

H. E. Westermeyer, *The Fall of the German Gods*
(Mountain View, CA: Pacific Press Publishing Association, 1950), 163-194
[spelling in the original – page breaks included - references added]

[P.>146] Protestantism and Nazism [Chapter 7]

PROTESTANTISM, which had been cradled and nourished in Germany, came into conflict with the totalitarian ideas and the revolutionary measures of the Nazi regime, even as Catholicism did. The controversy here, as with Catholicism, was partially attributable to age-old connections with, and dependence upon, the state. The basic reason for the struggle went much deeper than surface skirmishes over church-state relations. It concerned the very essence of the gospel. Salvation by race and Aryan blood strove to supplant salvation by grace and faith in God's word.

Protestant leaders, too, had occasion to issue numerous warnings to church members, and to direct repeated appeals to the government. D. Kurt Dietrich Schmidt compiled a series of four volumes of protests, under the title, *Confessions and Fundamental Declarations Relating to Church Questions*. One of these volumes was published for each of the years, 1933- 1936.¹

Each volume contains from two to three hundred pages of official and quasi-official viewpoints, ranging from naked paganism to armor-clad faith. They exhibit a remarkable degree of analytical ability, versatility, courage, and conviction.

The reading of these forceful pronouncements helps one to understand better why the sixteenth-century Reformation became so effective among the Germans, and it helps to make clear why Hitler failed to impose his will upon the stalwart Protestants of modern Germany.

For the student of the German church struggle these vol- **[P.>147]**umes are among the best source material available. The declarations they contain deal specifically with the issues involved in the struggle, and throw considerable light upon the policies employed by Nazi leaders in their attempt to bring the churches under the influence and control of an all-embracing Reich.

One of the clearest statements regarding the struggle of the Evangelical Church in Germany was contained in the Evangelical Church letter addressed to Hitler in May, 1936.² This letter

¹ D. Kurt Dietrich Schmidt, ed., *Die Bekenntnisse und grundsätzlichen Äusserungen zur Kirchenfrage* (Gottingen, 1934-37), vols. 1-4, for the years 1933-36. (Hereafter referred to as *B'ekenntnisse*.)

² *International Conciliation*, No. 324 (November, 1936), pp. 556-567. Although the pope's encyclical, *Mit brennender Sorge*, issued nine months later, was not directed to Hitler personally, yet in spirit and content it had much in common with this Evangelical Church letter.

was written three years after the adoption of a new constitution for the German Evangelical Church, on the basis of which the pro-Nazi German Christians had succeeded in forcing the election of Ludwig Mueller as Reich bishop. "The political church struggle is now over," the new church head had announced. "The struggle for the soul of the people now begins."³ His attempts to introduce Nazi methods and ideology into the church had led to the formation of a separate provisional church government which held itself to represent the rightful leadership in the church. It was called Confessional because it put the confession of faith in God's word before any ideological belief of Nazism. Consequently it stood in opposition to Bishop Mueller's regime. During the same period a new policy for church administration had been undertaken by the appointment of Hans Kerrl as Reich minister of church affairs. He had been seeking to govern the church by the appointment of committees, but his methods were encountering the same opposition that Bishop Mueller's had met.

Then in the spring of 1936 came this clear statement from Protestant leaders, revealing the whole nature and extent of the conflict between Protestantism and Nazism.

In this memorandum, addressed to Hitler personally, the question was raised as to whether the attempt to dechristianize the German people was to become the official policy of the government. It asserted that authoritative persons in state and party were giving arbitrary interpretations to the idea of positive Christianity. The Reich minister for public enlightenment and propaganda, Joseph Goebbels, had declared that positive Christianity was merely humanitarian service; and the Reich instruction leader, Alfred Rosenberg, had proclaimed his mysticism of blood to be positive Christianity. Following their example, other party officials had defamed the belief of the Confessional Church as being merely negative Christianity. The harm done by such utterances became all the greater, inasmuch as the church was never given the opportunity of confuting, with the same publicity, the misrepresentations of the Christian faith made from high places.

Continuing, the Confessional Church voiced its objection to the destruction of church organizations, and against the Reich policy of curbing the public work of the church. It declared that Evangelical members of National Socialist organizations were required to pledge themselves unreservedly to the principles of Nazism, though those principles were frequently presented as a substitute for Christianity. When blood, race, nationality, and honor received the rank of eternal values, the Evangelical Christian was compelled by the first commandment to reject such estimates. Even though the Aryan man was glorified, God's word still testified to the sinfulness of all men. When anti-Semitism instilled hatred of the Jews, the Christian had to remember the command to love his neighbor.

³ Michael Power, *Religion in the Reich* (London, 1939), p. 113.

In the protest a stand was made no less definitely against the inroad of a morality, essentially foreign to Christianity, which proclaimed, "Right is what serves the people; wrong, what injures it." It was pointed out that the spirit of a morality based on what is advantageous to a people would lead to contempt of the command to be sincere and truthful. The letter emphasized that the Evangelical conscience, which shared the responsibility for the people and the government, was most heavily burdened by the fact that there were concentration camps in Germany, which professed to be a country in which justice was administered ; and it voiced opposition against the measures and actions of the secret state police, which were exempt from any judicial control. The document referred to the frequent use of the oath in [P.>149] swearing allegiance and making pledges as being a definite danger in that it robbed the oath of its dignity and led to the profanation and abuse of the name of God. The protest expressed uneasiness over the deification of the Fuehrer to the point where he was invested with the religious dignity of a national priest and mediator between God and the people.

These were bold words to be directed to the highest authority in Nazidom. They came from men whose consciences were sorely burdened, and who, therefore, felt justified in calling Hitler's personal attention to tendencies which they regarded as being inherently evil.

Whether this document, addressed confidentially to the Fuehrer, ever reached his hands is not known. At this time the leader of the new Reich had many other matters to engage his interests.

These were the days when Hitler began to play for high international stakes. He had recently repudiated the Treaty of Versailles and marched 20,000 troops into the Rhineland to re-establish the "Watch on the Rhine." Nazi economists had introduced the four-year plan, and Herman Goering had declared that henceforth the slogan of the German people must be, "Guns before butter." Hitler made envious references to the minerals of the Urals, the wheat fields of the Ukraine, and the oil wells of the Caucasus. At this time, too, the storm clouds of a civil war were gathering over Spain, and the Rome-Berlin axis was under consideration. All these developments had the enthusiastic support of the German people, Hitler's foreign policy being approved by a 99 per cent popular vote.

German racialism and nationalism were on the march. Before 1933 the Nazis had made anti-Semitism merely an article of their creed, but by 1936 Jewish persecution had become official. Millions of Germans in neighboring countries—in Austria, Poland, Czechoslovakia, Yugoslavia, and Russia—were being taught to agitate for reunion with the fatherland. The idea of a "Great Germany" quickened the pride of German hearts everywhere—and there were many religious hearts among them.

[P.>150] The discerning Winston Churchill, who later rallied the English people to endure blood, toil, tears, and sweat, declared, "Germany must soon either expand or explode."

In the midst of these aspirations Hitler must have regarded church protests and internal church squabbles as something bordering on nonsense. After an interval of a few weeks, to the dismay of Confessional circles, the Evangelical Church letter was published simultaneously throughout the entire German press, and it also appeared in the foreign press. It was denounced by the Church Ministry and by party leaders as an attempt to embarrass the government at a time when a large number of visitors were in Germany in the interest of the Olympic Games. The difficulties of the Confessional movement were thus only increased.⁴

But the churchmen persisted. Their personal memorandum to Hitler was soon followed by the issuance of a church manifesto which restated and confirmed the gist of the appeal that had been addressed to the chancellor. It was read by the Confessional pastors on Sunday, August 23, 1936. It indicated not only the seriousness of the situation but also the seriousness with which the church was resolved to fulfill its duty to the German people. It declared that a systematic war was being waged against the gospel by the very government which millions of Evangelical Germans had greeted with enthusiasm four years earlier.

As if taking a leaf out of the Declaration of Independence, it said, "We have waited. We have made remonstrances. We have even laid before the Fuehrer in writing the things that burden the heart and conscience of Evangelical Christians. . . . From now on we are compelled . . . to oppose freely and publicly, without fear of man, attacks on the gospel."⁵

While no official recognition was ever given these appeals, Rosenberg subsequently made pointed reference to them in a brochure called *Protestant Pilgrims to Rome*. After accusing the Protestant leaders of having betrayed Luther and of having turned their faith into an instrument of war against the four- [P.>151] dations of the German Reich, he maintained that these officials never once had stirred when Bolshevism raged in Germany and when the Jews trampled in the dust those things Germany held to be sacred. Instead, they left to National Socialism the task of saving the church from extinction. Now the leaders of the church emerge from their hiding places, he concluded, and bluntly demand the abolition of those very values which saved Germany from destruction.⁶

⁴ Church of England, Council on Foreign Relations, *Fourth Survey on the Affairs of the Continental Churches* (Westminster, 1937), pp. 22, 23. There are four of these surveys. They will be cited as *Survey, First*; *Survey, Second*, etc

⁵ Arthur Frey, *Der Kampf der Evangelischen Kirche in Deutschland* (Zollikon, 1937), pp. 171, 172

⁶ Alfred Rosenberg, *Protestantische Rompilger* (Munich, 1937), p.80.

Doubtless the author of *Protestant Pilgrims to Rome* was correct in his inference that Protestantism ceased to protest against Rome as it had formerly done, and that the common struggle against National Socialism tended to bring about a united Christian front, for though, in their respective struggles with the state, Catholicism and Protestantism never once appealed for each other's help, they were nevertheless brought nearer together by the common danger.⁷

This same trend was to be forcefully brought to the front in March, 1949, when a resolution of the Federal Council of Churches called on Protestant leaders to negotiate with the Vatican on issues of religious liberty and human rights.⁸ This historically unprecedented proposal came as a result of the imprisonment of Cardinal Mindszenty in Hungary and of Protestant churchmen in Bulgaria—a conflict in which totalitarian Communism, it appears, has more recently taken the place of Nazi threats.

However that may be, it is clear that in 1936, German Protestantism, like Catholicism, felt itself threatened, not only by the administrative agencies, but also by the ideological influence of Nazism.

German Church Affairs Before 1933

Germany has never had that degree of separation of church and state which has characterized American life for more than one and a half centuries. Even after the Reformation, German Christianity, Catholic and Protestant, became regional state affairs. The Peace of Augsburg, in 1555, provided for a territorial settlement of the religious question in harmony with the Latin formula, *Cuius regio, eius religio* (He who rules, determines the religion). Under this arrangement it was the local German prince who determined the religion of his principality.

This led later to large-scale emigrations on the part of those who disagreed with the religion of the prince. Thousands of these "rebels" came to the United States,—to Pennsylvania, for instance,—where their descendants may be found in large numbers.

With certain modifications, the territorial or regional church organization in Germany has continued until the present time. It was reflected especially in the twenty-eight *Landeskirchen* (territorial churches) into which German Protestantism continued to be divided down to the Nazi accession to power in 1933.

