

XXVIII. THE POWER OF BISHOPS

¹ Many and various things have been written in former times about the power of bishops, and some have improperly confused **the power of bishops** with **the temporal sword**. ² Out of this careless confusion many serious wars, tumults, and uprisings have resulted because the bishops, under pretext of the power given them by Christ, have not only introduced **new forms of worship** and burdened consciences with **reserved cases** and **violent use of the ban**, but have also presumed to **set up and depose kings and emperors** according to their pleasure. ³ Such outrage has long since been condemned by learned and devout people in Christendom. ⁴ On this account our teachers have been compelled, for the sake of comforting consciences, to point out the difference between **spiritual** and **temporal power, sword, and authority**, and they have taught that because of God's command **both authorities and powers are to be honored and esteemed with all reverence as the two highest gifts of God on earth**.

Power of Bishops/Keys,
The Power of the Church

Spiritual

-By means of preaching the Gospel/the Word and by administering and distributing the sacraments
-protect the soul, and give salvation to all who have faith

⁵ Our teachers assert that according to the Gospel **the power of keys** or **the power of bishops is a power and command of God to preach the Gospel, to forgive and retain sins, and to administer and distribute the sacraments**. ⁶ For Christ sent out the apostles with this command, "As the Father has sent me, even so I send you. Receive the Holy Spirit. If you forgive the sins of any, they are

Temporal power/
authority: Government

Temporal

-By means of the sword and physical penalties
-protect the body and goods

forgiven; if you retain the sins of any, they are retained" (**John 20:21-23**).

⁸ This power of keys or of bishops is used and exercised **only by teaching and preaching the Word of God and by administering the sacraments** (to many persons or to individuals, depending on one's calling). In this way are imparted no bodily but eternal things and gifts, namely, eternal righteousness, the Holy Spirit, and eternal life. ⁹ These gifts cannot be obtained **except through the office of preaching and of administering the holy sacraments**, for St. Paul says, "**The gospel is the power of God for salvation to everyone who has faith**." ¹⁰ Inasmuch as **the power of the church or of bishops** bestows eternal gifts and is used and exercised only through **the office of preaching**, it does not interfere at all with **government or temporal authority**. ¹¹ Temporal authority is concerned with matters altogether different from the Gospel. **Temporal power does not protect the soul, but with the sword and physical penalties it protects body and goods from the power of others.**

¹² Therefore, the two authorities, the spiritual and the temporal, are **not to be mingled or confused**, for the spiritual power has its commission to preach the Gospel and administer the sacraments. ¹³ Hence it should **not invade the function of the other**, should not set up and depose kings, should not annul temporal laws or undermine obedience to government, should not make or prescribe to the temporal power laws concerning worldly matters. ¹⁴ Christ himself said, "My kingship is not of this world," and again, ¹⁵ "Who made me a judge or divider over you?" ¹⁶ Paul also wrote in Phil. 3:20, "Our commonwealth is in heaven," ¹⁷ and in 2 Cor. 10:4, 5, "The weapons of our warfare are not worldly but have divine power to destroy strongholds and every proud obstacle to the knowledge of God."

¹⁸ Thus our teachers **distinguish the two authorities and the functions of the two powers**, directing that both be held in honor as the highest gifts of God on earth.

¹⁹ In cases where bishops possess temporal authority and the sword, they possess it not as bishops **by divine right**, but **by human, imperial right**, bestowed by Roman emperors and kings for the temporal administration of their lands. Such authority has nothing at all to do with **the office of the Gospel**.

²¹ **According to divine right**, therefore, it is the office of the bishop **to preach the Gospel, forgive sins, judge doctrine and condemn doctrine that is contrary to the Gospel, and exclude from the Christian community the ungodly whose wicked conduct is manifest**. All this is to be done **not by human power** but **by God's Word alone**. ²² On this account **parish ministers and churches** are bound to be obedient to the bishops according to the saying of Christ in Luke 10:16, "He who hears you hears me."

By divine right, Pastors

--Preach the Gospel
--forgive sins
--judge/condemn doctrine
--excommunicate

By human right, Pastors

--other human powers:
marriage, purse, justice,
etc.

