"De Regno Christi"

Bucer, Martin

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tion of holy days, to restore the authority of divine law and also to follow the example of pious princes whose laws we know concerning this very matter, as I have previously advised. These allowed neither theatrical plays on these days, nor races, nor tragic spectacles of wild animals, and they thought remission to military service and prescription of inheritance a fit punishment for those who attended spectacles on a feast day or contaminated themselves with obscene pleasures.

For unless men are influenced by daily teaching of the word of God and holy exhortations as well as by royal authority, so that they again become accustomed to sanctify periods of time wholly consecrated to religious services and the worship of God by these very actions (and this with greater care and solicitude than they give to any days appointed for public or private interests and the satisfactions of men inasmuch as God is greater than any man), the Kingdom of Christ can never be truly restored among men of this kind.

We see, however, how much concern the average man has and how much careful preparation he expends for the fullest observance of feast days appointed only for the pleasure of the people by princes, governments, or groups, and how securely he avoids all other affairs, however useful and urgent, on these days. Indeed, as to family weddings, other feasts with friends, and gatherings for recreation, how diligently do men then prepare for their own purpose and pleasure as they invite others to their weddings, feasts, and gatherings, banishing all other cares and concerns from their minds.

How great a contempt of God is committed by men in this, when they neglect the correct observance of days set aside by our God for the establishment and accomplishment of our eternal salvation. It is the business, therefore, of those whom God has put in charge of his people as shepherds with supreme authority, kings and princes, with all their might to confront this evil with holy laws and just provisions against the transgressors of these laws.16

15 Corpus Iuris Civitis, Code III, 12. 9; cf. Book One, Ch. XI n. 59.
16 Throughout his career, Bucer was greatly concerned (and much more so than other major leaders of the Reformation) that holidays, and particularly Sundays, be kept holy (cf. his Commentary on the Gospels [Enarrationes in Evangelia], 3d ed. [1556], pp. 306 ff.). In this respect, he surely must be regarded as a precursor of English Puritanism and especially of its Sabbatarianism. Cf. A. Lang, Puritanismus und Pietismus, p. 254. See also the interesting and informative discussion of the history of Sunday observance in England by Max Levy, Der Sabbat in England. Wesen und Entwicklung des englischen Sonntags (Leipzig, 1933). Unfortunately, Levy does not discuss Bucer.

CHAPTER XI

THE THIRD LAW: THE SANCTIFICATION OF CHURCHES

We have shown previously to some extent (Book One, Ch. X) with what holy respect places consecrated to the worship of God must be made accessible to just this one thing and kept sacrosanct. But the horrible profanation of these places has been commonly prevalent: Not heeding the reverence due the divine presence, people walk around in them according to their fancy, as if they were in any common field or street that would have no religious association, and they chat about all kinds of impure affairs and about matters displeasing to God. So it is necessary to remove this scandalous offense against the Divine Majesty, not only by the teaching of the word of God and pious exhortations but also by severe laws of pious kings and princes, and by the prompt and consistent enforcement of these laws. Thus it may be brought about that the holy churches of God are open for no other activities except those for which they were sanctified to the Lord and that no one can with impunity fail to adapt himself to the atmosphere of religious worship there.

The salvation of your people, therefore, demands of Your Majesty that he establish a law which will forbid the use of churches consecrated to the Most High for any other activities except those for which they were consecrated by the Lord, namely, only for the reading and explanation of the Sacred Scriptures, the administration of the sacraments, prayers and thanksgivings, and the exercise of ecclesiastical discipline. This law should also guard against anyone's doing any other actions than these in church. Thus Your Royal Majesty will cause the words of the psalm to be fulfilled, "In his Temple all will declare his majesty" (Ps. 29:9); likewise, "We meditate upon and await your goodness, O God, in the midst of your Temple" (Ps. 48:10); and this: "But I, depending on your great kindness, shall enter your Temple; I shall adore at your holy Temple in fear of you" (Ps. 5:7).

CHAPTER XII

THE FOURTH LAW: THE RESTORATION OF THE MINISTRIES OF THE CHURCH

Further, since it has pleased the Lord that his religion be planted and kept watered by suitable ministers (1 Cor. 3:5-8), and
that he therefore give to the churches in which he deigns fully to restore his Kingdom, “besides apostles and evangelists, also pastors and teachers” (Eph. 4:11) in order to dispense all the mysteries of God in the Church by a permanent ministry, about which we have already said something. It will have to be incumbent on Your Majesty with all his might that in the churches throughout his realm the sacred ministries be securely restored according to the institution of the Holy Spirit, as soon as this is possible.

This task will be of utmost difficulty, as there has frequently been, sad to say, an almost infinite perversity in every rank and order of the clergy, and as Antichrist strenuously protects his fortress and his plunder, closing off every approach to the Kingdom of Christ as soon as he can. But because the restitution of these ministries is not difficult to the same degree as it is necessary for the salvation of the elect of God, Your Majesty must take thought that just as all things are possible to Almighty God they are also possible to one who has faith (Mark 9:23; Matt. 17:20); indeed, all things are easy, if a pious and consistent effort is made, with assiduous work.

Now, we learn from a review of the churches since the time of the apostles that it has also seemed good to the Holy Spirit that among the elders to whom ecclesiastical administration is chiefly committed, one exercises singular care for the churches and the sacred ministries and in that care and solicitude presides over all the others (Acts. 20:28). For this reason, the name of bishop has been especially attributed to these chief administrators of the churches, even though these should decide nothing without the consultation of the other presbyters, who are also called bishops in the Scriptures because of this common ministry (Phil. 1:1; Titus 1:7). Thus Your Majesty will have to undertake first of all the reformation of the order of bishops.