These *Landeskirchen* could be compared with American churches only if there were a "church of Kansas," a "church of Oregon," a "church of Kentucky," and so on, including all the

⁷ Nathaniel Micklem, *National Socialism and the Roman Catholic Church* (London, 1939), p. 181.

⁸ "Council on World Order," *Newsweek*, vol. 23, No. 78 (March 21, 1949), p. 78.

churches of the forty-eight states of our union. There are also Protestant free churches in Germany, such as the Baptists and the Mormons, but they constitute a minority of all Germans and maintain an independent status. Since the end of World War II these groups have been increasingly influential.

Although the recent development in German church life has been somewhat more democratic, in the early organization of the church Luther arranged for the believing princes to have control over the government of the church. Territorial sovereignty of the princes was made to include the exercise of supreme legislative and executive power over the churches of their territories. In practice, however, the princes delegated the power of church government to the minister of public worship and to other appointed consistorial officers.

It must be remembered that, according to Luther's ideas, the civil ruler was not entitled to govern the church by virtue of his secular office, but because of his position as a Christian. To Luther the prince had duties toward the church but no rights [P>153] over it.⁹ The ruler was to acknowledge the sovereignty of the Lord and not to use his political power in order to determine the content and nature of the Christian faith and teaching. Luther's chief concern, as Paul Douglass points out, was the preaching of the kingdom of God. He was a practical man and solved his problems as they came.¹⁰ But the sure result thereof was a close connection between the throne and the altar.¹¹

In this connection it needs to be mentioned further that in the development of German Protestantism several confessional differences arose. There were, first, the Lutherans, who as followers of Luther formed the Lutheran Church, accepting the Augsburg Confession, Luther's catechism, the Schmalkald Articles, and the Formula of Concord. Next came the followers of Zwingli and Calvin, who took their stand on the Heidelberg Catechism. These constituted the Reformed Church. The former difference between these two groups over the Lord's Supper has lost much of its significance. More important, for the purpose of this study, was their difference over constitutional ideas. The Lutherans held to a consistorial form of government within the church, while the Reformed favored the more democratic Presbyterian form.

Furthermore, Calvin's concept of a theocracy made a church constitution tantamount to an article of faith.¹² When, therefore, the Evangelical Church constitution of July, 1933, made it

⁹ Cf. Felix Gilbert, "Political Thought of the Renaissance and Reformation," *The Huntington Library Quarterly*, vol. 4 (July, 1941), pp. 443 et seq.

¹⁰ Paul Douglass, *God Among the Germans* (Philadelphia, 1935), p. 281.

¹¹ Otto Ernst Rohn, *Lutherische und reformierte Kirchenverfassung im Deutschland der Nachkriegszeit* (Ochsenfurt am Main, 1933), p. 17.

¹² Rohn, *op. cit.*, p. 25.

possible for a Nazi Reich bishop to be placed at the head of the church, the Calvinist Karl Barth found ample justification for refusing collaboration.¹³

The creedal particularism of German Protestantism took a unique turn when, in 1817, the Evangelical Church of the Prussian Union was formed from a union of the Lutheran and Reformed Churches in Prussia. Thus, in addition to the Lutheran and Reformed Churches, there was added the United Church. It should be observed, however, that this union was mainly administrative and confessional, and that the confessional independence of the constituent churches was preserved.

[P.>154] Whether the church was Lutheran, Reformed, or United, in all cases there was a close alliance between church and state. The orthodox Protestant clergy, therefore, became conservative supporters of the *status quo*. Through the ensuing centuries Luther's church of the Bible gradually tended to become a church of clerics and theologians, much more interested in maintaining doctrinal purity and in holding to its ancient forms than in preaching the gospel to the poor at home and abroad.¹⁴

For the most part, German pastors were unfamiliar with the soul-agonizing efforts necessary to win converts and build up new churches. Instead, they found parish lines already carefully prescribed; and there were few Germans who did not belong to the church and pay the stipulated church tax.

Many of these university-trained pastors, while adept in the mental gymnastics of church dogma, were ill-prepared for practical church work. They were like civil servants, enjoying financial and social security, and officiating at baptisms, marriages, and funerals on a kind of professional office-job basis. In speaking of the formality and spiritual lethargy of the German churches, Stewart Herman refers to the hollowness that echoed among the Gothic arches of the great cathedrals and the uninspired singing of the choirless congregations.¹⁵

The outcome of World War I jarred the complacency and smugness of established religion within Germany. As a result of the revolution of 1918 the secular princes, who bore the title *Summi episcopi*, fled. Thus ended the traditional leadership of the Protestant church, which had been developed historically since the time of the Reformation. The supreme church councils and the consistories were left without visible leadership.

At this time it appeared as if German Protestantism had come to the end of its existence. The loss of the war, the collapse of the kingship, and the exactions of Versailles brought about a

¹³ Rudolf Grob, *Der Kirchenkauf in Deutschland* (Zürich, 1937), p. 45 et seq.; cf. Karl Barth, *Theologische Existenz heute* (München, 1935).

¹⁴ Paul Banwell Means, *Things That Are Caesar's* (New York, 1935), pp. 4, 94.

¹⁵ Stewart W. Herman, Jr., *It's Your Souls We Want* (New York, 1943), p. 107.

national humiliation that was keenly felt by the churches. As has already been pointed out in chapter 3, Johannes Schneider's *Church Annual* for 1919 is a veritable "Book of Lamentations."¹⁶

[P>155] Five weighty words of the Weimar Constitution conveyed an ominous portent for traditional German Protestantism: "There is no state church."¹⁷ Henceforth the church was to be independent. The state would no longer nurture the church, and the church would no longer represent the interests of the state. It was a goal some had sought to achieve for decades. Now it seemed to have been accomplished.

However, the intention of the makers of the Weimar Constitution was not fully realized. Through a properly authorized body, the *Landeskirchen* had made timely representations to the new government asking for recognition of the existing regional churches as public corporations. It was contended that the placing of the churches on a private basis with other organizations would not accord with the dignity of the church and would be contrary to a relation which, in the course of four hundred years, had become historically established. The churches requested state protection for their property, continued financial support from the state, the right to order and conduct their own affairs, and freedom to unite into religious bodies as publicly legalized corporations.

These requests received due recognition. The revolution of 1918 was not as complete with respect to the church as its friends had feared and its enemies had hoped.

Since the sovereignty of the princes had now disappeared, the *Landeskirchen* gave themselves new constitutions, which, in the main, aimed to preserve the historical character of their respective churches.¹⁸ Sovereignty, now residing in the church itself, expressed itself in general synods. The church creed and the word of God, however, were still regarded as the real source and norm of church order; and the separate territorial arrangements of the *Landeskirchen* were continued.

Never before in three hundred years had the task of the church been as heavy—and as promising. The state continued its financial grants to the churches. Religious instruction in the public schools was also provided for, subject, however, to the discretion of teachers and

¹⁶ Johannes Schneider, ed., *Kirchliches Jahrbuch für die Evangelischen Landeskirchen Deutschlands* (Giltersloh). After faithfully chronicling the fortunes of German Protestantism for fifty-nine years, this yearbook ceased to be published in complete form after 1932. The editions for 1933 and 1934 were mere "torsos." But even such incomplete forms ceased to appear regularly. The crisis in Protestantism became too baffling to the serious statistician. (Hereafter cited as Schneider's *Jahrbuch*.)

¹⁷ The introduction to article 137. Sections 3, 4 including articles 135-150, deal specifically with the regulation of religion, religious societies, and schools.

¹⁸ Rohn, *op. cit.*, pp. 98-100.

the wishes of parents and guard- [P.>156] ians. Theological faculties at the universities were retained.

Under these new conditions Protestantism experienced a temporary revival and witnessed an increasing participation in church activities on the part of its lay members. However, interest in foreign missions, never very strong in Germany, was weakened still further by the economic and political instability of the times.¹⁹

The revolution also tended to rouse the church from its political indifference. Church members began to participate more actively in political elections. Church leaders warned against the one-sidedness of political parties and the danger of bringing political divisions into the church.²⁰ In spite of the fact that the church had obtained a highly privileged position, it was somewhat slow in reconciling itself to the young Republic. The chief obstacle to this reconciliation was the Social Democratic Party, and one of the fiercely disputed issues centered in the opposing points of view with reference to the teaching of religion in the public schools.²¹

The national catastrophe afforded renewed opportunity for increasingly effective antireligious and atheistic propaganda. The prewar loss of church membership, which had virtually subsided during the war, was now revived. A quarter of a million left the Protestant church by 1921.²² By 1925 there were 1,383,914, or 2.2 per cent of the total population, who were registered as being without any church affiliation.²³

The privilege of leaving the church had been made easier by a law passed in 1918, according to which it was no longer necessary for the one who left the church to make a personal declaration before a judge and continue to pay his church dues for the fiscal year following his withdrawal, as was the requirement under a much stricter law which had been passed in 1874.²⁴

Unfortunately, then, the temporary revival of godliness, begun in the days of direst adversity, was not followed up. In the midst of economic suffering and political uncertainties, all kinds of racial creeds, myths, and nationalist aspirations clamored for recognition. It was during this time that Nazism was [P.>157] born. Its definite program promised alleviation, and it soon found popular support. Race doctrines began to invade the church. When Hitler came to

¹⁹ Schneider's *Jahrbuch fur 1920*, pp. 278-294.

²⁰ Schneider's *Jahrbuch fur 1921*, pp. 304 et seq.

²¹ Schneider's *Jahrbuch fur 1920*, pp. 1-30.

²² Schneider's *Jahrbuch fur 1921*, p. 339

²³ Means, *op. cit.*, p. 91.

²⁴ Schneider's *Jahrbuch fur 1922* gives both laws, pp. 13-16.

power in January, 1933, the church was ill-prepared to cope successfully with the far-reaching demands of National Socialism.

Church Affairs Under the 1933 Constitution of the German Evangelical Church

The need for a unified national church had been given special emphasis by a widely advertised congress of the Faith Movement of German Christians, held in Berlin, April 3-5, 1933. It was this group in the Evangelical churches which sought to harmonize Christianity with the tenets of National Socialism and make the churches a pillar of the new Reich. They were the partial successors of an earlier group known as the Evangelical National Socialists, who, somewhat in imitation of the Catholic Center Party, endeavored to achieve the position of a Protestant political party. In February, 1932, they declared their program to be based on positive Christianity, rejecting the liberal spirit of Judaic-Marxist internationalism and striving for a union of the petty Evangelical state churches into one strong Evangelical national church. Although at Hitler's personal intervention the title "Evangelical National Socialists" was dropped as being too political, the German Christians continued to function as a subsidiary party of National Socialism.²⁵ Not only did they support the demand for a united, Nazi-dominated Protestant church, but they also advocated a synthesis of National Socialism with Christianity. This precipitated within the Protestant churches the so-called Confessional Church, whose members became the uncompromising opponents of the German Christians.²⁶

Early in the church struggle, however, the Nazi state found strong support in the German Christians. Their program was based on the presupposition that the rise of Hitler was an event in which God revealed Himself. This new revelation must therefore be co-ordinated with the divine revelation in Christ. [P.>158] While many German Christians were fanatical Nazis, and advocated extremist, Rosenberg-tinged programs for the reformation of Christianity,²⁷ there were a large number of earnest church members among them who saw in National Socialism the emergence of a German national spirit which could be used to renovate the church.²⁸

One of the chief exponents of the latter view was Professor Emanuel Hirsch, of Gottingen. In numerous books and articles he asserted the possibility of reconciling Christianity and National Socialism for the benefit of both. In twelve closely reasoned theses he urged that every

²⁵ Waldemar Gurian, *Hitler and the Christians* (London, 1936), pp. 71, 73; c.f. Friedrich Wieneke, *Die Glaubensbewegung, "Deutsche Christen"* (Sol-din, 1933), p. 12.