²³ On the other hand, **if they teach, introduce, or institute anything contrary to the Gospel, we have God's command not to be obedient in such cases**, for Christ says in Matt. 7:15, "Beware of false prophets." ²⁴ St. Paul also writes in Gal. 1:8, "Even if we, or an angel from heaven, should preach to you a gospel contrary to that which we preached to you, let him be accursed," ²⁵ and in 2 Cor. 13:8, "We cannot do anything against the truth, but only for the truth." ²⁶ Again Paul refers to "the authority which the Lord has given me for building up and not for tearing down." ²⁷ Canon law requires the same in Part II, Question 7, in the chapters "Sacerdotes" and "Oves."⁶

²⁸ St. Augustine also writes in his reply to the letters of Petilian that one should not obey even regularly elected bishops **if they err or if they teach or command something contrary to the divine Holy Scriptures**.

²⁹ Whatever other power and jurisdiction bishops may have in various matters (for example, **in matrimonial cases and in tithes**), **they have these by virtue of human right**. However, when bishops are negligent in the performance of such duties, the princes are obliged, whether they like to or not, to administer justice to their subjects for the sake of peace and to prevent discord and great disorder in their lands.

If pastors say/act contrary to the Gospel/Word

We have God's command
NOT to be obedient.

What about ceremonies and regulations?

³⁰ Besides, there is dispute as to **whether bishops have the power to introduce ceremonies in the church or establish regulations concerning foods, holy days, and the different orders of the clergy**. ³¹ Those who attribute such power to bishops cite Christ's saying in John 16:12, 13, "I have yet many things to say to you, but you cannot bear them now. When the Spirit of truth comes, he will guide you into all the truth." ³² They also cite the example in Acts 15:20, 29, where the eating of blood and what is strangled was forbidden. ³³ Besides, they appeal to the fact that the Sabbath was changed to Sunday — contrary, as they say, to the Ten Commandments. No case is appealed to and urged so insistently as the change of the Sabbath, for thereby they wish to maintain that the power of the church is indeed great because **the church has dispensed from and altered part of the Ten Commandments**.

Pastors may not...

Introduce ceremonies and make regulations that are
-contrary to the Gospel, as when they attach sin to it
-grace is earned
-propitiate God's wrath
-necessary for salvation

³⁴ Concerning this question our teachers assert that bishops **do not have power to institute or establish anything contrary to the Gospel**, as has been indicated above and as is taught by canon law throughout the whole of the ninth Distinction. ³⁵ It is patently contrary to God's command and Word **to make laws out of opinions or to require that they be observed in order to make satisfaction for sins and obtain grace**, ³⁶ for the glory of Christ's merit is blasphemed when we presume to earn grace by such ordinances. ³⁷ It is also apparent that because of this notion **human ordinances have multiplied beyond calculation while**

teaching concerning faith and righteousness of faith has almost been suppressed. Almost every day new holy days and new fasts have been prescribed, new ceremonies and new veneration of saints have been instituted in order that by such works grace and everything good might be earned from God.

³⁹ Again, **those who institute human ordinances also act contrary to God's command when they attach sin to foods, days, and similar things** and burden Christendom with the bondage of the law, as if in order to earn God's grace there had to be a service of God among Christians like the Levitical service, and as if God had commanded the apostles and bishops to institute it, as some have written. ⁴⁰ It is quite believable that some bishops were misled by the example of the law of Moses. ⁴¹ **The result was that countless regulations came into being — for example, that it is a mortal sin to do manual work on holy days (even when it does not give offense to others), that it is a mortal sin to omit the seven hours, that some foods defile the conscience, that fasting is a work by which God is reconciled, that in a reserved case sin is not forgiven unless forgiveness is secured from the person for whom the case is reserved, in spite of the fact that canon law says nothing of the reservation of guilt but speaks only about the reservation of ecclesiastical penalties.**

⁴² Where did the bishops get the right and power to impose such requirements on Christendom **to ensnare men's consciences**? In Acts 15:10 St. Peter forbids putting a yoke on the neck of the disciples. And St. Paul said in 2 Cor. 10:8 that authority was given for building up and not for tearing down. Why, then, do they multiply sins with such requirements?

