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PROTESTANT THEORIES OF CONSCIENCE

IN ELIZABETHAN ENGLAND

Leslie Milne-Smith

A Thesis

in

The Department

of

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ABSTRACT

PROTESTANT THEORIES OF CONSCIENCE IN ELIZABETHAN ENGLAND

Leslie Milne-Smith

This thesis investigates the concept of conscience as expressed by several dissenting Elizabethan protestant divines, including Thomas Cartwright, Walter Travers, Robert Browne, Robert Harrison, Henry Barrow, John Greenwood and William Perkins. It discusses four aspects of conscience: its basis of knowledge, its function, its scope of applicability and its power to direct the actions of the individual.

The idea of conscience which was expounded by these dissenting divines was distinctly different from Richard Hooker's understanding of conscience. Hooker assumed a natural law theory of a moral, rational and private conscience which had been formulated by theologians from Paul to Thomas Aquinas, and which was modified by the English humanists' explication of the notion of equity. The radical protestants rejected both the scholastics and the humanists and, drawing in part but not entirely from John Calvin, presented a new view of conscience.

They postulated an exclusively scriptural basis of conscience instead of a natural and rational basis. They maintained that conscience's importance was its soteriological rather than its moral function. They denied that the

conscience of the individual had a merely private application and claimed instead that both the private and the public spheres of life were governed by the same rules and could be judged by the conscience of a private individual. Furthermore they believed that the conscience of the elect would impel the individual to show the fruits of his election by actively following the judgments reached in his conscience.

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I. Introduction

Conscience is, indubitably, a slippery concept. It is professed to be a human resource which serves as a moral guide by distinguishing--with a variable degree of fallibility--between good and evil with reference to the actions or the disposition of an individual. The sources of its knowledge, the extent of its authority and concurrently the degree of its fallibility, the realm of its applicability, and its relative significance within a general philosophical or theological system are all disputable factors. Furthermore, it is not unusual for conscience to be cited, for rhetorical purposes, with minimal attention to philosophical content. Even in the pre-modern period, while the concept of conscience retained relatively a much higher degree of precision than has the amorphous and philosophically near-void concept of the present day, it appears that there was no one single comprehensive theory of conscience. Rather, it meant different things for different thinkers. A semantical analysis offers little but confusion for the purposes of a historical investigation,¹ for the reduction of conscience to the Latin con scientia is not only misleadingly simplistic, it also ignores the fact that the concept is of Greek rather than Latin origin.

It is, above all, a concept which changed over time, and, according to circumstances, it served different philosophical, theological and cultural purposes. An investigation of a

certain theory of conscience is one way of approaching the larger philosophical, theological, political and sometimes social assumptions of an individual or a group. The corollary of this idea is that any particular theory of conscience is derived from these very assumptions.

Axiomatically, intellectual formulations both condition and are conditioned by the philosopher's attitude towards the actual world in its political and social aspects.

Philosophical abstractions are inseparable from political and social beliefs.

A certain amount of methodological precision is necessary, of course, if one is to avoid the charge which, according to Michael Baylor, is levelled against intellectual history in general, that it is "caught up in the hopelessly nebulous enterprise of trying to fathom the essence of the Zeitgeist."² This is by no means the intention here.

Leaving aside pseudo-Hegelian imagery, it is possible to discover parallels between different aspects of intellectual history, and to begin to account for them. Especially in the pre-modern period, the connection between religion and political thought is evident; although there is the testimony of several historical accounts and studies that it is always possible to abuse this axiom.

This essay was originally conceived of as a study of the ways in which the theory or theories of conscience expounded by late sixteenth-century radical protestants in England served to undermine the prevailing conceptions of

political authority and obligation. The thesis that I was investigating proposed that these theories of conscience, or certain aspects of them, were instrumental in challenging the political authority of the secular state; that in a way they constituted a "prelude to revolution". A preliminary perusal of the sources, however, showed this hypothesis to be untenable. It became immediately apparent that even the most radical protestants under Elizabeth manifested no thoughts of civil rebellion, either in their conceptions of conscience or elsewhere.³ All professed unequivocally to uphold the authority of the civil magistrate, and in fact held the crown and secular magistracy in apparent veneration. The Admonition to the Parliament of 1572 maintained that, far from encouraging civil insubordination, their programme for church government would reinforce the authority of the prince and magistrates:

Not that we mean to take away the authority of the civil magistrate and chief governor, to whom we wish all blessedness and for the increase of whose Godliness we daily pray: but that Christ being restored into his kingdom to rule in the same by the sceptre of his word and severe discipline, the prince may be better obeyed.⁴

Even Henry Barrow, whose extreme views concerning religion resulted in his execution, claimed to pose no threat to the secular authority of the crown and magistracy. A Brief Discovery of the False Church forestalls any such interpretation of his intentions:

Neither would I here be suspected to go about to diminish or pluck away the high sacred power and authority the Lord hath given to the civil magistrate, as to his lieutenant over both body, life, and goods.⁵

Nor could I find any evidence to support the idea that these professions of good faith were lacking in sincerity. It seems apparent that those who undertook a reform of reformation in Elizabethan England were not, and did not want to be, associated with the sort of reform which Munster had experienced.

The one aspect of the nonconformists' theories of conscience which had seemed to justify my initial assumptions was the claim, made repeatedly, that no positive laws of human origin were binding in conscience. However, this idea faded rapidly into virtual insignificance as I recognized that it was by no means the exclusive perquisite of the radical protestants. John Whitgift and Richard Hooker, the classic defenders of the orthodox Elizabethan church, also expressed the same notion. Moreover, I discovered that there had existed a long medieval tradition--encompassing Aquinas--which professed that the conscience was not bound by any human laws. This commonly-held belief had never posed any threat to the civil magistracy because it was held in check by two universally-venerated imperatives which had the force of divine inspiration: the fifth commandment, widely interpreted to include all political superiors; and Romans 13.1-5, "Let every soul be subject unto the higher powers ..." To these commands, the conscience was bound, thus indirectly but none the less forcefully mitigating the implications of the belief that particular laws in themselves exercised no authority over the conscience.

However, a certain ambiguity lay in the fact that some protestant divines assumed a conceptual distinction between the secular and the religious sphere. What this implied was that there were different rules applicable to each sphere, and that the obligations due to each were not connected. Not all went as far as did the continental anabaptist formulations of the church⁶ (and all formally condemned the anabaptist vision of a perfect church), but among the dissenting divines it was generally agreed that matters pertaining to religion, whether personal or institutional, were of a distinctly different type than things concerning public order and civil legislation. The secular state was not judged in moral terms of good or bad, for it belonged to the realm of adiaphora; but religious practices had to conform to certain standards of what was godly and what was ungodly. The criticisms of the nonconformists were levelled against the church, not against the state; unfortunately for them, the head of the church and the state were one person, and a criticism of one aspect of regal authority could be--and was--interpreted as a threat to the whole.

The theories of conscience expounded and assumed in Elizabethan England represented an increasing awareness of the nature--or rather, of the natures--of an instituted church, and of the obligation of the individual towards the institutionalized form of his religious beliefs. But they are also the product, adopted and changed to serve different

purposes, of a continuing tradition of the theory or theories of conscience from Aristotle to the reformation. Theology and philosophy in different guises incorporated conceptions of conscience into their general systems of ideas and beliefs. Conscience was, hence, viewed in different capacities.

The role of conscience in mystical theology can scarcely be over-emphasized. Conscience contains the "spark of divinity" which is the subjective basis for mystical knowledge. It is the human faculty to which God is ontologically connected, and it allows for the possibility that God may choose to exercise the potentia dei absoluta and communicate with man in a direct manner, circumventing the more ordinary channels of divine revelation: the church and the scriptures.⁷

But conscience is not exclusively mystical. This essay is concerned with theories of conscience as enunciated by theologians and divines who not only were not part of the mystical tradition, but who rejected and reviled a mystical approach to divine truth and salvation. The non-mystical conscience receives its foundational imperatives only indirectly from God: there is no immediate and personal inspiration. Among the non-mystics and anti-mystics there is further disagreement regarding the source of the primary guiding principles of conscience and the nature of the role of conscience. It is necessary to distinguish between those who assumed that a natural law, perceived by reason, provided

the basis of conscience, and those who postulated that the written revelation of the scriptures was the sole authority. It is further important that the moral conscience be distinguished from the salvific conscience. The former was directed towards a knowledge of the morally good, and of those acts which were good in themselves. The latter, on the other hand, had as its goal a knowledge of the soteriologically efficacious, and of those acts which led to or confirmed salvation, without reference to any inherent moral goodness or evil in the acts themselves.

The present study is an investigation and comparison of two conceptions of conscience as expressed by Elizabethan protestants. They correspond to two attitudes of political responsibility in the ecclesiastical sphere, but on an intellectual level they represent the continuation, development, and modification of older traditions of conscience in particular, and moral theology and ecclesiology in general. Augustine had presented the eschatological view that man and the church must always be viewed in reference to the progression towards the last judgment. Aquinas had adopted an ontological position whereby man, the church, and all things, exist in a fixed schema of being and approach divinity by following the laws of their own principles of being. Calvin rejected the Aquinas ontological ecclesiology in favour of the Augustinian eschatology. The humanists similarly rejected Aquinas' ontological view and proposed instead a civic and historical conception of the church.

The dissenting Elizabethan divines adopt Calvin and Augustine's eschatological concerns, while Hooker maintains the humanist civic and historical viewpoint.

But while Hooker's humanist concerns are at variance with Aquinas' formulation of an ontological perspective regarding the nature and origin of the church, his Aristotelean orientation makes many of his conclusions similar to Aquinas'. Aquinas' process of thought is based upon ontological considerations, and Hooker's on civic and historical, but their enunciation of a natural law theory of a moral conscience is identical. In contrast, Hooker's opponents are concerned with neither ontological nor civil and historical concerns, but rather with things as they stand in eschatological relationship with divinity.

The third distinction between these two Elizabethan views on conscience concerns the way in which the dissenters do not assume a distinction of the private and public realms of conscience, while Hooker does. The question of whether conscience applied to public or to private affairs was not posed until the early sixteenth century. It was the humanists, in their introduction of the notion of equity, which forced the conceptual separation of the public and the private spheres. This reflects their emphasis upon the civic state viewed as a historical phenomenon. Hooker adopts this distinction between a private and a public conscience. The radical protestants, however, retain the older belief in the essential unity of the public and private spheres; they,

like their medieval antecedents, conceive of and assume a corporate state of religion where the private is simultaneously the public, and the same rules apply to both.

These larger philosophical frameworks of reference exist behind the more specific elucidations of the nature of conscience. Excluding the mystical tradition, the theory of conscience, from a historical viewpoint, took on three main aspects: the first was given definitive shape by Aquinas, the second emerged in the writings of Luther and Calvin, and the third was delineated by certain Elizabethan protestants such as Thomas Cartwright, Robert Browne, and William Perkins. The medieval theory of conscience which Aquinas described assumed that conscience was a moral faculty,⁸ grounded in a natural knowledge of good and evil, which judged the quality of the acts of an individual.