²⁶ Karl Immer, *Bekennende Gemeinde im .Kampf* (Wuppertal-Barmen, 1934), p. 51.

²⁷ Frey, *op. cit.*, pp. 108-115. The extreme section of the German Christians became embodied in the national church movement of the Thuringian Christians, whose views did not differ essentially from those of Rosenberg.

²⁸ W. Grundmann, *Die 28 Thesen der Deutschen Christen* (Dresden, n.d.), P. 64.

age must find its proper relation to political power and that the unity of confession does not necessarily depend upon four-hundred-year-old creeds which have no binding effect upon the present.²⁹ He had little sympathy for Barth and others like him, who sought to rivet the church to a creedal orthodoxy which precluded the acceptance of any new revelation. Professor Hirsch was perhaps the only eminent theologian who embraced the cause of National Socialism wholeheartedly. He saw in the revival of German nationalism under the leadership of Hitler a manifestation of God's will. His presence among the German Christians gave added prestige and influence to this group.

Among the leaders of the German Christians who were led into more extreme positions by the early revolutionary fervor of National Socialism were Pastor Hossenfelder,³⁰ for a while Reich leader of the group, and Dr. Krause, a district leader of the German Christians. Both became storm centers of German Protestantism: the former, because of the extremely political strategies he employed in church elections; the latter, because of his sensational speech before a group of twenty thousand people at the Berlin *Sportpalast* meeting on November 13, 1933.³¹

This vast assemblage deserves particular mention here. It was held in imitation of the mass propaganda methods so effectively employed by the Nazis, and involved the German Christians in a crisis which nearly proved fatal to them. In his speech Dr. Krause threw caution to the winds and invoked [P.>159] the spirit of Luther to help in creating not a Lutheran, not a United, not a synodal, not a consistorial or a general-superintendent church, but one mighty, new, all-embracing national church. He demanded the elimination of Judaism from the Old Testament, and the purging of the New Testament as well. He asked that a heroic Christ be accepted, and that the racist principle be made to crown the Lutheran Reformation. He asserted that in religious matters, as in all others, there was but one sovereign law : that of Hitler.³²

This speech was too obvious an identification of German Christians with the Nazi Party. Protests arose on all sides. Perhaps one of the most important results was the founding of the Pastors' Emergency League, headed by Martin Niemöller, a pastor in Dahlem, Berlin. This league sought to unite all clergymen who stood by the faith of the church and opposed Nazi meddling in the affairs of the church.³³ It immediately called on Ludwig Mueller, who in the meantime had won the position of the Reich bishop, to separate himself from the German Christians, among whom he had come to hold the position of a protector. Henceforth

²⁹ Emmanuel Hirsch, *Das kirchliche Wollen der deutschen Christen* (Berlin-Steglitz, 1933), pp. 5-20

³⁰ Cf. Joachim Hossenfelder, *Unser Kampf* (Berlin, 1933).

³¹ Gurian, *op. cit.*, p. 83.

³² Grob, *op. cit.*, pp. 23, 24.

³³ *Ibid.*, pp. 24, 25.

both Dr. Krause and Pastor Hossenfelder ceased to play important roles, while Mueller increasingly endeavored to assert his authority as Reich bishop under the newly adopted constitution of the German Evangelical Church.

The work on this constitution had been completed on the basis of a preliminary draft known as the *Loccumer Manifest*, which had been issued May 20, 1933. On July 11, 1933, the finished constitution was approved by the plenary representatives of the German Evangelical Church Federation, which had combined the twenty-eight *Landeskirchen* in a loose union since 1922.

That the constitution of the national church was drafted and adopted in so short a time was due to the urgent desire of the church leaders for a greater unity, and also to the driving insistence of the German Christians and to the activity of Mueller as the confidential church ambassador of Chancellor Hitler. [P.>160] Political enthusiasm and considerations combined to effect a unity which the churches appeared incapable of accomplishing by themselves.

On July 14, the Reich government published a law to regulate the constitution of the German Evangelical Church. It recognized the church as a corporation of public law and provided for a new church election to be held on July 23, 1933. The constitution of the church was also published at the same time and was incorporated in the laws of the Reich. The law regulating the church constitution was signed by the Reich chancellor and the Reich minister of the interior, whereas the church constitution itself was signed by the leaders of the various *Landeskirchen*.³⁴

These various provisions indicate the degree to which church interests were commingled with the affairs of the state. They also make clear that German Protestantism was an influential factor within the Reich and that the reorganization of the church involved important questions of policy and administration.

As has been indicated, this 1933 constitution of the German Evangelical Church had been preceded by a church federation in 1922. The constitution of this federation combined the twenty-eight *Landeskirchen* in a loose union and worked reasonably well while Germany was under the temporary influence of a democracy.³⁵ It lacked the strongly centralized authority called for, however, when in 1933 the government of the Third Reich took control of the nation.

The 1933 constitution of the German Evangelical Church aimed primarily to bring about a closer union of Protestantism than obtained under the constitution of church federation of

³⁴ *RGBl.*, 1933, vol. 1, pp. 471-475.

³⁵ Schneider's *Jahrbuch für 1922*, pp. 510-513, contains the constitution of the church federation of 1922.

1922. The rights and duties of the federation were legally passed over to the German Evangelical Church.

One of the outstanding features of the new constitution was that in it the Reich bishop was accorded, in religious matters, a position somewhat analogous to that which Hitler had begun to assume in political affairs. Although in the general administration of the church the Reich bishop was to be advised by a spiritual council and assisted by a national synod, he was endowed with remarkable powers. He was to guarantee a uniform leadership in the church, set necessary standards for the interpretation of the constitution, and give instructions to the spiritual council. In union with the leading officials of the *Landeskirchen* he was empowered to issue formal pronouncements and hold conferences. He was to ratify the nominations and dismissals of the German Evangelical Church, issue declarations in the name of the church, order exceptional services for special days, and draw up legislation for the church. He was to have his own diocese, and he was appointed to his bishopric by the national synod. There was no limit set to the tenure of his office.

While the *Landeskirchen* were to remain independent in confession and worship, the German Evangelical Church held the right to give them directions for their constitutions. Furthermore, the central authority was to guarantee unity among the churches in the domain of administration and jurisprudence. The cost of centralized machinery was to be paid by the regional churches.

Beyond this centralized control, the church retained its traditional character. It was still composed of the twenty-eight *Landeskirchen*, which were left independent in confession and worship. Although the interaction of political conditions of the Reich and the church was clearly expressed in the constitution by the acknowledgment that God was letting the German people pass through a new historical era, yet, according to article 1, the inviolable foundation of the church was to continue to be the Scriptures and the Reformation creeds.

The subsequent church struggle was largely over the question of whether or not this introductory paragraph was to be considered in earnest. Problematical, too, was the question as to how far the autonomy of the *Landeskirchen* was to be recognized. According to the Reformed Church law, the constitution itself belonged to the confession. Thus the episcopal order of the constitution in place of the synodal administration concerned a question of confession.³⁶ Among Lutherans as well, the question was raised as to whether the real position of the church would not be jeopardized by the introduction of a worldly

³⁶ Grob, *op. cit.*, p. 10.

leadership principle into the constitution of the church.³⁷ The answer to any such questions depended on the manner in which the constitution would be administered.³⁸

The constitution attempted a difficult compromise, based on the distinction between centralization of administrative and legal activities on the one hand, and religious belief on the other. It sought to create a centralized administration with power to co-ordinate the federal churches while leaving them religiously free. In this way the possibility was left open for the whole federal structure to become nazified if those imbued with Naziology should win control of the central administration. The election of the first Reich bishop emphasized this danger.

As has been mentioned, the Reich law, passed to regulate the constitution of the German Evangelical Church, called for a new, nation-wide church election to be held on July 23, 1933, for the purpose of choosing parish councils, which would, in their turn, elect the national synod. There were two distinct parties: the Gospel and Church group, who wished to defend the freedom of the gospel and traditional Christian faith; and the German Christians, who favored the assimilation of the church with the Nazi movement. The former group favored Friedrich von Bodelschwingh as Reich bishop; the latter, Mueller. The issues were fairly clear in the persons of these two candidates one, as head of the famous Bethel Institute at Bielefeld, was a pastor, teacher, and social worker, whose sole connection was with the church, and who was out of both state and church politics the other, an army chaplain, a National Socialist, a German Christian, and a confidant of Hitler.

In this campaign for the electors of the national synod which would choose the Reich bishop, the German Christians adopted the electoral methods which had brought the Nazis so [P.>163] much success in the political area. Even Hitler and the deputy leader of the party, Rudolf Hess, played an important part in ensuring the success of the German Christians at the poll. By an order issued on July 20, Hess made it the duty of everyone who adhered to the Nazi point of view to vote in the church election. Thousands of German Christians, who for years had taken no active part in church affairs, enrolled in order to swell the German Christian votes,³⁹ On the eve of the poll the chancellor himself broadcast a message in behalf of the German Christians who, he said, represented that portion of the Evangelical community who had set foot on the sure ground of the National Socialist state.⁴⁰ The results were a foregone conclusion. The German Christians captured from 51 to 100 per cent of the total number of seats in the Evangelical parish councils, with the exception of the Bavarian and Westphalian synods. In some places only German Christians offered themselves as candidates.

³⁷ *Ibid.*

³⁸ Friedrich Koch, *Die Deutsche Evangelische Kirche und ihre Verfassung* (Berlin, 1933), p. 47.

³⁹ *Survey*, First, p. 8.

⁴⁰ Gurian, *op. cit.*, p. 82.

Consequently, an overwhelming majority of the same party were in the national synod, where Mueller was unanimously elected Reich bishop. Thus a National Socialist chaplain had been elected to lead in the administration of the new constitution which German Protestantism had given itself in "a new historical era."

Mueller appointed Pastor Hossenfelder, who had become bishop of Brandenburg and was the leader of the German Christians, chairman of his spiritual council. Many similar appointments were made to the office of bishop in the *Landes-kirchen*. It became apparent that the German Christians were being favored to the disadvantage of the Gospel and Church group. Meanwhile this latter group had become the Pastors' Emergency League, which has already been referred to as composed of those who intended to stand by the traditional faith of the church and oppose the mixing of politics in the affairs of the church. From the very beginning the new Reich bishop was confronted by this opposition group, who felt that by acts of political pressure and violence the church had been betrayed into the hands of a political movement.