As these precede all the rest of the orders of the sacred ministry in dignity and have a primary mandate of concern for the churches, they ought also to burn with a will and a zeal before all others for rightly ministering to the churches and they should excel in every opportunity to build them up. One who is but a little acquainted with the Holy Scriptures, the writings of the ancient churchmen, and the laws of pious emperors knows that this has been amply sanctioned and handed down and is also strictly required by divine laws, the holy canons of the early churches, the writings of all the holy fathers, and finally also by many sanctions of pious princes.

17 Cf. Book One, Ch. V.
and in Authentica VI, "How Bishops Should Act," and in the hundred and twenty-third, "Various Ecclesiastical Chapters." Although some things foreign to the canon of the Holy Spirit have been interjected here, as those concerning the celibacy and monasticism of the ministers of the Church, all the rest are evidently dependent on the same canon of the Holy Spirit. One should also read the third book of Chrysostom, "On the Dignity of the Priesthood," "The Apologist" of Saint Gregory Nazianzen, Saint Jerome, "To Nepotianus," and also the writings which other holy fathers have left concerning this office.

Since, therefore, we know not only from Holy Scripture and the writings of the holy fathers, but also from the regrettable experience of too many centuries (with bishops being lax in their office, not to mention their completely overturning it, as they have been doing for such a long time), that Christ's religion is waning terribly both among the other leaders of the churches and also among the people; and since we know that massive impiety and impurity of life take hold of everything in demanding ways, it certainly will be Your Royal Majesty's duty to establish and to carry through with greater resources a complete reformation of the episcopal order and office, i.e., a restoration to that form which the Holy Spirit in his Scriptures has left clearly described for us, a summary of which I have just presented.

Today, however, some nominal bishops are allowed to hold episcopal sees in Your Majesty's realm who all too openly demonstrate by their way of life and all their actions that they are in no way qualified to assume true responsibility for the care and the edification of the churches, so that the churches will be harmed by them day by day in both spiritual and temporal affairs if the highest government of the churches is entrusted to them.

But it would be inhumane, many say, to deprive someone of the dignity and income which he has received and owned according to the custom of so many centuries. For, as I have complained before, certain people are moved by much greater mercy for those who, in sickness of spirit and poor health of the body, can and should. For what greater harm could they do to the churches than if those who, besides depriving the churches of any pastoral care, indeed, they confer priesthoods, and thus, they commit the crime of lese majesty who for any cause that can be feigned detract anything from the rights of the churches or do not stand in the way of detractors when they can and should.

The ancient churches had the custom, if a bishop ever became useless for his ministry, through age or sickness, of supplying someone as a coadjutor for him, to discharge the episcopal duty for the people of Christ in the interim; how much more, therefore, must those suitable for the episcopal office be substituted today for those who, in sickness of spirit and poor health of mind, prevent the churches from having true bishops, so much so that they are not only useless to the churches but even harmful.

For what greater harm could they do to the churches than that, since they hold the places of bishops, they not only do not themselves administer the doctrine and discipline of Christ for the people but do not make ministration available through others; indeed, they confer priesthoods, and sometimes more than one, on those who, besides depriving the churches of any pastoral care, even confuse them with false teaching and by an impure life draw them completely from the obedience of Christ as far as possible. They take no interest in establishing schools or caring for the poor, but they squander the episcopal income mostly on profane and the secular pomp in which they parade themselves like satraps.

Whoever, therefore, will be found among the bishops both rightly animated and properly instructed for doing their duty, to these it will be convenient for Your Majesty to have proposed that

26 Novellae 6 and 123.
22 Gregory Nazianzen, Apologetic Oration II (MPG, Vol. 35, cols. 407 ff.).
23 Jerome, Letter LII (MPL, Vol. 22, cols. 547 ff.)
The most important and highly urgent consideration in all these things here is that Your Majesty must leave nothing untried and so establishes all things that the churches may have the prospect of true and suitable ministers, and that these enjoy in the churches the highest influence and authority.

Now, since it is necessary for bishops to be unburdened of every concern for external affairs so that they may concentrate entirely on obtaining the salvation of souls, it seemed good to the fathers of old that bishops, even those unwilling, be given managers elected from the clergy and the people of Christ in order that they would regulate the revenue of every episcopal. It will therefore be within Your Majesty's prerogative to summon bishops for this purpose from external affairs to the fulfillment of their special duty. In this matter, Your Royal Highness should attribute much more importance to the decree of the Holy Spirit given through Saint Peter when, with the suffrage of the Church, he established seven deacons to care for widows and the poor than to the wisdom or greed of any mortals. "It is not," says the apostle, "pleasing," namely, to God and all who judge with the Spirit of God, "for us to wait at tables and leave the ministry of the word of God. Therefore, brethren, pick out from among you seven men of good repute, full of the Spirit and of wisdom, whom we may appoint to this duty. But we will devote ourselves to prayer and the ministry of the word" (Acts 6:2-4).

It is required, indeed, that the managers, deacons, and sub-deacons administer the affairs of the Church, according to the law of the Lord, with the knowledge and approval of the bishop and his board of presbyters, about which we have spoken. To them they should give an accounting at stipulated times. But the actual administration of ecclesiastical business should be carried on, not through the bishops, but through the managers, deacons, and sub-deacons so that the bishop may be able to have time for a freer and more efficient administration of religion. This matter certainly demands vigilance of spirit and concentration which would allow no concern at all for other things.

