people belong to the “kingdom of the world,” but only the believers belong to the “kingdom of Christ.” It is true that in the “kingdom of Christ” the individual believer can certainly practice renunciation of rights for himself because he follows the gospel. But for the others, the “neighbors,” it is his responsibility to resist injustice and help to enforce the divine Law and its counsels. This is especially true when Christians hold an office in the state and society, i.e., a mandate that has been bestowed upon them in an orderly way and which they, being Christians, ultimately regard as their vocation—coming from God. The institution of the secular authorities,

precisely as divinely established, serves to ward off, restrict, or sanction evil in the world; consequently, it does not have the task, nor even the right, not even as a “Christian authority,” to command the soul, i.e., faith, personal conviction, and conscience.²³

The SELK also finds itself in an inescapable cultural context; attitudes and mentalities from modernity and postmodernity do not remain external to the church body itself, and they lead to different positions on various questions, even within its own ranks. Major tensions between supporters of the official measures and deniers of the dangers resulting from the pandemic are obviously present. Provost Gert Kelter from Görlitz writes: “In my almost 60-year memory and personal perception, our society, but unfortunately also our church, has never been so strongly divided and polarized, never so separated by walls and fences into irreconcilable parties as just now.”²⁴ This assessment, of course, need not refer only to actions and reactions of congregation members, congregations, and pastors regarding the pandemic, but probably includes observations from this area as well. This may be a phenomenon of inescapable contemporaneity that even a Scripture- and confession-bound Lutheran church committed to the Book of Concord cannot escape. It must ask itself to what extent the homogeneity presupposed by its scriptural and confessional commitment, in the sense of unanimity in “believing, teaching and confessing,” corresponds to its own ecclesial reality.

Thus, there are congregations in SELK that maintained worship services with congregants being present by applying sophisticated hygiene concepts.²⁵ There are other congregations that have abstained from such services²⁶ or continue to abstain²⁷ from holding such services for a longer period of time, not least from Sunday school,²⁸ but also the celebration of Holy Communion.²⁹ Church groups either do not hold customary meetings at all,³⁰ or these meetings are held via internet or telephone conference.³¹ In addition to or in place of the worship services, video transmissions are made available on the Internet,³² for example for services listened to at home.³³ Various kinds of pastoral care, especially for at-risk groups, are maintained as much as possible; this includes offering communion services in a family home.³⁴

In view of the tension between the duty of obedience and love of neighbor, the church must first be self-critical of its own embeddedness in its contemporary situation, and only then critical over against societal developments, so that it becomes aware of its own interwovenness in the course of time. Thus, what it must say critically to the world outside of itself must first of all be addressed to itself if its pronouncements and proposals wish to be credible.

The church will be asked to what extent it and its members conform to the divine standards which it intends to proclaim to the world. And it will have to admit and confess, both for its individual members and for itself as a whole, the failure to meet the divine standards and some offenses against them. This, however, will not impair its credibility, but rather strengthen it, if it does not speak out of an attitude of self-

conceit, but rather in an appropriate kind of humility, which is characterized by the awareness of its own failure to meet the divine standards.

Order in the state is always bound to “the law and the institution of the constitutional state”³⁵ to which, for this reason alone, its monopoly on the use of force is to be attributed. Its ultimate justification, of course, cannot consist in the—legitimate—threat of counterviolence against violations of the law, but must be understood “as an order desired and affirmed from within,” and it must be borne by such insight.³⁶ The hallmark of the secular state—which is no longer based on religion—is always the freedom of religion that it grants, although this does not apply without restriction. On the part of the state, the “neutrality of the state in religious matters” is decisive.³⁷ “At the same time, however, the recognition of religious freedom as a fundamental human right . . . must also be guaranteed by the state” since it is “about a free space for the development of the person and the search for truth.”³⁸