[P.>164] There can be little doubt that there existed also a deeply rooted fundamental objection to the institution of the episcopacy, as such, in the minds of some Lutherans and of almost all members of the Reformed Church. The wider use of the title *Bischof* tended to awaken ancient prejudices against arbitrary rule and hindered the new ecclesiastical administration in securing the full co-operation of both the pastors and church members.

Fundamentally the church of Luther is a church of laymen and is deeply rooted in the teaching of the priesthood of every believer. The pastor is not a ruler, but a minister who is certified by the gospel. This, concept of church leadership did not exclude bishops as such, but it did exclude a bishop appointed for life, one that was neither appointed by the congregation nor could be recalled by it. The Reformed were even more opposed to a spiritual monarchy. They wholly rejected bishops, in both name and office. The pope alone in Christendom had powers comparable to those which the constitution made possible for the Reich bishop. To many this arrangement seemed a betrayal of the Reformation.

There also existed a less open but more fundamental conflict between the Christian world view with its emphasis on love and human brotherhood, and the Nazi *Weltanschauung* with its doctrine of blood, soil, and martial heroism. It was this less definite but more basic issue between Christian theology and political mythology which figured, not only in the struggle over the choice of a Reich bishop, but also in other relations between the church and the Reich.

In an endeavor to eliminate the Jews from positions of influence, a civil service law was passed by the Reich government on April 7, 1933, which contained for the first time the

notorious article 3, or the Aryan paragraph. It stipulated that all officials who were not of Aryan descent were to be retired. An exception was made to those who had been in service since August 1, 1914, and to those who had fought in World War I at the front.⁴¹ This law was augmented by still another passed June 30, 1933, which [P.>165] forbade any official from marrying a Jewess, and excluded from state office all those married to Jewesses.⁴²

No such discriminatory measures against the Jews had succeeded in finding a place in the constitution of the German Evangelical Church. However, on September 5, 1933, even before Mueller had actually been chosen as Reich bishop, the Prussian Synod, representing more than half the Protestants of Germany and at the time under the control of the German Christians, gave Mueller the entirely new office of bishop of Prussia, and also adopted the Aryan paragraph into the sphere of the church. It declared that a non-Aryan could not act as pastor or official of the general church administration.

The Pastors' Emergency League, to the number of two thousand, presented a protest against this action, stating that the application of the Aryan paragraph to the life of the church was in violation of the Holy Scriptures and contrary to the confessions of the Reformation. They were fortified in their contention by a very important expression of opinion that had come from academic circles. On September 20, 1933, the theological faculty of Marburg declared that in their opinion the new law passed by the Prussian synod was unchristian. They insisted that only faith and baptism were decisive for incorporation into the church, and that Jews and Gentiles had equal rights as members and as ministers. They pointed out that these requirements had found no place in the concordat with the Vatican.⁴³

Another statement by the faculty of Erlangen was less definite and did not give a unanimous verdict. This group declared that although all Christians were common children of God, biological and social distinctions still had to be reckoned with. They held that the church should recognize the basic right of the state to regulate such questions.⁴⁴

For fifty years before the advent of Hitler the Jews had constituted approximately 1 per cent of the total population of Germany, a figure ranging from 500,000 to 600,000.⁴⁵ During most of that period, Protestant missionary circles had supported a program of evangelization among the Jews, not entirely without results. In the year 1920, for instance, 452 Jews joined the Evangelical Church; in 1925, 226; in 1930, 212; and in 1933, 241.⁴⁶

⁴¹ *RGBl.*, 1933, vol. 1, p. 175.

⁴² *Ibid.*, p. 433.

⁴³ *Bekenntnisse*, vol. 1, pp. 174-182.

⁴⁴ *Ibid.*, pp. 182-186.

⁴⁵ Schneider's *Jahrbuch für 1934*, p. 104.

⁴⁶ *Ibid.*, p. 112.

Thus through the years numerous Jews had abandoned Judaism and espoused Christianity. Others had intermarried with German Protestants. These persons and their descendants, in the main, regarded themselves as Christians. But according to the Aryan paragraph, matters of faith had to yield to the considerations of an exclusive racialism.

No definite figures appear to be available which would indicate the number of Jews actually affected by the application of the Aryan paragraph in the church. Perhaps there were not more than two out of a thousand active pastors who were of Jewish descent.⁴⁷ But the Aryan paragraph was not limited to pastors. It applied to all officials of the general church administration. The members of the Pastors' Emergency League, however, did not view this problem in the light of mere mathematical considerations. They regarded it as a question of fundamental belief.

On September 27, 1933, the national synod of the Evangelical Church for the whole Reich met at Wittenberg and confirmed the election of Mueller as Reich bishop.

It was at Wittenberg that, 416 years earlier, Luther had written his ninety-five theses and burned a papal bull in the public square. What a contrast between the robust stature of Martin Luther and the Nazified Mueller! What a change takes place in a people when they reject the love of the truth and follow after lying wonders! "For this cause God shall send them strong delusion, that they should believe a lie."⁴⁸

Although on this occasion there were no decisions made regarding the Aryan paragraph, the laws passed were in conformity with the laws of the new Nazi state, and the declared policy was in harmony with the pro-Nazi ideas of the German Christians.

Again the pastors' Emergency League made a spirited pro- [P.>167] test against the introduction of force into the government of the church and the application of the Aryan paragraph in its life. The league declared that the pressure to which the ministry was subjected was so great that the servants of the gospel were in danger of breaking the command that they should obey God rather than man.⁴⁹

The Formation of the Confessional Church and the Free Synod Movement

When Dr. Krause delivered his memorable speech in the *Sportpalast*, November 13, 1933, demanding that the Old Testament be abandoned, he did not realize the extent to which his message would affect his listeners. Its repercussions forced Mueller to admit publicly that

⁴⁷ *Ibid.*

⁴⁸ 2 Thessalonians 2:11.

⁴⁹ *Bekenntnisse*, vol. 1, pp. 168, 169.

such opinions and demands were tantamount to denying the Bible as the church's sole and immovable foundation. Dr. Krause was dismissed from his ecclesiastical office, and Pastor Hossenfelder was forced to resign from the spiritual council. Left without the further patronage of the Reich bishop, the more radical German Christians now began to identify themselves with the new German pagan movement of the Third Confession, which has already been discussed in chapter 5. As a consequence, Mueller found himself virtually isolated, without the support of either the radical or the conservative elements of German Protestantism. The Pastors' Emergency League became more aggressive. By the end of the year its numbers had increased to more than seven thousand.

The Reich bishop took a new step. On December 19, 1933, he placed the whole Evangelical Youth Movement, with more than seven hundred thousand members, under the authority of Baldur von Schirach, the leader of the Hitler Youth. The insurgent pastors felt that the time had now come to insist that Mueller either resign or appoint men to his spiritual council who could be trusted to see to it that the faith and the independence of the church were upheld. Still enjoying the support of Hitler, the Reich bishop proceeded to place many of the [P.>168] protesting pastors in retirement. In many instances these pastors, with the support of their congregations, continued to preach. Martin Niemoeller was one of these.⁵⁰

On January 4, 1934, the Reich bishop issued the so-called "muzzling order," which forbade pastors to refer to the church controversy in their sermons, or to publish books or pamphlets on the subject, under penalty of suspension or loss of their income. The Pastors' Emergency League responded to this order by reading it in their pulpits, together with a résumé of the controversy to date. The Reich bishop was accused of using violence and illegal methods in carrying on church politics. Pagan trends in the church were exposed. The pastors declared that their relation to the Reich bishop was expressed in the words: "We ought to obey God rather than men."⁵¹

Thus Mueller's attempts to integrate the various *Landes-kirchen* into the German Evangelical Church only aroused further opposition. On April 12, 1934, he took into his spiritual council, as legal member and head of the church chancery, Dr. Jaeger, who had earlier created considerable opposition in the Prussian church as state commissioner in 1933. Under him the Gestapo and local Nazi political officers were employed to enforce Mueller's measures; but only Prussia and the smaller churches co-operated. The churches of Hanover, Wurttemberg, and Bavaria, respectively under the leadership of Bishops Marahrens, Wurm, and Meiser, refused to yield, and they were supported in their stand by a majority of their pastors. When Bishops Wurm and Meiser were later placed under house arrest, the

⁵⁰ Survey, First, p. 11.

⁵¹ *Bekenntnisse*, vol. 2, pp. 25-27.

opposition also spread to the laity. Ultimately the south German church leaders were successful in preventing the incorporation of their churches into the Reich church.

It must not be overlooked that at this time it took considerable courage to oppose this Nazi-backed church program. These were the days when Hitler resorted to violence to consolidate his gains and to maintain undisputed authority within the Nazi Party. The political purge of June 30, 1934, included men in high places. Among them were Ernst Roehm, head of Hitler's storm troopers and once one of Hitler's closest friends and collaborators; Gregor Strasser, another former confidant of Hitler and once the most powerful leader in the party next to Hitler; Dr. Erich Klausener, leader of Catholic Action; Kurt von Schleicher, former chancellor of Germany; and many others—all told, more than sixty victims.

These men became guilty of unpardonable disloyalty when they tried to engineer a second revolution,—“a night of long knives,” they called it,—directed against Hitler's totalitarian system. As Hitler saw it, his ruthlessness was an act of mercy forced upon him to prevent the collapse of his one-party Reich, in which he had publicly recognized the two Christian confessions as the weightiest factors for the maintenance of German nationalism.⁵²

On August 9, 1934, one week after the death of Hindenburg, the Reich bishop summoned a second national synod, packed with pro-Nazi delegates. With evident disregard for the church constitution of July, 1933, a series of laws was passed placing the *Landeskirchen* under the immediate supervision of the Reich bishop.⁵³

The churches of the Old Prussian Union had already been absorbed in the Reich church when in March, 1934, Mueller transferred all his powers as bishop of the Old Prussian Union to himself as Reich bishop.⁵⁴ The second national synod prescribed a form of oath for all pastors and church officials, requiring loyalty to the Fuehrer of the German people and the state, and acceptance of the orders of the German Evangelical Church.⁵⁵

This was an attempt to brand the opposition against the church administration as politically subversive. The insurgent pastors hastened to explain that their refusal to accept the orders of the church primate was based, not on political grounds, but solely on religious reasons, and that obedience to his church government meant disobedience to the constitution and the law of the church itself.⁵⁶ The hour was opportune for the emergence of a competing church authority; but in view of the aftermath of the political purge of June 30, the death of Hindenburg, and the pending Saar plebiscite, the Nazi magicians had a special interest in

⁵² *Germania*, March 24, 1933.

⁵³ Gurian, *op. cit.*, p. 100.

⁵⁴ Friedrich Roetter, *Might Is Right* (London, 1939), p. 367.

⁵⁵ *Bekenntnisse*, vol. 2, p. 128.

⁵⁶ *Ibid.*, pp. 129-134.

composing religious differences and reducing political tensions in the country. After all, Protestantism was a power to reckon with, and Hitler saw the need of winning the loyalty of religiously minded Germans so that they would be an asset to the Reich.