There are already now those among the bishops whose help Your Majesty uses in the administration of the realm who make Your Majesty's sailing more tolerable at this time, in this veritable storm of the churches, because they can act for Your Majesty both in a more timely fashion and with greater success for the cause of Christ's religion, which patently requires agents in this position who are keen and vigilant. The less they are able to take an in-

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28 Cf. Book Two, Ch. IV.
27 Corpus Iuris Canonici I, dist. 95, c. 5; dist. 95, c. 14.
29 Ibid., dist. 89, c. 2-5.
30 Oeconomii.
terest in their churches, not only because of absence but also because of preoccupation with the affairs of the realm, the more it is necessary that both the presbytery and the ministry we have suggested be assigned to them; but in order that everything concerning the administration of the churches which are entrusted to such bishops may be done more harmoniously and in an orderly way, it will be necessary that individual bishops in this category have some vicar appointed for them from among the presbyters who will faithfully exercise all the episcopal functions while bishops involved in the affairs of the realm are absent from the churches. And it will be appropriate for these vicars to be approved in religion and inducted in the same manner as those presbyters and deacons are conjoined to the bishops in the care of the churches.

For since nothing in this sphere of the care of men has been recommended by the Most High which ought to be carried on and cared for more solicitously and conscientiously than concern for religion, that is, the eternal salvation of God’s elect, it would be a supreme outrage to put any other affair ahead of that concern or to place any obstacle in the path of the Church’s complete fulfillment of her ministries. Moses was richly gifted with the Spirit of God, and he excelled in incredible wisdom, and he also burned with a most ardent zeal for the planting and preservation of true religion; but when he had to govern the entire commonwealth of Israel, by God’s command he put his brother Aaron, with his sons, in charge of religion, so that they could concentrate entirely on this. For this reason, the ministry also of the Levites was dedicated to them, and there were many thousands of them (Ex. 29:1-35; Num. 3:39; 8:5-26; 26:57-62).

The Maccabees indeed conjoined civil and ecclesiastical administration; but history testifies with what success (1 Macc. 14:47). On this account, it is to be wished that the bishops, according to the law of God, will concentrate on taking care of religion only and leave all other matters, however helpful to mankind, to those who totally dedicate themselves to them and have been divinely prepared to specialize in them. The early churches religiously observed this way of procedure and it was highly useful to the churches. They started horribly to collapse and disintegrate as soon as the Franks and other kings began to use bishops in civil affairs.

This holy work certainly cannot be entrusted in good conscience to those bishops who, up to this time, have had the position of bishops but have clearly neglected the episcopal office and have even opposed the pure doctrine and the real discipline of Christ.

For the law of God, to which heaven and earth should yield, demands that no one should be admitted to this function unless he has been thoroughly investigated and sufficiently tested that he is equipped with singular knowledge of the Kingdom of Christ and burns with very great zeal for it (Rom. 12:7-8; I Tim. 3:10; 5:22; Titus 1:7-9). Whatever humaneness therefore, as we have just said, it seems good to Your Majesty to show to these men, it should certainly be so tempered that meanwhile the churches, which they have occupied and laid waste up to this time, may not be lacking either true ministers or coadjutors for the episcopal office.

Nor should Your Majesty listen to those who say that bishops of this kind (who are not really bishops) are now prepared to receive and follow Your Majesty’s decrees concerning religion and should therefore be left in the administration of their episcopal office. However, the fact that they do not assent to the royal decrees wholeheartedly but rather for the sake of keeping their episcopal dignity and wealth is sufficiently obvious from their perpetual neglect, indeed, perversion, of the episcopal office up to this time, from the papistic superstitions they still retain as much as they have dared to retain them in their fear of coming to royal notice, and from the fact that not even today they accept anything of the established Reformation, nor promote it, except what they have been compelled to do by Your Royal Majesty’s authority.

Whatever they now pretend, either verbally or in public sermons, or whatever they otherwise profess, the rule of the Holy Spirit which forbids that neophytes, i.e., recent converts to Christ, be admitted to this function unless he is equipped with singular knowledge of the Kingdom of Christ and burns with very great zeal for it (Rom. 12:7-8; I Tim. 3:10; 5:22; Titus 1:7-9). Nor should these men demonstrate anything similar to the knowledge and zeal for building up the churches of Christ such as shines forth in Saint Paul, Ambrose, and some others, according to which this chapter of the sacred canon was devised. If the Holy Spirit forbids recent converts to Christ to assume the order of priests or bishops, even though they have sufficiently demonstrated their conversion to the churches of God by worthy fruits of faith, unless the power of the Holy Spirit is so powerful that it overrules their resistance against coming to royal notice.

This account, it is to be wished that the bishops, according to the law of God, will concentrate on taking care of religion only and leave all other matters, however helpful to mankind, to those who totally dedicate themselves to them and have been divinely prepared to specialize in them. The early churches religiously observed this way of procedure and it was highly useful to the churches. They started horribly to collapse and disintegrate as soon as the Franks and other kings began to use bishops in civil affairs.

This work certainly cannot be entrusted in good conscience to those bishops who, up to this time, have had the position of bishops but have clearly neglected the episcopal office and have even opposed the pure doctrine and the real discipline of Christ.


30 Professor Satre, who helped to revise this translation, suggests that the word apokropous which Bucer uses from time to time in an obvious play on words (in relation to episkopoi) means probably “false bishops,” i.e., those who “look away” from their flock.
it then not clear how much this prohibition of the Spirit must be applied to those who so far have shown themselves enemies of Christ's Kingdom and until now have not manifested any change of mind by any fruits that would prove this? For it is not enough for someone in order that he take on this responsibility that he can preach well; what must be required, as I have already advised, is a solid knowledge of the whole pastoral function and a permanently solicitous concern for the building up of the churches, and each of these must be thoroughly investigated and approved for the churches on the basis of the candidate's past life.