Luther and Calvin introduced the idea that conscience was a soteriological faculty, inspired--in some--by grace, which judged the quality of the individual rather than his actions.⁹

The late sixteenth-century radical protestants took over the theory of a salvific conscience, but added a more specific ground of conscience, namely the text of the scriptures, and furthermore postulated that the conscience of the elect, rendered efficient by grace, would impel the individual towards those acts which characterized the godly elect. The idea expressed by Luther and Calvin that conscience was an index of the individual's salvific standing led to the notion

that there were two types of conscience, corresponding to two types of people: the elect and the damned. But while Luther and Calvin did not associate acts with the regenerate conscience, the Elizabethan protestants reintroduced acts, or "works" of a sort, into their theory of conscience. They took over the anabaptist dictum that the elect would be known "by their fruits" or outward actions. The conscience, being that which judged the quality of one's actions, could be seen to be responsible for decisions regarding actions. Disagreement arose over the question of just what visibly characterized the elect, but the basic idea was the same for all.

The propagators of this last theory of conscience rejected the rationalism of Aquinas and, concomitantly, the connection between conscience and natural law, thus denying the importance of the power of individual and collective reason to discern moral truths. A belief in the irrelevancy of the moral efficacy of collective reason constituted, in effect, a denial of tradition, for the natural law theory of conscience relied upon common consent over time. By replacing moral truths known naturally with truths known only from scripture as the proper object of knowledge, they gave to conscience a peculiarly legal character which it had not previously had. In effect, they transformed moral theology into sacred jurisprudence. Furthermore, they were not very concerned with the moral act, objectively considered, for they did not accept that any

act could be good or bad in itself, but only insofar as it was expressly commanded or forbidden by God. This element of divine positivism followed from their conception of a great chasm existing between the human and the divine, unbridgeable except by grace.

Hooker replied to this concept of conscience with the voice of Aquinas, modified by his humanist concerns, showing very plainly the differences between the two theories. He returned to moral theology and the natural law theory of conscience, extolling the moral capabilities of natural reason and the virtues of tradition. He denied the connection between private conscience and the institutional church, maintaining that, except in the case of "necessary and demonstrative" arguments which clearly indicated that the church was contravening a law of divine or rational origin, the private conscience of the individual was not responsible for the church, in the same way as it was not responsible for the secular state. Hooker was convinced that those who criticized the Elizabethan church had no "necessary and demonstrative" grounds of argument to do so. According to Hooker, the church under Elizabeth was not a perfect institution, but neither was it so bad that one should risk social disorder in an attempt to bring it closer to ideal. A disturbance of the status quo could only be justified by a far greater degree of certainty concerning God's wishes for the church, and more clear evidence that the church was, in fact, contradicting and subverting these divine imperatives.

Hooker inherited the tradition which emphasized the necessity of universal order, and was not prepared to sanction a disturbance of that delicate order for frivolous or uncertain reasons.

It has been impossible to present, as background to the main portion of this study, a history of the theory and theories of conscience which even approaches adequacy. By concentrating on the more well-known figures there are, inevitably, large gaps in the preliminary survey. To confine this essay to reasonable limits, it has been necessary to exclude all the peripheral philosophers and theologians who contributed in smaller ways to the development of the theory of conscience, as well as those important figures whose enunciations on the subject of conscience have been well covered by other secondary works.

The notion of conscience clearly could be abused, and it was always possible that one could cite an imperative of conscience to justify irresponsible actions and personal fancies. However, at least concerning the people with whom I am here dealing, this was the exception rather than the rule. Their conceptions of conscience were reasonably precise, and they were usually sincere--as far as one can ascertain--in their professions of what was good and what was evil as determined by the workings of the judgment of conscience.

II. Background

II.1. Early Theories of Conscience and Natural Law

The theory of conscience is of Greek rather than Hebrew origin, being almost entirely absent from the old testament and other early Hebraic writings. The concept is present in seminal form in Greek thought, but the most important source for the christian tradition is St. Paul and, to a lesser extent, the other new testament writers. Paul employs "conscience" to mean a witness to the unwritten law of God.¹ According to Paul, the Jews received the written law as a special gift whereby God made known his will regarding their conduct,² but the law of God as a whole is not restricted to that which is decreed by the Jewish law. The Gentiles, who do not have recourse to this written law, may nonetheless know some portion of God's eternal law, either by "the wrath of God ... revealed from heaven against all ungodliness and unrighteousness of men,"³ or by the created world of nature: "The invisible things of him from the creation of the world are clearly seen, being understood by the things that are made."⁴ There is, moreover, an internal complement to these universal revelations; this is the natural law, to which the conscience bears witness:

For when the Gentiles, which have not the law, do by nature the things contained in the law, these, having not the law, are a law unto themselves: Which shew the work of the law written in their hearts, their conscience also bearing witness, and their thoughts the mean while accusing or else excusing one another.⁵

The Pauline conscience is thus a link with divinity through

a natural law imprinted in the minds of all people, and it functions as that which judges the actions of the individual with reference to this law of divine origin but natural implantation.

However, Paul makes an important caveat regarding the power of conscience to judge actions: he says that conscience is limited as an ethical norm insofar as it can impart only negative and partial knowledge. In I Cor. 4.4, Paul uses the phrase auto suneidenai in the following: "For I know nothing by myself: yet am I not hereby justified."⁶ Claude Pierce renders this passage, "I have nothing on my conscience, yet am I not hereby justified."⁷ In other words, according to the analysis by Pierce, what Paul is intimating is that the voice of conscience is always one of disapprobation:

The onset of the pain of conscience must always, certainly, be taken as proof that the sufferer has done something wrong. The absence of such pain does not mean that he has done something right or good. It may mean that he has done nothing at all; or it may mean that he has in some way deadened his capacity to feel this pain to a greater or lesser extent--that in fact his conscience is defective.⁸

The Pauline conscience hence has a limited value as a moral guide. It never provides a knowledge of the morally good, and only a sporadic knowledge of the morally reprehensible. The conscience may be clouded with error due to a misapprehension of the morally good, or it may have insufficient or inaccurate information about the quality of the act, as Paul indicates in the parable of the sacrificial meat. Here it is clear that conscience is concerned only with intentional rather than objective wrong:

If any of them that believe not bid you to a feast, and ye be disposed to go; whatsoever is set before you, eat, asking no question for conscience sake. But if any man say unto you, This is offered in sacrifice unto idols, eat it not for his sake that shewed it, and for conscience sake.⁹

Presumably, if the guest at the feast unknowingly eats meat that was intended as a sacrifice for idols, his conscience would not judge him guilty. Also, the consciences of those who are not aware of the proper nature of the Pauline God are what Paul describes as "weak and defiled":

For to us there is but one God, the Father, of whom are all things, and we in him; and one Lord Jesus Christ, by whom are all things, are we by him. Howbeit there is not in every man that knowledge ... their consciences being weak and defiled.¹⁰

Moreover, the pain of conscience is always subsequent to the reprehensive act, so that it is impossible for the conscience to judge the moral quality of acts merely contemplated.

The fear or shame or pain inflicted by conscience is one of the marks of what Paul calls "the wrath". As explained by Pierce:

St. Paul, then, conceives of the Universe as the creation and realm of the personal God, who is the Father of our Lord Jesus Christ. But that creation and its government are orderly. Each element of which it is composed has its due place, function and nature: that the delicate balance may be maintained each has certain fixed and unalterable limits. Should such limits be transgressed, the order of things reacts by the sequence of cause and effect to rectify the wrong. The purpose of such limits is not penal, but beneficent. Within them there is joy: but were they to be transgressed with impunity the Divine order would dissolve into chaos. Thus this reaction of the order of things against the transgressor is painful to him, and may be regarded as penal: this is the Wrath falling upon those elements of the creation that overstep the limits within which they were created.¹¹

The Wrath manifests itself in three ways: through natural

calamity which is the Wrath speaking through nature; through the civil sword which is the Wrath mediated by human institutions; and through conscience which is the Wrath concerned with moral actions. If one oversteps the bounds of natural, civic or moral order, the Wrath inflicts these penalties. That these are parallel phenomena is apparent from the passage in Rom. 13.5: "Wherefore ye must needs be subject [to the civil magistrate], not only for wrath, but also for conscience sake." Conscience is the internal voice of the Wrath concerned with morality, with a parallel function to the external voice of the Wrath concerned with natural and civic order. Pierce concludes his study by summarizing that:

We have discovered conscience in the N.T. to be the internal counterpart and complement of the wrath. It is the painful consciousness that a man has of his own sins, past or, if present, begun in the past. It is of God in that it is the reaction of man's nature, as created, and so delimited, by God, against moral transgressions of its bounds.¹²

The transmission of the theory of conscience from Paul into medieval christian thought is not direct, for the original term suneidesis used by the Greek and new testament writers is a more precise expression of thought than the Latin conscientia, thence translated into English as "conscience." The translation of suneidesis into conscientia is usually attributed to Jerome, the late fourth century biblical scholar who revised the Latin new testament from the Greek texts. Michael Baylor explains some of the major consequences of the substitution of the latter term for the former:

...the Latin notion was very much broader and more indefinite than its Greek equivalent, if indeed they are

equivalents. The Greek meaning was also present in the Latin, but it was only one element within a much broader spectrum of meaning. Apparently the root meaning of "conscience" (conscientia) was that of knowledge, especially a secret or private knowledge, shared with another, and from this sharing came also the possibility of being testified against. If this account is accurate, it reveals in Latin a more exterior or public and a more cognitive or formal concept, as opposed to the interior and instinctual Greek one. More broadly, conscientia in Latin meant consciousness of knowledge in general, especially in the sense of experience or perception, but also in the sense of knowing facts or that a state of affairs prevails. Moreover, conscientia could also mean a specifically moral consciousness--or conscience--and this could be seen as either good or bad, as concerned either with future or with past actions.¹³

Baylor also notes the influence of Roman Stoic philosophy, which developed the Pauline idea that conscience is related to a universal and natural law written in the minds of all people. With the Stoics, conscience became associated with the logos as reason governing the operations of nature and man's participation in this universal reason.¹⁴ Jerome's gloss on Ezekiel's prophecy also provides a notion of conscience which is assumed by the school of christian rationalism throughout the medieval and early modern period. He interprets Ezekiel's vision of the man, the lion, the ox and the eagle as the four elements of the soul: he equates the first three components with the Platonic division of the soul into the rational aspect, the irascible emotions and the concupiscent desires. As for the fourth, the eagle, Jerome identifies this with synteresis: he says that it is "that spark of conscience [quae scintilla conscientiae]" which was not quenched even in the heart of Cain when he was driven from paradise.¹⁵ Again, it is stressed that con-

science, while of divine origin, is something which exists in all people, and insofar as it is universal, it is natural. No special grace is responsible for the existence of conscience in a person; it is as natural as reason, part of general revelation as opposed to special and personal revelation or grace.