From this time on, the position of Mueller as Reich bishop became increasingly uncertain. The leaders of the great non-Prussian churches declined to attend his inaugural service held September 23, 1934. On October 26, Jaeger resigned. Two days later a civil court declared all acts of the Reich bishop in Bavaria illegal.⁵⁷ On October 30, Hitler received the Southern German bishops and told them that he would take no further interest in the dispute and would leave the church to deal with its own problems. This made the Reich bishop's attempts to co-ordinate the regional churches appear more hopeless than ever. Both friends and foes addressed written appeals to the church primate urging him to resign.⁵⁸

Mueller answered these demands in an open letter of refusal. He maintained that it had been his God-given duty to issue regulatory decrees in order to end church political disputes, which had endangered both the church and the gospel.⁵⁹ However, such explanations did little to restore the church primate's prestige. Nominally the head of the whole church, he was by now in actual command of little more than his office staff.

Meanwhile the opposition had organized a provisional Confessional Church administration, which claimed to be the lawful government under the constitution of the German Evangelical Church. It asked to be recognized by the regional churches and invited their co-operation in restoring the foundation principles of the Holy Scriptures and in acknowledging the creeds of the Reformation.⁶⁰

While the Pastors' Emergency League, under the leadership of Niemöller, did not succeed in bringing about a settlement [P.171] of the church question, it did succeed, at least temporarily, in unifying the opposition to Mueller's church regime and in preparing the way for the so-called Free Synod Movement. In various parts of Germany delegates to these synods were elected from among those clergy and laity who were opposed to the government of the church in the form in which it was then conducted. They stood for the traditional faith of the church, were opposed to the Aryan clause in the church regulations, and desired new elections for the formation of the governing bodies of the church as laid down under the new constitution. The Free Synod Movement came to take the place of the Pastors' Emergency League.⁶¹

⁵⁷ Grob, *op. cit.*, p. 37.

⁵⁸ *Bekenntnisse*, vol. 2, pp. 163-168.

⁵⁹ *Ibid.*, pp. 168-170.

⁶⁰ *Ibid.*, pp. 175, 176.

⁶¹ *Survey*, First, p. 15.

The opposition pastors, in a meeting at Ulm, April 22, 1934, issued a proclamation before the whole of Christendom, claiming to be the constitutional Evangelical Church of Germany. The gathering represented the churches of Wurttemberg, Bavaria, and the free synods in the Rhineland, in Westphalia, and in Brandenburg, as well as Confessional Christians in other parts of Germany. The proclamation insisted that the influence of the German Christians had robbed the Reich church government of its spiritual significance, and that, therefore, the church government ceased to have legal justification for continuing to control church affairs.⁶²

The first Confessional synod of the entire Evangelical Church in Germany was held in Barmen, May 29-31, 1934. It proceeded to enact measures that had been foreshadowed at Ulm. The attitude of mere opposition was abandoned, and by a formal resolution it was declared that this Confessional synod represented the lawful German Evangelical Church. Attempts to abolish the differences between Lutheran, Reformed, and United confessions, however, were not successful. Instead, it was decided to preserve these distinctions within the framework of the Confessional Church, in accordance with the constitution of July, 1933. Condemning the attempts to unify the German Evangelical Church by means of false doctrine, the use of force, and insincere practices, it was proclaimed that the unity of the [P>172] Evangelical churches in Germany could only come into being from faith in the word of God and through the work of the Holy Spirit. The adoption of the Fuehrer principle in church organization was rejected, and the presbyterian form of church government was endorsed. Barth was especially influential in pointing out that the episcopal method of church administration and the introduction of a hierarchy were contrary to Reformation principles. The confession of faith that was worked out by this synod became the foundation document of the whole Confessional movement. Not for three hundred years had Lutheran and Calvinist collaborated to this degree in brushing aside ancient differences and agreeing to fundamental beliefs, which have their roots in the Reformation.⁶³

In answer to the errors of the German Christians and the Reich church government, six theological or doctrinal theses were formulated. These six theses, with counterpropositions against heresy, may be summarized as follows:

1. Jesus Christ, as He is revealed in Holy Writ, is the only Word of God. The heresy is refuted that the church must recognize other events, powers, figures, and truths as the revelation of God.

⁶² *Bekenntnisse*, vol. 2, pp. 62, 63.

⁶³ *Ibid.*, pp. 91-98.

2. God, through Jesus Christ, claims our whole life. There are no spheres in life in which we belong to other masters.
3. The Christian church belongs solely to Christ. It cannot surrender its mission and organization to prevailing philosophical and political convictions.
4. The offices of the church do not give one man dominion over another. They exist for the exercise of the administration entrusted to the whole community. The church cannot allow itself to be given leaders endowed with ruling powers.
5. According to the gospel, the state is divinely endowed with the task of looking after law and order. The state cannot become the single and total regulator of the whole of human life, thus fulfilling also the function of the church. Neither should the church assume state functions and dignities and so become an organ of the state.
6. The mission of the church consists in preaching in Christ's stead the message of the mercy of God. It cannot, therefore, place the word and works of the Lord at the service of any arbitrary wishes, aims, and pleas.⁶⁴

[P>173] Thus the German Christians were declared heretics, and the door to compromise was closed. On the other hand, this Barmen declaration became the general expression of that faith which all Confessionals shared and by which they were united. It was a religious *Magna Charta*, so to speak, in the struggle between Protestantism and Nazism.

The second Confessional synod was held at Dahlem on October 20, 1934. It had been preceded by a Confessional Church manifesto, which was issued August 12, charging the Reich church administration with ignoring elementary principles of law and justice, and the abandonment of the principles of the Reformation. The manifesto was read in all the churches, save in Bavaria and Wurttemberg, where the police intervened. Violent measures against offending pastors had been instituted in different localities.⁶⁵

This second Confessional synod announced that in view of the incompetency of the Reich church government and of the basis of ecclesiastical emergency law, the Confessionals had formed a new organ for the government of the church, namely, the Council of Brethren, with an executive committee to conduct the affairs of the Confessional Church, which was again proclaimed as the only true German Evangelical Church. The announcement urged all parishes to reject instructions from the Reich church government. Signed by all the delegates present, the declaration was forwarded to the Reich government with the request that recognition be made of the fact that in matters of doctrine and church organization the

⁶⁴ *Ibid.*, pp. 93-95.

⁶⁵ *Survey*, Second, p. 17.

church alone was qualified to judge, without prejudice to the state's right of supervision.⁶⁶ For the time being, the state authorities silently tolerated this new organization without, however, giving it formal recognition.

The continued resistance of the Confessional Church to the efforts of the central church administration to co-ordinate it, together with its opposition to Naziology, helped to consolidate Confessional strength. But it also eventually led to renewed opposition from officials of the Reich government. The minister [P.>174] of the interior, Dr. Frick, reissued his orders prohibiting any public discussion of the religious question. The minister of education, Dr. Rust, ordered the professors of theology in the universities not to participate in the church dispute. On December 21, 1934, Barth was dismissed from the chair of theology at Bonn for refusing to take, without reservations, the oath of allegiance to the Fuehrer. The Reich bishop had issued a prohibition against the recognition of the provisional government of the Confessional Church.⁶⁷ Undaunted, on February 27, 1935, the Confessional group issued a manifesto against anti-Semitic myths and the new blood-and-soil religions. When Confessional pastors read this pronouncement from their pulpits, upwards of four hundred of them were arrested. The civil authorities had interpreted the manifesto as an attack upon Nazi principles.⁶⁸

The third Confessional synod was held at Augsburg, June 4-6, 1935. It dealt mainly with practical issues. The question of church discipline was handed over to the Council of Brethren. An appeal was made to theological teachers and students for loyalty to the principles of the Confessional Church. A strong petition was also addressed to the Reich government asking for just and fair treatment.⁶⁹

Police action against the pastors continued. A new Reich decree, June 26, 1935, removed the adjudication in church disputes from the civil courts, which had, almost without exception, given judgment for the Confessional Church, to a new legal bureau set up by the minister of the interior. Against this tribunal no appeal was to be allowed.⁷⁰ Subsequently, by direct action of Hitler, Kerrl was made Reich minister of church affairs. Thus the church was placed under the direct jurisdiction of the state to a degree hitherto unknown. The policies employed by Kerrl and the results of his supervision of church affairs will be discussed later under a separate heading.

⁶⁶ *Bekenntnisse*, vol. 2, pp. 157-162

⁶⁷ *Survey*, Second, p. 22.

⁶⁸ *Ibid.*, p. 24.

⁶⁹ *Bekenntnisse*, vol. 3, p. 130.

⁷⁰ *RGB1.*, 1935, vol. 1, p. 774.

The fourth national assembly of the Confessional synod was held at Oeynhausen, February 17-22, 1936. In a care- [P.>175] fully worded resolution it was reasserted that the Confessional Church was the legal church because it was founded on the creed. A new Council of Brethren and a new provisional church government were formed in which the synodal, as opposed to the episcopal, principle of church government was definitely recognized.⁷¹ The majority of these new Confessional leaders refused to co-operate with Kerrl in his attempts to bring about a united German church. They believed that the plan of cooperation with the new Reich minister involved not only the state's right to order the church, but also the surrender of the church to a state which approved unchristian principles and practices. In May, 1936, they addressed the personal memorandum to Hitler, referred to at the beginning of this chapter, denouncing National Socialist doctrines and policies and asking whether the dechristianization of the German people was to become the official policy of the Reich government. This remains as one of the most courageous and most fundamental of all the statements of religious resistance to the coordinating policies of the Third Reich.

Dissensions in the Ranks of Protestantism

From the foregoing discussion it is clear that the attempt to create a united German Evangelical Church under the constitution of 1933 was not realized. The methods adopted by the Reich bishop ultimately destroyed the very unity which the church itself desired.⁷²

The struggle of the Confessional Church with the Reich bishop resulted in the so-called intact territorial churches and the devastated church areas. The intact churches included those territories in which the German Christians did not succeed in seizing permanent possession of the church government. Instead, the church leadership continued under its former constitutional and administrative arrangement. Among the intact territorial churches were notably the Lutheran churches of Bavaria, Wurttemberg, and Hanover, and the Reformed churches of Hanover and Lippe.

[P.>176] The rest of the churches came to be designated as the devastated church areas. In these regions there were two church governments, each of which laid claim to being the sole legally constituted authority. There was no clear dividing line, however, between the government of the Council of Brethren of the Confessional Church and that of the German Christians. Each gained the adherence of some of the congregations. The confusion was greatest whenever the same parish had several clergy who were adherents of different church governments. The struggle came to assume the character of a civil war.⁷³

⁷¹ *Survey*, Third, pp. 15-19.

⁷² *Ibid.*, p. 3.

⁷³ Julius Rieger, *The Silent Church* (London, 1944), p. 38.

Besides these opposing groups there were those who remained neutral. These were subjected to influences in two directions. On the one hand they were apprehensive of the influences that put Germanism before the gospel, and were therefore inclined to cling firmly to the confessions of the church as a protection of Biblical faith. On the other hand they believed in a strong united church closely identified with the secular life of the country.