Just as it is the duty of bishops to work vigilantly and efficiently (cf. II Tim. 4:5) that in the individual churches commended to the episcopal charge of each, approved and faithful pastors serve the interests of religion in a conscientious way (and there is, sad to say, all too small a number of these today, with men in possession of parishes who either cannot or will not discharge their pastoral duty), an accurate and strict visitation must be undertaken in the beginning by each bishop who has parishes in his trust. In this matter they will have to have the help of Your Majesty's authority and power, insofar as among those laying waste the churches in the office of pastors there has obtained and prevailed an imprudent audacity as intolerable as their numbers and the patronage prepared for them by many people. The reality itself therefore demands that Your Majesty enjoin the bishops, on the occasion of that first visitation of the churches, to drive out the wolves, thieves, and hirelings from the fold of Christ, with the help of men endowed with great influence and authority in his realm, and properly equipped with Your Majesty's mandates adequate for this purpose. For here again a strong attempt will be made to cause trouble by that preposterous and impious recommendation of mercy toward the wolves, thieves, and robbers of the sheep of Christ (John 10:8 and 12), if they are to be kept from scattering and losing the sheep of Christ and from despoiling the churches through manifest sacrileges. What good does it do to count them as Christians when they doubt that the glory of Christ and the eternal salvation of his sheep are to be put ahead of the seeming advantages of the whole world, not to mention the wicked greed of the enemies of Christ.

If, however, any of these men injuriously occupying parishes

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truly mend their ways, and, having rejected their impiety, are converted to the Lord, the churches must make sure that they have the necessities of life, so that nothing is wanting for them to live well and piously, as we have testified previously.

But when they continue to show themselves enemies of the Kingdom of Christ, what humaneness or charity would it be, I ask you, to nourish and foster them in such very bad crime? To be sure, we must feed even our enemies if they are hungry and give them drink if they thirst (Rom. 12:20), but in such a way that they will not find an opportunity in this kindness for making trouble for the churches of God, or for despoothing them of all spiritual and material advantages.

Here we must think and really do what the Lord said to the crowds who were following him: "If anyone comes to me, and does not hate his father, and his mother, and wife and children, and brothers and sisters, and even his own soul, he cannot be my disciple" (Luke 14:26). And Moses said in praise of the Levitic tribe: "Who said of his father and mother, I regard them not, and disowned his sons, and did not acknowledge his brothers, these observe your word, and keep your covenant" (Deut. 33:9).

But here, too, it will be objected that there is such a small number available of those who are fitted for this office of properly administering the churches. To this objection I make the same answer as before: First, if they are really sought earnestly, many more will be found than are now judged to be available. Secondly, inasmuch as many few of this quality can be found, it is better for the churches to have no pastors than those who are actually wolves, thieves, robbers, or at least hirelings. For whoever seeks his own and not the things that are Christ's can only be harmful to the churches. Furthermore, the parishes which cannot yet be given pastors ought in the interim to be helped by neighboring pastors. Finally, if the proper reformation of the universities is accomplished, as previously indicated, the Lord will daily furnish men who can usefully serve the churches. And whatever difficulty exists in this matter on account of our negligence and crooked desires, nevertheless the word of God can yield to no creature. Since he saves eternally those who obey him and condemns forever those who repudiate him, let us not doubt that this must be put before the wisdom and the will of all men. For we know that it has been ordered that every bishop and priest ought to be not only irreprehensible, but also singularly adorned with all manner of virtues (I Tim. 3:2-7), and tenacious in faithful speech for


23 Cf. Book Two, Ch. VI.
teaching the people of Christ, "that he may be able to give instruction in sound doctrine, and also to confute those who contradict it" (Titus 1:7-9). Likewise, the ministries of Christ are "to be entrusted only to men who are faithful and suitable to teach others" (II Tim. 2:2). And again, they must first be tested and thus admitted to these ministries (I Tim. 3:10; 5:22).

Further, as men easily relapse into worse things, this must also be enjoined on the bishops that each must inspect his churches not only every year, in the company of some persons selected from the primary presbytery and the diaconate adjoined to him for the administration of the churches, but as often as he understands that there is some wrong being done in the churches against either the doctrine or the discipline of Christ.

But in order that the bishops may know about it in time if any such thing is the case, the old division of dioceses must be restored so that out of every twenty or so parishes one of their administrators who seems suited for this function before the others should be put in charge as auxiliary bishop 34 who will be especially on guard on behalf of these churches against the snares and insults of Satan, and if there is anything which he cannot himself correct either among his colleagues or among the people commended to his care, he should refer it to the bishop as soon as possible.

And so that nothing may go without correction or punishment this officer should frequently, at specified times, call his colleagues together and by means of explanations of the Holy Scriptures and exhortations derived from them, and also by pious conversations among all of them, strengthen the faith and knowledge of Christ both for himself and for his colleagues and kindle more and more their desire and zeal for the Kingdom of Christ. These suffragan bishops should also visit the people of each area 35 commended to them, when the concerns of their own parishes permit, and administer to them the word of eternal life, especially to those parishes which have pastors less learned or fervent for the Kingdom of Christ.

