

CHAPTER 11.

Of the jurisdiction of the Church, and the abuses of it, as exemplified in the Papacy.

This chapter may be conveniently comprehended under two heads,—

1. Ecclesiastical jurisdiction, its necessity, origin, description, and essential parts—viz. the sacred ministry of the word, and discipline of excommunication, of which the aim, use, and abuse are explained, sec. 1-8.
2. Refutation of the arguments advanced by Papists in defence of the tyranny of Pontiffs, the right of both swords, imperial pomp and dignity, foreign jurisdiction, and immunity from civil jurisdiction, sec. 9-16.

Sections.

1. The power of the Church in regard to jurisdiction. The necessity, origin, and nature of this jurisdiction. The power of the keys to be considered in two points of view. The first view expounded.
2. Second view expounded. How the Church binds and looses in the way of discipline. Abuse of the keys in the Papacy.
3. The discipline of excommunication of perpetual endurance. Distinction between civil and ecclesiastical power.
4. The perpetual endurance of the discipline of excommunication confirmed. Duly ordered under the Emperors and Christian magistrates.
5. The aim and use of ecclesiastical jurisdiction in the primitive Church. Spiritual power was kept entirely distinct from the power of the sword.
6. Spiritual power was not administered by one individual, but by a lawful consistory. Gradual change. First, the clergy alone interfered in the judicial proceedings of the Church. The bishop afterwards appropriated them to himself.
7. The bishops afterwards transferred the rights thus appropriated to their officials, and converted spiritual jurisdiction into a profane tribunal.
8. Recapitulation. The Papal power confuted. Christ wished to debar the ministers of the word from civil rule and worldly power.
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 - a. By this external splendour the glory of Christ is displayed.
 - b. It does not interfere with the duties of their calling. Both objections answered.
10. The commencement and gradual progress of the Papistical tyranny. Causes,
 - a. Curiosity;
 - b. Ambition;
 - c. Violence;
 - d. Hypocrisy;

e. Impiety.

11. Last cause, the mystery of iniquity, and the Satanic fury of Antichrist usurping worldly dominion. The Pope claims both swords.
12. The pretended donation of Constantine. Its futility exposed.
13. When, and by what means, the Roman Pontiffs attained to imperial dignity. Hildebrand its founder.
14. By what acts they seized on Rome and other territories. Disgraceful rapacity.
15. Claim of immunity from civil jurisdiction. Contrast between this pretended immunity and the moderation of the early bishops.
16. What end the early bishops aimed at in steadfastly resisting civil encroachment.

1. It remains to consider the third, and, indeed, when matters are well arranged, the principal part of ecclesiastical power, which, as we have said, consists in jurisdiction. Now, the whole jurisdiction of the Church relates to discipline, of which we are shortly to treat. For as no city or village can exist without a magistrate and government, so the Church of God, as I have already taught, but am again obliged to repeat, needs a kind of spiritual government. This is altogether distinct from civil government, and is so far from impeding or impairing it, that it rather does much to aid and promote it. Therefore, this power of jurisdiction is, in one word, nothing but the order provided for the preservation of spiritual polity. To this end, there were established in the Church from the first, tribunals which might take cognisance of morals, animadvert on vices, and exercise the office of the keys. This order is mentioned by Paul in the First Epistle to the Corinthians under the name of governments (1 Cor. 12:28): in like manner, in the Epistle to the Romans, when he says, “He that ruleth with diligence” (Rom. 12:8). For he is not addressing magistrates, none of whom were then Christians, but those who were joined with pastors in the spiritual government of the Church. In the Epistle to Timothy, also, he mentions two kinds of presbyters, some who labour in the word, and others who do not perform the office of preaching, but rule well (1 Tim. 5:17). By this latter class there is no doubt he means those who were appointed to the inspection of manners, and the whole use of the keys. For the power of which we speak wholly depends on the keys which Christ bestowed on the Church in the eighteenth chapter of Matthew, where he orders, that those who depise private admonition should be sharply rebuked in public, and if they persist in their contumacy, be expelled from the society of believers. Moreover, those admonitions and corrections cannot be made without investigation, and hence the necessity of some judicial procedure and order. Wherefore, if we would not make void the promise of the keys, and abolish altogether excommunication, solemn admonitions, and everything of that description, we must, of necessity, give some jurisdiction to the Church. Let the reader observe that we are not here treating of the general authority of doctrine, as in Mt. 21 and John 20, but maintaining that the right of the Sanhedrim is transferred to the fold of Christ. Till that time, the power of government had belonged to the Jews. This Christ establishes in his Church, in as far as it was a pure institution, and with a heavy sanction. Thus it behoved to be, since the judgment of a poor and despised Church might otherwise be spurned by rash and haughty men. And lest it occasion any difficulty to the reader,