Conscience is thus intimately connected with the theory of natural law. It must be noted that the theory of natural law in its pre-modern form bears little or no reference to what is known in the eighteenth century as "naturalism" or to a "state of nature" or to an expression of what "ought to be" in a Painean sense. As a classical and medieval concept, natural law is in the process of disintegration by the mid-seventeenth century, to be replaced by the new theory of natural law, and more especially the theory of natural right, by such as Locke, Rousseau, Voltaire, and others. In the sense used here, natural law refers to a fixed moral law known universally by man's natural rational capacity. It assumes a parallel between the inner functioning of human reasoning and the external operations of the universe, because both are considered to originate in the same divine creator.

The pre-modern expression of natural law theory may be traced to Aristotle. According to the Philosopher, all things of nature--as opposed to things of art--are teleological. A thing of nature "has within itself a principle of motion and stationariness. Things 'have a nature' which have a prin-

ciple of this kind."¹⁶ All natural things have a specific goal or essential end, and their particular excellence consists in the realization of this end. The nature of a thing is its telos, as is also its growth toward this end: "We also speak of a thing's nature as being exhibited in the process of growth by which its nature is attained."¹⁷ This is the descriptive side of natural law. Regarding a prescriptive natural law, Aristotle refers to it as the opposite of particular or positive law in that it is a commonly recognized law and its validity depends upon its own essence and not upon its being enacted:

Of political justice part is natural, part legal--natural, that which everywhere has the same force and does not exist by people's thinking this or that; legal, that which is originally indifferent, but when it has been laid down is not indifferent.¹⁸

In the Rhetoric, Aristotle writes of the law according to nature as an unchangeable law commonly recognized by all men:

By the two kinds of law I mean particular law and universal law. Particular law is that which each community lays down and applies to its own members: this is partly written and partly unwritten. Universal law is the law of nature. For there really is, as everyone to some extent divines, a natural justice and injustice that is binding on all men; even on those who have no association or covenant with each other. It is this that Sophocles' Antigone clearly means when she says that the burial of Polyneices was a just act in spite of the prohibition: she means that it was just by nature.¹⁹

Aristotle does not, however, explicitly link the two senses of natural law. It may be implied that his theory of teleological natures pertaining to each thing of nature meant that the normative significance of natural phenomena is not to be sought in the planets or more generally in external nature,

but rather in the individual's internal principle of natural being. But his philosophical enunciations fail to make clear this connection between descriptive and prescriptive natural law.

The Stoics are more explicit. Stoic philosophy identifies nature with the logos, or reason, and reason with the ultimate divinity. To "follow nature" is hence made to mean following the dictates of the rationality which man shares with the governing principle of the universe. As with Aristotle, the Stoic view maintains that natural law directs man towards the perfection of his essential nature as a rational being. Cicero calls natural law "the guide of life and the teacher of the duties."²⁰ He also, in his De re publica, links moral law, reason and nature:

True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions.²¹

The content of the prescriptive natural law, which decrees natural morality and justice, is thus determined by the descriptive natural law as it pertains to the Aristotelean concept of teleological natures. The internal principle of man's being, which is reason, is the basis of the principles of natural morality. The natural law which dictates the rules of universally applicable justice and morality is perceived by reason, for it is reason which man shares in common with divinity and with the external world of nature. Reason alone is universal, and so must be able to perceive this natural universal law.

It has been seen that Paul assumes that natural law is of divine origin, but the connection between natural law and christianity is expounded at greater length by Augustine. He takes over the idea of teleological principles accorded each thing of nature, and the notion that to act according to the perfection of one's nature is the essence of natural good; he also maintains that a principle of rationality pervades the universe. But Augustine emphasizes more strongly the connection between nature and God. It was God who "arranged an order of natures in a hierarchy of being."²² Although concerning salvation Augustine's God is ambiguously capricious, regarding created nature he is orderly and rational.

All natures, then, are good simply because they exist and, therefore, have each its own measure of being, its own beauty, even, in a way, its own peace. [Augustine later defines peace as "the calm that comes of order"²³] And when each is in the place assigned by the order of nature, it best preserves the full measure of being that was given to it.²⁴

According to Augustine, the nature of man is rational; but again he stresses that this is due to the express command of God: "When God made man according to his own image, he gave him a soul so endowed with reason and intelligence..."²⁵ Augustine's comments on the "divine creative power"²⁶ reveal the extent to which he rejects utterly the idea that natural phenomena are independent of divine action.²⁷ In a sense, it may be argued that for Augustine natural law is a positive law, in that its validity clearly depends upon the authority of its promulgator. It is axiomatic in the christian tradition

that God is the institutor of nature and of all natures, and hence that which is natural is simultaneously divine. However Augustine is one example of the school of christian thought which lays greater emphasis on the connection between the natural and the divine, by stressing always the existence of the hand of God behind the mechanisms of nature.

II.2. Aquinas: The Natural Law Theory of Conscience

The theories of conscience and natural law are fused and given classic expression by Thomas Aquinas. Aquinas draws together the discrete strands of thought to formulate a cogent account of the relationship between conscience and natural law. He incorporates the Aristotelean concept of the teleology of nature exhibited in an identifying principle of being proper to each thing of nature, and the Stoic identification of reason, the logos, with all that is good in human and universal nature, and the consequent Stoic injunction naturam sequere. Having postulated that the inward principle of teleological nature for man is reason, Aquinas then declares that the primary precepts of the natural law, which man knows by his natural reason, form the basis of the judgment of conscience.

Aquinas distinguishes four varieties of law which are laterally and hierarchically connected, culminating in the mind of God. The laws of which he speaks are prescriptive rather than descriptive; they are concerned with the practical reason rather than the speculative. In a general definition

of law, Aquinas writes:

Law is a kind of direction or measure [regula et mensura] for human activity through which a person is led to do something or held back. ... Now direction and measure come to human acts from reason.²⁸

Although he includes the descriptive in his general summation of the meaning of law, Aquinas says that it is not fundamentally a law: "law is present wherever it communicates a tendency to something, which tendency can be called derivatively, though not essentially, a 'law'."²⁹ Strictly speaking, "a law is a rational assertion in the imperative."³⁰ Moreover, the specific laws which Aquinas outlines are laws of prescription rather than of description. This confusion between law as an observable tendency and as a command is, however, somewhat alleviated by the theory of teleological principles of being, or natures, which Aquinas owes to Aristotle. These principles of being are part of the descriptive law, but it is they which, in a sense, impart imperatives to the individual. It does not appear, however, that Aquinas--any more than Aristotle--sees the need to fuse expressly the two discrete meanings of the term "law".

The Eternal Law is God's law for himself by which he orders and governs the universe according to his own established plan: "the Eternal Law is nothing other than the exemplar of divine wisdom as directing the motions and acts of everything."³¹ It is "the shaping idea in divine government,"³² or "the ruling idea of things which exists in God as the effective sovereign of them all."³³ The eternal law is the

only law which can be considered complete in itself, since it includes all other laws: "from that all the governing ideas in lower rulers derive."³⁴ But the eternal law is not comprehensible in its entirety to anyone except its divine author; so the subsidiary laws are manifestations of this primary law of God as it applies to the universe of created things and especially, according to the schema established by Aquinas, as it applies to man.

Natural Law is that part of the eternal law which is perceived by reasonable creatures, and which is instinctually obeyed by non-intelligent things and beings. Aquinas explains that the eternal law may be manifested to a thing according to two different media:

there are two ways of being subject to the Eternal Law, one by being a companion by way of knowledge, the other by way of being acted upon and acting from having received from it an inner principle of motion /inclinatio naturalis/.³⁵

Non-rational creatures participate in the eternal law exclusively by means of the latter, but because the inclinatio naturalis of man is to be rational, he has a two-fold apprehension of the eternal law. In accord with the theory of natural principles of being--"all things have a natural tendency towards activity befitting their natures, like fire to heating"³⁶--man seeks to fulfill his nature according to the three ends defined by his triple position in the hierarchy of being. As a material substance, he seeks to preserve his own existence; as an animal he seeks to fulfill his instinctual drives; and as a specifically human animal he seeks

to act according to his rational character. Man's three natures, or ends, dictate the content of the natural law, but especially does his exclusive nature--reason--define natural law. Most properly the law of nature for man is the law of reason: "Since the rational soul is man's proper form, he has a natural tendency to act according to reason..."³⁷

Inorganic and organic but non-rational things have only a partial participation in the eternal law; because law pertains to reason and to choice based on a rational apprehension of the imperative, one cannot really speak of law in reference to these things: "Non-rational creatures do not hold law as perceiving its meaning, and therefore we do not refer to them as keeping the law except by a figure of speech."³⁸ The natural law, then, pertains most specifically to reasonable creatures by virtue of the fact that they can rationally perceive--albeit only partially--and hence share in the eternal law: "natural law is nothing other than the sharing in the eternal Law by intelligent creatures."³⁹

Human Law is the compendium of specific dictates which are derived from natural law--"to depend on natural law is of the essence of human law"⁴⁰--and which are directed towards the common good of a common weal--"it is of the essence of human law to be ordered to the benefit of the commonwealth"⁴¹--so that human, or positive, law relates to man as a naturally social animal (one of many Aristotelean axioms which Aquinas assumes), and is a secondary perception of the eternal law via the media of the natural law:

from natural law precepts ... the human reason comes down to making more specific arrangements. Now these particular arrangements human reason arrives at are called 'human laws'.⁴²

The Divine Law is the written revealed law of God, including the moral, ceremonial and judicial precepts of the old law of the old testament, and the new law of the new testament, the core of which is charity. The divine law complements the natural law, for whereas the natural law can only impart knowledge through reason, man is destined not only to a natural life but also to a divine life. Reason alone--this is axiomatic to the entire christian tradition--is not sufficient for salvation, nor is it an adequate rule of all things:

Natural law guides man with certain general precepts which all should commonly observe, whether they be advanced in virtue or not. It is the same for all, whereas the divine law is a guide in certain determinate matters, which are not equally on the map for people at different stages of development.⁴³

Divine law, moreover, serves to reinforce that which may be misperceived or wrongly interpreted according to natural law:

The written law is said to have been for the correction of natural law because it supplied what was wanting there, or because parts of natural law were decayed in the hearts of those who reckoned that some things were good which by nature are evil.⁴⁴

The divine law and the natural law are the two aspects of revealed divine law in its entirety. They are the two complementary routes via which man has access to the mind of God, and they form the basis for all judgments. But Aquinas concentrates more on the natural law, and in connection with conscience the natural law is of considerably more

importance. Aquinas says that the natural law consists of the first principles of the practical intellect. The practical intellect, the process of reasoning for the purpose of giving direction to the will, begins with the precepts of the natural law and ends with the judgment called conscience.