Within this framework, ecclesiastical statements can be expressed in the sense that they are “the highest obligations, no longer debatable demarcations or critical disapprovals and the setting of boundaries” in ethical questions.³⁹ Such statements then have the character of a confession, but they cannot be used as sanctions. In a kind of hierarchy of values, “[t]he advocacy of the unrestricted protection of life and human dignity” is to be weighted as the “center of current church confession in moral questions.”⁴⁰

Nevertheless, human dignity and freedom exist only within a given created “context of power and responsibility,” and not in a “space free of the exercise of domination.”⁴¹ For we always must take a community as a given, a presupposition for one’s own life, will, and design for life. Accordingly, the state or other authoritative institutions must “create the external conditions for the members of society to be themselves as far as possible, to be there for others, and to care for the world.” Admittedly, these are demands that cannot be made only by Christians. Christians, however, interpret them as the standards of the Creator’s purpose for human existence.⁴²

A “neutral attitude” toward the state and social developments is in any case not a possible attitude for Christians. As much as church and state are to be distinguished from each other and both “kingdoms, or realms” are not to interfere with each other’s spheres, it is, however, the task of the church to highlight God’s will to the state and to remind it with its admonitions of the divine order. Thus, it is also the task of the church to openly emphasize God’s Law to the state in the case of human rights violations and to announce His judgment.⁴³ For even the state, from a Christian point of view, must respect God’s will in its sphere. If it disregards the will of God, it attacks the kingship of Christ. With this proclamation, the Church exercises a guardianship over the state, reminds it of God’s Law and commandment and, if necessary, proclaims God’s judgment against it, without itself becoming the executor of this judgment.⁴⁴ Admittedly, the church as church has no genuine political mandate whatsoever.

Under these conditions, it cannot be ruled out that the churches, their representatives, or their ministers will object to governmental decrees and official measures that are manifestly inconsistent with the protection of life and human dignity, or even act contrary to such decrees. For the pastoral care of the elderly, the seriously ill, and even more so of the dying, such cases of conflict have existed and would continue to exist if pastors were denied access to the members of the congregation under their care. In such cases, there is, in principle, also the possibility of invoking existing legal regulations.⁴⁵ If such an appeal were not granted, the autonomy of the church would have to express itself in formal resistance. This would be, especially with regard to the program of the “Independent Evangelical Lutheran Church” signaled in its name, the actualization of its independence.⁴⁶

Preliminary concluding remarks

On Sunday (*Misericordias Domini*), April 18, 2021, a long-announced⁴⁷ nationwide commemoration for the nearly 80,000 people who had died in the Federal Republic of Germany to that date from or with the Corona virus was held by both governmental⁴⁸ and religious⁴⁹ leaders. Politically, the concern for social cohesion in Germany was obviously the guiding principle: “Let us not allow the pandemic, which is already forcing us as people to keep our distance, to also drive us apart as a society,” said President Steinmeier at the central memorial service. His urgent appeal was for a united, forward-looking effort: “My request today is: Let us talk about pain and suffering and anger. But let’s not get lost in recriminations, in looking back, but let’s gather strength once again for the way forward, the way out of the pandemic, which we want to go and will go if we go this path together.”⁵⁰ The plea for sympathy for the suffering of those affected in a societally situated commemoration, with the leaders of our country’s five constitutional bodies in attendance, is absolutely welcome.

“My request today is: Let us talk about pain and suffering and anger. But let’s not get lost in recriminations, in looking back, but let’s gather strength once again for the way forward, the way out of the pandemic, which we want to go and will go if we go this path together.”