that Christ in the same words makes a considerable difference between the two things, it will here be proper to explain. There are two passages which speak of binding and loosing. The one is Mt. 16, where Christ, after promising that he will give the keys of the kingdom of heaven to Peter, immediately adds, "Whatsoever thou shalt bind on earth shall be bound in heaven; and whatsoever thou shalt loose on earth shall be loosed in heaven" (Mt. 16:19). These words have the very same meaning as those in the Gospel of John, where, being about to send forth the disciples to preach, after breathing on them, he says, "Whose soever sins ye remit, they are remitted unto them; and whose soever sins ye retain, they are retained" (John 20:23). I will give an interpretation, not subtle, not forced, not wrested, but genuine, natural, and obvious. This command concerning remitting and retaining sins, and that promise made to Peter concerning binding and loosing, ought to be referred to nothing but the ministry of the word. When the Lord committed it to the apostles, he, at the same time, provided them with this power of binding and loosing. For what is the sum of the gospel, but just that all being the slaves of sin and death, are loosed and set free by the redemption which is in Christ Jesus, while those who do not receive and acknowledge Christ as a deliverer and redeemer are condemned and doomed to eternal chains? When the Lord delivered this message to his apostles, to be carried by them into all nations, in order to prove that it was his own message, and proceeded from him, he honoured it with this distinguished testimony, and that as an admirable confirmation both to the apostles themselves, and to all those to whom it was to come. It was of importance that the apostles should have a constant and complete assurance of their preaching, which they were not only to exercise with infinite labour, anxiety, molestation, and peril, but ultimately to seal with their blood. That they might know that it was not vain or void, but full of power and efficacy, it was of importance, I say, that amidst all their anxieties, dangers, and difficulties, they might feel persuaded that they were doing the work of God; that though the whole world withstood and opposed them, they might know that God was for them; that not having Christ the author of their doctrine bodily present on the earth, they might understand that he was in heaven to confirm the truth of the doctrine which he had delivered to them. On the other hand, it was necessary that their hearers should be most certainly assured that the doctrine of the gospel was not the word of the apostles, but of God himself; not a voice rising from the earth, but descending from heaven. For such things as the forgiveness of sins, the promise of eternal life, and message of salvation, cannot be in the power of man. Christ therefore testified, that in the preaching of the gospel the apostles only acted ministerially; that it was he who, by their mouths as organs, spoke and promised all; that, therefore, the forgiveness of sins which they announced was the true promise of God; the condemnation which they pronounced, the certain judgment of God. This attestation was given to all ages, and remains firm, rendering all certain and secure, that the word of the gospel, by whomsoever it may be preached, is the very word of God, promulgated at the supreme tribunal, written in the book of life, ratified firm and fixed in heaven. We now understand that the power of the keys is simply the preaching of the gospel in those places, and in so far as men are concerned, it is not so much power as ministry. Properly speaking, Christ did not give this power to men but to his word, of which he made men the ministers.

2. The other passage, in which binding and loosing are mentioned, is in the eighteenth chapter of Matthew, where Christ says,