Furthermore, it will be the duty of the bishops of each province to hold two synods annually, as it has been provided for in so many canons and laws of pious emperors. 36 At these synods there should be gathered and heard not only the bishops of the cities, but also

34 Bucer uses the term chorepiscopus, a title now equivalent to that of a suffragan bishop.
35 Novellae 129, 10. Throughout his career, Bucer was an advocate of synods, having first observed their usefulness in connection with the introduction of the Reformation in Switzerland, especially Bern. Cf. Wendel, ed., De Regno Christi, p. 129, n. 35.

the rural bishops and other priests and deacons who have been gifted with fuller knowledge of and zeal for the Kingdom of Christ, in order that the evils which have crept into the churches may be corrected more effectively, and the piety of all renewed.

It will be very useful to these synods if Your Majesty appoints men zealous for Christ's religion and endowed with the highest authority to preside with the metropolitan in the synods, in Your Majesty's name, and keep decent order, as pious emperors and kings of old were accustomed to do for the highest good of the churches. Indeed, they sometimes themselves presided at the synods and took part in the disputations, as did Constantine, in a praiseworthy way, at the celebrated Nicene Council, and some other emperors and kings in other councils, as one can read in the acts of the ancient councils. 37 For since all souls are subject to the rule of kings (Rom. 13:1), it is their duty to be concerned above all else that the Christian religion 38 and the priestly office in which is contained the eternal salvation of all souls be administered in a holy and salutary manner and preserved from every failing.

Thus the churches await from Your Majesty this fourth law by which the entire order of the clergy may be restored and really led back to the discipline of the Holy Spirit as here outlined.

CHAPTER XIII

THE FIFTH LAW: CLAIMING ECCLESIASTICAL GOODS FOR CHRIST THE LORD, AND THEIR PIOUS USE

There can be no doubt that the ministries of bishops and of other priests and clergy, or proper inspections of the churches, or synods cannot be restored in the churches unless Your Majesty would first remove, along with every appearance of simony, those execrable sacrileges and such monstrous despoliations of the churches which have been allowed, so that stipends of sacred ministries have been conferred for favor and a price to these most unworthy men, and very often two, three, four, five, or more to one individual who has no desire to satisfy even one. This state of affairs gains entrance if the priesthood is conferred on anyone for a reason and purpose other than that the churches may be built up in the faith of Christ through faithful and fit ministers, or if any temporal consideration, a price or a service or a favor, is involved in the bestowal.

37 Cf. Eusebius, Life of Constantine III, 10 and 13; Theodoret, Church History I, 12 f.; II, 29; II, 31.
38 Christi religio.
Another obvious sacrilege in the looting of the churches is that which the Roman Antichrist exacts from bishops and other priests, "the fruits and tenths of the first year," as they are called. In view of this Your Majesty understands well enough how alien it would be to his piety for him to imitate Christ's adversary in this matter. It is indeed the duty of the churches and of all ministers of religion to help Your Majesty to meet the needs of the realm with ready hearts as much as they can. For as to every soul it has been divinely commanded that it "should be subject to powers" bearing the sword, so also it is required of every soul, both of priests and of the rest of mankind, to give "tribute" to him "to whom tribute is owed, tax to whom tax is due, to render honor to him who is worthy of it, reverence to whom reverence is appropriate." (Rom. 13:1; 6-7).

Thus, on the basis of this right, devout emperors required fiscal payments and canonical conveyance of estates which either the churches or the clergy possessed. And this so strictly that if at some time churches were not able to meet fiscal debts in any other way, they conceded the transfer of ecclesiastical real estate in order to pay these debts, which was otherwise most sacredly forbidden.

The churches also contributed to the constructions of roads and bridges and also to the costs of sudden emergencies arising from unexpected needs; nor were the churches and clergy kept exempt, except from the obligation of sewage disposal and from extraordinary giving of evidence, and from the burden of giving hospitality to the court retinue or the militia.

Meanwhile, however, just as these emperors paid salaries to the clergy, so they also supported the poor from the public income of the empire. As we previously mentioned, this had been instituted by Constantine the Great. A third part of this liberality, which Julian had completely taken away from the churches, Jovian restored to them, influenced by public demand to satisfy the churches both in regard to the stipends of clerics and poor relief. But this pious prince Jovian promised the churches that he would restore what Constantine had established as soon as a famine which then was raging had abated.

Those pious emperors held ecclesiastical possessions to be so sacrosanct, however they had come to the churches, that they in no way allowed them to be alienated nor even to be exchanged for imperial property, unless for possessions equally good, or even better. In this regard, the sanction of Justinian may be quoted here, since it contains much that is pertinent to our consideration.

"If there is any common advantage and cause respecting the welfare of the commonwealth and there is demanded possession of such real estate as we have proposed, it is allowed to receive it from the holy churches and other venerable houses and colleges, always observing an indemnity to the sacred houses, compensating them for that which has been received with something of either an equal or a greater value. For what else should the emperor do but give better things, to whom God has granted abundance and power, so that he can readily give, and especially to the holy churches in which magnificence in giving is an excellent rule. Hence, if any such a thing happens and takes place in a business-like way, with the requirement that the empire receives some part thereof, and a better, or richer, or more useful thing has been given in compensation, let the exchange be permanent; and let those who are in charge of the houses to which what is alienated belonged and who have the responsibility of administration be entirely without complaint and without fear of the penalties threatened by Leo of pious memory and confirmed by us; it is so agreed, since the priesthood and the empire do not differ much from each other and sacred things from common and public property, seeing that an abundant state of all things should always be made available to the holy churches out of the munificence of the empire. No charge will be leveled against anyone for decent compensation. But we permanently declare invalid any other sale or contract of transfer made either to the empire or to anyone whosoever." 44

Pious princes have followed this one policy in giving goods to the churches and conserving them, really and reverently providing fair salaries for the church ministry and the means whereby the necessities of life might not be wanting to any of the poor. On this account they most gravely prohibited the distribution of any ecclesiastical goods either to those who were not legitimately ministering in the churches or to those who were not really needy. And perhaps it will not be useless to quote some of the words of laws of this kind.

