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THE 1538 STATE PAPER, 'DE ORDINE ET MINISTERIO SACERDOTUM ET EPISCOPORUM': AN EXPLORATION OF ITS SIGNIFICANCE FOR REFORMATION ANGLICANISM'S UNDERSTANDING OF EPISCOPACY.

Maurice Elliott

This article demonstrates Cranmer's commitment to a godly and sound episcopate by making a decisive break from the Roman mediaeval system he had inherited. Amongst the complexities of reformation politics, this is what Church of England bishops were meant to be.

Introduction

The continuing importance of episcopacy after the Reformation is one of the features that sets England apart from Continental Protestantism. It could be argued that the Anglican Church's principal distinguishing feature was its hierarchy operating under the Crown as head of Church and State.¹

With the emergence of the Puritan movement during the later English Elizabethan period the role of bishops became a source of contention. Whereas more exaggerated forms of Calvinist and Anabaptist thinking were seeking to leave behind an inherited model of episcopal oversight, Anglican apologists such as Parker, Andrewes, Whitgift, Bilson, Saravia and Hooker argued passionately for its continuance. In the earlier part of the century there was no such debate, and during the reign of Henry VIII, even in the face of numerous diminutions to its customary status, the episcopate was made secure. In fact, there was tacit acceptance of the need for bishops to the extent that in 1539 Thomas Cromwell made provision for the creation of five new diocesan sees.² The dissolution of the monasteries had demonstrated in draconian manner that orders of monks were expendable within the Henrician *ecclesia*. Not so with the rank of bishop. The status of the episcopate may have been lessened politically, ecclesiastically and economically, but there was not, it would appear, any serious thought of removing it altogether.

The deeper issue concerns a more precise appreciation of how episcopacy was understood within the English settlement and it is here that aspects of the thinking of Thomas Cranmer can offer insight.

¹ Felicity Heal, 'Henry VIII and the Wealth of the English Episcopate', *Archiv für Reformationsgeschichte* 66 (1975), p. 275.

² M. David Knowles, 'The English Bishops, 1070 - 1532' in John A. Watt et al. (eds.), *Medieval Studies Presented to Aubrey Gwynn, S.J.* (Dublin: Colm O Lochlainn, 1961), p. 284.

Cranmer's primary legacy is rightly seen in his liturgical genius and the majority of the reformation debates centred on core doctrinal matters such as justification and salvation. That said, issues of ecclesiology and episcopacy were more than tangential. Cranmer's mature understanding envisaged an episcopate functioning not as a separate order of ministry but as an extension of the presbyterate and under the dual authority of Scripture and the Crown. His pronouncements about episcopacy presuppose such an 'Erasto-hieronymian' framework, and this paper will seek to test this thesis against the evidence of one significant State Paper from 1538, *De Ordine et Ministerio Sacerdotum et Episcoporum*.³

'Concerning the order and ministry of priests and bishops'

The title of this document is significant for sifting a Cranmerian perspective on the matter of ordained ministry *per se*. Referencing both bishops and priests, the text adopts the singular form of the noun, *De Ordine*. Even in the late 1530s it would appear that Cranmer was adhering to a hieronymian understanding of the episcopate. The order of priest and the order of bishop were essentially one, and hence the nature of a bishop's superiority was that of *primus inter pares*. An appreciation of this conflation of the two offices is critical for understanding the *De Ordine* as a whole, the inference being that as the text describes a role for episcopus, it has in mind all those to whom the charge of oversight is committed, whether parochially, within a diocesan context or indeed on an even wider basis than that.

Of similar import is that by 1538 Cranmer had already rejected both ordination and confirmation, along with marriage and extreme unction, as sacraments. In a speech to the Convocation of Canterbury in 1536 he asserted:

Orders...cannot be proved to be institute of Christ, nor have any word in them to certify us of remission of sins...[and should not] be compared with baptism and the supper of the Lord.⁴

It would appear that Cranmer's purpose was to delete any lingering traces of mysticism from *ecclesia Anglicana's* foundation for ordained ministry. Those set apart for the sacred ministry of the church were called to be pastors and teachers who rightly administered the sacraments and not those who in some quasi-sacerdotal sense would act as intermediaries

³ John Edmund Cox (ed.), *Volume II, Writings and Disputations of Thomas Cranmer* (Cambridge: Parker Society, 1846), pp. 484-489, (hereafter P.S. II). The document formed part of the ongoing discussion towards the publication of the King's Book.