Each of the competing church governments, in turn, was divided by creedal and ideological differences. Among the Confessionals, for illustration, were the extremists of faith headed by Barth, who would have nothing to do with the new church government.⁷⁴ But there was also a more moderate group headed by Marahrens, who manifested a willingness to co-operate. There persisted a strong tendency on the part of German Lutherans to decline joint action with the Reformed Church because of ancient differences with respect to church policy and theology. Among the German Christians, too, were to be found the most diversified theological and ideological leanings, ranging from a form of neopaganism which held itself aloof from Christian doctrine and belief, to a more nearly correct Christian point of view which accepted both the Old and the New Testament.⁷⁵

These confused conditions brought the church face to face with baffling problems pertaining to questions of legality, administration, church collections, education, proclamations from [P>177] the pulpit, and oaths. Owing to the disagreements among the groups it became practically impossible for the churches themselves to solve these problems satisfactorily. What is more, a unified church program under the church constitution had become impossible. Such chaotic conditions not only jeopardized the unity of the church, but endangered Hitler's folkic community as well. Hence the state deemed it necessary to enact special measures for the regulation of church affairs.⁷⁶

On June 26, 1935, the Reich cabinet issued a law on the final adjudication of legal matters affecting the Evangelical Church.⁷⁷ The minister of the interior, to whose office Hitler had meanwhile transferred the task of supervising the church conflict, was hereby ordered to withdraw suits of the Evangelical churches from the ordinary courts and to have them reviewed by the Legal Bureau to be set up by the minister of the interior. The establishment of this new tribunal revealed the confusion in the Evangelical Church administration, where, as a result of the stanch resistance of the opposing Confessionals, there had been, in effect, two competing church governments.⁷⁸ Many of the suspended pastors and church officials

⁷⁴ Karl Barth, ed., *Theologische Existenz heute* (Munchen, 1935), p. 23.

⁷⁵ *Bekenntnisse*, vol. 2, pp. 102-105.

⁷⁶ Rudolf Kluge and Heinrich Krueger, *Verfassung and Verwaltung im Grossdeutschen Reich* (Berlin, 1939), p. 143.

⁷⁷ *RGBl.*, 1935, vol. 1, p. 774.

⁷⁸ Anders Nygren, *The Church Controversy in Germany* (London, 1934), pp. 109-112.

had sued for damages in the German courts and had often won their cases, a fact which embarrassed the Nazi authorities.

The Legal Bureau was to decide whether the measures taken by the German Evangelical Church or the territorial Evangelical churches since May 1, 1933, were legal or illegal. Against the decision of this tribunal no appeal was to be allowed.

The support which the regular courts had frequently given to the protests of the Confessionals was to be denied them. It was the first definitive step of the state to bring the distraught church under its control, and subject it to Nazi decisions. Its rights of self-administration and of protection in the civil courts as a corporation of public law ceased to exist.

The leadership of the Confessional Church issued a protest against this measure. It denied that the state had any right to influence spiritual matters and contended that church affairs had virtually been taken out of church hands and given over to [P.>178] the state. This was held contrary to article 137 of the Weimar Constitution, which gave the church the right to direct its own affairs. It was held to be contrary to Hitler's promise that the rights of the church would not be infringed upon.⁷⁹ The Nazis, however, justified this new arrangement on the ground that church conditions generally had become impossible, and that according to Evangelical ecclesiastical law the state was called upon to protect the church in times of emergency.⁸⁰

In its decisions the Legal Bureau was not to be strictly bound by church regulations or church law precedents, for, according to Nazi concepts, formal justice did not need to be recognized when its application would have absurd consequences.⁸¹

An edict of July 16, 1935, announced the appointment of Kerrl as both Reich and Prussian minister of church affairs, offices which had hitherto been administered by Frick, the minister of the interior for the Reich, and by Rust, the minister of education for Prussia.⁸² Kerrl, the first holder of this important and difficult office of Reich minister of church affairs, had been a former Prussian minister of justice, a vice-president of the Reichstag, a high-ranking Storm Troop leader, a firm believer in the "positive Christianity" of National Socialism, and a strong opponent of Confessional "irregularities."

⁷⁹ *Bekenntnisse*, vol. 3, pp. 163-169.

⁸⁰ Roetter, *op. cit.*, pp. 378, 379.

⁸¹ *Ibid.*, p. 214

⁸² *RGBl.*, 1935, vol. 1, p. 1029.

One of Kerrl's first acts as Reich minister of church affairs was to issue an order on July 27, 1935, in which the Legal Bureau was transferred from the Ministry of the Interior to his own jurisdiction, with Kerrl himself designated as president of this special court.⁸³

On September 24, 1935, the organization of the Ministry of Church Affairs was developed still further by the passing of a measure known as the "Law for the Safeguarding of the German Evangelical Church."⁸⁴ It was signed by both Hitler and Kerrl, and it subsequently served as a basis for far-reaching legal control in Evangelical Church affairs.

The introduction to this law stated that in accordance with the will of the constituents of the Evangelical Church, the [P.>179] unification of the separate state churches into one German Evangelical Church had been accomplished and secured by a constitution. The Reich government was forced to observe with great concern that later, through the conflict of church groups among each other and against each other, a condition was eventually brought about by which the unity of the church was lost, the freedom of belief and conscience of the individual impaired, the spirit of the community harmed, and the very existence of the Evangelical Church jeopardized and exposed to the gravest dangers. The government felt under obligation in its capacity as trustee, conscious of the fact that the task could not be delegated to any of the warring factions, to enact a law for safeguarding the German Evangelical Church in order to enable the church to regulate its own internal questions of faith and creed in complete freedom and peace.

The text stated further that it was the earnest desire of the Reich government to entrust the management of church affairs to the church itself as soon as it functioned in an orderly fashion. The Reich minister of church affairs was authorized to issue ordinances with binding legal force which were to have the effect of restoring orderly conditions in the German Evangelical Church and the regional Evangelical churches. The ordinances were to be published in Hitler's official law gazette.

Between October 3, 1935, and December 10, 1937, Kerrl issued seventeen supplementary executive decrees, all of which were based on this law for safeguarding the German Evangelical Church. These decrees dealt with varied church problems as they arose and concerned such matters as administration, territorial reorganization, finance, ordination of ministerial candidates, proclamations from the pulpit, and church elections.

The law of September 24, 1935, put into the hands of a state official greater power over the German Evangelical Church than had ever been exercised before in its history. To begin with,

⁸³ *Ibid.*, p. 1060.

⁸⁴ *Ibid.*, p. 1178.

Kerrl did not use his extensive powers directly. He placed the responsibility of restoring orderly conditions within the church upon appointed churchmen.

[P.>180] This he accomplished by issuing an executive decree, October 3, 1935.⁸⁵ This first decree, based on the law of September 24, provided for the appointment, by himself, of a Reich church committee consisting of churchmen, whose duties were to be honorary. This committee was to direct and represent the German Evangelical Church, issue decrees, regulate internal church affairs, and lay down fundamental principles for church administration. With the approval of the Reich minister of church affairs, the committee was to appoint and to dismiss the officials of the German Evangelical Church. After the example of Prussia, a finance department was to be attached to the German Evangelical Church chancellery.

This decree also provided for the appointment, by Kerrl, of a territorial church committee and of provincial committees for the Old Prussian Union Church. The Old Prussian Union was the largest of the twenty-eight *Landeskirchen* and the one in which differences of opinion were the most conspicuously marked.

All these measures, it was explained, were to be in force until September 30, 1937, only. It was thus intended to emphasize that they were merely temporary arrangements for the restoration of order within the church.

In order to allow the Reich church committee free scope for their activities, all contrary regulations were repealed for this interim period. This meant that the functions of the Reich bishop, the spiritual council, and the national synod, as provided for in the constitution of the German Evangelical Church, were in abeyance, and were to be carried out during the interim period by the Reich church committee. It was understood, however, that the committee was to be guided by the church constitution in all matters, including the relationship of the Reich church to the territorial churches.

In subsequent decrees similar arrangements for committee control were made for other territorial churches, which also affected certain "intact" territorial churches.⁸⁶ The manifest purpose was the gradual establishment of a uniform administrative scheme for all the *Landeskirchen*. Under the direction of the Reich church committee, the committees of the regional and provincial churches were to establish subsidiary responsible administrative bodies for the church districts and local congregations.

⁸⁵ *Ibid.*, p. 1221.

⁸⁶ Second to fourth and sixth to eleventh executive decrees to the law for safeguarding the German Evangelical Church. *RGB1.*, 1935, vol. 1, pp. 1283, 1350, 1369; *RGB1.*, 1936, vol. 1, pp. 15, 129, 130, 176, 440.

While this new plan held out promises for better church-state relations and a greater degree of intrachurch harmony, it actually turned out to be something of an *ignis fatuus*—and not a burning bush, so needful in the leadership of God's people in all ages.

The chairman of the Reich church committee was Dr. Zoellner, formerly the general superintendent of Westphalia, a strong Lutheran and a friend of the Confessional synod. Most of the other seven members of the committee were also opponents of Mueller and of the German Christians.

On October 7, 1935, Zoellner's committee issued a somewhat paradoxical appeal to the German people, affirming the national revival brought about by National Socialism on the basis of race, blood, and soil, and at the same time proclaiming Christ as the Messiah and Saviour of all nations and races, and His gospel as the inviolable foundation of the German Evangelical Church.⁸⁷

Apparently the committee was trying to be all things to all men. The appeal stated further that in harmony with the law of September 24, 1935, for the safeguarding of the German Evangelical Church, and the first executive decree for the administration of the law, issued October 3, 1935, the committee had been delegated to act as trustees for a limited period to settle church disputes and prepare the way for a united, self-governing church.⁸⁸

The appeal had a mixed reception in Germany. Since the members of the committee had been chosen, not from party men, but from clergy who were highly respected, it was felt by some that the attempt should be accepted as sincere and honest. Others were more cautious, since, on several occasions before, there had been movements for conciliation which generally [P.>182] ended in violence. It was argued that as in the autumn of 1934 the Reich had had an interest in reducing political tension in the country, in view of the purge of June 30, the death of Hindenburg, and the Saar plebiscite, so now the real reason for this new movement was to produce an appearance of peace before the Olympic games, which were to be held in Berlin in 1936. The Confessionals, in the main, refused to have anything to do with the committee, rejecting the state control thus implied and maintaining that the government had no right to appoint such a body."

Several decrees of the Reich church committee assisted the cause of pacification. Most of them were issued between October, 1935, and the spring of 1936, and dealt with the use of

⁸⁷ *Bekenntnisse*, vol. 3, p. 273 et seq. *Survey*, Third, pp. 4, 5.

⁸⁸ Mildred S. Wertheimer, "Religion in the Third Reich," *Foreign Policy Reports*, vol. 11 (Jan. 29, 1936), p. 301.

church premises, the law concerning church officials, the formation of advisory chambers of the German Evangelical Church, and disciplinary law and finance.^{.89}

The question that had become acute in a number of congregations as to whether a church building was to be at the disposal of the clergy of a church group that was not in the majority, was answered in the affirmative. Every service, however, was to be for the whole parish. In case of necessity the clergy of different groups were to perform their office by turns in the same church.