The action of the practical intellect may be described in the form of a syllogism, the standard medieval method of arguing from a generality to particulars:

Reason directs human action with two types of knowledge, general knowledge and knowledge of particulars. In deciding to act, the mind constructs a syllogism the conclusion of which is a judgment or a choice.⁴⁵

The major premise of the syllogism consists of the precepts of the natural law, known by the synteresis; the minor premise is factual detail about a particular act provided by the senses or the memory; the conclusion is the logical application of the minor to the major term, and is called conscience. Conscience is hence wholly dependent upon the knowledge which the synteresis has of the fundamental principles of the natural law:

though the habits which inform conscience are many, nevertheless they all take effect through one chief habit, the grasp of principles called synteresis.⁴⁶

Synteresis (or synderesis; the origin of both words is obscure; they may possibly be a scribal error of the Greek suneidesis) is a habitus naturalis,⁴⁷ a natural inclination or disposition, by which all people naturally possess a knowledge of the primary precepts of the natural law:

Synteresis is called the law of our understanding inas-

much as it is the habit of keeping the precepts of the natural law, which are the first principles of human activity.⁴⁸

Aquinas draws a parallel between these precepts of the practical reason and the scientific and logical axioms of the speculative reason; "both are," he says, "kinds of self-evident beginnings."⁴⁹

human reasoning ... has understanding as its point of departure, the understanding, namely, of some few things known naturally prior to rational analysis, which are its unfailing source. ... Now plainly the practical mind proceeds in practical matters the way the speculative mind does in matters of abstract analysis. There must be naturally sure principles governing our practice just as there are governing thought ... Hence the principles our nature imparts to us in practical matters ... belong ... to a special habit there by nature, synderesis.⁵⁰

The synteresis is described with greater precision in the Quaestiones disputatae de veritate:

human nature ... must both in speculative and practical matters know truth without investigation. And this knowledge must be the principle of all the knowledge which follows ... Therefore, this knowledge must be in man naturally, since it is a kind of seed plot containing in germ all the knowledge which follows ... Thus, just as there is a natural habit of the human soul through which it knows principles of the speculative sciences, which we call understanding of principles, so, too, there is in the soul a natural habit of first principles of action, which are the universal principles of the natural law. This habit pertains to synderesis.⁵¹

The basic principles of the synteresis are never false:

"Augustine declares that in our natural power of judgment there are rules and seeds of virtue which are unchangeably true. Now this is what we mean by synderesis."⁵² Furthermore, the synteresis cannot be destroyed; "it is impossible for synderesis to be extinguished."⁵³

In keeping with his general philosophical assumptions,

Aquinas declares that the essential quality of the practical reason is determined by its telos, which is moral virtue.

Hence the principal precept of the natural law is to seek good:

And so this is the first command of law, 'that good is to be sought and done, evil to be avoided'; all other commands of natural law are based on this. Accordingly, then, natural-law commands extend to all doing or avoiding of things recognized by the practical reason of itself as being human goods.⁵⁴

Most generally, then, the command of the synteresis is the almost tautological imperative, "seek good, shun evil". In fact, in certain places of Aquinas' writings, it seems that this is the sole precept of the synteresis, analogous to the law of non-contradiction in speculative reasoning: "The act of the natural habit called synderesis is to warn against evil and to incline to good."⁵⁵ However, Aquinas does make mention of certain precepts which are less formal than this; they seem to be regarded as derivations from the basic imperative of seeking good and shunning evil. He says that it is a command of natural law that man

should know truths about God and about living in society. Correspondingly whatever this involves is a matter of natural law, for instance that a man should shun ignorance, not offend others with whom he ought to live in civility, and other such related requirements.⁵⁶

It is also clear that Aquinas considers that the scripture includes the dictates of natural law. Although, he says, many things in the old and new laws of the old and new testaments respectively are beyond the scope of natural law, nonetheless

natural law precepts are there fully covered. So when

Gratian says that natural right is what is contained in the Old and New Laws /in Lege et in Evangelio/ he explains himself at once, and adds. By which everyone is commanded to do to others what he would have done to himself, and forbidden to do to others what he would not have done to himself.⁵⁷

These latter injunctions of fairly specific content seem to be secondary precepts as opposed to the primary precepts which are supposed to be self evident. The problem which faces Aquinas is that the primary precepts--those which are self evident--are not only too broad but also too formal and lacking in content; whereas if the secondary derivations are too specific, the synteresis loses its universal applicability.⁵⁸ Baylor suggests that maybe what Aquinas meant is that the synteresis is a knowledge of necessary or analytic truths confined to the level of principles which cannot guide the conscience without further aid; but this means that there is a logical gap between the synteresis and the conscience, in that the conscience is not directly dependent upon the synteresis. The major term of the syllogism, then, instead of being the synteresis' principles themselves, is those imperatives which are somehow--but not logically--derived from the synteresis.⁵⁹ Daniel O'Connor also notices this logical flaw. In that Aquinas cannot show the derivation of all the precepts of the natural law from the main precept, seek good and shun evil,

He is faced with a dilemma which he sometimes seems to be uneasily aware of but which he never meets squarely. Either moral rules are derivable from the general precepts given in synderesis or they are not. If they are, we require to see the derivation, since what is provable can be proved. If they are not, how are they to be justified?⁶⁰

O'Connor traces this ambiguity to Aquinas' requirement that the practical reason be parallel to the speculative reason in terms of its manner and rules of procedure. "Reason," says O'Connor,

is a word whose favourable associations hide its descriptive ambiguities. St. Thomas tries to keep as close as he can to the paradigm case of reasoning known to him--the deductive demonstration of logic and geometry and the intuitive acceptance of 'self-evident' propositions. But he cannot hide his uneasiness about the suitability of this model. He brings to light here an important difficulty which had been first noticed by Aristotle, though he seems to have been less disturbed by it than Aquinas. The standard cases of reasoning are those analysed in textbooks of logic. They are formal deductive reasoning and non-deductive inference concerning matters of fact. But neither of these seems to fit the sort of reasoning that we use when we are making up our mind about the right course of action to pursue. The outcome seems to be either that moral choice and calculation uses a mere facade of rationality to cover what is basically an irrational process, or that there is another kind of reasoning, different from but not inferior to those analysed in the books on logic.⁶¹

This last suggestion of O'Connor certainly appears untenable. But manifestly there is--following Aquinas' own rules of formal logic--a step which is missing between the tautologies understood by the synteresis (the fact that many of these precepts are not self-evident at all, and only follow from Aquinas' fundamental assumptions about man, God and the universe, need not enter the argument here) and the moral precepts of specific content upon which the judgment of conscience rests. Despite the problems which he has in proving the logical necessity of these moral precepts, Aquinas evidently takes it for granted that his reader already knew what they were, that is, the entire compendium of moral directives which were part of the christian medieval tradition.

He is attempting to reason backwards, from an already accepted idea of what these moral precepts are, to a proof of their necessity and universality.

Having established--to his satisfaction, at least--the major premises of the practical syllogism, known by the natural inclination called synteresis, Aquinas proceeds to define conscience as the conclusion or judgment of the first principles known in the synteresis applied to particular actions. "Conscience," he writes, "is an act proceeding from the natural habit of synderesis."⁶² Aquinas also points out that conscience is thus connected with the natural law:

"Conscience is called the law of our understanding because it is a judgment of reason derived from the natural law."⁶³

In explaining the role of conscience, Aquinas writes that:

it is said to witness, to bind, to incite, and also to accuse, to torment, or to rebuke. And all these depend on applying some of our knowledge to what we are doing. This application is threefold. First, in that we acknowledge that we have done something or not done something. ... In this case, conscience is said to witness. Knowledge is applied in a second way when through our conscience we judge something already done to have been done well or ill. In this case we speak of conscience excusing or accusing or tormenting. It is obvious that all these things follow actual application of knowledge to what we do.⁶⁴

But although the synteresis is infallible, conscience is not, although it depends upon the synteresis as its basis of judgment:

Synderesis never falls down in a general principle, but error can happen in some application of a general principle to some particular case because of a false deduction, or because of a false assumption. Therefore, it does not say that synderesis simply falls headlong, but that conscience does, which applies the general judgment of synderesis to particular matters.⁶⁵

Although the first principles of natural law are known to all, the conclusions from these basic moral precepts may be distorted so that the conscience gives a false judgment. In both the Summa and the Quaestiones Aquinas points out that "the knowledge ... of what is right may be distorted by passion or bad custom or even by racial proclivity."⁶⁶ Hence, insofar as Aquinas assumes that the judgment of the practical reason in particular cases may be in error, he gives conscience an absolute negative authority, but not an absolute positive authority; it is always wrong to act against conscience, but not always right to follow it.

It is to be noticed that conscience occupies a less than central position in Aquinas' moral theology; in fact, conscience is a peripheral matter when compared with prudence. In the Summa prudence is the subject of an entire treatise consisting of ten questions, whereas conscience is only referred to specifically in one article of one question. Prudence, which is "right reason applied to human conduct,"⁶⁷ is a virtuous habit of concluding "not about virtuous ends but about the means to an end."⁶⁸ It is infused by grace,⁶⁹ and as such is not a natural quality.⁷⁰ When conscience is right--or in accord with the precepts of natural law--it may be said to be part of prudence, but conscience may be wrong while prudence, by definition, may not. Thomas Gilby discusses conscience with reference to prudence:

conscience has a narrower and more precise meaning for Thomas than for modern moralists; it is not a moral sense or faculty, nor a moral disposition to discern right from wrong, but a special act of judgment about what is to be

done here and now, which judgment may be mistaken and may not be put effectively into practice; on both counts it will lack the character of prudence.⁷¹

The distinction which Aquinas makes between conscience and prudence, and the relatively inferior status which he accords to conscience, underline the fact that Aquinas conceives of conscience as a purely natural faculty. As such, it is of lesser importance compared to those things which relate to man's supernatural or divine aspect.

Notwithstanding Aquinas' endorsement of the highly orthodox belief that the natural man requires grace in order to achieve salvation, and that things natural are of a lower order than things divine, he does not depreciate nature, nor does he separate nature and divinity. This is made clear by Aquinas' notion and explication of the synteresis, natural law, and the church. For if the church finds its origins in the incarnation it is the incarnation which unites nature to supernature. And Aquinas' conviction that man, by virtue of his rational capacity, can achieve at least a partial knowledge of the eternal law which directs the universe of created things flows from his Aristotelianism: Aquinas supplants Augustine's eschatological view of the Incarnation and the Church with an ontological preoccupation with the church's nature, essence, and structure; all questions which are susceptible of a wide degree of rational explanation. Although at times it seems that Aquinas is not aware of, or has misperceived, the limits of reason, and fails to make a proper distinction between inductive and deductive reasoning,

the most general characteristic of Aquinas is his assumption of the rational nature of both man and God.

II.3. Calvin: The Salvific Conscience

Early christian and medieval theories of conscience considered this faculty predominantly in reference to the moral quality of particular acts. Baylor, while noting certain obvious differences between Aquinas' theory of conscience and that of the via moderna conception as expressed by William of Ockham and Gabriél Biel, maintains as his major thesis that they all agreed that conscience judged one's actions as objective particulars.