The *Codex De sacrosanctis ecclesiis* contains the Valentinian and Marcian law sanctioned in these words: "The privileges which by general constitutions princes have heretofore bestowed on all the holy churches of orthodox religion, we decree shall be preserved firm and intact in perpetuity. All the pragmatic sanctions,
which have been produced for the sake of favor or gain with references to the ecclesiastical canons, we command to be held void in their force and strength. And since we owe it to our humaneness to benefit and help the needy, so that sustenance will not be lacking to the poor, the allowances which have been administered until now to the holy churches for various kinds of public assistance, we order now to be bestowed undiminished and intact, and to this most forthright liberality we give permanent force."

Likewise, the third Authentica, toward the end: "Inasmuch as we have delineated the provisions pertinent to it, it is appropriate that the holy patriarch and reverend clergy should see to it that the remainder of what is received from church revenues should not be used for other purposes than causes that are pious and pleasing to God, for the good of those who are really in need and have no other source of sustenance of life (for these are the things which are generally propitious to the Lord God). Nor should what is supplied for ecclesiastical use be distributed to the well-to-do for patronage or human pursuits, so as to defraud the needy of the necessities of life. Let the administrators in their great love of God know, both those who are so now and those who will be, that if they are in any way delinquent in these matters, they will not only be liable to heavenly penalties but will also of their own substance render an indemnity to the holy Church." 

And the fifty-eighth Authentica states: "Many of the clergy on the occasion of the filling of vacancies in certain oratories, or perhaps even as replacements for some of them, as soon as they have received the solemn compensation too often have nothing at all to do with the sacred mysteries (for what motive, they themselves know too well), or on any given occasion withdraw completely from the holy Church in which they have a place. We therefore decree, lest this impediment be inflicted on the sacred ministry, that the bishops who have a responsibility for these churches, in their great love of God, when they perceive such things, should replace them with others. For we do not wish to concede to any that they should convert to their own gain the compensation now derived from the churches. Nor do we wish that there be any pretext or occasion for some to profit by defrauding others, but rather that whatever remuneration has been available from the beginning should continue without any limitation of time, nor should the sacred ministry be corrupted and decay in this matter; and those who withdraw from the churches will have no license, after others have replaced them, appointed by the holy patriarch or the pro-

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vicial bishops, to derive anything from the replacements if they wish to return. Nor may they compel those who support this payment to undertake double compensation, both to the replacements and to themselves who wish to return; but (as we may say most simply) if they do return, they may not be accepted; to those, however, who have need after a prior retirement, an annual pension should be provided, with no gain derived from those who are accustomed to supply for them, so that those who would attempt to make a profit on such things will, in regard to the pension benefits and other benefits received from the replacements as a hereditary adjunct to succession, have knowledge that if they are detected in fraud, certain property of their patrimony will be confiscated for our private religious fund, for payments to be made to them from it."

From this Your Majesty will easily understand how the Church must reverently preserve its goods and redeem them for their rightful purposes, namely, to provide the necessities of life for those who minister well to the churches or who are really indigent.

So Your Majesty should impose on estates and persons fiscal and canonical obligations and collections for urgent necessities or public works in such a way that there is no appearance of simony, such as the exaction of the fruits of the first year. Nor should he be harder on the true ministries of Christ, needed schools, and the poor, than on the other citizens of his realm, and thus make the preservation and spread of the Kingdom of Christ a matter of lesser importance than his ancestors did. For they showed themselves to be so very munificent even toward depraved and false ministries of the Church, when they thought that they were right and true, and toward schools and projects for the poor, yet they kept a magnificent court and successfully waged difficult wars.

But Your Majesty will not be seen only by men but will be judged by God himself if he does not try to do his duty to God and the churches with all the strength and power which he has received from the Lord: first, that no one should receive the established compensations for the holy ministries of the churches who does not reverently fulfill those ministries in the churches. On this account, Your Majesty must prevent as a most grave sacrilege any priests or prelates from deriving pensions which they pass on to men who neither minister in the churches nor are truly needy. For the pensions should be derived from richer benefices, to be transmitted to faithful ministers of the churches for whom there is no other source of help and to other persons in need.

46 Code L. 2, 12.  48 Novellae 5, 3.  49 Ibid., 11, pr. and c. 1.
For no reason should anyone be allowed to make an exchange of goods with the churches or their ministers, unless someone wishes to give property to the churches which is better than what he receives, or at least of equal value. For it is said that some very valuable possessions were formerly taken from some colleges and churches under the appearance of an exchange and that nothing but the goods of plundered parishes were transferred to the colleges and churches in place of the preempted possessions. 56

Secondly, that Your Majesty should not impose a greater tax to be paid to the state on the possessions of the churches and their ministers than he is accustomed to impose on the private possessions of men. For who could be excused from manifest impiety if he burdened with more taxes and held in lower esteem the true ministers of Christ's religion, i.e., of eternal life, and his little ones (on whom we bestow whatever we have of humanity and kindness) than other men who perform services to the state and the churches which are neither so necessary or salutary nor so commended to us by the Lord for every good work.

The kings of Egypt, as we read in the story of Joseph, made only the lands of priests exempt (Gen. 47:22), but the true churches of Christ do not agitate for this exemption; they do not resent at all the payment of the usual tax, provided that they are not held in a more unfavorable position than other groups of men or private persons. And the ministers should be left immune at least from those obligations which they cannot meet without a serious impairment of the service they owe the churches for the eternal salvation of men.