"If he shall neglect to hear them, tell it unto the Church: but if he neglect to hear the Church, let him be unto thee as an heathen man and a publican. Verily I say unto you, Whatsoever ye shall bind on earth shall be bound in heaven; and whatsoever ye shall loose on earth shall be loosed in heaven" (Mt. 18:17, 18). This passage is not altogether similar to the former, but is to be understood somewhat differently. But in saying that they are different, I do not mean that there is not much affinity between them. First, they are similar in this, that they are both general statements, that there is always the same power of binding and loosing (namely, by the word of God), the same command, the same promise. They differ in this, that the former passage relates specially to the preaching which the ministers of the word perform, the latter relates to the discipline of excommunication which has been committed to the Church. Now, the Church binds him whom she excommunicates, not by plunging him into eternal ruin and despair, but condemning his life and manners, and admonishing him, that, unless he repent, he is condemned. She looses him whom she receives into communion, because she makes him, as it were, a partaker of the unity which she has in Christ Jesus. Let no one, therefore, contumaciously despise the judgment of the Church, or account it a small matter that he is condemned by the suffrages of the faithful. The Lord testifies that such judgment of the faithful is nothing else than the promulgation of his own sentence, and that what they do on earth is ratified in heaven. For they have the word of God by which they condemn the perverse: they have the word by which they take back the penitent into favour. Now, they cannot err nor disagree with the judgment of God, because they judge only according to the law of God, which is not an uncertain or worldly opinion, but the holy will of God, an oracle of heaven. On these two passages, which I think I have briefly, as well as familiarly and truly expounded, these madmen, without any discrimination, as they are borne along by their spirit of giddiness, attempt to found at one time confession, at another excommunication, at another jurisdiction, at another the right of making laws, at another indulgences. The former passage they adduce for the purpose of rearing up the primacy of the Roman See. So well known are the keys to those who have thought proper to fit them with locks and doors, that you would say their whole life had been spent in the mechanic art.

3. Some, in imagining that all these things were temporary, as magistrates were still strangers to our profession of religion, are led astray, by not observing the distinction and dissimilarity between ecclesiastical and civil power. For the Church has not the right of the sword to punish or restrain, has no power to coerce, no prison nor other punishments which the magistrate is wont to inflict. Then the object in view is not to punish the sinner against his will, but to obtain a profession of penitence by voluntary chastisement. The two things, therefore, are widely different, because neither does the Church assume anything to herself which is proper to the magistrate, nor is the magistrate competent to what is done by the Church. This will be made clearer by an example. Does any one get intoxicated. In a well-ordered city his punishment will be imprisonment. Has he committed whoredom? The punishment will be similar, or rather more severe. Thus satisfaction will be given to the laws, the magistrates, and the external tribunal. But the consequence will be, that the offender will give no signs of repentance, but will rather fret and murmur. Will the Church not here interfere? Such persons cannot be admitted to the Lord's Supper without doing injury to Christ and his sacred institution. Reason demands that he who, by a bad example, gives offence to the Church, shall

remove the offence which he has caused by a formal declaration of repentance. The reason adduced by those who take a contrary view is frigid. Christ, they say, gave this office to the Church when there were no magistrates to execute it. But it often happens that the magistrate is negligent, nay, sometimes himself requires to be chastised; as was the case with the Emperor Theodosius. Moreover, the same thing may be said regarding the whole ministry of the word. Now, therefore, according to that view, let pastors cease to censure manifest iniquities, let them cease to chide, accuse, and rebuke. For there are Christian magistrates who ought to correct these things by the laws and the sword. But as the magistrate ought to purge the Church of offences by corporal punishment and coercion, so the minister ought, in his turn, to assist the magistrate in diminishing the number of offenders. Thus they ought to combine their efforts, the one being not an impediment but a help to the other.

4. And indeed, on attending more closely to the words of Christ, it will readily appear that the state and order of the Church there described is perpetual, not temporary. For it were incongruous that those who refuse to obey our admonitions should be transferred to the magistrate—a course, however, which would be necessary if he were to succeed to the place of the Church. Why should the promise, “Verily I say unto you, What thing soever ye shall bind on earth,” be limited to one, or to a few years? Moreover, Christ has here made no new enactment, but followed the custom always observed in the Church of his ancient people, thereby intimating, that the Church cannot dispense with the spiritual jurisdiction which existed from the beginning. This has been confirmed by the consent of all times. For when emperors and magistrates began to assume the Christian name, spiritual jurisdiction was not forthwith abolished, but was only so arranged as not in any respect to impair civil jurisdiction, or be confounded with it. And justly. For the magistrate, if he is pious, will have no wish to exempt himself from the common subjection of the children of God, not the least part of which is to subject himself to the Church, judging according to the word of God; so far is it from being his duty to abolish that judgment. For, as Ambrose says, “What more honourable title can an emperor have than to be called a son of the Church? A good emperor is within the Church, not above the Church” (Ambros. ad Valent. Ep. 32). Those, therefore, who to adorn the magistrate strip the Church of this power, not only corrupt the sentiment of Christ by a false interpretation, but pass no light condemnation on the many holy bishops who have existed since the days of the apostles, for having on a false pretext usurped the honour and office of the civil magistrate.

