KÁROLI GÁSPÁR UNIVERSITY OF THE REFORMED CHURCH

FACULTY OF THEOLOGY

GÁBOR J. LÁNYI:

DEBATE ON THE CHURCH DISCIPLINE BETWEEN THE BERNESE MAGISTRATE AND THE CALVINIST PASTORS OF VAUD

(WITH SPECIAL EMPHASIS ON THE POLITICAL AND CHURCH HISTORICAL PRESENTATION OF VAUD AND ON THE EXAMINATION OF RELATED DOCUMENTS OF THE DEBATE, NAMELY THE *BERNER SYNODUS* OF 1532 AND THE *DE MAGISTRATIBUS* OF 1560)

DOCTORAL THESIS SUMMARY

CONSULTANTS:

DR. ERZSÉBET HORVÁTH

DR. SÁNDOR LADÁNYI

BUDAPEST

2011

On the 30th of December 1558 the Bernese Magistrate dismissed Pierre Viret, the first pastor of the Lausanne Church and banished him from Bernese territory. Viret's banishment from his motherland was the final act of a longstanding controversy between the Bernese Magistrate and the Calvinist pastors of Vaud on the right of church discipline.

The scene of the controversy was the Pays de Vaud - the French-speaking territory north of the Lac Léman, which belonged to the Bernese protestant administration but which consisted primarily of French refugee pastors allegiant to Calvin and his ideas. The Calvinists of Vaud questioned the civil magistrate's right to interfere into church affairs especially into the practice of church discipline, such as exclusion from the Lord's Supper and excommunication from the congregation. According to the Zwinglian establishment of Berne the right for exclusion and excommunication belonged to the civil magistrates. In the Calvinists' view the appropriate administrator of the exclusion and excommunication was the Genevian-type consistory, consisting of both clerical and civilian elected members. Viret and his colleagues tried to introduce the Genevian-like consistories in the reformed congregations of Vaud, but their attempt failed by the stern policy of Berne, who guarded her rights over all church affairs austerely.

Modern scholars ascribes great significance to the events in the Pays de Vaud.[1] Banished from Bernese territorry most of the Calvinist pastors of Vaud were sent to reinforce the French underground evangelical movement. Modern studies notice that the Calvinists' failure in the Pays de Vaud turned Calvin's attention to France by which the Calvinism became a world phenomenon.

---

[1] Heiko OBERMAN, *The Impact of the Reformation*, Grand Rapids, William B. Eerdmans, 1994; UO., *Calvin and Farel, The Dynamics of Legitimation*, Journal of Early Modern History, 2(1998), 32-60.; Heiko OBERMAN, *Europa Afflicta: The Reformation of the Refugees*, Archiv für Reformationsgeschichte, 83(1992), 91-110.; Michael W. BRUENING, *Calvinism's First Battleground*, Dordrecht, Springer, 2005

On the other hand, from this struggle emerged a theological justification for the state's supremacy over church affairs, namely by Wolfgang Musculus' *De Magistratibus*.[2] Interestingly, this justification played a more important role in later times than in the actual controversy: Thomas Erastus, the builder of the territorial state church of the Palatinate, John Withgift, the archbishop of Canterbury and the protector of Tudor-Absolutism against the Puritans, and the Dutch Remonstrants all were influenced by the teaching of Musculus.[3]

It still remains question whether this debate catalyzed the forming of Calvin's ideas of the church and state relationship in the 1559 Institution, from which a wide array of religious independence movements, such as of the French Huguenots, the Dutch Geuzen, the Hungarian hajdúk, and the English and American Puritans, later took ideological nourishment.

The present doctoral thesis analyses the background of the Pays de Vaud controversy and attempts to list the details which led to Viret's banishment and to the highpoint of the debate in 1558.

Firstly, the political background of the debate must be discussed. Consideration of the political background of Pays de Vaud is crucial to a full understanding of the church crisis which was fueled by the political uncertainty of this territory. In 1536 Berne aggressively conquered Pays de Vaud from the catholic Savoy, but her rule was not secure. For almost thirty years, from the 1536 Bernese conquest to the Treaty of Lausanne in 1564 the Duchy of Savoy laid claim to the Pays de Vaud, which was permanently threatened by the return of her old catholic lords. The vision of the catholic restoration hindered the rural communities to vote for the abolishment of the mass and embrace reformation, while it filled with hope those Catholics who appeared to accept the church reforms but secretly still practiced the catholic rites. Additionally, the Bernese Magistrate showed tolerance for the local catholic priests in order to bring them over to the evangelical side. The former catholic priests could remain near their parishes, receiving their benefices from the protestant Berne, but in spite of their promise they still practiced the catholic rites clandestinely, hindering the spread of the reformation. Moreover, the moral of Catholicism in the Pays de Vaud was not so low as it was usual in Europe on the eve of the reformation; the

---

[2] Wolfgang MUSCULUS, *Loci communes in usus sacrae theologiae candidatorum parati*, Bázel, Johannes Herwagen, 1560, 702-827.