With the participation of Jewish and Muslim representatives, there had previously been a religious memorial service in the Kaiser Wilhelm Memorial Church in Berlin.⁵¹ The chairman of the (Roman Catholic) German Bishops’ Conference, Bishop Bätzing, admonished, “All that is missing here, all that is robbed of closeness and affection by the pandemic, that is what wounds the soul.”⁵² The chairman of the Council of the Evangelical [Protestant] Church in Germany, Bishop Bedford-Strohm, interpreted both of these commemorations as “something like public pastoral care.”⁵³ The chairman of the Association of Christian Churches in Germany, Archpriest Radu Constantin Miron, said that it was “all the more important that we mourn together today with this service, but also set a sign of comfort—across borders that even the

virus does not know,” because the virus knows no frontiers, not even those of denominations and religions.⁵⁴

Martin Luther had already spoken with great passion in 1520 “On the Freedom of a Christian” and thus placed anew the topic of freedom in Christianity and thus also in Western intellectual history in the center of discussion.⁵⁵ For Luther, the question of freedom was first and foremost one of the human relationships with God. In contrast, once “freedom” is defined in essence as “freedom of conscience,” it is true that it concerns “primarily the inner being.”⁵⁶ As such, however, this view of freedom necessarily has “consequences for life and for the spaces of relationship and communication in which human beings exist.”⁵⁷ And that is where the church must speak.

But it should speak as the church, that is, as the Church of Jesus Christ. From the core of its message, it must proclaim more clearly than what it can express together with the two other “monotheistic religions,” even though a message of “intimacy, consolation and hope” has its significance.⁵⁸ The assumption of such a social task involving both Christians and other religions is therefore problematic because “with this action, an identity of citizen and Christian community is presupposed, which at least today in Germany no longer exists in this way.”⁵⁹

Thus, in contrast to the “civil-religious service” on the occasion of the terrorist attack on the Christmas market at Breitscheidplatz, Berlin, in December 2016, the separation of the religious celebration from the social commemoration on April 18 is to be welcomed. For the church, for the sake of its actual mission, must not merely satisfy the needs of a civil religion. Instead, as Christoph Barnbrock has rightly formulated, an “answer” is called for to the question of “what God Himself has to do (or does not have to do) with this event and what people in this situation may concretely hope for and expect from God and what, if necessary, a new orientation of their relationship with God might look like.”⁶⁰

It is not a matter of the church asserting itself, forcing its message on others even alleging that it is legitimized by God to speak no matter the feelings of others, but of soberly declaring to itself and to the world to which it is directed what is the heart of the matter: As human beings, we stand before God and can neither void his determination of our place nor place it afresh outside of the world. We are responsible.

For Christianity, therefore, the principle established by the apostle Peter is valid: “We must obey God rather than men” (Acts 5:29). This is a critical reservation against all societal or political striving for omnipotence. Moreover, it is a fundamental insight of Lutheran theology that I know myself as sinner and saint at the same time (*simul iustus ac peccator*). In this sense, Luther speaks of the church as the “*maxima peccatrix*,” the “very greatest sinner,” but in the perspective of forgiveness and reconciliation.

By distinguishing the two kingdoms, or realms, i.e., the different ways in which God (NB!) controls the course of the world and the church, Martin Luther theologically released the secular realm from clerical paternalism and allowed for the differentiation between the “penultimate” and the “ultimate.”⁶¹ Thus the Wittenberg reformer and the Lutheran Reformation prepared the way for the separation of church and state. And yet Christian theology, or the Lutheran church, can never abandon God’s claim to rule over all times, peoples, individuals, spheres of life and living conditions.

Endnotes

¹ Cf. Werner Klän, “Altlutherische Kirchen” in *Konfessionskunde*, Johannes Oeldemann, ed., *Handbuch der Ökumene und Konfessionskunde*, vol. 1 (Leipzig and Paderborn: Evangelische Verlagsanstalt, 2015), 274–285.

² Cf. Werner Klän, “Um Kirche und Bekenntnis. Die preußischen Altlutheraner zwischen Selbstbehauptung und Staatstreue,” in *Kirchen und Bekenntnisgruppen im Osten des Deutschen Reiches. Ihre Beziehungen zu Staat und Gesellschaft*, Bernhart Jähniß and Silke Spieler, eds. (Bonn: Bonn, Kulturstiftung d. dt. Vertriebenen, 1991).