5. But, on the other hand, it will be proper to see what was anciently the true use of ecclesiastical discipline, and how great the abuses which crept in, that we may know what of ancient practice is to be abolished, and what restored, if we would, after overthrowing the kingdom of Antichrist, again set up the true kingdom of Christ. First, the object in view is to prevent the occurrence of scandals, and when they arise, to remove them. In the use two things are to be considered: first, that this spiritual power be altogether distinct from the power of the sword; secondly, that it be not administered at the will of one individual, but by a lawful consistory (1 Cor. 5:4). Both were observed in the purer times of the Church. For holy bishops did not exercise their power by fine, imprisonment, or other civil penalties, but as became them, employed the word of God only. For the severest punishment of the Church, and, as it

were, her last thunderbolt, is excommunication, which is not used unless in necessity.¹ This, moreover, requires neither violence nor physical force, but is contented with the might of the word of God. [587] In short, the jurisdiction of the ancient Church was nothing else than (if I may so speak) a practical declaration of what Paul teaches concerning the spiritual power of pastors. “The weapons of our warfare are not carnal, but mighty through God to the pulling down of strongholds; casting down imaginations, and every high thing that exalteth itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ; and having in a readiness to revenge all disobedience” (2 Cor. 10:4-6). As this is done by the preaching of doctrine, so in order that doctrine may not be held in derision, those who profess to be of the household of faith ought to be judged according to the doctrine which is taught. Now this cannot be done without connecting with the office of the ministry a right of summoning those who are to be privately admonished or sharply rebuked, a right, moreover, of keeping back from the communion of the Lord’s Supper, those who cannot be admitted without profaning this high ordinance. Hence, when Paul elsewhere asks, “What have I to do to judge them also that are without?” (1 Cor. 5:12), he makes the members of the Church subject to censures for the correction of their vices, and intimates the existence of tribunals from which no believer is exempted.

6. This power, as we have already stated, did not belong to an individual who could exercise it as he pleased, but belonged to the consistory of elders, which was in the Church what a council is in a city. Cyprian, when mentioning those by whom it was exercised in his time, usually associates the whole clergy with the bishop (Cyprian, Lib. 3 Ep. 14, 19). In another place, he shows that though the clergy presided, the people, at the same time, were not excluded from cognisance: for he thus writes:—“From the commencement of my bishopric, I determined to do nothing without the advice of the clergy, nothing without the consent of the people.” But the common and usual method of exercising this jurisdiction was by the council of presbyters, of whom, as I have said, there were two classes. Some were for teaching, others were only censors of manners. This institution gradually degenerated from its primitive form, so that, in the time of Ambrose, the clergy alone had cognisance of ecclesiastical causes. Of this he complains in the following terms:—“The ancient synagogue, and afterwards the Church, had elders, without whose advice nothing was done: this has grown obsolete, by whose fault I know not, unless it be by the sloth, or rather the pride, of teachers, who would have it seem that they only are somewhat” (Ambros. in 1 Tim. 5). We see how indignant this holy man was because the better state was in some degree impaired, and yet the order which then existed was at least tolerable. What, then, had he seen those shapeless ruins which exhibit no trace of the ancient edifice? How would he have lamented? First, contrary to what was right and lawful, the bishop appropriated to himself what was given to the whole Church. For this is just as if the consul had expelled the senate, and usurped the whole empire. For as he is superior in rank to the others, so the authority of the consistory is greater than that of one individual. It was, therefore, a gross iniquity, when one man, transferring the common power to himself, paved the way for tyrannical licence, robbed the Church

¹ There is nothing repugnant to this in the statement of Augustine (*Ep.* 119), that as the teachers of liberal arts and pursuits, so bishops also were often accustomed, in their judicial proceedings, to chastise with the rod.

of what was its own, suppressed and discarded the consistory ordained by the Spirit of Christ.