[3] Ruth WIESEL-ROTH, *Thomas Erastus - Ein Beitrag zur Geschichte der reformierten Kirche und zur Lehre von der Staatssouverenität*, Baden: Lahr, 1954; Helmut KRESSNER, *Schweizer Ursprünge des anglikanischen Staatskirchentums*, Gütersloh, C. Bertelsmann, 1953 (Schriften der Reformationsgeschichte, 170)

people of Vaud were mostly satisfied with their catholic clergy and only a negligible minority felt the need of the church reform.

In consequence of the political uncertainty and the still practicing catholic clergy by the mid-1530s the failure of the Pays de Vaud reformation became apparent. The reformation decrees issued by the Bernese Magistrate were futile attempts to change the minds of the ordinary people, and the hope that the reformation will succeed by the establishment of the free preaching of God's Word in the parishes became false.

Considering the failure of the magisterial reformation in the Pays de Vaud the local Calvinist pastors saw the key to the breakthrough of the Vaudois reformation in the stern and thorough church discipline. In their view the proper church discipline's indispensable device was the institution of the Genevian-like consistories. Attempting to institute the mixed, civil and clerical consistories, they inevitably interfered into the Bernese Magistrate's unalienable rights.

Secondly, the present thesis analyses the Constitution of the Bernese Church, named *Berner Synodus* of 1532.[4] The primary goal of the *Berner Synodus* is to give a church ordinance to the Bernese reformed church, but this document is more like a confession of faith than a church ordinance. It mostly regulates the church's teaching and not its costums, and where it touches the costums its regulation is very inaccurate and ambiguous, especially in the case of church discipline. Sometimes the Berner Synodus even delegates the regulation of church matters into the hands of the "zealous and conscious" pastors, by which Viret and his Vaudois colleagues would have felt themselves licensed to take care of the church discipline. Alongside the permanent reformation crisis in the Vaud, the inaccurate, lax and ambiguous drafting of the Bernese church constitution also fueled Viret's determination to institute the Genevian-type consistories in the Pays de Vaud.

Thirdly, the personal background of the debate is discussed. However Calvin took his position in Geneva in 1536 and in 1538 by Bernese affirmation, by the mid-1550s he became literally a heretic in the eyes of the Bernese Magistrate, which in 1555 even ordered the burning of Calvin's works. Series of affairs (the Caroli-, Zébédée-, Servet-, Bolsec-affairs) led to

---

[4] *Der Berner Synodus von 1532: Edition und Abhandlungen zum Jubiläumsjahr 1982,* kiad. Gottfried Wilhelm LOCHER, Neukirchen, Neukirchener Verlag, 1982

Calvin's bad reputation, which also shadowed the reputation of his Lausanne confidant, Pierre Viret. Ten years before Viret's final banishment from the Pays de Vaud, in 1548 Bern's leading pastor Johannes Haller defined the Bernese opinion on Viret: "I know that Viret does not have place among us."[5] Calvin's bad reputation in Bern automatically led to serial rejections of Viret's suggestions and made his banishment only the matter of time.

Fourthly, the debate's aftermath and its supposed theological reaction, the *De Magistratibus* chapter of Wolfgang Musculus' *Loci Communes* must be discussed.

On the one hand, the origins of the *De Magistratibus* is analyzed. Until the mid-20th century it was commonly held that the *De Magistratibus* is the product of the Pays de Vaud debate as the official theological reaction of the Bernese Magistrate. According to Helmut Kressner, in the struggle "des zwinglianischen Staatskirchentums mit der calvinischen Theokratie"[6] the Bernese needed theological affirmation to vindicate their claims for involvement into internal church affairs, especially in the execution of church discipline and the appointment of pastors. This vindicatory task was fulfilled by Musculus, who drafted one of the best and most thorough summary of the Zwinglian *Staatskirchentheorie*.