Lastly, it will have to be arranged by Your Majesty that whoever has the endowments or possessions of parishes should, from the income of these parishes, if there is any surplus, establish funds to pay those who are rendering faithful ministries to the parishes of Christ. If, however, there is not enough of a surplus from the parishes to make it possible for faithful ministers to be taken care of, then certainly, as we have said before, 57 the means of providing for such despoiled parishes must be sought from the bishops and wealthier priests. Here the communion of saints must be exercised that the churches which have an abundance should help those which are in need. For it is said that there are not a few parishes where there is no more left from the lavish incomes that they used to have than four or five pounds, or a little more.

57 Cf. Book Two, Ch. VII.
stow them on his ministers? But if he should attack the goods of bishops and of other rich prelates, where will the means be found to restore the ministry necessary for eternal salvation to the despoiled parishes, to repair the schools, to foster the studious, to care for the poor? 55

But they say: for what need of the churches, schools, or poor do the bishops and wealthy prelates apply today the wealth of the churches? They feed a lazy, inert, and profane household, enjoy themselves, and indulge themselves in all manner of luxury and mundane pomp. And if they are liberal to some, they are liberal to those joined to them in the flesh; they will adorn wives and children so as not to be outclassed by the nobles.

But what do the churches reply, indeed, what does the Lord Christ, the bridegroom of the churches, reply to these things? Because the false bishops and deceitful prefects of my churches have thus until now ripped apart and ruined my patrimony, which is not rashly called the patrimony of the crucified, is it becoming to you who glory in my gospel to waste and destroy what their sacrilegious rapacity has left over for me? Do you think it is for you so to complain about those drones which take the honey of my bees that you may join them as new drones and eat all the honey of my bees which they still have left over? Do you acknowledge that it is your duty to drive those drones away from the hives of my bees, and to keep their honey safe from all drones? Have you made up your minds or not that you want me to reign over you in the kingdom of religion and of eternal life? Then see, if you want my Kingdom to be restored among you, whether it is necessary for this purpose to educate, establish, and nourish men selected by me for the ministries of my Kingdom, and therefore to repair the schools everywhere, and to foster and help those whom I have granted outstanding talents, when this cannot otherwise be accomplished? Then, since my Kingdom requires that love for all men and that sharing of the goods of daily life among those who believe in me which provides that no one will lack the necessary means to live piously and well, judge for yourselves whether or not my Kingdom should have its own treasury, and a rich one, to provide for my poor those things without which they cannot live a life that is pious and useful to the commonwealth. Say, finally, whether or not that liberality toward the needy is worthy of my


56 Cicero, De officiis II, 16; Demosthenes, De corona 268.
57 Ambrose, On the Duties of Ministers II, 28, 156-143 (MPL, Vol. 16, cols. 148 ff.).
58 Digest I, 8, 1.
59 Cicero, De haruspicium respond o 14.

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Kingdom, when the pagans judged it to be the duty of every man who is well off, specifically that he should redeem captives from robbers by means of his own possessions, borrow money to undertake the cause of friends, help in the espousals of daughters, and assist good and honest citizens in things that have to be sought and done. 56

Certainly, it was for the purpose of such generosity that the holy fathers of old judged that the sacred vessels and ornaments of the churches were to be broken up and sold; on this point one may read what Saint Ambrose wrote in his book, De officiis II, Ch. 28.57 One may easily suppose what elaborate expenditures these would demand of the treasury.

But the Lord, rich toward all and bestowing all largesse so magnificently on all, says to the unworthy and the ungrateful: “To you, O wretched mortals, who have deserved nothing but hell from me, I bestow generously all things on all, and I ask of you in behalf of my ministers, and those who are being prepared for my ministries through which I administer your eternal salvation, and for my little ones, indeed, for myself: for these I ask not pleasures or some pomp or luxury into which you have ruinously converted my goods, but only food for the hungry, drink for the thirsty, shelter for the freezing, clothing for the naked, care for the sick, and consolation for the prisoner [cf. Matt. 25:35-36]. And far from spending my assets and gifts on these needs which are not so much pious as salutary for you, you even snatch and pour out and consume to your damnation what your ancestors have consecrated to me for these purposes.”

Indeed, was there ever a commonwealth so barbarous, so impious, which with the exception of public and private matters subject to human jurisdiction, did not hold sacred things consecrated to religion? 58 And these things were to those heathen men a matter of divine law, and so sacred were all these goods that if on the occasion of a compelling necessity of the commonwealth some of these goods were taken as a loan for the use of the commonwealth, they were bound and eager to restore it at once to sacred usages as soon as the government had been freed from such a difficulty. For among them there prevailed the belief that it was part of natural law and the law of nations that mortals be able to use nothing at all taken from the immortal gods. 59
anything sacred, and this crime was considered much more serious
than the misdemeanor of appropriating public funds.