7. But as evil always produces evil, the bishops, disdainful of their jurisdiction as a thing unworthy of their care, devolved it on others. Hence the appointment of officials to supply their place. I am not now speaking of the character of this class of persons; all I say is, that they differ in no respect from civil judges. And yet they call it spiritual jurisdiction, though all the litigation relates to worldly affairs. Were there no other evil in this, how can they presume to call a litigious forum a church court? But there are admonitions; there is excommunication. This is the way in which God is mocked. Does some poor man owe a sum of money? He is summoned: if he appears, he is found liable; when found liable, if he pays not, he is admonished. After the second admonition, the next step is excommunication. If he appears not, he is admonished to appear; if he delays, he is admonished, and by-and-by excommunicated. I ask, is there any resemblance whatever between this and the institution of Christ, or ancient custom or ecclesiastical procedure? But there, too, vices are censured. Whoredom, lasciviousness, drunkenness, and similar iniquities, they not only tolerate, but by a kind of tacit approbation encourage and confirm, and that not among the people only, but also among the clergy. Out of many they summon a few, either that they may not seem to wink too strongly, or that they may mulct them in money. I say nothing of the plunder, rapine, peculation, and sacrilege, which are there committed. I say nothing of the kind of persons who are for the most part appointed to the office. It is enough, and more than enough, that when the Romanists boast of their spiritual jurisdiction, we are ready to show that nothing is more contrary to the procedure instituted by Christ, that it has no more resemblance to ancient practice than darkness has to light.

8. Although we have not said all that might here be adduced, and even what has been said is only briefly glanced at, enough, I trust, has been said to leave no man in doubt that the spiritual power on which the Pope plumes himself, with all his adherents, is impious contradiction of the word of God, and unjust tyranny against his people. Under the name of spiritual power, I include both their audacity in framing new doctrines, by which they led the miserable people away from the genuine purity of the word of God, the iniquitous traditions by which they ensnared them, and the pseudo-ecclesiastical jurisdiction which they exercise by suffragans and officials. For if we allow Christ to reign amongst us, the whole of that domination cannot but immediately tumble and fall. The right of the sword which they also claim for themselves, not being exercised against consciences, does not fall to be considered in this place. Here, however, it is worth while to observe, that they are always like themselves, there being nothing which they less resemble than that which they would be thought to be—viz. pastors of the Church. I speak not of the vices of particular men, but of the common wickedness, and, consequently, the pestiferous nature of the whole order, which is thought to be mutilated if not distinguished by wealth and haughty titles. If in this matter we seek the authority of Christ, there can be no doubt that he intended to debar the ministers of his word from civil domination and worldly power when he said, “The princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. But it shall not be so among you” (Mt. 20:25, 26). For he intimates not only that the office of pastor is distinct from the office of prince,

but that the things differ so widely that they cannot be united in the same individual. Moses indeed held both (Exod. 18:16); but, first, this was the effect of a rare miracle; and, secondly, it was temporary, until matters should be better arranged. For when a certain form is prescribed by the Lord, the civil government is left to Moses, and he is ordered to resign the priesthood to his brother. And justly; for it is more than nature can do, for one man to bear both burdens. This has in all ages been carefully observed in the Church. Never did any bishop, so long as any true appearance of a church remained, think of usurping the right of the sword: so that, in the age of Ambrose, it was a common proverb, that emperors longed more for the priesthood than priests for imperial power.¹ For the expression which he afterwards adds was fixed in all minds, Palaces belong to the emperor, churches to the priest.

9. But after a method was devised by which bishops might hold the title, honour, and wealth of their office without burden and solicitude, that they might be left altogether idle, the right of the sword was given them, or rather, they themselves usurped it. With what pretext will they defend this effrontery? Was it the part of bishops to entangle themselves with the cognisance of causes, and the administration of states and provinces, and embrace occupations so very alien to them—of bishops, who require so much time and labour in their own office, that though they devote themselves to it diligently and entirely, without distraction from other avocations, they are scarcely sufficient? But such is their perverseness, that they hesitate not to boast that in this way the dignity of Christ’s kingdom is duly maintained, and they, at the same time, are not withdrawn from their own vocation. In regard to the former allegation, if it is a comely ornament of the sacred office, that those holding it be so elevated as to become formidable to the greatest monarchs, they have ground to expostulate with Christ, who in this respect has grievously curtailed their honour. For what, according to their view, can be more insulting than these words, “The kings of the Gentiles exercise authority over them”? “But ye shall not be so” (Luke 22:25, 26). And yet he imposes no harder law on his servants than he had previously laid on himself. “Who,” says he, “made me a judge or divider over you?” (Luke 12:14) We see that he unreservedly refuses the office of judging; and this he would not have done if the thing had been in accordance with his office. To the subordination to which the Lord thus reduced himself, will his servants not submit? The other point I wish they would prove by experience as easily as they allege it. But as it seemed to the apostles not good to leave the word of God and serve tables, so these men are thereby forced to admit, though they are unwilling to be taught, that it is not possible for the same person to be a good bishop and a good prince. For if those who, in respect of the largeness of the gifts with which they were endued, were able for much more numerous and weighty cares than any who have come after them, confessed that they could not serve the ministry of the word and of tables, without giving way under the burden, how are these, who are no men at all when compared with the apostles, possibly to surpass them a hundred times in diligence? The very attempt is most impudent and audacious presumption. Still we see the thing done; with what success is plain. The result could not but be that they have deserted their own functions, and removed to another camp.