⁴ P.S. II, p. 79.

between God and humanity. The thrust of the *De Ordine* is consistent with this. Granted that the title speaks of priestly ministry in the sense of *sacerdos*, the intermediary priest of the Old Covenant, and the text itself later cites Cyprian who was largely responsible for such thinking about a sacrificial priesthood in the first place. For the remainder, however, *sacerdos* is consistently replaced with *presbyteros*. In terms of his mature understanding of the sacraments, Cranmer of the late 1530s was progressing further along the road of a lengthy transition. It was not until much later in 1547 that he would finally limit his understanding of the dominical sacraments to exclude that of penance, and it was in 1546 that Nicholas Ridley finally persuaded him of the need for Lord's Supper as a memorial. Nevertheless, the *De Ordine* cannot be construed as anything other than another milestone in his own theological development.

The *De Ordine* asserts that 'the order and ministry of bishops and priests was not instituted by human authority but by divine authority',⁵ an appeal to Scripture that is undergirded by the claim that Christ himself appointed delegates to be 'dispensers of the mysteries of God'.⁶ Since it had been granted to the apostles to have the power to minister the word of God, to consecrate the sacrament of the altar, to bind and excommunicate, it followed that this same authority had been duly handed on to their successors in the church.

Christ himself gave to his apostles this office and function of ministering the word of God and the sacraments, and of doing the other things which we have already mentioned, and he handed on this same [ministry] both in them and through them, not by any means indiscriminately and to all men, but to some men, and certainly to the bishops and presbyters who are initiated and admitted into that particular office.⁷

On the one hand Cranmer intended to deny a false distinction between bishops and presbyters, but with that he was robustly committed to the original office of the presbyter-bishop. The need for oversight within the *ecclesia* was an evangelical imperative, for in fact the entire basis of human salvation depended upon such divine provision.

...this office and function (which we are discussing) has attached to it very definite promises of greatly exceptional things. For by this administration of the word and sacraments the Holy Spirit is conferred and the very fullest gifts of the same Spirit are imparted to as many as believe, and thus both justification and eternal life are given to us.⁸

⁵ P.S. II, p. 484.

⁶ P.S. II, p. 484.

⁷ P.S. II, p. 485.

⁸ P.S. II, p. 485.

At face value Cranmer appears to uphold the traditional sense of an apostolic foundation for the episcopate, and many indeed have read him in these terms. Nevertheless it must be re-emphasised that he speaks here not of bishops alone, but of bishops and presbyters together as being God's provision. Put simply, it is the ordained ministry as a whole, and not only that of the episcopate, which was to be held and exercised 'perpetually' within the church.

The nature of genuine episcopal authority

The emphasis of the *De Ordine* is twofold. First, it represented a sustained attack against the false claim of the papacy to universal dominion within the Catholic Church. In 1538 England was in the aftermath of her schism from Rome, the primary motivation for which had been an outright rejection of papal authority. By means of a document such as this Henry's establishment was seeking to bolster its newfound independence. The archbishop and others responsible adduced a plethora of arguments undermining the papacy's pretension to absolute dominion. According to the divine law of Scripture there was no place for such a primacy, and further, the ancient councils of the Catholic Church had openly decreed against it:

Therefore, from all of this, which thus far has been said, it is clearly evident that the bishops of Rome have demanded and claimed for themselves this false universal primacy, not only in contradiction of all the authority of scripture and of every agreement of the catholic church, but also by going against all the determinations and decrees of the general councils.⁹

The break from Rome was nothing if not a statement of discontinuity. The English *ecclesia* of the late 1530s was intent on leaving behind the many excesses which had become prevalent. Simultaneously the new church had to establish its own catholic credentials in continuity with patristic and apostolic sources. Ordained episcopacy, therefore, was an obvious point at which to begin. There is no moment at which it can be said that here the old church ends, here the new begins. The retention of the episcopate helped at once to preserve this continuity and 'marked [the English reform] in the most distinct way'.¹⁰

Secondly, the *De Ordine* offered an apology for the right of the monarch to act as head of church affairs. In place of the pope Cranmer the

⁹ P.S. II, p. 488.