³ Cf. Heinrich August Winkler, *Werte und Mächte. Eine Geschichte der westlichen Welt* (München: C. H. Beck, 2019), 398–409.

⁴ Bischof Hans-Jörg Voigt D.D., [Circular Letter on Dealing with a Possible Coronavirus Epidemic, Sign 15/00-1, To the pastors, pastoral assistants, parish deacons, parish vicars and vicars, and retired pastors of the Independent Evangelical Lutheran Church].

⁵ Bischof Hans-Jörg Voigt D.D., 2. Rundschreiben zum Umgang mit einer möglichen Coronavirus-Epidemie, Zeichen 15/00-1, An die Pfarrer, Pastoralreferentinnen, Pfarrdiakonen, Pfarrvikare und Vikare sowie an die Pfarrer im Ruhestand der Selbständigen Evangelisch-Lutherischen Kirche, Hannover, 07. 03. 2020.

⁶ Kirchenleitung und Kollegium der Superintendenten: Ich will euch trösten – Brief an die Gemeinden [I will comfort you - Letter to the congregations], Hannover, 21. 03. 2020.

⁷ Cf. https://www.zeit.de/2020/13/gottesdienst-verbot-coronavirus-quarantaene-naechstenliebe?utm_referrer=https%3A%2F%2Fwww.startpage.com%2F, retrieved 09.04. 2021 [“dem dritten Gebot zur Feiertagsheiligung zu folgen und trotz aller Verbote Gottesdienst zu halten.” “Wir antworten hier sehr klar, dass dies nicht möglich ist,” “das Gebot der Nächstenliebe,” “um Menschen mit erhöhtem persönlichem Risiko zu schützen.”]

⁸ www.selk.de [Aids and Recommendations/Offerings in the Corona Crisis at praxishilfen.selk.de]. Kirchenleitung und Kollegium der Superintendenten: [My heart exults in the LORD ... He raises up the poor from the dust (1 Sam 2:1,8)], Hannover, 18.04.2020.

⁹ Handreichung für Gemeinden der Selbständigen Evangelisch-Lutherischen Kirche (SELK) zur Organisation von Gottesdiensten unter den Einschränkungen der Corona-Pandemie (Stand 25.04.2020). [Handout for congregations of the Independent Evangelical Lutheran Church (SELK) on organizing worship services under the constraints of the Corona pandemic.]

¹⁰ Arbeitsgruppe Corona-Krise von Kirchenleitung und Kollegium der Superintendenten: [My soul longs for your salvation; I hope in your word. My eyes long for your promise; I ask, When will you comfort me . . . I have not forgotten your statutes. How long must your servant endure? (Ps 119:81–84)], Hannover, 12.07.2020.

¹¹ Arbeitsgruppe Corona-Krise von Kirchenleitung und Kollegium der Superintendenten Empfehlung der AG Corona zum Verzicht auf Gemeindegesang, 16.12.2020 [Recommendation of the Corona Working Group to forgo congregational singing].

¹² Cf. <https://www.pro-medienmagazin.de/lieberknecht-erneuert-kritik-an-kirchen-waehrend-corona-krise/>, retrieved 2021-04-12.

¹³ Heribert Prantl: Kirchenleere, cf. <https://www.sueddeutsche.de/politik/kirche-corona-kolumne-prantl-1.4992658?reduced=true>, retrieved 2021-04-12.

¹⁴ Kirchen pochen auf Präsenzgottesdienste an Ostern, cf. https://www.wz.de/politik/inland/kirchen-pochen-auf-praesenzgottesdienste-an-ostern_aid-56957037, retrieved 2021-04-12 [Churches insist on presence services at Easter].