¹ This is stated by Ambrose, *Hom. de Basilic. Tradend.*
See also August. *De Fide et Operibus*, cap. 4.

10. There can be no doubt that this great progress has been made from slender beginnings. They could not reach so far at one step, but at one time by craft and wily art, secretly raised themselves before any one foresaw what was to happen; at another time, when occasion offered, by means of threats and terror, extorted some increase of power from princes; at another time, when they saw princes disposed to give liberally, they abused their foolish and inconsiderate facility. The godly in ancient times, when any dispute arose, in order to escape the necessity of a lawsuit, left the decision to the bishop, because they had no doubt of his integrity. The ancient bishops were often greatly dissatisfied at being entangled in such matters, as Augustine somewhere declares; but lest the parties should rush to some contentious tribunal, unwillingly submitted to the annoyance. These voluntary decisions, which altogether differed from forensic strife, these men have converted into ordinary jurisdiction. As cities and districts, when for some time pressed with various difficulties, betook themselves to the patronage of the bishops, and threw themselves on their protection, these men have, by a strange artifice, out of patrons made themselves masters. That they have seized a good part by the violence of faction cannot be denied. The princes, again, who spontaneously conferred jurisdiction on bishops, were induced to it by various causes. Though their indulgence had some appearance of piety, they did not by this preposterous liberality consult in the best manner for the interests of the Church, whose ancient and true discipline they thus corrupted, nay, to tell the truth, completely abolished. Those bishops who abuse the goodness of princes to their own advantage, gave more than sufficient proof by this one specimen of their conduct, that they were not at all true bishops. Had they had one spark of the apostolic spirit, they would doubtless have answered in the words of Paul, "The weapons of our warfare are not carnal," but spiritual (2 Cor. 10:4). But hurried away by blind cupidity, they lost themselves, and posterity, and the Church.

11. At length the Roman Pontiff, not content with moderate districts, laid hands first on kingdoms, and thereafter on empire. And that he may on some pretext or other retain possession, secured by mere robbery, he boasts at one time that he holds it by divine right, at another, he pretends a donation from Constantine, at another, some different title. First, I answer with Bernard, "Be it that on some ground or other he can claim it, it is not by apostolic right. For Peter could not give what he had not, but what he had he gave to his successors—viz. care of the churches. But when our Lord and Master says that he was not appointed a judge between two, the servant and disciple ought not to think it unbecoming not to be judge of all" (Bernard. de Considerat. Lib. 2). Bernard is spearing of civil judgments, for he adds, "Your power then is in sins, not in rights of property, since for the former and not the latter you received the keys of the kingdom of heaven. Which of the two seems to you the higher dignity, the forgiving of sins or the dividing of lands? There is no comparison. These low earthly things have for their judges the kings and princes of the earth. Why do you invade the territories of others?" etc. Again, "You are made superior" (he is addressing Pope Eugenius), "for what? not to domineer, I presume. Let us therefore remember, however highly we think of ourselves, that a ministry is laid upon us, not a dominion given to us. Learn that you have need of a slender rod, not of a sceptre, to do the work of a prophet." Again, "It is plain that the apostles are prohibited to exercise dominion. Go you, therefore, and dare to usurp for yourself, either apostleship with dominion, or dominion

with apostleship." Immediately after he says, "The apostolic form is this; dominion is interdicted, ministry is enjoined." Though Bernard speaks thus, and so speaks as to make it manifest to all that he speaks truth, nay, though without a word the thing itself is manifest, the Roman Pontiff was not ashamed at the Council of Arles to decree that the supreme right of both swords belonged to him of divine right.