The reformation introduced an additional function of conscience. As well as judging an individual's actions according to moral or divine law, conscience was also seen to be the means whereby one could verify one's soteriological standing. In this way conscience became an index of sainthood, and so entered into the reformers' enunciation of justification by faith alone, and also into the later protestant search to recognize election. In the original medieval conception, conscience judged one's works with reference to a fixed moral law known by natural rationality. The via moderna maintained that this moral law was also known by revealed divine precepts. The early reformation used conscience to judge the whole person according to a decision of God regarding one's election or damnation known by sola fides without merit of works. The later reformation reintroduced the doctrine of works into their concept of

sainthood, and simultaneously into their theory of conscience, by claiming that the conscience of an individual in a state of grace would issue directives for action which were recognizably saintly. As works became the necessary result of sainthood, the role of conscience, as both the knowledge of grace and the director of those actions which manifest one's grace, increased in importance. The reformation conscience is not concerned as much with the morality of any particular act as with its soteriological implications: salvation and the proof of election rather than morality are the chief considerations.

In John Calvin we may distinguish the conscience based on works, superseded by the conscience based on grace. The former is a natural and universal faculty enabling all people to distinguish moral good from evil. Drawing upon the Pauline parallel between the Mosaic law of the Jews and the natural law of the Gentiles, Calvin explains the moral quality of this natural conscience:

If the Gentiles have the righteousness of the law naturally engraven on their minds, we certainly cannot say that they are altogether blind as to the rule of life. Nothing, indeed, is more common, than for man to be sufficiently instructed in a right course of conduct by natural law. ... Paul ... had said a little before, that those who had sinned in the law will be judged by the law; and those who have sinned without the law will perish without the law. As it might seem unaccountable that the Gentiles should perish without any previous judgment, he immediately subjoins, that conscience served them instead of the law, and was therefore sufficient for their righteous condemnation. The end of the natural law, therefore, is to render man inexcusable, and may not be improperly defined--the judgment of conscience distinguishing sufficiently between just and unjust.⁷²

The moral law, according to Calvin, is the Mosaic moral code expressed in the two tables of the decalogue, and it is the

written confirmation of the natural laws of conscience:

the very things contained in the two tables are, in a manner, dictated to us by that internal law, which ... is in a manner written and stamped on every heart. For conscience ... reminds us of what we owe to God, points out the distinction between good and evil, and thereby convicts us of departure from duty.⁷³

The following makes even more explicit the similar character of the decalogue and the natural law of conscience:

as it is evident that the law of God which we call moral, is nothing else than the testimony of natural law, and of that conscience which God has engraved on the minds of men.⁷⁴

Both conscience and the decalogue prescribe moral norms, or directives for action. But natural conscience is defective in two ways. First, conscience as a natural attribute is inadequate to judge one's actions with reference to God.

Natural morality, having suffered the consequences of the fall, is enfeebled along with natural reason, so that man,

being immured in the darkness or error, is scarcely able, by means of that natural law [of conscience], to form any tolerable idea of the worship which is acceptable to God. At all events he is very far from forming any correct knowledge of it.⁷⁵

In fact, conscience may contravene several of the commandments of the decalogue:

when you hear of an universal judgment in man distinguishing between good and evil [Calvin has just defined conscience in precisely these terms], you must not suppose that this judgment is, in every respect, sound and entire. ... Indeed, if we would test our reason by the Divine Law, which is a perfect standard of righteousness, we should find how blind it is in many respects. It certainly attains not to the principal heads in the First Table. ... As to the precepts of the Second Table, there is considerably more knowledge of them, inasmuch as they are more closely connected with the preservation of civil society. Even here, however, there is something defective.⁷⁶

Conscience is, in effect, tied to the anthropocentric pagan virtues rather than to the christian theocentric values. Its object is natural civil morality and its norms are calculated on the basis of man as he stands coram hominibus, while the proper aim of those in the judaeo-christian tradition should be righteousness, in that man stands essentially coram deo. Conscience is hence subject to the same limitations of the classical philosophers; Calvin refers to "Plato's error" in misperceiving divine will by having man and not God as ultimate referant.⁷⁷ Calvin sees little value in the purely moral act, for morality without righteousness is superfluous.

The second way in which this natural law known in conscience proves inadequate for Calvin's purposes is the defect which it shares with the Mosaic moral law. Both act to accuse rather than excuse, they are based upon a consideration of one's works and hence--in standard reformation terms--can only condemn. The pain of conscience betokens only the wrath of God; it is the Pauline Wrath mediated internally, just as natural disasters and civil punishment are the Wrath of God expressed externally. Calvin says that either "adverse circumstances betoken the wrath of God, or conscience finds the subject and matter within itself."⁷⁸ The previous references to the parallel characteristics of conscience and the Mosaic code also bear out this interpretation. Regarding the Gentiles, Calvin says that conscience took the place of the law, "and was therefore sufficient for

their righteous condemnation." The purpose of the natural law is to "render man inexcusable." The natural conscience hence deals only--and deals imperfectly at best--with the God of anger of the old testament, whereby salvation is dependent upon one's works. Calvin is criticizing the value of conscience as described by the medieval tradition; he implies that the natural conscience is the conscience of the natural man, and natural man is unregenerate and hence damned. Calvin is not very interested in the unregenerate, and so the natural conscience of the unregenerate is removed from a position of any importance in the life of man.

This equation of the natural, the moral and the state of unregeneracy follows from the Calvinist--and more generally the entire reformation tradition--separation of the human and the divine. The condition of man post peccatum Adae is that of total depravity of all natural attributes. No longer does man participate in the divine essence by means of his natural essential principles of being, as he had in the view of Aquinas. The entire hierarchy of essences is denied by Calvin; righteousness is exclusively divine and is obtained only by grace without benefit of human endeavour. Natural law may be adequate for social life, but it has no essential divinity and bears reference only to those outside of grace. Hence natural conscience has little or no value for what Calvin considers the proper goal of man, which is not the moral earthly life of social interaction, but rather salvation. Calvin repudiates his early humanist education in denying

that christianity is a mode of life for this world, in favour of the view that it is predominantly a search for salvation in the next world.

If the theory of natural conscience were the only notion of conscience, Calvin's theology would have little to do with conscience; but Calvin proposes that conscience is not only connected with the doctrine of works, but also with the rule of grace. The role of conscience in reference to sainthood is the alternate, or additional, function of conscience which Calvin introduces. Conscience becomes an indicator of one's salvific status, the locus in which the individual is able to confirm his election or damnation. Whereas the moral and natural conscience gave a series of judgments concerning the value of one's works, the salvific conscience does not impart directives. It can be either painful or quiet. The painful conscience generally indicates that one is outside of grace, whereas the quiet conscience confirms one's sainthood. The painful conscience is, in effect, the natural moral conscience which condemns one's transgressions against a moral or divine law.

The quiet conscience is that which follows a justification by faith: it denies that works in themselves have any bearing upon one's salvation. The only way in which one may obtain a quiet conscience is through grace; a quiet conscience is a corollary of sainthood in that it represents the judgment of God towards his saints.

If we now inquire in what way the conscience can be quieted as in the view of God, we shall find that the

only way is by having righteousness bestowed upon us freely by the gift of God.⁷⁹

Calvin offers the words of Paul to substantiate his proposal:

"Paul uniformly declares that the conscience can have no peace or quiet joy until it is held for certain that we are justified by faith."⁸⁰ It is hence possible for the saints to discover a sign of their election in the quietness of their consciences:

When the saints repeatedly confirm and console themselves with the remembrance of their innocence and integrity ... because, reviewing themselves before God, even without any comparison with others, the purity of their conscience gives them some comfort and security.⁸¹

The unregenerate, on the other hand, will continue to be plagued by a painful conscience for, without grace, their transgressions will be judged by God and by conscience as damnable. Regarding these unregenerate, Calvin says that God will "change ... their peace into the gnawing of conscience."⁸¹

This second concept of conscience which Calvin describes as part of the rule of grace is that which he refers to under the rubric 'liberty of conscience'. Under the Mosaic law of the old testament, one was condemned for not fulfilling the conditions of the law, and one's conscience similarly condemned one. But under the rule of grace mediated through Christ, one did not actually have to fulfill the law; justification by faith means an imputation of Christ's actual righteousness to one's sinful actions, so that one would not be damned for not being righteous. One continued to sin, sin being the inescapable condition of fallen man, but if one were in a state of grace Christ's righteousness would be God's object of judgment

instead of the individual's sinful actions. Similarly, one's conscience would take these sins for righteousness. Under the law of grace, the conscience is not bound to inflict pain for transgressions against the moral law. If it were, it would mean that conscience was judging one's works, an idea anathema to Calvin.⁸² Spiritual liberty, then, is freedom--for the elect--from the sentence of damnation and the pain of conscience, which are based upon a consideration of one's works. One is hence "free" to sin without fearing the vengeance of the law's punishment:

the consciences of believers, while seeking the assurance of their justification before God, must rise above the law, and think no more of obtaining justification by it. ... For the question is, not how we may be righteous, but how, though unworthy and unrighteous, we may be regarded as righteous. If consciences would obtain any assurance of this, they must give no place to the law.⁸³

Calvin assumes throughout that the moral law of the decalogue is obeyed (insofar as is possible) by the saints, not because it justifies them, but because it is (their nature and inclination as saints so to do. He writes that,

consciences obey the law, not as if compelled by legal necessity; but being free from the yoke of the law itself, voluntarily obey the will of God. Being constantly in terror so long as they are under the dominion of the law, they are never disposed promptly to obey God, unless they have previously obtained this liberty.⁸⁴

It is further implied here that sainthood may be recognized by one's actions, and that election must manifest itself in certain outward appearances.⁸⁵

Calvin repeats the commonly-expressed axiom that human laws are not necessary in themselves and hence each individual law is not binding in conscience, but that insofar as one

is obliged by the moral law to obey magistrates and superiors, these laws must be obeyed in consideration of the general rule:

Let us now return to human laws. If they are imposed for the purpose of forming a religious obligation, as if the observance of them was in itself necessary, we say that the restraint thus laid on the conscience is unlawful. Our consciences have not to do with men but with God only. Hence the common distinction between the earthly forum and the forum of conscience. When the whole world was enveloped in the thickest darkness of ignorance, it was still held (like a small ray of light which remained unextinguished) that conscience was superior to all human judgments. ... [But] though individual laws do not reach the conscience, yet we are bound by the general command of God, which enjoins us to submit to magistrates. ... [Hence] human laws, whether enacted by magistrates or by the Church, are necessary to be observed (I speak of such as are just and good), but do not therefore in themselves bind the conscience, because the whole necessity of observing them respects the general end, and consists not in the things commanded.⁸⁶

Calvin is always very careful to avoid intimating that he seeks the abolition of civic and ecclesiastical regulation. He points to a passage from Galatians which shows that,

Christ is obscured, or rather extinguished to us, unless our consciences maintain their liberty; from which they have certainly fallen, if they can be bound with the chain of laws and constitutions at the pleasure of men.⁸⁷

The dangers of this sort of thinking, says Calvin, are innumerable and in the hands of irresponsible people could threaten the stability of social society itself:

For the moment the abolition of human constitutions is mentioned, the greatest disturbances are excited, partly by the seditious, and partly by calumniators, as if obedience of every kind were at the same time abolished and overthrown.⁸⁸

He attempts to forestall this possible consequence by making a very sharp distinction between two types of obedience.

which are required of everyone:

in man government is twofold: the one spiritual, by which the conscience is trained to piety and divine worship; the other civil, by which the individual is instructed in those duties which, as men and citizens, we are bound to perform. ... Now, these two, as we have divided them, are always to be viewed apart from each other. When the one is considered, we should call off our minds, and not allow them to think of the other. For there exists in man a kind of two worlds, over which different kings and different laws can preside.⁸⁹

The spiritual liberty of the conscience from the moral Mosaic law, in consequence of the law of grace in the gospel, bears no reference to, and should never be confused with, civil liberty. This latter expression of liberty is perceived by Calvin to be not liberty at all, but in fact only licence.