¹⁰ Ebenezer T. Davies, *Episcopacy and the Royal Supremacy in the Church of England* (Oxford: Blackwell Press, 1950), p. 1.

Erastian sought to ground ecclesiastical jurisdiction in the civil governance of the state and, more especially, in the divine right of the king.

For indeed it is very true that God has thus instituted and ordained that the authority of kings and Christian leaders in the government of the people should be supreme, and it should stand out above all other powers and offices.¹¹

This kind of language was nothing new. In a bygone century the pope himself had bestowed the title of ‘Defender of the Faith’ upon the English monarch.¹² Such a precedent itself proffered a further argument against the pope’s usurpation. In 1538 the reform programme was in its early days, and in theory Cranmer desired to give credence to the idea of an ordained episcopate and presbyterate as *sine qua non* within the life of the church. In practice they were making a distinction between the old mediaeval outlook and the more evangelical emphasis, and not for the first time this distinction sat at the level of Erastianism.

The *De Ordine* concludes with a stirring reminder of the monarch’s divinely appointed role in overseeing not only the affairs of the church but also of the episcopate.

And if they [the bishops and presbyters] should stubbornly refuse to do those things, to such an extent that it can be shown that, through their blame and obstinacy, the flock of Christ which was entrusted to them is rushing towards destruction and daily perishing, then it is the duty of kings to apply their responsibility so that, when men of that kind and those who are useless servants have been removed from their office in a just manner, others who are better can be substituted in their place.¹³

It is precisely in the implementation of this theological framework that Cranmer’s doctrine of episcopacy reveals its peculiar subtlety.

The received understanding of oversight allowed for a dual expression of episcopal authority. Whereas the state exercised the *potestas gladii*, the church reserved unto itself the apostolic *potestas clavium*.¹⁴ In practice this ‘power of keys’ was sub-divided into the *potestas ordinis* of the episcopate — responsibility for feeding the flock through word and sacrament, the provision of presbyters into local parishes and a general

¹¹ P.S. II, p. 488.

¹² Christopher Harper-Bill, *The Pre-Reformation Church in England, 1400–1530* (London: Longman Press, 1996), p. 13.

¹³ P.S. II, p. 489.

¹⁴ ‘The power of the sword’ as referred to by Paul in Romans 13:4, and ‘the power of keys’ as established by Christ himself in speaking to Peter and the other disciples, Matthew 16:19. For a full discussion of these, see Davies, pp. 5ff.

measure of godly oversight — and the *potestas jurisdictionis* including presidency over the church courts, the legislation of canon law, and, where appropriate, the power of excommunication. Genuine pastoral and episcopal ministry could be exercised only through the church's ability to function appropriately and independently of the state in all aspects of these given areas, and hence the complicating factor was none other than the Act of Supremacy.

England's monarch was already referred to as the Head of the Church. This had become standard practice in the Middle Ages. In 1534, however, Henry was made *Supreme* Head of the Church.

Albeit the King's Majesty justly and rightfully is and ought to be the supreme head of the Church of England and so is recognised by the clergy of this realm in their Convocations...be it enacted by authority of this present Parliament that the King, our sovereign lord, his heirs and successors, Kings of this realm, shall be taken, accepted and reputed, the only supreme head in earth of the Church of England called *Anglicana ecclesia*; shall have and enjoy...all honours, dignities, pre-eminences, jurisdictions, privileges, authorities, immunities, profits and commodities to the said dignity of supreme head of the same Church belonging and appertaining....and shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain and amend all such errors, heresies, abuses, offences, contempts and enormities whatsoever they be, which by any manner spiritual authority or jurisdiction ought or may lawfully be reformed...most to the pleasure of Almighty God, the increase of virtue in Christ's religion and for the conservation of the peace, unity and tranquillity of this realm.¹⁵