⁴³ Yet there are clear passages of divine Scripture which **forbid the establishment of such regulations for the purpose of earning God's grace or as if they were necessary for salvation.** ⁴⁴ Thus St. Paul says in Col. 2:16, "Let no one pass judgment on you in questions of food and drink or with regard to a festival or a new moon or a sabbath. These are only a shadow of what is to come; but the substance belongs to Christ." ⁴⁵ Again in Col. 2:20-23, "If with Christ you died to the regulations of the world, why do you live as if you still belonged to the world? Why do you submit to regulations, 'Do not handle, Do not taste, Do not touch' (referring to things which all perish as they are used), according to human precepts and doctrines? These have an appearance of wisdom." ⁴⁶ In Tit. 1:14 St. Paul also forbids giving heed to Jewish myths or to commands of men who reject the truth.

⁴⁷ Christ himself says concerning those who urge **human ordinances** on people, "Let them alone; they are blind guides" (Matt. 15:14). ⁴⁸ He rejects such service of God and says, "Every plant which my heavenly Father has not planted will be rooted up" (Matt. 15:13).

⁴⁹ If, then, bishops have the power to burden the churches with countless requirements and thus ensnare consciences, why does the divine Scripture so frequently forbid the making and

keeping of human regulations? Why does it call them doctrines of the devil? Is it possible that the Holy Spirit warned against them for nothing?

⁵⁰ Inasmuch as such regulations as have been instituted as necessary **to propitiate God and merit grace are contrary to the Gospel**, it is not at all proper for the bishops to require such services of God. ⁵¹ **It is necessary to preserve the teaching of Christian liberty in Christendom, namely, that bondage to the law is not necessary for justification,** ⁵² as St. Paul writes in Gal. 5:1, “For freedom Christ has set us free; stand fast, therefore, and do not submit again to a yoke of slavery.” For the chief article of the Gospel must be maintained, namely, that we obtain the grace of God through faith in Christ without our merits; we do not merit it by services of God instituted by men.

⁵³ What are we to say, then, about Sunday and other similar church ordinances and ceremonies? To this our teachers reply that **bishops or pastors may make regulations so that everything in the churches is done in good order**, but not as a means of obtaining God’s grace or making satisfaction for sins, nor in order to bind men’s consciences by considering these things necessary services of God and counting it a sin to omit their observance even when this is done without offense. ⁵⁴ So St. Paul directed in 1 Cor. 11:5 that women should cover their heads in the assembly. He also directed that in the assembly preachers should not all speak at once, but one after another, in order.

Pastors may...

Make regulations so that
-there is good order

The people are to be obedient “for the sake of love and peace” and not give offense to others by disorder or unbecoming action.

⁵⁵ It is proper for the Christian assembly to keep such ordinances **for the sake of love and peace, to be obedient to the bishops and parish ministers in such matters, and to observe the regulations in such a way that one does not give offense to another and so that there may be no disorder or unbecoming conduct in the church.** ⁵⁶ However, consciences should not be burdened by contending that such things are necessary for salvation or that it is a sin to omit them, even when no offense is given to others, just as no one would say that a woman commits a sin if without offense to others she goes out with uncovered head.

⁵⁷ Of like character is **the observance of Sunday, Easter, Pentecost, and similar holy days and usages.** ⁵⁸ Those who consider the appointment of Sunday in place of the Sabbath as a necessary institution are very much mistaken, ⁵⁹ for the Holy Scriptures have abrogated the Sabbath and teach that after the revelation of the Gospel all ceremonies of the old law may be omitted. ⁶⁰ Nevertheless, because it was necessary to appoint a certain day **so that the people might know when they ought to assemble**, the Christian church appointed Sunday for this purpose, and it was the more inclined and pleased to do this in order that **the people might have an example of Christian liberty and might know that the keeping neither of the Sabbath nor of any other day is necessary.**

⁶¹ There are many faulty discussions of the transformation of the law, of the ceremonies of the New Testament, and of the change of the Sabbath, all of which have arisen from the false and erroneous opinion that in Christendom one must have services of God like the Levitical or Jewish services and that Christ commanded the apostles and bishops to devise new ceremonies which would be necessary for salvation. ⁶² **Such errors were introduced into Christendom when the righteousness of faith was no longer taught and preached with clarity and purity.**