Modern studies notice that the *De Magistratibus* cannot be the exclusive product of the Pays de Vaud debate, because some of its elements and arguments were already finished during Musculus' pastorate in Augsburg in the 1530s. James Thomas Ford's studies point to the fact, that many of Musculus' arguments that appear in the *Loci Communes* have already been used in other tracts of his Augsburg time by which Musculus exhorted the Augsburg City Council to establish the Reformation in the city in the 1530s.[7] Johanna Will-Armstrong by Musculus' commentaries on the Holy Scripture also affirms that the argumentation of the *De Magistratibus*'s could not have been formed by the Pays de Vaud debate, because they had been

---

[5] "scio nullum Vireto futurum amplius apud nos locum." KÁLVIN János, *Opera quae supersunt omnia = Calvini Opera 1-59, Corpus reformatorum 29-88*, ed. Guilielmus BAUM, Eduardus CUNITZ, Eduardus REUSS, Brunswick-Berlin, 1863-1900, 13:478, 480 (No. 1320), Haller to Bullinger, Bern, 30. November 1549.

[6] KRESSNER, *Schweizer Ursprünge*, 53.

[7] James Thomas FORD, *Wolfgang Musculus on the Office of the Christian Magistrate*, Archiv für Reformationsgeschichte, 91(2000), Gütersloh, Gütersloher Verlag, 2000

already founded in Musculus' Matthew- and Corinth-commentaries written in his Augsburg time.[8]

On the other hand the *De Magistratibus* itself should be analyzed, especially its teaching on the church discipline. Musculus' main goal is to vindicate the secular magistrate power over the church and all of its issues. As Musculus did not hold the New Testament record of the Apostles' attitude toward the secular government prescriptive but merely descriptive, he turned to the Hebrew monarchy of the Old Testament in order to provide Scriptural support for his opinion. He lists Old Testament leaders and kings, who exercised authority over church matters, such as over the appointment of religious office-bearers, the punishment of religious evildoers, the administration of the cult's property, and even religious renewal. Interestingly, for Musculus the practice of the apostolic church did not provide the exemplar for Christian government, because the magistrate was not Christian at that time. Had they been Christians the leaders of the early Church would have appealed to it in church matters as they really did after the secular government became Christian by Constantine. The Constantinian Era also gives resources to Musculus to demonstrate the appeal to the recently converted secular authority in church matters as an early church practice. According to Musculus, something similar happened recently, when the magistrates recognized the abnormity of the Roman Church and took into their own hands the *cura religionis*, as the caretakers of the religion. Having the *cura religionis*, the Christian Magistrate has power over all church matters, over the church discipline as well, especially over the excommunication.

Musculus' *De Magistratibus* is not a direct answer to the Calvinists of Vaud and it was not formed by this debate. It is only the newly summarized form of the original Zwinglian teaching on the superior power of the Christian magistrate, which teaching originally aimed at magistrates that wanted to institute the church reforms in their cities. Most of Musculus' argument had been already made when he tried to provide the *ius reformandi* for the Augsburg City Council.

As a summary, this thesis discusses the events which led to Pierre Viret's banishment from Lausanne in 1558. Firstly, its political background, especially the longstanding political

---

[8] Johanna WILL-ARMSTRONG, *Musculus' Ausenandersetzung mit der Beegründung der Kirchenzucht = Wolfgang Musculus (1497-1563) und die oberdeutsche Reformation*, Hrsg. Rudolf DELLSPERGER, Rudolf FREUDENBERGER, Wolfgang WEBER, Berlin, Akademie Verlag, 1997

uncertainty of the Pays de Vaud, which resulted in the defects of the Vaudois reformation and led to Viret's and his colleagues' attempt to take the right for the church discipline, especially the right for excommunication into their own hands. Secondly, the Bernese opinion is showed, manifested in the *Berner Synodus* of 1532, of which lax and ambiguous drafts on church discipline and practical church matters also may have caused Viret's actions. Thirdly, the personal background of the debate is analyzed, especially the question how Calvin's decaying reputation in Bern affected the rejection of Viret's suggestions and finally resulted in his banishment. Fourthly, the debate's alleged Bernese reaction, the *De Magistratibus* is discussed, about which it is revealed that it cannot be formed by the Pays de Vaud debate, because most of his arguments was already completed during Musculus' stay in Augsburg. Consequently, the *De Magistratibus* was not written against Calvin or his Vaudois adherents, its primary goal was to vindicate the city councils' right to have the *cura religionis*, to take over the power over their local churches.