The Act implied that the state, under the personage of the monarch, was admitted to a significant part of both the *jus ordinis* and the *jus jurisdictionis* of the church. The king was therefore *summus episcopus*, and it is small wonder that theological conservatives found this a bitter pill to swallow. Sir Thomas More was so upset by this turn of events that he resigned as Lord Chancellor on pain of execution for his refusal to accept the new supremacy. In a letter to Cuthbert Tunstall, Bishop of Durham, Henry himself sought to allay the fears of hesitant churchmen, but despite this, as the Act was gradually put into effect, and especially when Cromwell was made Vicar-General in 1535, the full extent of the monarch's newfound powers over the church started to be made manifest. For a period of five years Henry, through the *aegis* of Cromwell, exerted absolute control over the church at large and over the episcopate in particular. His rights extended to virtually every aspect of ecclesiastical life including the disposal of property, the institution of clergy and,

¹⁵ Quoted in Davies, pp. 61-62.

perhaps most critically of all, the election of bishops. For the second half of the 1530s normal episcopal visitation within dioceses was suspended in favour of royal visitation. At the time the Imperial ambassador, Chapuys, noted that the vicegerent 'did not cease to harass the bishops, even the good ones like Winchester and some others, whom he lately called before the Council to ask them if the King could not make and unmake bishops at his pleasure'.¹⁶ It is not unreasonable to suggest that for some 'the period of Cromwell's ascendancy was of the greatest danger to the church'.¹⁷

By 1538 Thomas Cranmer was a committed evangelical. He was convinced of the *sola scriptura* principle as final authority in matters of faith and order. Cranmer adhered to a reformed doctrine of the church as being both visible and essentially invisible and, to some extent, this must have sat uncomfortably with even a relatively low view of episcopacy. Given that the Roman concept of the church was effectively summarised in the maxim *ubi papa, ibi ecclesia*, the desire of Cranmer's opponents must have been some semblance of equivalence such as *ubi episcopus, ibi ecclesia*.¹⁸ The royal supremacy therefore, as conceived by Cranmer and Cromwell together, provided an ingenious means of breaking the potential for any residue of a Romanising stranglehold in church-life. By allowing for the divine right of the monarch as *summus episcopus* in the removal and replacement of unsuitable prelates, Cranmer was able to emphasise his view that the episcopate was adiaphora, and he simultaneously contrived to move English ecclesiology away from a misplaced apprehension of apostolic succession. These ideas did not reach their full maturity in the *De Ordine*. By 1540, however, Cranmer was able to voice his opinion publicly concerning such matters in his *Questions and Answers concerning the Sacraments and the Appointment and Power of Bishops and Priests*:

All Christian princes have committed unto them immediately of God of the whole cure of all their subjects, as well concerning the administration of God's word for the cure of souls, as concerning the ministration of things political and civil governance. And in both these ministrations they must have sundry ministers under them....[Therefore], a bishop may make a priest by the scripture, and so may princes and governors also, and that by the authority of God committed to them, and the people also by their election: for as we read that bishops have done it, so christian emperors and princes usually have done it; and the people, before christian princes were, commonly did elect their bishops and priests... In the New Testament, he that is appointed to be a bishop or a priest,

¹⁶ Davies, p. 65.

¹⁷ Davies, p. 65.

¹⁸ Respectively 'wherever the pope is, there the church is', and 'wherever the bishop is, there the church is'. See Davies, p. 59.

needeth no consecration by the scripture; for election or appointing thereto is sufficient.¹⁹

The expression of authentic episcopal ministry

Against this background then what was understood to be the function of a bishop? Cranmer disavowed the unsubstantiated Roman belief in a line of unbroken descent from the time of Christ himself. The episcopate was not a latter-day apostolate. Instead he contended for the recovery of apostolic truth and the promotion of Scriptural teaching. In consequence his schema provided that the primary purpose of a bishop, as first among equals, was the spiritual well-being of the flock, whom he was called to feed 'with sound doctrine'.²⁰ The Pastoral Epistles advised that *episcopi* were charged with being 'apt to teach',²¹ and with this in mind Cranmer asserted that the bishop should be a preacher of sermons for the edification of the church.