He considers it both seditious and erroneous to

transfer the doctrine of the gospel concerning spiritual liberty to civil order, as if in regard to external government Christians were less subject to human laws, because their consciences are unbound before God, as if they were exempted from all carnal service, because in regard to the Spirit they are free.⁹⁰

The question, as he had said previously, is to distinguish properly between those things which pertain to the "external forum" and those of the "forum of conscience".

Concerning ecclesiastical laws, Calvin is faced with the problem that, while some laws of the Church should indeed bind the conscience, others should not. Calvin has no wish to dispense with ecclesiastical jurisdiction regarding the structure of the church as an institution, and concerning the manner of worship. However, he distinguishes between two kinds of rules concerning the church: one set of rules touching external worship which are, in themselves, not

necessary for salvation; and another set of rules which are necessary to salvation. These laws of external worship which, says Calvin, should not be presumed to touch the conscience, are nonetheless necessary if properly constructed:

as very many ignorant persons, on hearing that it is impious to bind the conscience, and vain to worship God with human traditions, apply one blot to all the laws by which the order of the Church is established, it will be proper to obviate their error. ... First, then, let us understand that if in every human society some kind of government is necessary to insure the common peace and maintain concord, if in transacting business some form must always be observed, which public decency, and hence humanity itself, require us not to disregard, this ought especially to be observed in churches, which are best sustained by a constitution in all respects well ordered, and without which concord can have no existence. ... In these ordinances, however, we must always attend to the exception, that they must not be thought necessary to salvation, nor lay the conscience under a religious obligation; they must not be compared to the worship of God, nor substituted for piety.⁹¹

Calvin in no way objects to prescribed rules of external worship in themselves; his quarrel with the Roman Catholic Church is that their regulations are not based on the word of God, and are rather of purely human invention:

the name of human traditions is given to all decrees concerning the worship of God, which men have issued without the authority of his word. We contend against these, not against the sacred and useful constitutions of the Church, which tend to preserve discipline, or decency, or peace.⁹²

However, there are no explicit instructions regarding external worship contained in the scriptures, only general directions and goals which one should pursue in framing ecclesiastical regulations. It follows that there may be more than one manner of institutional church; it does not, however, seem to have occurred to Calvin that there may be more than one

form of church government existing simultaneously. Although precise information concerning those things necessary to salvation may be found in the scripture, this is not true with respect to "indifferent" things of external worship and rituals of the church:

the whole sum of righteousness, and all the parts of divine worship, and everything necessary to salvation, the Lord has faithfully comprehended, and clearly unfolded, in his sacred oracles, so that in them he alone is the only Master to be heard. But as in external discipline and ceremonies, he has not been pleased to prescribe every particular that we ought to observe (he foresaw that this depended on the nature of the times, and that one form would not suit all ages), in them we must have recourse to the general rules which he has given, employing them to test whatever the necessity of the Church may require to be enjoined for order and decency.⁹³

As long as there is no contravention of the general rules which have been set down in the books of the scripture, it is entirely valid that the church may from time to time change the manner of discipline and ceremonial proceedings: "it will be proper, as the interest of the Church may require, to change and abrogate the old, as well as to introduce new forms."⁹⁴ This statement is, however, hedged with the injunction,

that we are not to innovate rashly or incessantly, or for trivial causes. Charity is the best judge of what tends to hurt or to edify: if we allow her to be guide, all things will be safe.⁹⁵

In the case of these "things indifferent" one should look to two goals: charity and edification:

In all cases we must study charity, and look to the edification of our neighbour. ... There is nothing plainer than this rule, that we are to use our liberty if it tends to the edification of our neighbour, but if inexpedient for our neighbour, we are to abstain from it.

... Whatever I have said about avoiding offences, I wish to be referred to things indifferent.⁹⁶

Calvin discriminates between an unregenerate conscience, which condemns for transgressions of the law--he makes only an academic distinction between the natural moral law and the Mosaic moral code; he seems to assume that they are one and the same--and the regenerate conscience of the elect, which is a "quiet" conscience and in not condemning, approves. Calvin's notion of conscience pertains strictly to a salvific function; it has nothing to do with the purely natural moral act (if, in fact, Calvin could conceive of such an act at all).

Moreover, reason does not enter into a consideration of what binds the conscience. Calvin understands conscience to be a phenomenon related to divine legality rather than to divine rationality. His single definition of conscience⁹⁷ uses the legal metaphor extensively:

what is meant by conscience. The definition must be sought in the etymology of the word. For as men, when they apprehend the knowledge of things by the mind and intellect, are said to know, and hence arises the term knowledge or science, so when they have a sense of the divine justice added as a witness which allows them not to conceal their sins, but drags them forward as culprits to the bar of God, that sense is called conscience. For it stands as it were between God and man, not suffering man to suppress what he knows in himself; but following him on even to conviction. ... this sense, which sists man before the bar of God, is set over him as a kind of sentinel to observe and spy out all his secrets, that nothing may remain buried in darkness.⁹⁸

Calvin disregards the intellect altogether in speaking of a regenerate or good conscience, "a good conscience," he says, "being nothing else than inward integrity of heart."⁹⁹ He says that Paul shows that conscience "differs from intellect.

... For by these words he intimates, that it is lively inclination to serve God, a sincere desire to live in piety and holiness."¹⁰⁰ This strain of non-rationalism with regard to conscience sets off Calvin very distinctly from Aquinas and even from Aquinas' opponents such as Ockham. In this respect, Calvin's theory of conscience harks back to Bonaventure's enunciation of conscience as part of the will rather than the reason. But more than this, Calvin's repudiation of christian rationalism in general, and his belief in the natural depravity of man after the fall, underlines his affiliation with a tradition of Augustinian eschatological theology.

III. Protestant Theories of Conscience in Elizabethan England

III.1. Introduction

Two paradigms of conscience have been outlined in the previous chapters: the medieval scholastic theory of Aquinas which relied heavily on classical as well as christian sources, and the reformation theory of conscience represented here by Calvin. These two theories of conscience serve as a background against which to view the notions of conscience which were expounded by certain late sixteenth century English protestants. Thomas Cartwright, Robert Browne, Henry Barrow, William Perkins, and their respective colleagues and followers, while disagreeing often vehemently amongst themselves, propounded a view of conscience upon which all agreed in general outline. That they agreed only unwittingly is almost certain, for their main interests and goals were divergent. However, when regarded as a whole, the concept of conscience which they shared may be considered as a third paradigm, made up of elements of the first two, but distinctive both in itself and in its intent. They rejected the natural moral conscience of Aquinas in favour of Calvin's salvific conscience, but they reintroduced a consideration of particular actions which Calvin had left out. They iterated a theory of a salvific conscience which judged the actions as well as the soteriological condition of the individual, and for this purpose reintroduced a basis of the judgment of conscience other than an unknowable divine decision. To these people, Hooker replied as apologist for both Aquinas and the

early sixteenth century humanists.

In order to distinguish adequately and with precision between the various theories of conscience expounded during this period, several bases of evaluation need to be established. There were differences of opinion regarding the function of conscience, the basis of its judgments, its realm of applicability, and its power to bind the individual. Concerning the function of conscience, we may differentiate between those who considered conscience in its relation to natural morality, and those who assumed it also to have a salvific function. The basic precepts upon which conscience rested were also disputed; the christian rationalist position claimed that the primary principles of conscience were known by natural reason as the divine faculty which man shared with God, and the non-rationalist view maintained that scripture alone provided adequate norms for conscience. The sphere in which conscience was deemed applicable was also a criterion: was the individual conscience believed to be capable of judging and hence responsible for the individual's moral and/or salvific status, or was this responsibility extended to include the institutional church? Finally, there was more than one view regarding the power of conscience to bind the individual. It was always believed that it was a sin to act against conscience, but could conscience also bind positively, so that it was also a sin not to act according to conscience? This is also related to the first criterion: whether conscience is moral or salvific, for only the latter asserts a

positive power of binding.

On the basis of these four aspects of conscience--the function, the basis, the realm of applicability, and the binding power of conscience--we shall examine the views of several groups of dissenting protestants by comparing them one to another, and then with the classic defence of the established church, Hooker's Ecclesiastical Polity.

III.2. Cartwright, Browne, Barrow and Perkins

The dissenters of the Elizabethan period, while all agreeing that the established church was not sufficiently reformed and still retained unacceptable relics of the Roman Catholic tradition which needed to be purged, were also divided amongst themselves. There were those who advocated reform but remained within the church, and those who maintained that the only way to achieve the desired reform was to separate, either temporarily or permanently, from the established church and set up a church of their own devising. The former considered the Elizabethan church to be a true church in essence, but in need of repair; the latter declared it to be false in essence as well as defective in particulars. In other words, the one was prepared to tarry for the magistrates of the church and the secular order, while the other was not.