¹⁵ <https://www.zdf.de/nachrichten/politik/corona-reaktionen-gipfel-handel-kirche-100.html>, retrieved 2021-04-12 [Massive Criticism of Resolutions - Churches "Surprised," Trades Shocked]; in addition: <https://www.bundeskanzlerin.de/bkin-de/aktuelles/pressestatement-von-bundeskanzlerin-merkel-nach-der-videokonferenz-mit-den-regierungschefinnen-und-regierungschefs-der-laender-1881130> [press statement by Chancellor Merkel after video conference with heads of state governments].

¹⁶ <https://www.ekd.de/corona-massnahmen-bedford-strohm-verteidigt-ausnahme-fuer.htm>, retrieved 2021-04-12.

¹⁷ Bedford-Strohm: "Die seelische Inzidenz steigt", <https://www.evangelisch.de/inhalte/184323/29-03-2021/bedford-strohm-die-seelische-inzidenz-steigt>, retrieved 2021-04-12 [The mental incidence is rising].

¹⁸ Interview: Warum ein Pfarrer die Corona-Maßnahmen kritisiert <https://chrismon.evangelisch.de/artikel/2020/50952/interview-warum-ein-pfarrer-die-corona-massnahmen-kritisiert>, retrieved 2021-04-12 [Why a pastor criticizes the Corona measures].

¹⁹ Arbeitsgruppe Corona aktuell von Kirchenleitung und Kollegium der Superintendenten: 26. 03. 2021 [Corona pandemic: worship services at this time].

²⁰ Cf., e.g., <https://www.spiegel.de/consent-a-?targetUrl=https%3A%2F%2Fwww.spiegel.de%2Fpanorama%2Fjustiz%2Fcorona-leugner-unter-medizinern-aerzte-auf-abwegen-a-cd3e2abb-cce0-469d-a8ad-24a817fb3369&ref=https%3A%2F%2Fwww.startpage.com%2F>; <https://deutsch.medscape.com/artikelansicht/4909471>;

<https://www.aekno.de/aerzte/rheinisches-aerzteblatt/ausgabe/artikel/2021/april-2021/corona-leugner-berufsrechtliche-folgen-fuer-aerztinnen-und-aerzte>,

²¹ Cf., e.g., <https://www.faz.net/aktuell/stil/leib-seele/fuenf-dinge/verschwoerungstheorien-diese-fuenf-dinge-nerven-an-corona-leugnern-16918502.html>; <https://www.welt.de/debatte/kommentare/article224275822/Corona-Leugner-Die-Verschwoerungs-Extremisten-sind-unter-uns.html>; <https://www.br.de/kultur/gesellschaft/was-gegen-verschwoerungserzaehlungen-hilft-100.html>, retrieved 2021-04-12.

²² Cf. Martin Honecker, "Interpretation of Luther's treatise on secular Authority of 1523," in Honecker, *Grundriß der Sozialethik* (Berlin/New York: Walter de Gruyter, 1995), 17–20.

²³ Honecker, *Grundriß der Sozialethik* (as FN 52), 19.

²⁴ Gert Kelter, "Gemeindejubiläum," [Word of greeting by our Provost Gert Kelter (Görlitz)], Pfarrbrief der Evangelisch-Lutherischen St. Mariengemeinde Berlin-Zehlendorf, April/May 2021, 13.

²⁵ E.g., St. Petri-Gemeinde Hannover: <http://www.selk-st-petri-gemeinde-hannover.de/index.php/gottesdienste>, retrieved 2021-04-16; das geltende Schutzkonzept ist im Internet abrufbar: [http://www.selk-st-petri-gemeinde-hannover.de/images/Schutzkonzept Corona der St. Petri-Gemeinde Hannover - %C3%9Cberarbeitung Januar 2021 II mit Unterschrift.pdf](http://www.selk-st-petri-gemeinde-hannover.de/images/Schutzkonzept_Corona_der_St._Petri-Gemeinde_Hannover_-_%C3%9Cberarbeitung_Januar_2021_II_mit_Unterschrift.pdf), retrieved 2021-04-16 [“Worship services are the heart of our parish life. We usually celebrate them at 10:00 a.m. as services with and without communion. Once a month we usually invite people to confession before or during the service. Faith talks in the form of Christian teaching are offered at irregular intervals. Due to the viral pandemic, two services are usually offered at this time in order to maintain the necessary spacing.”].