The decree concerning church officials was based on the Reich law concerning civil service, but contained neither the Aryan paragraph nor the regulation that the church officials must support the National Socialist state. The Reich minister of church affairs confirmed this law by his twelfth administrative decree, October 14, 1936, and also provided for increased supervision by the Reich over the finances of the German Evangelical Church.⁹⁰ Thus, for instance, the church could not, without his approval, make loans, fix and distribute taxes, or acquire real estate of a value exceeding five thousand reichs-marks.

The disciplinary decree of the Reich church committee covered both church officials and the clergy. The lowest court was ^[P.>183] the disciplinary chamber of the German Evangelical Church, unless the disciplinary authorities of the territorial churches were competent to act. In both cases appeal could be made to the disciplinary court of the German Evangelical Church.

The committee plan for governing the church did not produce accord between the German Christians and the Confessionals. Where German Christians were in positions of authority, as in Lübeck and Thuringia, they refused to surrender or to modify any of the power acquired during the Reich bishop's regime, now generally recognized as illegal. Zoellner's committee had success only with the larger "intact" Lutheran churches of Hanover, Bavaria, and Württemberg, which had successfully resisted the incorporation into the Reich church under Mueller.

These churches discontinued their alliance with the provisional church government of the Confessionals, which refused to recognize the Reich church committee. Thus the Confessional Church was further weakened by the division between moderates and irreconcilables, between those who favored and those who opposed some co-operation with Zoellner's committee. Some outstanding leaders of the Confessionals, like Niemoeller and Dibelius,

⁸⁹ Hans Pfundtner and Reinhard Neubert, eds., *Das neue deutsche Reichsrecht* (Berlin, n.d.), vol. 1 d, pp. 4, 34-50. The decrees of the Reich church committee were originally published in the *Gesetzblatt der Deutschen Evangelischen Kirche* (official gazette of the German Evangelical Church).

⁹⁰ *RGBl.*, 1936, vol. 1, p. 884.

had consistently refused to recognize state-approved ecclesiastical authorities of any kind whatsoever. They were the irreconcilables.⁹¹

The state countered such opposition by interfering with the activities of the Confessionals. On October 28, 1935, the Propaganda Ministry imposed a censorship on all church periodicals before publication. During the first week in November the Gestapo closed two new independent theological seminaries which had been organized by the Confessional synods. In a speech to theological students on November 13, Kerrl said that he would denounce as liars and hypocrites all who declared that National Socialism threatened faith. "Anyone who asserts that National Socialism is a danger to Christianity," he declared, "is guilty of treachery to the Fuehrer."⁹²

On November 20 a proclamation by the Council of Brethren [P.>184] was read in all Confessional churches, declaring that a new religion was drawing men away from Christianity and that the true teaching of God's word had been taken away from the universities. It exhorted the congregations not to listen to their own fears, but to see to it that God's word won the victory.⁹³

On December 2, 1935, the Reich minister of church affairs issued his fifth executive order on the basis of the law for the safeguarding of the German Evangelical Church.⁹⁴ It prohibited "unofficial" church unions or groups from exercising executive or administrative functions and forbade them to appoint pastors and other spiritual officeholders, to examine and ordain theological candidates, to make parish inspections, to issue instructions for proclamations from the pulpit, to levy and administer church taxes and other moneys, or to issue instructions for collections in connection with parish gatherings and the summoning of synods. Groups or organizations which continued to exercise these functions were to be dissolved. The freedom of preaching in the church and the promotion of religious interests in meetings and groups was declared to remain unaffected.

On December 20 Kerrl issued still another order, supplementing his fifth executive decree of December 2.⁹⁵ This order specifically forbade the provisional church government and the Council of Brethren to exercise authoritative functions in designated areas of the Evangelical Church of the Old Prussian Union, since committees had been appointed by the Reich minister of church affairs to restore order in those regions.

⁹¹ Roetter, *op. cit.*, pp. 383-386.

⁹² *Survey*, Third, pp. 6, 7.

⁹³ *Ibid.*, pp. 8, 9

⁹⁴ *RGB1.*, 1935, vol. 1, p. 1370.

⁹⁵ *Ibid.*, p. 1522.

These measures, had they been enforced, would have sounded the death knell of the opposition. They were met by open defiance on the part of many of the Confessional groups. Niemoeller declared publicly that he would refuse obedience to the Ministry of Church Affairs, and led out in the ordination of five theological candidates in the presence of twenty ministers, thus openly defying Kerrl's decrees. On Sunday, January 12, 1936, a proclamation issued by the Council of Brethren of the Old Prussian Union was read in all their churches, rejecting [P.>184] the committees appointed by the state and insisting on the right of the opposition to continue its exercise of authority in the church.⁹⁶

Kerrl's committees continued their policy of attempting conciliation. They were not entirely without success. The influence of Bishop Marahrens, who promised to co-operate, persuaded other sincere Confessional Church members to feel that Kerrl's policy had certain merits. After all, at the head of the new Reich church committee was not Mueller but a trusted churchman, a true minister of the word of God, even if state-appointed. The more moderately minded church members were not inclined to cling obstinately to the tenets of Barmen and Dahlem as if these were the gospel of Christ, especially if by so doing the work of restoring peace within the church was hindered.⁹⁷

The irreconcilables were quick to point to the drastic ordinances which had accompanied this policy of conciliation. While the committees were trying to persuade men to come in, Kerrl was trying to force them by an authoritarian control more despotic than anything the Reich bishop had attempted. The whole program was interpreted as a plan to coerce the Confessionals in the interests of the German Christians, who by this time had become a minority within the church.

Early in 1936 Niemoeller issued a pamphlet entitled, *Die Staatskirche ist da! (The State Church Is Here!)* He maintained that the state church, as a tool of political power, had arrived in Germany when the new Ministry of Church Affairs took control and began to appoint provisional church committees. He declared that the minister for church affairs sought to secure peace by fighting the Confessional Church, a method that had never been desired by Kerrl's collaborators. There was no guarantee, he insisted further, when this administration would end. "A totalitarian state that has once assumed the government of the church can never let it go. In this situation German Evangelical Christendom must obey God rather than man."⁹⁸

[P.>186] In May, 1936, the Confessional leaders, including Niemoeller, addressed their courageous memorandum personally to Hitler, and on Sunday, August 23, the Confessional

⁹⁶ Survey, Third, pp. 8-10.

⁹⁷ Power, *op. cit.*, pp. 136-138.

⁹⁸ Survey, Third, p. 20.

pastors read a manifesto from their pulpits. The extent to which both of these documents condemned National Socialist doctrine and practice has been discussed in the introductory pages of this chapter.

On December 1, 1936, the whole youth of the country was incorporated in the Hitler Youth organization with the professed object of making certain that all young Germans become educated bodily, spiritually, and morally in the spirit of National Socialism.⁹⁹ This step was bound to affect church youth organizations in an increasingly adverse manner.

A rift had developed between Zoellner and Kerrl over church policies in areas where the influence of the German Christians was strong. In December, Balzer, a German Christian and territorial bishop of Lubeck, dismissed without notice or pension eight pastors because of their sympathy with the Confessional movement. Zoellner's committee tried in vain to secure the withdrawal of this measure, even attempting to reach the ear of the Fuehrer. Instead, the Gestapo expelled one of the pastors from the territory of Liibeck and placed the other seven under house arrest, at the same time prohibiting them from speaking in public. By direct intervention of Kerrl, Zoellner was forbidden to go to Lubeck to preach, because it was feared that he would sympathize with the dismissed pastors and take his stand against the German Christian bishop. Similar methods of threatening the Confessional clergy with imprisonment and dismissal with loss of salary unless they yielded, had been carried out also in Thuringia and Mecklenburg, where the German Christians administered church affairs.

Members of territorial church committees and of finance departments who attempted to have such measures set aside were intimidated by the threat that persistence would result in withdrawal, by the state authorities, of confidence and support. Kerrl went so far as to forbid the further holding of [P.>187] Evangelical Weeks, which were customary annual church gatherings at which sermons were preached and laymen and clergy met for discussion.

Under such circumstances it became apparent that the committees of reconciliation were doomed to fail. Zoellner and the whole of the Evangelical Reich church committee placed their resignation in the hands of Kerrl on February 12, 1937. The reasons for the resignation were communicated to Kerrl in a document written and signed by Zoellner himself.¹⁰⁰ In it he stated that for more than sixteen months the Reich church committee, in an endeavor to bring order to the church, had cooperated with Kerrl, who supposedly was pursuing the same object. On numerous occasions, however, the minister of church affairs failed to give adequate support. The authority of the committee had been seriously jeopardized by

⁹⁹ *RGB1.*, 1936, vol. 1, p. 993

¹⁰⁰ *Survey*, Fourth, pp. 32-35.

aggressive and quite unrestricted antichurch and anti-Christian propaganda, which undermined confidence in church leadership and encouraged secessions from the church.

It was as churchmen, Zoellner continued, that the committee undertook its task of governing the German Evangelical Church, which, he affirmed, represented the most important ecclesiastical statutory corporation in the motherland of the Reformation. Not once had the committee been given the privilege of laying their needs and anxieties directly before the Fuehrer. Particular reference was made to the recent instance when Kerrl forbade Zoellner to preach in Liibeck. This meant that the chairman of the governing body of the German Evangelical Church, apart from any business of church politics, could no longer exercise the right of free and unhindered preaching of God's word. It was made apparent, Zoeliner concluded, that the committee had no other choice but to resign.

Thus ended the most hopeful experiment that had yet been made for bringing unity and order into church affairs.

On the day following the resignation of the Reich church committee, Kerrl spoke before some of its former members and other church leaders, and threw considerable light on the [P.>188] difficulties inherent in any arrangement between Protestantism and Nazism.¹⁰¹ His theme was that the church must acknowledge the primacy of the state, which strove for a positive, practical Christianity. Zoellner, he insisted, had failed because he had tried to reform the church instead of securing the recognition of state supremacy over the church. The will of the Father in heaven was to be found in National Socialism. It had passed into German blood. Everything that National Socialism did for the community and for the preservation of the nation was the will of God. It was not the *Apostolicum* that showed what Christianity really is, but Adolf Hitler. Christ could not be reckoned as a Jew, because the Jew is a destroyer, a bastard. The church, Kerrl maintained, would remain under his authority; but he would have nothing more to do with committees, and no church elections were to be allowed.

Church Affairs After the Resignation of the Reich Church Committee

Upon Kerrl's report of his failure to Hitler, the latter decreed on February 15, 1937, as follows:

Since the Reich church committee has failed to bring about a union of the different church groups in the German Evangelical Church, the church shall now, in complete liberty and along lines determined by the congregations themselves, give itself a new constitution and therewith a new organization.

¹⁰¹ *Ibid.*, pp. 36-39.