The largest number of the non-separatists may be referred to, according to common usage, as "presbyterian", and include Thomas Cartwright, Walter Travers, Edmund Chapman,

John Field and Thomas Wilcox.¹ Cartwright (1535-1603), the recognized leader of the presbyterian movement of church reform, was educated at Cambridge and was made Lady Margaret Professor of Divinity in 1569. He was probably briefly exposed to Martin Bucer's teachings, for in Cartwright's first year as a student, Bucer was lecturing in divinity at Cambridge; many of Cartwright's later ideas on church government are extremely reminiscent of Bucer's De regno christi, written in England and dedicated to Edward VI,² although the connection may not be one of direct transference. Cartwright was not exiled during Mary's reign, and hence does not share the radical sentiments of Ponet and Goodman.³ Nonetheless, he was deprived of his lectureship for preaching against the structure and administration of the church. He left England in the early 1570s, spending some time in Geneva and in the Low Countries. He returned to England in 1585, promised to remain passive, failed to do so, spent the years 1590-92 in prison, and narrowly missed being executed.⁴ If Cartwright was the chief instigator and administrative and spiritual leader of the presbyterians, Walter Travers (1548?-1635) is recognized as the intellectual head. He also received his education at Cambridge, and spent most of the 1570s on the continent, in Geneva and later at Antwerp with Cartwright. Returning to England in the 1580s he became a lecturer at Temple Inn in London, where he entered into the famous disputation with Hooker who was simultaneously lecturing at the Temple.⁵ Edmund Chapman

(b. 1550?), another Cambridge student, became a canon in 1569 and a preacher in 1572, and was suspended from the ministry and deprived of his canonry for non-conformity in 1576. In 1582 he emerged as the chief organizer of the Dedham Classis throughout its existence, although he was not personally prosecuted during the 1590-92 turmoil.⁶

John Field (d. 1588) and Thomas Wilcox (1549-1608), educated at Oxford, and leaders of the London presbyterian movement, are most famous for their Admonitions to the parliament of 1571 and 1572, for which they were imprisoned. Both were preachers, and both suspended from the ministry for non-conformity.⁷

The separatists who shall be considered here are Robert Browne, Robert Harrison, Henry Barrow and John Greenwood. Browne (1550?-1633) was educated at Cambridge, and began a preaching career although he refused to accept a licence from the established church. He formed several "gathered" congregational churches, and wrote treatises condemning not only the episcopal Elizabethan church but also the presbyterian system as proposed by Cartwright; he also entered into disagreement with the Barrowists' more radical form of separation.⁸ Browne was imprisoned thirty-two times for non-conformity and for holding illegal assemblies, but he escaped the retribution which many of his colleagues met in the early 1590s, probably due to the protection of his distant relation, Lord Burghley.⁹ Harrison (1550?-1585?) was also educated at Cambridge, but there is

little known of his life except the information supplied by his writings. He was affiliated with Browne for some time, in the Norwich and Middleburg congregations. He remained in Middleburg when Browne left for Scotland, and died in exile around 1585.¹⁰ Henry Barrow (d. 1593) was educated at Cambridge in law, and became a member of Gray's Inn in 1576. Following an experience of religious conversion, he left the field of law and embarked upon a study and career in divinity. He was arrested in 1586, examined by Whitgift, imprisoned, and executed in 1593.¹¹ Barrow's principal colleague, John Greenwood (d. 1593), was also educated at Cambridge in the study of divinity. He was ordained deacon and priest, but was arrested in 1586, examined by Whitgift, and imprisoned. He was released briefly in 1592, and formed an independent congregation. At the end of the year he was again arrested, tried for publishing and dispensing seditious books, and executed in 1593.¹²

William Perkins (1558-1602) is neither presbyterian nor separatist, but his theology, and more especially his theory of conscience, bears more than a superficial resemblance to that expounded by the more radical groups. He was born in Warwickshire of a yeoman family background, and studied under Laurence Chaderton at Cambridge, beginning his preaching career around 1585. He was a fellow of Christ's College, master of Emmanuel for almost twenty years, and preacher at St. Clement's at Cambridge.¹³

III.2.i. The Salvific Conscience

All three strata of Elizabethan dissenters perceived conscience as a salvific index rather than exclusively as a moral guide. Following Calvin's formulation of a dual concept of conscience, the Cartwrightian presbyterian faction, the Brownist and Barrowist separatists, and Perkins agreed that the conscience of the reprobate is categorically different from that of the regenerate elect. This is in keeping with their general depreciation of moralism when compared with salvation: the moral act was of little importance to those for whom salvation was the overriding concern, because unless moralism was preceded by grace, it was soteriologically ineffectual. Moreover, even insofar as moral acts were generated out of a state of election, they were a confirmation of, rather than the means towards, salvation. Any act was to be valued, not according to its inherent quality of good or evil, but only insofar as it confirmed or denied one's salvation.

Cartwright's discussion of the nature of fallen man indicates his belief that the moral act is in fact beyond the capability of man. Original sin had so corrupted the nature of man that he was incapable of distinguishing good from evil, and hence morally impotent.

Every man and woman is the creature of almighty God, created without corruption after the similitude of God, but is become (according to nature by reason of disobeying God's commandment) full of sin and corruption and subject to God's curse and everlasting death, which is the reward of sin. And their thoughts are wicked and their natural course of life is in the way of desolation, and are strangers to the way of grace and

peace.¹⁴

Field and Wilcox's Second Admonition implies that conscience has a soteriological function. They are speaking of ex-communication, as the recognized state of unregeneracy, and claim that those who are out of grace, and hence not part of the company of God's elect, will recognize this fact in their conscience. He that is in this condition of unregeneracy, says the Admonition,

either he hath his conscience seared with a hot iron, I mean it is brawned [?], and he hath no feeling, or else he cannot be without a hell in his conscience: for he is out of the fellowship of the Saints.¹⁵

Cartwright rarely refers to conscience as a soteriologically neutral phenomenon; he differentiates between the conscience of the reprobate and that of the regenerate.¹⁶ He also writes of the difference between the elect and the damned as manifested in conscience. A quiet conscience is only obtained by grace, or, strictly speaking, by the recognition of grace.

The swelling rage of his putrified conscience will never be assuaged, til the precious oil of God's mercy have suppld it, mitigated it, quieted it, and utterly cured and healed it.¹⁷

In A comfortable letter, Cartwright links conscience with faith and with a recognition of Christ as the mediator of grace; he writes of Peter:

first it cannot be denied, but that he was once en/lightened, and that is, indued with the true knowledge of Christ to be the only Messiah and saviour of the world. Secondly, he had also tasted of the heavenly gift, which was a true faith in Christ Jesus, openly confessing the same before all the Apostles, being fully persuaded in his own conscience what Christ was.¹⁸

Chapman similarly equates election to salvation with a quiet conscience. In a letter to Cartwright, he refers to God, "who hath called you and will bring quietness to your own conscience."¹⁹ From these allusions, it is clear that conscience has to do with salvation rather than with morality, insofar as the conscience of the saint and that of the damned are two distinct phenomena. This is confirmed by recognizing their vision of humanity as naturally evil and hence incapable of distinguishing naturally between moral good and evil.

The early separatists, Browne and Harrison, also move conscience from the sphere of pagan or natural morality to that of soteriological theology. Harrison's Three Forms of Catechisms describes two functions of conscience, both of which pertain to salvation or damnation rather than to moral goodness or evil.²⁰ This work indicates that conscience has two aspects, one objective and one subjective. In its first aspect, conscience is the witness against the individual regarding the transgression of the precepts of the divine law and in this function as a witness to a divine judge, conscience has no subjective character. The judgment of man by God, according to Harrison, takes place outside the realm of ordinary human knowledge. This act of conscience, in witnessing sin to God but not necessarily to man, goes on regardless of the individual's knowledge or consent. The objective conscience is that which, in accordance with Pauline theology, testifies to the universal culpability of

mankind, and substantiates the universal judgment that all are condemned by the law. The divine judgment, condemning to "death everlasting" all those who sin against the law, the conscience being "a thousand witnesses, when the Lord call it to accounts," is, says Harrison,

the state of the world, and thus are the innumerable multitude slain by God's avenging justice. ... they are absent from the Lord's bar, and are sleeping in the midst of their pleasures, when their judgment sleepeth not, but proceedeth thus against them.²¹

The subjective conscience--conscience in its second aspect--is the subjective knowledge of the proceedings at this divine court. Speaking of the reprobate, those who "are absent from the Lord's bar," Harrison continues:

And they may be said to be absent, because having no touch nor remorse of conscience, they can not be said to hear either accusation of the Law, or sentence of the judge.²²

But for the few who are appointed unto sainthood, a "remnant saved by the Election of grace," their subjective conscience is able to perceive the judgment being passed against them.

They being present before God's judgment bar, hear and see the proceeding of all things, by the inward feeling of conscience, which is given them by God's Spirit, as the first step and entrance unto good.²³

This subjective conscience of the elect witnesses, according to Harrison, a horrifying spectacle:

Now they beholding nothing, but even the undergoing of this terrible judgment: they fall down flat before the majesty of the judge. ... They think themselves most vile and detestable, yea the miserablest of all creatures under heaven. Death is before their eyes, and they are held with the bands thereof. They are plunged in the pit, and gasp for breath. They burn in the fire of God's indignation, having hell in their consciences, and darkness on every side.²⁴

This terrification of the subjective conscience is the first step in the process of repentance and justification. Both these two aspects of conscience--the unconscious conscience which acts independently of human knowledge, and the conscience which may be conscious or unconscious according to the salvific standing of the individual--are related to soteriological considerations rather than to moral behaviour. Because the conscience as described by Harrison is an index of the salvific standing of the individual rather than simply or predominantly a judgment of the morality of one's acts, the conscience performs an additional role. A good or bad conscience is determined by whether one is in a state of grace or not, and this condition may be known in one's conscience. A good conscience is the result of election, or the recognition of one's election into grace. According to Browne's A Book which sheweth the life and manners,

A clear conscience is a joyful consent, that by repentance and faith in Christ, we have peace with God, and are made his children and heirs of happiness.²⁵

The role of conscience is further elucidated in another section of this same work by Browne, where he outlines how God elects his saints and makes their election known to them:

His Electing or choosing is his free consent or will in his eternal counsel, to save us for his name's sake, without any desert of ours, to make known his exceeding great mercies.

His Predestinating of us, is his full consent or council, whereby he is settled to save those whom he hath chosen ... The means of our Happiness from God, is the help which he giveth us in our selves, and among our selves. His calling of us, is his using of all means and occasions,

to move us to the seeking of salvation in Christ. His calling of us in truth, is when the means which move us to seek unto Christ, are clear to the conscience.²⁶

Here Browne is saying approximately the same thing as Harrison says, that "the inward feeling of conscience" is the first sign of election, and the first step towards the full recognition of that election. In A Treatise of the Church, Harrison writes that "the lord draweth [his saints to election] by touching their consciences."²⁷

Barrow is less explicit, but from several remarks it may be inferred that he assumes that conscience has a soteriological dimension, in that the consciences of the saints give an assurance of election. In A Brief Discovery of the False Church, Barrow agrees with Calvin's description of conscience (this is one of the very few points upon which Barrow is in accord with Calvin):

Conscience he [Calvin] defineth from the second of the Romans, verse 15, to be a certain feeling or remorse within ourselves, according to the knowledge of God's will, which doth continually present us, and accuse or acquit us before the judgment seat of God.²⁸

The distinction between accusation and acquittal is significant, because herein lies the difference between the conscience of the reprobate and that of the regenerate saint. It is only the conscience of the saint which acquits, and hereby is conscience linked with election. Barrow lists those things which pertain to election:

a cutting and washing away our original and natural corruption, our ingrafting into Christ's death and resurrection both through and with him, of our dying unto sin, and living unto righteousness; as also a very putting on of Christ, with the full benefit of his merits and passion.

to the perfect redemption of our souls and bodies, and full appeasing of our consciences from the wrath of God, the rigour of the law, for all the sins that ever we have committed, as fully and assuredly as we ourselves had fulfilled the law, and satisfied the wrath and justice of God.²⁹

Election confers upon the individual a conscience freed from the judgment of the divine law, so that the conscience of the saint is no longer concerned with what is morally or objectively wrong or right, according to the divine norms established to guide the unregenerate conscience, but is conditioned by grace to allow the individual to "sin" without returning a verdict of guilty. Whatever the moral quality of his actions, the saint has a quiet conscience.