Therefore, it is the duty of a bishop, in view of what his title means (in Latin it means 'overseer'), to watch over the flock. He ought always to strive and care for its well-being and progress, not only so that the true religion of Christ and doctrine according to the truth and meaning of scripture is preached sincerely and purely to the flock, but also so that all erroneous doctrines can be done away with, and that the teachers of such new-fangled ideas can be either amended or removed.²²

In practice most mediaeval bishops attained office on the strength of a proven ability to communicate well both from the pulpit and in disputation. It is a truism to say that Cranmer desired to see this more rigorously adhered to within the reformed Church of England. His evangelical conviction had stirred within him an appreciation of the need for solidly-based and relevant pulpit ministry. It followed that the purpose of the episcopate was to set an example in this regard. Positively, the bishop was called to strive for 'the true religion of Christ' and to proclaim 'doctrine according to the truth and meaning of scripture'; negatively, 'all erroneous doctrines [were to be] done away with...lest they should in any way diminish the glory of Christ or destabilise Christian holiness'.²³

Of particular interest in the *De Ordine* is Cranmer's emphasis on the character of the preacher as a direct means of either reinforcing

¹⁹ P.S. II, p. 116.

²⁰ P.S. II, p. 484.

²¹ 1 Timothy 3:2, cf. also Titus 1:9.

²² P.S. II, p. 485.

²³ P.S. II, p. 485.

or undermining the message proclaimed. In the opening paragraph he identified this pressing need.

It [scripture] conveys that our Lord and Saviour Jesus Christ instituted in the church certain ministers of his own word...who should...watch over their own life and conduct in holiness and with pious exhortations.²⁴

Bishops were obliged to watch over their conduct for by such integrity the message of the gospel might be either commended or condemned. Likewise a bishop was charged with looking for this same integration of doctrine and duty in the lives of those whom he ordained, and again it was Holy Scripture which held out the standard for a proper appraisal of both belief and behaviour.

Indeed in this matter, it is very much in the interests of bishops to see to it with all vigilance and circumspection that...they ordain and admit [into office] only those whom they judge to be quite suitable and fit both to rightly carry out the said office, and to teach the word of God sincerely and purely.²⁵

Regarding the *jus ordinis* of the episcopate, Cranmer conceded that bishops had the power both to make presbyters and to remove them. In the exercise of such discipline, however, his call was for mercy and restraint where possible.

...they should hinder and repel from the said office those whom they discover to be not really suitable...but...[equally]...they should not be so held, by some divine precept, to imposing this penalty of excommunication that they refrain from moderating it where a fair reason so demands, or be unable to move away from it, or pass over it altogether.²⁶

This prerogative, however, was not the exclusive preserve of the episcopate. In turn bishops were subject to the monarch and ultimately to the word of Scripture. Moreover, since a bishop was by definition a presbyter, other presbyters could logically be involved in the solemn rite of ordination.

Whereas it fell within the remit of a bishop not only to ordain and rebuke the clergy as appropriate, but also to institute them to their charge, described as 'the cure and responsibility of a church',²⁷ such episcopal authority to direct is properly interpreted within the wider context of the

²⁴ P.S. II, p. 484.

²⁵ P.S. II, p. 485.

²⁶ P.S. II, p. 485.

²⁷ P.S. II, p. 485.

archbishop's Erastian worldview. In addition to the episcopate Cranmer acknowledged that there were non-episcopal 'patrons and founders' with the right to present ordinands before the bishop in accordance with the laws of a particular region. Whilst this form of extra-ecclesial patronage applied most stringently to the rank of diaconate and presbyterate, it ought not to be forgotten that for the episcopate, the king himself was patron *par excellence*.

The episcopate found its distinctive function in relation to the *jus jurisdictionis*. The apostles had exercised ministry within their respective geographical areas, and hence the archbishop's contention was for diocesan and provincial equality. By definition a bishop's control was restricted to the limits of his diocese, or, in the case of an archbishop, his province. As such the wider dispute surrounding the very idea of an ecclesiastical superpower in Rome was anathema to the core precepts of gospel truth. Under the higher authority of the Crown a bishop could exercise spiritual jurisdiction over his diocese, but no more than that. As *primus inter pares* it was the bishop's responsibility to ensure that priests in the parishes were fulfilling their various obligations. Conversely, parochial vicars were directly responsible to the bishop for nurturing the flock, and, in terms of regular contact with the running of parishes, this meant that a bishop's input was typically restricted to the outworking of discipline and the implementation of canon law.