⁶³ Some argue that although Sunday must not be kept as of divine obligation, it must nevertheless

be kept as almost of divine obligation, and they prescribe the kind and amount of work that may be done on the day of rest. ⁶⁴ What are such discussions but snares of conscience? For although they undertake to lighten and mitigate human regulations, yet there can be no moderation or mitigation as long as the opinion remains and prevails that their observance is necessary. And this opinion will remain **as long as there is no understanding of the righteousness of faith and Christian liberty.**

⁶⁵ The apostles directed that one should abstain from blood and from what is strangled. Who observes this prohibition now? Those who do not observe it commit no sin, for the apostles did not wish to burden consciences with such bondage but forbade such eating for a time to avoid offense. ⁶⁶ One must pay attention to **the chief article of Christian doctrine**, and this is not abrogated by the decree.

⁶⁷ Scarcely any of the ancient canons are observed according to the letter, and many of the regulations fall into disuse from day to day even among those who observe such ordinance most jealously. ⁶⁸ It is impossible to give counsel or help to consciences unless this mitigation is practiced, that one recognizes that such rules are not to be deemed necessary and that disregard of them does not injure consciences.

⁶⁹ The bishops might easily retain the obedience of men **if they did not insist on the observance of regulations which cannot be kept without sin.** ⁷⁰

Now, however, they administer the sacrament in one kind and prohibit administration in both kinds. Again, they forbid clergymen to marry and admit no one to the ministry unless he first swears an oath that he will not preach this doctrine, although there is no doubt that it is in accord with the holy Gospel.

⁷¹ Our churches do not ask that the bishops should restore peace and unity at the expense of their honor and dignity (though it is incumbent on the bishops to do this, too, in the case of need), ⁷² but they ask only that the bishops **relax certain unreasonable burdens** which did not exist in the church in former times and which were introduced contrary to the custom of the universal Christian church. ⁷³ Perhaps there was some reason for introducing them, but they are not adapted to our times. ⁷⁴ Nor can it be denied that some regulations were adopted from want of understanding. Accordingly the bishops ought to be so gracious as to temper these regulations inasmuch as such changes do not destroy the unity of Christian churches. For many regulations devised by men have with the passing of time fallen into disuse and are not obligatory, as papal law itself testifies. ⁷⁵ **If, however, this is impossible and they cannot be persuaded to mitigate or abrogate human regulations which are not to be observed without sin, we are bound to follow the apostolic rule which commands us to obey God rather than men.**

⁷⁶ St. Peter forbids the bishops to exercise lordship as if they had power **to coerce the churches according to their will.** ⁷⁷ It is not our intention to find ways of reducing the bishops' power, but we desire and pray that they may not coerce our consciences to sin. ⁷⁸ If they are unwilling to do this and ignore our petition, let them consider how they will answer for it in God's sight, inasmuch as by their obstinacy they offer occasion for division and schism, which they should in truth help to prevent.

Bishops Could Retain Honor

Pay attention to the chief article of Christian doctrine.

Regulations requiring sin = Abolish

Unreasonable burdens = relax

[CONCLUSION]

¹ These are **the chief articles** that are regarded as controversial. Although we could have mentioned many more abuses and wrongs, to avoid prolixity and undue length we have indicated only the principal ones. The others can readily be weighed in the light of these. ² In the past there have been grave complaints about **indulgences, pilgrimages, and misuse of the ban**. Parish ministers also had endless quarrels with monks about **the hearing of confessions, about burials, about sermons on special occasions, and about countless other matters**. ³ All these things we have discreetly passed over for the common good in order that the chief points at issue may better be perceived.

⁴ It must not be thought that anything has been said or introduced out of hatred or for the purpose of injuring anybody, ⁵ but we have related only matters which we have considered it necessary to adduce and mention in order that it may be made very clear that **we have introduced nothing, either in doctrine or in ceremonies, that is contrary to Holy Scripture or the universal Christian church**. For it is manifest and evident (to speak without boasting) that we have diligently and with God's help prevented any new and godless teaching from creeping into our churches and gaining the upper hand in them.

⁶ In keeping with the summons, we have desired to present the above articles as **a declaration of our confession and the teaching of our preachers**. ⁷ If anyone should consider that it is lacking in some respect, we are ready to present further information on the basis of the divine Holy Scripture.

Your Imperial Majesty's most obedient servants{*names of rulers*}