12. As far as pertains to the donation of Constantine, those who are moderately versant in the history of the time have no need of being told, that the claim is not only fabulous but also absurd. But to say nothing of history, Gregory alone is a fit and most complete witness to this effect. For wherever he speaks of the emperor he calls him His Most Serene Lord, and himself his unworthy servant.¹ Again, in another passage he says, "Let not our Lord in respect of worldly power be too soon offended with priests, but with excellent consideration, on account of him whose servants they are, let him while ruling them also pay them due reverence." We see how in a common subjection he desires to be accounted one of the people. For he there pleads not another's but his own cause. Again, "I trust in Almighty God that he will give long life to pious rulers, and place us under your hand according to his mercy." I have not adduced these things here from any intention thoroughly to discuss the question of Constantine's donation, but only to show my readers by the way, how childishly the Romanists tell lies when they attempt to claim an earthly empire for their Pontiff. The more vile the impudence of Augustine Steuchus, who, in so desperate a cause, presumed to lend his labour and his tongue to the Roman Pontiff. Valla, as was easy for a man of learning and acuteness to do, had completely refuted this fable. And yet, as he was little versant in ecclesiastical affairs, he had not said all that was relevant to the subject. Steuchus breaks in, and scatters his worthless quibbles, trying to bury the clear light. And certainly he pleads the cause of his master not less frigidly than some wit might, under pretence of defending the same view, support that of Valla. But the cause is a worthy one, which the Pope may well hire such patrons to defend; equally worthy are the hired ravers whom the hope of gain may deceive, as was the case with Eugubinus.

13. Should any one ask at what period this fictitious empire began to emerge, five hundred years have not yet elapsed since the Roman Pontiffs were under subjection to the emperors, and no pontiff was elected without the emperor's authority. An occasion of innovating on this order was given to Gregory VII. by Henry IV, a giddy and rash man, of no prudence, great audacity, and a dissolute life. When he had the whole bishoprics of Germany in his court partly for sale, and partly exposed to plunder, Hildebrand, who had been provoked by him, seized the plausible pretext for asserting his claim. As his cause seemed good and pious, it was viewed with great favour, while Henry, on account of the insolence of his government, was generally hated by the princes. At length Hildebrand, who took the name of Gregory VII., an impure and wicked man, betrayed his sinister intentions. On this he was deserted by many who had joined him in his conspiracy. He gained this much, however, that his successors were not only able to shake off the yoke with impunity, but also to bring the emperors into subjection to them. Moreover, many of the subsequent emperors were liker Henry than Julius Caesar. These it was not difficult to overcome while they sat at home sluggish and secure, instead of vigor-

¹ Gregor. *Epist.* Lib. 2 Ep. 5; Lib. 3 Ep. 20; Lib. 2 Ep. 61; Lib. 4 Ep. 31, 34.

ously exerting themselves, as was most necessary, by all legitimate means to repress the cupidity of the pontiffs. We see what colour there is for the grand donation of Constantine, by which the Pope pretends that the western empire was given to him.

14. Meanwhile the pontiff ceased not, either by fraud, or by perfidy, or by arms, to invade the dominions of others. Rome itself, which was then free, they, about a hundred and thirty years ago, reduced under their power. At length they obtained the dominion which they now possess, and to retain or increase which, now for two hundred years (they had begun before they usurped the dominion of the city) they have so troubled the Christian world that they have almost destroyed it. Formerly, when in the time of Gregory, the guardians of ecclesiastical property seized upon lands which they considered to belong to the Church, and, after the manner of the exchequer, affixed their seals in attestation of their claim, Gregory having assembled a council of bishops, and bitterly inveighed against that profane custom, asked whether they would not anathematise the churchman who, of his own accord, attempted to seize some possession by the inscription of a title, and in like manner, the bishop who should order it to be done, or not punish it when done without his order. All pronounced the anathema. If it is a crime deserving of anathema for a churchman to claim a property by the inscription of a title—then, now that for two hundred years, the pontiffs meditate nothing but war and bloodshed, the destruction of armies, the plunder of cities, the destruction or overthrow of nations, and the devastation of kingdoms, only that they may obtain possession of the property of others—what anathemas can sufficiently punish such conduct? Surely it is perfectly obvious that the very last thing they aim at is the glory of Christ. For were they spontaneously to resign every portion of secular power which they possess, no peril to the glory of God, no peril to sound doctrine, no peril to the safety of the Church ensues; but they are borne blind and headlong by a lust for power, thinking that nothing can be safe unless they rule, as the prophet says, “with force and with cruelty” (Ezek. 34:4).