*I, therefore, authorize the Reich minister of church affairs, with this object in view, to prepare the election of a general synod, and take all the necessary measures.*¹⁰²

At first reading this sounds like a Pharaoh's decree to free God's people from all bondage. But the unexpected decision by the Fuehrer merely added to the church confusion. Apparently the constitution of 1933 was to disappear entirely. The memory of the 1933 election, when Hitler intervened in a broadcast on the side of the German Christians, was still vivid in the minds of the Evangelical Church people. The Confessionals hastened to submit a list of conditions to Hitler which, they felt, would [P.>189] guarantee fairness this time. They held that only those who were active members of the church should vote. They demanded, therefore, that all voters be required to register at parish offices in order to be checked on their participation in church life, a practice not uncommon in church elections prior to 1933. They pointed out that freedom of speech, press, and assembly were primary conditions for a fair and honest election.¹⁰³ But no such provisions were envisioned by the above-mentioned decree, for arrangements of this nature would not harmonize with the Nazi *Weltanschauung*.

In March, 1937, Dibelius and Niemoeller expressed the general anxiety of church leaders in a brochure entitled, *We Call Germany to God*.¹⁰⁴ In it an appeal was made to the state that it turn aside from all anti-Christian propaganda and give freedom to the preaching of God's word. What churchmen want to do, maintained the authors, is to call Germany back to God and infuse the people with the power of His word. Their brochure, however, was promptly suppressed by the Nazi government.

On June 25, 1937, Kerrl answered all such demands still further by his sixteenth executive decree.¹⁰⁵ Like the previous decrees, it was based on the earlier law for the safeguarding of the German Evangelical Church. In this decree he prohibited, under threat of fines or imprisonment, the use of churches for electoral purposes, and preparations for the election by means of public meetings or handbills. The opposition groups were thereby limited to private meetings, which the state with all its political machinery had recommended. It is clear that under such conditions a satisfactory agreement could not be reached, and the election called for by Hitler never took place.

Having failed to reconcile the opposition within the church by the expedient of church committees, and being unable to reach an agreement on a new election, the Ministry of Church Affairs enacted further measures to accomplish its aims. In his thirteenth executive

¹⁰² *RGB1.*, 1937, vol. 1, p. 203.

¹⁰³ *Survey*, Fourth, p. 29.

¹⁰⁴ Otto Dibelius und Martin Niemoeller, *Wir ru/en Deutschland zu Gott* (Berlin, 1937).

¹⁰⁵ *RGBI.*, 1937, vol. 1, p. 698.

decree,¹⁰⁶ March 20, 1937, Keri-1 had transferred the administration of the German Evangelical Church to the director of the German Evangelical Church chancellor, [P.>190] who at that time was Dr. Werner, a German Christian, but formerly an opponent of Mueller. Thus began a new phase in the history of the German Evangelical Church; namely, the exercise of control over its administration, not by another temporary Reich church committee, but by a central, state-appointed office. It was a new and partly bureaucratic arrangement, to be confirmed shortly, without a time limit.

Dr. Werner's appointment was made permanent in the seventeenth executive decree,¹⁰⁷ December 10,, 1937, when Kerrl confirmed him in his position as a state administrator of church affairs. Accordingly, Dr. Werner was authorized to promulgate ordinances on all church matters except on questions of faith and worship, while the leadership of the individual regional churches was to remain in the hands of existing church governments.

Local church autonomy had already become greatly restricted by a centralized supervision of their finances. The fourteenth executive decree,¹⁰⁸ June 10, 1937, augmented by the fifteenth executive decree,¹⁰⁹ June 25, 1937, called for a state-controlled finance department to be set up in the chancellery of the German Evangelical Church and one in each of the German Evangelical state churches. These newly established finance departments were henceforth to supersede the local authorities in the financial administration of the church. The central finance division was to simplify, standardize, and supervise the financial administration of the state churches.¹¹⁰ Moreover, it was empowered to issue legally binding edicts with the approval of the Reich minister of church affairs. Thus it was in its power to influence the conduct of the whole church administration by cutting off support on account of alleged violations of state or church regulations. This not only limited the local control of church affairs in general, but it also jeopardized the very existence of the Confessional groups, which had hitherto been successful in deriving support from the regular church taxes or collections in the local parish.

Under the threat of these new dangers, Dr. Zoellner, the [P.>191] former chairman of the Reich church committee, issued a proclamation on April 1, 1937, in which he made an earnest appeal to the Confessional groups to lay aside their differences and unite.¹¹¹

¹⁰⁶ *Ibid.*, pp. 333, 334.

¹⁰⁷ *Ibid.*, p. 1346.

¹⁰⁸ *Ibid.*, p. 651.

¹⁰⁹ *Ibid.*, p. 697.

¹¹⁰ An informing discussion on the finances of the German Protestant church is given by Roger H. Wells, "The Financial Relations of Church and State in Germany, 1919-1937," *Political Science Quarterly*, vol. 53 (March, 1938), pp. 36-59.

¹¹¹ Roetter, *op. cit.*, p. 392.

His appeal did not go unheard. The national Council of Brethren and the Lutheran Council recognized each other's authority as church governments and resolved to act jointly in dealing with the Reich on points relating to the election and other matters. On Reformation Day, October 31, these groups issued a statement in which they protested against Rosenberg's negative influence upon Christian faith. Declaring their readiness to give obedience to the government, they nevertheless expressed their undeterred resolution to abide by gospel principles. They were moved to ask whether the Nazi Party intended to permit the churches to continue as places of worship without exposing preachers and hearers to the danger of being suspected as traitors and enemies of the state.

The answer to such questions was given by Kerl in an address at Fulda, November 23, 1937.¹¹² He declared that for nearly five years National Socialism had represented nothing other than the really positive aspect of Christianity. During this period the churches had received approximately 1,000,000,000 reichsmarks in subsidies and taxes from the Third Reich. If the religious communities had followed their own tenets and had not engaged in internecine struggles they might easily have lived in peace with the National Socialist state.

The Reich minister of church affairs then referred to his attempt to overcome disputes among various church groups by appointing church committees, but he pointed out that the church parties rejected his plan. Then the Fuehrer extended the helping hand of the state in a broadminded, liberal election decree, but the church itself made the holding of elections impossible. Obviously, he explained, the state cannot allow unauthorized church collections for the benefit of individual church parties or for the purpose of carrying on propaganda hostile to the state itself. Neither could the state grant the [P.192] church the sole right of education, for it had to be left to National Socialism to educate the children as seemed right to the state. There was nothing in the teachings of Christ that contradicted National Socialist racial theories. On the contrary, Christ had led a bitter struggle against Judaism, and for that reason He had been crucified by the Jews. In this state, he concluded, only the state itself can rule, and there can be only one Fuehrer, whom it is the duty of all to follow.

Such declarations did not persuade Confessionals like Niemoeller to adopt a policy of subordination. This dauntless minister had been arrested on July 1, 1937, together with more than sixty other clergymen, because they had announced from their pulpits the names of people who had left the church. This procedure was in violation of an edict which had been issued by the Reich and Prussian minister of the interior, February 18, 1937, expressly forbidding the reading of such names from the pulpit.¹¹³ Also, Niemoeller had uttered

¹¹² *Völkischer Beobachter*, Nov. 25, 1937.

¹¹³ Werner Hoche, ed., *Die Gesetzgebung des Kabinetts Hitler*, Heft 22, p. 676.

opinions from the pulpit which were interpreted as an attack on party and state. He was held in prison until February 7, 1938, before he was tried before the Special Court in Berlin. On March 2, the court showed that it was convinced of Niemoeller's personal integrity by sentencing him to seven months confinement in a fortress, instead of ordinary imprisonment, for having violated the Pulpit paragraph.¹¹⁴ Since he had already been in prison for eight months he was regarded as having served his sentence, and was allowed to go free. But, as he left the court, the Gestapo arrested him and placed him in a concentration camp.¹¹⁵ There he remained until the collapse of the Third Reich, when he was liberated by the American Army.

Thus by the end of 1937 the conflict between Protestantism and Nazism had been withdrawn from the semblance of a spiritual plane and transferred to the domain of the police and the criminal code. The basic points of dispute had not changed appreciably since the beginning of the conflict, and a feeling of tension and uncertainty continued in the relations between unsubdued Protestantism and aggressive Nazism.

[P.>193] There had been an occasional lessening of this tension, mainly for political reasons. The results of Nazi elections at times revealed an unusual number of "No" votes in parishes from which pastors had been expelled. This fact seemed to suggest to the government that it must be more wary in its treatment of the church. Reconciling the Confessional forces with the state continued to be a difficult task. The spirit of freedom inherent in Protestantism and its traditional emphasis on the autonomy of the individual believer made it difficult for a political dictatorship to thrive in a predominantly Protestant country where Protestant theology had taken root and grown through the years.

Ever since the time of Luther, however, the church in Germany had become so closely bound to the state by administrative, educational, and financial arrangements that any major political change was certain to affect religious conditions as well.

One of the contributing difficulties was to be found in the fact that when National Socialism came to power, the Protestant churches continued their demand for legal recognition and for financial aid from the state. Since this was granted, the Nazis reasoned that if they were expected to support the churches financially, in return the government was justified in expecting moral support from the churches. The latter found it difficult to refute or ignore such logic.¹¹⁶

¹¹⁴ Paragraph 130A of the Reich Criminal Code, which originated as *the Kinsel* paragraph during Bismarck's Kulturkampf.

¹¹⁵ "German Martyrs," *Time*, vol. 36, No. 26 (Dec. 23, 1940), pp. 38-41.

¹¹⁶ Cf. Emil Brunner, *Der Staat als Problem der Kirche* (Bern und Leipzig, n.d.).

After the collapse of the Third Reich, representatives of the Evangelical churches in Germany issued the Stuttgart Declaration, as has been explained in chapter 3. In this declaration they acknowledged their guilt for not having witnessed more courageously and for not having prayed more faithfully while they struggled against the spirit which found terrible expression in the National Socialist regime.¹¹⁷ This document was signed by the most active of the Protestant fighters in the unequal church struggle with Nazism.

High courage, this, and true Christian humility. "So likewise ye, when ye shall have done all those things which are [P.>194] commanded you, say, We are unprofitable servants: we have done that which was our duty to do."¹¹⁸

That this acknowledgment of guilt was more than a momentary impulse brought about by an overwhelming military defeat was evidenced by a still more searching call for repentance issued by the National Fraternal Council of the Confessional Church on Repentance Day, November 16, 1949. It served as a sobering corollary to the Stuttgart Declaration.

Accordingly, this later appeal inveighed against the age-old idol of self-justification, used by both the East and the West, as well as by the German people. It warned against the delusion of a third world war or a world revolution as a means whereby to redeem the 'world. Refusal to repent, it concluded, would merely hasten further retribution not only upon the Germans but upon all mankind as well.¹¹⁹

¹¹⁷ Report on the visit of the World Council delegation to Germany, October, 1945, *Not Strangers but Brethren* (New York, 1945), pp. 8, 9.

¹¹⁸ Luke 17:10.

¹¹⁹ Cf. *The Christian Century*, vol. 66, No. 48 (Nov. 30, 1949), p. 1411.