²⁶ E.g., Kreuzgemeinde Witten: <https://www.kreuzgemeinde-witten.de/news/?highlight=2454>, retrieved 2021-04-16 [“On Monday evening the church council decided that from Sunday 7 March 2021 services will again be celebrated in our Kreuzkirche. Guiding this decision were the good experiences with the devotions in recent weeks and our good hygiene and safety concept, which of course continues to apply. Until further notice, we will celebrate services of the word without communion. Those who cannot or do not want to do without the Lord’s Supper, please contact the pastors, who will be happy to serve the Lord’s Supper at home.”].

²⁷ E.g., St.-Thomas-Gemeinde Münster: <http://www.st-thomas-gemeinde.de/index2.htm> [Note on services in Osnabrück: “all services are under reservation. Currently Osnabrück is experiencing high incidence numbers. There are also no services in St. Peter’s Church.”]

²⁸ Trinitatisgemeinde München: <https://www.selk-muenchen.de/>, retrieved 2021-04-16 [“Unfortunately, for security reasons, no separate children’s service can currently be offered, but there will be something for the children in the family services!”].

²⁹ E.g., <https://www.kreuzgemeinde-witten.de/news/?highlight=2454>, retrieved 2021-04-16.

³⁰ E.g., St. Michaelsgemeinde Wolfsburg: [“Due to current Corona numbers, no parish circles are meeting at this time.”]. <https://selk-wolfsburg.de/>; Martin-Luther-Gemeinde Bad Schwartau: [“Until further notice, however, there will still be no children’s, youth or senior events on our premises. Our pastoral services will remain in place.”].

³¹ <http://www.selk-schwartau.de/>, retrieved 2021-04-16.

³² E.g., Martin-Luther-Gemeinde Bad Schwartau: www.selk-schwartau.de, retrieved 2021-04-16 [“Our Sunday and holiday services can be celebrated live or time-delayed via the Martin Luther Parish’s new YouTube channel. The broadcast begins approximately 15 minutes before the service starts.”].

³³ E.g., Kreuzgemeinde Neumünster: <https://www.selk-neumuenster.de/5/hausgottesdienste>, retrieved 2021-04-16.

³⁴ E.g., Martin-Luther-Gemeinde Bad Schwartau: <http://www.selk-schwartau.de/>, retrieved 2021-04-16 [“For members of at-risk groups (elderly and persons with pre-existing conditions) who do not wish to attend our corporate worship services, Pastor Klaus Bergmann offers individual communion services during the week (either at the church or at home). Please contact him directly.”].