15. To jurisdiction is annexed the immunity claimed by the Romish clergy. They deem it unworthy of them to answer before a civil judge in personal causes; and consider both the liberty and dignity of the Church to consist in exemption from ordinary tribunals and laws. But the ancient bishops, who otherwise were most resolute in asserting the rights of the Church, did not think it any injury to themselves and their order to act as subjects. Pious emperors also, as often as there was occasion, summoned clergy to their tribunals, and met with no opposition. For Constantine, in a letter to the Nicomedians, thus speaks:—“Should any of the bishops unadvisedly excite tumult, his audacity shall be restrained by the minister of God, that is, by my executive” (Theodoret. Lib. 1 c. 20). Valentinian says, “Good bishops throw no obloquy on the power of the emperor, but sincerely keep the commandments of God, the great King, and obey our laws” (Theodoret. Lib. 4 c. 8). This was unquestionably the view then entertained by all. Ecclesiastical causes, indeed, were brought before the episcopal court; as when a clergyman had offended, but not against the laws, he was only charged by the Canons; and instead of being cited before the civil court, had the bishop for his judge in that particular case. In like manner, when a question of faith was agitated, or one which properly pertained to the Church, cognisance was left to the Church. In this sense the words of Ambrose are to be understood:

“Your father, of august memory, not only replied verbally, but enacted by law, that, in a question of faith, the judge should be one who was neither unequal from office, nor incompetent from the nature of his jurisdiction” (Ambros. Ep. 32). Again, “If we attend to the Scriptures, or to ancient examples, who can deny that in a question of faith, a question of faith, I say, bishops are wont to judge Christian emperors, not emperors to judge bishops?” Again, “I would have come before your consistory, O emperor, would either the bishops or the people have allowed me to come: they say that a question of faith should be discussed in the Church before the people.” He maintains, indeed, that a spiritual cause, that is, one pertaining to religion, is not to be brought before the civil court, where worldly disputes are agitated. His firmness in this respect is justly praised by all. And yet, though he has a good cause, he goes so far as to say, that if it comes to force and violence, he will yield. “I will not desert the post committed to me, but, if forced, I will not resist: prayers and tears are our weapons” (Ambros. Hom. de Basilic. Traden.). Let us observe the singular moderation of this holy man, his combination of prudence, magnanimity, and boldness. Justina, the mother of the emperor, unable to bring him over to the Arian party, sought to drive him from the government of the Church. And this would have been the result had he, when summoned, gone to the palace to plead his cause. He maintains, therefore, that the emperor is not fit to decide such a controversy. This both the necessity of the times, and the very nature of the thing, demanded. He thought it were better for him to die than consent to transmit such an example to posterity; and yet if violence is offered, he thinks not of resisting. For he says, it is not the part of a bishop to defend the faith and rights of the Church by arms. But in all other causes he declares himself ready to do whatever the emperor commands. “If he asks tribute, we deny it not: the lands of the Church pay tribute. If he asks lands, he has the power of evicting them; none of us interposes.” Gregory speaks in the same manner. “I am not ignorant of the mind of my most serene lord: he is not wont to interfere in sacerdotal causes, lest he may in some degree burden himself with our sins.” He does not exclude the emperor generally from judging priests, but says that there are certain causes which he ought to leave to the ecclesiastical tribunal.

16. And hence all that these holy men sought by this exception was, to prevent irreligious princes from impeding the Church in the discharge of her duty, by their tyrannical caprice and violence. They did not disapprove when princes interposed their authority in ecclesiastical affairs, provided this was done to preserve, not to disturb, the order of the Church, to establish, not to destroy discipline. For, seeing the Church has not, and ought not to wish to have, the power of compulsion (I speak of civil coercion), it is the part of pious kings and princes to maintain religion by laws, edicts, and sentences. In this way, when the emperor Maurice had commanded certain bishops to receive their neighbouring colleagues, who had been expelled by the Barbarians, Gregory confirms the order, and exhorts them to obey.¹ He himself, when admonished by the same emperor to return to a good understanding with John, Bishop of Constantinople, endeavours to show that he is not to be blamed; but so far from boasting of immunity from the secular forum, rather promises to comply as far as conscience would permit: he at the same time says, that Maurice had acted as became a religious prince, in giving these commands to priests.

¹ Gregory, *Pope. Epist.* Lib. 1 Ep. 43; Lib. 4 Ep. 32, 34; Lib. 7 Ep. 39.