Provided they are consecrated to his service, the Lord indeed
allows and praises the expenditure of things even for private, not
to mention public, necessities. In order to purchase peace for the
people of God from an Assyrian tyrant, Hezekiah the King gave
to him "whatever he found of silver in the house of God," and
removed the silver from the doors and posts of the Temple, after he
had covered them with it, and the Lord did not disapprove of the
deed; for an advantage of his people had been sought (II Kings
18:14-16). When, therefore, this refers to the salvation of God's
people, it pleases the Lord if these external things, his own earthly
gifts, are expanded freely for the public advantage of his people,
no less readily than he gave his own blood. For he wishes heaven
and earth, and all that is contained therein, to be of service to the
salvation of his people. He wills, however, that his churches have
private property, things consecrated to his name, in order to pre-
save among his own the ministry of his Kingdom, i.e., of religion,
and for the sustenance and support of his poor and not to reward
the hirelings, thieves, and robbers who so criminally usurp the
name and place and income of caretakers and shepherds of his
flock, but to provide food, just and necessary wages, for "those who
labor in the word and doctrine" (I Tim. 5:17-18), whence a means
of subsistence may be available to the schools, i.e., teachers of pious
and good arts, and for studious adolescents and young men fit for
the ministries of the churches, whence widows, orphans, those
broken by age or disease, and other needy persons may be helped
and enabled to live. He wills whatever is left over from these uses
of our salvation, either from what has previously been consecrated
to his name or from what is newly consecrated to him, to be held
sacred, and not to be converted to other uses (Lev. 27:28-29), so
that whoever deals with them in any other way should be held
guilty of sacrilege, under penalty of anathema. He wills that we
should acknowledge that there is no other obligation to be fostered
and met by us on a par with religion, i.e., the administration of
our salvation, and we should hold no citizens of the common-
wealth more useful than those who meet this obligation in good
faith; and we should not doubt that whatever we spend on his
needy ones produces dividends for us, with immense interest,
namely, of all good things both present and future. For these needy
ones of the Lord "will receive" us "into everlasting tabernacles"
(Luke 16:9).

66 Digest XLVIII, 13, 4 and 11.

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But some object to this as follows: the goods of the churches
have to a large extent been assembled and accumulated by means
of impious deceits and impostures by men who were wrongly per-
suaded that liberation from purgatory and heavenly thrones could
be bought and purchased with the donations which the col-
leges and chapels were endowed, that very much, therefore, was
taken in sacrilegious fraud from communities and distinguished
families, so that it is just that some of these ill-gotten gains of the
churches be restored to the communities and the noble houses;
for "God does not tolerate rapine in sacrifice" (Isa. 61:8), nor,
therefore, fraud.

It is clear enough what must be replied to this objection. First,
these goods cannot be preserved more certainly for the utility of
the commonwealth than under the sanction of divine law, nor ex-
pended more usefully than for the conservation and spread of
Christ's religion and for nourishing and fostering our Lord Jesus
Christ among his little ones. Second, as far as those families are
concerned from whom the false clergy took away very many eccles-
ial properties by their godless persuasions and promises, how
many, I ask, of these families are left? If they are left and are in
need, they should be helped before others by the generosity of the
churches. As for the rest, men of jurisprudence are of the opinion
that donations made to communities hold force, even when given
for profane use, so that if anyone bequeathes a legacy on any city
for some impure spectacle, which that city is then unwilling to ex-
hibit to its citizens because of Christ's religion, that legatee is not
on this account obliged to yield it to the gain of the heir, but it
remains in the public control of the city to which it was given:
"The principals of the city are to ignore the claims of the heirs, in
regard to the way in which they should use the matter entrusted
to them, where the memorial of the testator is celebrated in a manner
other than licit, if." How much more, therefore, should the
things donated to the churches of Christ be left in their control
but converted to pious uses, even though the things donated have
by the false clergy been destined for impious Masses and other false
cults by error of the donors.

But would that those who make such objections may themselves

61 This was the argument advanced by those who favored the complete secu-
larization of ecclesiastical property. Like all major Reformers, Bucer recom-
pended that these properties be used for the benefit of churches and
schools and for poor relief. In this vein, he had written and spoken from
the beginning of his career as a reformer.

62 Digest XXXIII, 2, 16.
abstain with horror from every fraud and spoliation not only of private persons, but also very much more of the churches of Christ, and may they not betray the churches to their defrauders and de­spoilors. For we see that there are many who prefer to confer sacerdotal riches, as an insult to Christ and an injury to the churches, to those who already occupy several benefices sacri­legiously rather than to leave one uncircumscribed and unmutil­lated to faithful ministers of the gospel.

Since, therefore, Your Majesty's realm in relation to the religion and Kingdom of Christ is very gravely endangered by the indicated pillage and dispersion of church property, Your Majesty must quickly and conscientiously take care and bring it about that, just as the government has its treasury, its property, so our eternal King Jesus Christ, as he has his Kingdom in Your Majesty's realm, should also have his treasury and property. This should be held so sacred that Your Majesty himself should not exercise his gen­erosity from it or allow any of his subjects to share in it, except the true and faithful ministers of pure religion, who really do their work faithfully, and those who are being instructed and educated for this ministry, and their teachers and educators, and finally those who are really needy.

The Lord will undoubtedly give and will give most abundantly all other things to Your Majesty as he thus seeks first his Kingdom and righteousness (Matt. 6:33), that he may be able to show himself an abundantly liberal and munificent king to all his faithful ministers and to all men worthy of his kindness. For as the pagan teachers rightly prescribe, these precautions must be observed in generosity and good works: First, "generosity should not injure either those who will obviously receive it or others." Secondly, "kindness should not exceed one's assets, and should be rendered according to the worthiness of each individual." For as the illustrious Ennius said: Misplaced do-gooding I judge to be evildoing. 64

CHAPTER XIV

THE SIXTH LAW: POOR RELIEF

When the things long consecrated to his name and worship have been thus preserved and sanctified to Christ the Lord, as much as possible and to the degree that we trust him and love him as our Savior and the giver of all good things, and when equitable assets have been set aside and by ample patrimony constituted by the lay­63 Cf. Book One, Ch. XIV.
64 On Bucer's proposals for poor relief, see the discussion in W. Pauck, Das Reich Gottes, pp. 92 ff.; C. Hopf, Martin Bucer and the English Reformation, pp. 116 ff.