It is easily clarified to be of their office not only to devise certain rules or canons, which may be seen to be necessary for the keeping of the said limits, as often as the need will be, and to exhort the people to the observance of these, but also so to order and establish things, with kindness and by the agreement of an overseer, that they may have the means of keeping them to these [limits].²⁸

Cranmer clarified that these laws included the times and frequency of church services, the ceremonies by which the sacraments might be duly administered, and all other conceivable matters which had to do with the propagation of Christian virtue and holiness in the community at large. It should not be forgotten that one of his later plans for the ongoing renewal of the church involved a complete reform of the canon law. A full programme, the *Reformatio Legum Ecclesiasticarum*, was drafted but regrettably this never passed into formal legislation.

It begins to emerge that a bishop's duties were many and varied, too many indeed for one man to fulfil. In terms of the administrative role, therefore, the episcopate relied upon the diocesan registrars. Within the *jus jurisdictionis* these clergy were appointed by an individual bishop. Their diocesan importance was second only to that of the Chancellor,

²⁸ P.S. II, pp. 485-486.

and their remit included the production of ordination lists, the issuing of licences, the writings of letters dismissory and the overseeing of episcopal visitations. Since it fell to the episcopate to act as clerical tax collectors on behalf of the Crown, they would typically delegate this task to the registrars, and all the more so as the demise of the monastic orders had meant the disappearance of customary fiscal deputies.²⁹

Touching episcopal administration, there is one final aspect of Cranmer's theology which remains implicit within the *De Ordine*. This concerns the fact that an archbishop could be involved in production of a Government State Paper in the first place. In the mediaeval era bishops were deemed to exercise a dual role as Lords spiritual and temporal. Cranmer was content for this to continue, albeit with substantially reduced capacity. A system of legislature which allowed for the hierarchy of the church to function as a pseudo-civil service for ecclesiastical affairs fitted conveniently with an Erastian outlook, and this meant that the English episcopate sat in the House of Lords as well as in Convocation. The episcopate accounted for more than one third of Henry's House of Lords, and, interestingly, it was Cranmer himself who excelled over all his fellow bishops in terms of attendance.³⁰ He was devoted to the monarch pragmatically and politically, as well as theologically. In theory, this duality of role should have afforded the church a strategic place in the formation of Tudor policy. In practice it led to a profound conflict of interest for the majority of bishops. Late mediaeval *episcopoi* were the inheritors of vast wealth and prestige that had accrued over many centuries and such fortune often made it difficult for them to focus on their primary charge. For this reason Cranmer determined to set a better example of unadorned godliness that eschewed earthly treasures and yet retained its influence at the highest level of government.

Conclusion

The significance of the *De Ordine* cannot be overstated. Far from supporting a high theology of the ordained episcopate, it is consistent with Cranmer's other pronouncements. By its nature it represented a watershed in the history of English Church life. With its insistence upon biblical authority for ordained ministry in general, and the acceptability of ordained episcopacy in particular, it paved the way for Henry's *ecclesia* to stake a claim to catholic authenticity. Already in 1538 Cranmer was working tirelessly to conform the Church of England to an evangelical

²⁹ The role of the registrar and the matter of clerical taxation under the Tudors are discussed in Felicity Heal. & Rosemary O'Day (eds.), *Church and Society in England: Henry VIII to James I* (London: Macmillan Press, 1977), pp. 77ff.

³⁰ See Stanford E. Lehmborg, *The Reformation Parliament, 1529-1536* (Cambridge: Cambridge University Press, 1970), pp. 24ff.

agenda, and his strategy of beginning at the level of the leadership made good sense. The archbishop's emphasis upon biblical foundations and godly character set a new benchmark for those called into ecclesiastical leadership, and it struck a reverberating chord for the evangelical cause within the Henrician Church. Cranmer himself had further ground to cover in his own theological persuasion, and all the while his Erastianism was creating the potential to trip and even undo him. The *De Ordine* provides an intriguing insight into his thinking about the precise role of the episcopate at a time when England was a maelstrom of both conviction and uncertainty.

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