- ³⁵ Wolfgang Lienemann, *Grundinformation Theologische Ethik*, UTB3138, (Göttingen: Vandenhoeck & Ruprecht, 2008), 212.
- ³⁶ Oswald Bayer, “*Gesetz und Moral. Zur ethischen Bedeutung des Rechts,*” in ders. *Freiheit als Antwort* (Tubingen: Mohr Siebeck, 1995), (as FN 17), 272–282, 276.
- ³⁷ Lienemann, *Grundinformation Theologische Ethik* (as FN 65), 214.
- ³⁸ Honecker, *Grundriß der Sozialethik* (as FN 52), 706.
- ³⁹ Lienemann, *Grundinformation Theologische Ethik* (as FN 65), 267.
- ⁴⁰ Lienemann, *Grundinformation Theologische Ethik* (as FN 65), 269.
- ⁴¹ Oswald Bayer, *Gesetz und Moral* (as FN 66), 275.
- ⁴² Dietz Lange, *Ethik in evangelischer Perspektive. Grundfragen christlicher Lebenspraxis* (Göttingen: Vandenhoeck & Ruprecht, 1992), 464–475.
- ⁴³ Friedrich Wilhelm Hopf, “*Zum Thema Menschenrechte.*” in *Kritische Standpunkte für die Gegenwart. Ein lutherischer Theologe im Kirchenkampf des Dritten Reichs, über seinen Bekenntniskampf nach 1945 und zum Streit um seine Haltung zur Apartheid* (OUH E 11), Markus Büttner and Werner Klän, eds. (Göttingen: Edition Ruprecht, 2012), 366-379.
- ⁴⁴ Dominik Bohne, *Friedrich Wilhelm Hopf 1910–1982. Pfarrer, Kirchenpolitiker, theologischer Publizist, Mann der Mission, Materialien Reicher Ebrachgrund 5* (Mühlhausen-Münster-Hamburg-London: LIT Verlag, 2001), 197–199.
- ⁴⁵ E.g., St.-Mariengemeinde Berlin-Zehlendorf: <https://www.lutherisch.de/index.php/latest-news>, retrieved 2021-04-16 [“You are in hospital or in a nursing home or need a pastoral conversation for yourself in a crisis situation or wish to be accompanied at a baptism, wedding, funeral or other challenging life situations or wish to have Holy Communion at home because you cannot come to church services (anymore)? Please feel free to contact me! My contact information is on the second to last page of the parish newsletter. This offer is also valid in Corona times. It should be noted that the Prevention and Control of Infectious Diseases in Humans Act of 2000 regulates chaplains’ access to ‘segregated persons’ nationwide. It states: ‘The attending physician and persons designated to provide care have free access to secluded persons. The attending physician must allow the pastor or certifying persons—other persons may—access, imposing the necessary rules of conduct.’ (§ 30, para. 4). With all understanding for the difficulty of implementing comprehensive hygiene measures and the concern especially with regard to high-riskgroups, it is to be hoped that this information will also open the door to those affected in individual cases, where necessary, for me as a pastor. Because that has also become clear in the past few weeks. Especially in this group, many people suffer from the psychosomatic consequences of the corona measures over the long term”].
- ⁴⁶ Cf., e.g., the self-presentation of Evangelisch-Lutherischen Dreieinigkeitsgemeinde Hohenwestedt: <https://www.selk-hohenwestedt.de/index.php> [Dreieinigkeitsgemeinde Hohenwestedt belongs to the Independent Evangelical Lutheran Church (SELK) and is what the name says: Independent church, independent of the state and large churches; Ev. Lutheran Church, committed to the Word of God alone, following the Reformation of Martin Luther, financed by voluntary donations instead of church taxes].

⁴⁷ Kirche und Staat gedenken der Corona-Opfer Sind im Tod nicht alle Menschen gleich? <https://www.tagesspiegel.de/politik/kirche-und-staat-gedenken-der-corona-opfer-sind-im-tod-nicht-alle-menschen-gleich/26952916.html> [Church and State Commemorate Corona Victims. Aren't All Men Equal in Death?].

⁴⁸ Tagesschau: Gedenkfeier für Corona-Tote: *"Ihr seid nicht allein in Eurem Leid"*, <https://www.tagesschau.de/inland/steinmeier-997.html> [Memorial Service for Corona Dead: "You Are Not Alone in Your Sorrow"].

⁴⁹ Kirchen und Sozialverbände gedenken Pandemie-Betroffenen In Erinnerung an Corona-Opfer und Helfer, <https://www.domradio.de/themen/corona/2021-04-18/erinnerung-corona-opfer-und-helfer-kirchen-und-sozialverbaende-gedenken-pandemie-betroffenen>, retrieved 2021-04-19 [Churches and social associations commemorate pandemic victims. In memory of Corona victims and helpers]; Bedford-Strohm: Corona-Gedenken ist "öffentliche Seelsorge", <https://www.sonntagsblatt.de/artikel/kirche/coronavirus-krise-alle-aktuellen-meldungen-zu-kirchlichen-veranstaltungen-...>, retrieved 2021-04-19 [Corona commemoration is "public pastoral care"].

⁵⁰ Steinmeier, Gedenken an Corona-Opfer *"Die Trauer verbindet uns"*, <https://www.zdf.de/nachrichten/panorama/corona-steinmeier-gedenkfeier-100.html>, retrieved 2021-04-19. [Commemoration of Corona Victims - Steinmeier: "Grief Unites Us"].

⁵¹ <https://www.tagesschau.de/inland/steinmeier-997.html>, retrieved 2021-04-19.

⁵² <https://www.domradio.de/themen/corona/2021-04-18/erinnerung-corona-opfer-und-helfer-kirchen-und-sozialverbaende-gedenken-pandemie-betroffenen>, retrieved 2021-04-19.

⁵³ <https://www.sonntagsblatt.de/artikel/kirche/coronavirus-krise-alle-aktuellen-meldungen-zu-kirchlichen-veranstaltungen-...>, retrieved 2021-04-19.

⁵⁴ <https://www.domradio.de/themen/corona/2021-04-18/erinnerung-corona-opfer-und-helfer-kirchen-und-sozialverbaende-gedenken-pandemie-betroffenen>, retrieved 2021-04-19.

⁵⁵ Martin Luther, *"Von der Freiheit eines Christenmenschen,"* in D. Martin Luthers Werke. Kritische Gesamtausgabe, Weimar (= WA), Bd. 7 (1897), 20–38. [Timothy Wengert: *The Freedom of a Christian, 1520: The Annotated Luther Study Edition*, (Minneapolis: Fortress Press, 2016)].

⁵⁶ Athina Lexutt, *"Die Freiheit nehm 'ich mir! Luthers Verständnis der Freiheit,"* in Hans Christian Knuth, *"Welche Freiheit? Explikation der Fragestellung,"* in *Welche Freiheit? Reformation und Neuzeit im Gespräch*. Herbsttagung der Luther-Akademie 2011, Hans Christian Knuth and Rainer Rausch, eds. (Hannover: Luther-Akademie, 2013), 95–122, esp. 116–118.

⁵⁷ *Ibid.*, 120.

⁵⁸ So Landesbischof Bedford-Strohm, <https://www.domradio.de/themen/corona/2021-04-18/erinnerung-corona-opfer-und-helfer-kirchen-und-sozialverbaende-gedenken-pandemie-betroffenen>, retrieved 2021-04-19.

⁵⁹ Christoph Barnbrock, *"Wenn die Gesellschaft trauert. Analyse einer zivilreligiösen Gottesdienstfeier am 20. Dezember 2016 in Berlin,"* in *Politik & Religion*, Achim Behrens, ed., (= OUH 56) 2018, 81–95 [When Society Grieves].

⁶⁰ Barnbrock, *Wenn die Gesellschaft trauert* (as FN 65), 95.

⁶¹ Cf. Werner Klän, “*Das Evangelium löst den Staat oder die Wirtschaft nicht auf.:Die Trennung von Kirche und Staat aus religiösen Gründen. Ringvorlesung Politik und Religion. Ein schwieriges Verhältnis,*” in Behrens, *Politik & Religion* (as FN 88) [“The Gospel Does Not Dissolve the State or the Economy: The Separation of Church and State on Religious Grounds”], 61–80; Werner Klän, “*Freiheit, die Luther meint. Gesprächsfäden,*” in *Kontroverse Freiheit. Die Impulse der Ökumene*, QD 284, Thomas Söding and Bernd Oberdorfer, eds. (Freiburg: Herder, 2017), 190–218 [Freedom, Luther intends].