Perkins, although he has little general affinity with the presbyterian group, and no support for the separatists, maintains the same theory of the salvific conscience.

Following the standard definition of conscience in its most general aspect, Perkins says that,

conscience ... his property is to judge of the goodness or badness of things or actions done. ... The manner of conscience's determination, is to set down his judgment either with the creature or against it: I add this clause because conscience is of a divine nature, and is a thing placed of God in the midst between him and man, as an arbitrator to give sentence and to pronounce either with man or against man unto God.³⁰

But Perkins clearly distinguishes between the good conscience which is given by grace to the elect, and the bad conscience of the unregenerate. "Good conscience," he writes, "is not given by nature to any man, but comes by grace."³¹ The only conscience that was good by nature was Adam's; since Adam, the natural conscience is corrupt, and must be infused with

grace in order to act efficiently and correctly.

Regenerate conscience is that which being corrupt by nature, is renewed and purged by faith in the blood of Christ. For to the regenerating of the conscience, there is required a conversion or change; because by nature all men's consciences since the fall are evil, and none are good by grace. The instrument serving to make this change is faith.³²

The unregenerate conscience can only condemn; the regenerate conscience, however, performs two functions which are more concerned with soteriological considerations than with moral direction. "The property of regenerate conscience is twofold," claims Perkins, "Christian liberty, and certainty of salvation."³³ The liberty of conscience of which Perkins speaks is the same as Calvin's; it is the freedom from the judgment of the law of works, because--in orthodox reformation doctrine--one is not judged by the law, but only by grace. Liberty of conscience is hence "freedom from the justification of the moral law ... freedom from the rigour of the law."³⁴ Secondly, Perkins says that an assurance of salvation may be known in one's conscience: "The second property of conscience is an infallible certainty of the pardon of sin and life everlasting."³⁵ The regenerate is given this certainty by the holy spirit, so that "the voice of conscience regenerated" is "the voice of God's spirit in the same."³⁶

Cartwright, both groups of separatists, and Perkins all incorporate conscience into their theory of salvation by making it a salvific rather than a moral index. In view of their fundamentalist concern with salvation, conscience is

hence elevated to a high level of importance. The natural conscience of Paul which served only to accuse the individual, and the moral conscience of Aquinas which assigned ethical values to human acts, were significantly different from the salvific conscience. It is a commonplace axiom of all christian thought that the naturally moral act is soteriologically indifferent, that it does not contribute to the proper goal of mankind, which is salvation. But by assuming that conscience is capable of judging one's state of election instead of merely the moral quality of one's acts, these English reformers placed more value on the function and hence the judgments of conscience.

III.2.ii. The Scriptural Conscience

There was, however, a recognized danger in overemphasizing this theory of conscience. Without some sort of verifiable norm, conscience could be used to justify actions which all these reformers pronounced anathema. In particular, they feared the theory of conscience as expressed by the radical, anabaptists, whose militant eschatological beliefs, sanctioned in conscience, had contributed to the debacle at Munster. Neither the separating nor non-separating Elizabethan dissenters aspired to be Jan of Leyden or Thomas Munster. Furthermore they all showed considerable disdain for the idea of a mystical conscience, one purely inspired by personal supernatural revelation. Instead, they maintained that a good conscience received the primary principles of its

Judgment from the scriptures, the means of ordinary revelation.

The written text of the bible was considered to be the only proper binder of conscience: the conscience, if it were to judge adequately, could not rely either on a natural law of reason or on mystical intuition. Its ultimate norms were those contained in scripture, whereby God had expressly communicated His will to mankind. A reliance upon scripture was not out of the ordinary, but what was exceptional was an exclusive reliance upon the bible as the only means to know God's will, and an utter rejection of rational and natural law.

The scriptural norm is clearly indicated in the case of the presbyterians. Insofar as they claimed to base their entire programme of church government on the explicit text of the scripture, it is not surprising that, according to them, conscience should be regulated by the bible rather than by human tradition or by human natural reason. Concerning their proposed discipline, Travers' remarks in A full and plain declaration are explicit:

I call therefore Ecclesiastical Discipline, the policy of the Church of Christ ordained and appointed of God for the good administration and government of the same: That I make here God the Author of Discipline (whereupon it followeth that we have to fetch the rules thereof from no other fountains but from the holy Scriptures).³⁷

This is a commonly-expressed opinion among the Cartwright faction. A Second Admonition declares the same thing; it challenges the parliament to look for itself in the bible where it will find both precise and general directions

regarding church government:

let your learned men be driven to draw a platform out of God his book (where it is described at full) according to his will in the same revealed.³⁸

Not only are the scriptures considered to contain directives of ecclesiastical government, they are also believed to provide a complete and sufficient rule of life. Cartwright's Short Catechism states that all human endeavour should be ordered towards a proper knowledge of God, of man's naturally reprobate state, of life everlasting, of the way to obtain it, and consequently avoid damnation. All of these primary goals, concludes the catechism, may be learned,

By humble and reverent submission to the wisdom of God called his Word Revealed in the holy Scriptures (which do make known his name and do contain as a story his whole purpose and providence.³⁹

The presbyterians, individually and as a group, make no mention of natural law or rational law: a natural and rational knowledge of God and of the duty of man had existed in Adam but had been destroyed by the fall, leaving only the written word of revealed religious truth. The Cartwrightian faction has no use for judgments made according to rules established by the light of nature or the authority of the church. The only rule of conscience, as a judgment concerning action, must be the written text of the bible. In a letter to Arthur Hildersham, Cartwright says to his fellow reformer:

it will not be needful to put you in remembrance of the saying of our Saviour Christ, that you take no man to be your Father or Rabbi here on earth, nor that you bind your judgment to these things as it were a Prentice to any man, nor suffer your ear to be nailed to the door

of any private man's interpretation, considering that that privilege belongeth only to the Holy men of God, which spake and wrote by the Holy Spirit of God; and whom God had chosen to be his Public Notaries, and Records of his good pleasure towards us, whom he did sit by, and as it were continually hold their hands while they were in writing.⁴⁰

Not only are the councils and traditions of men rejected as a basis for conscience--this was common to the entire protestant movement--but the very absence of any theory of rational or natural law of divine origin indicates the anti-rationalist (but not mystical) character of this interpretation of the basis of conscience.

The separatists restrict the grounds of conscience even further, claiming that the decalogue, the moral Mosaic law, is the standard by which conscience judges actions. Although it is axiomatic that the law can only condemn, and it is equally axiomatic that the law of works has been replaced by the law of grace, the separatists maintain that the decalogue nonetheless remains the norm of the goodness of actions. For the elected saints, the law does in an oblique way justify them, for to them is imputed by God the righteousness of Christ who has fulfilled the law. Moreover, the law of grace in the gospel does not mean that the rules established in the moral Mosaic code are stripped of their moral value; it is merely that one's salvation does not depend upon fulfilling them.

Harrison, in his Three Forms of Catechism, lists and comments upon the ten precepts of the decalogue, and concludes that, "this is the Law of God, the perfect rule

of his righteousness, teaching us to lead an upright life."⁴¹
It is the decalogue which accuses man in Harrison's depiction of a divine court; and it is the conscience which bears witness to one's transgressions of this law:

Quest. Who accuse us of this sin and transgression before the tribunal seat of God?

An. Even this law, which draweth out the handwriting of our inditement against us,

Quest. Who is the witness for the confirming the same?

An. Even our own conscience is a thousand witnesses, when the Lord call it to accounts.⁴²

This is the objective conscience which was discussed previously. Regarding the subjective conscience of those who are called to a state of grace, it also follows the commandments of the law, but in this case it does so as a result of election, not as an attempt to attain it. Moreover it does not simply accuse; the subjective conscience of the elect can also justify one's state before God, because the righteousness of Christ is imputed to the saint. Harrison describes how the saints use the precepts of the law as the basis of their judgment:

we obey the Lord, not in the deadness of the letter, but in the freeness of the spirit: not by compulsion or constraint of the law, or fear of hell: but for thankfulness to the Lord for his mercy, and deliverance, for very love of righteousness.⁴³

Barrow also says that the decalogue provides the primary principles of conscience. He makes no mention of a natural rational law, nor does he refer the conscience to the entire text of scripture. Barrow, in fact, seems to take it for granted that the decalogue is the basis of conscience; he is concerned to refute those who would deny the equal validity

of the commandments of the second table.

The heart and conscience ... is not only liable unto, but searched by, and judged of God. And this we see as well in the laws of the first table as in the laws of the second. ... Thus we see how God himself hath joined the tables together, and enjoined them upon the consciences of all men, as whereby they shall be judged before him.⁴⁴

The conscience is bound to obey these precepts of the old law, even though, by the new law of grace, one's salvation is not dependent upon fulfilling them.

Yet hath not our Lord Jesus Christ abrogated one tittle of his Father's law, neither exempt the consciences of men from the second table, and bound them with, and unto the first table only. If the transgression of the least of God's laws be death, and this death extend both unto the body and soul; who can deliver and exempt our consciences from a careful and most strict observation of all God's laws, even with all our strength and the utmost God hath given us, daily examining our consciences even to every idle word or vain thought, pouring out and unfolding our hearts before the Lord, inditing, arraigning and judging our own hearts before him the knower and searcher of them, that so we may have our debt-book cancelled, and all our sins blotted out through the blood and mediation of that immaculate lamb that taketh away the sins of the world.⁴⁵

Whereas, for the christian rationalist, the fixed moral law is known by the fixed quality of the mind apprehending rationally God's eternal but unwritten law, for the separatists it is the precise and written code of moral laws which God gave to the Jews which is binding in conscience for all people. Barrow writes that,

the statutes and judgments of God, which are delivered and expounded unto us by his holy prophets, endure for ever the pure wisdom, the upright justice, the true exposition and faithful execution of his moral law: which laws were not made for the Jews' state only ... but for all mankind, especially for all the Israel of God: from which laws, it is not lawful in judgment to vary, or decline either to the one hand, or to the other.⁴⁶

These separatists, in contrast to the presbyterians discussed above, allow even less scope for interpretation regarding the basis of conscience. By reducing the grounds of conscience to a precise and explicit code, they are carrying to a further extent the rejection of rational moral capacity.

Perkins adheres to the position taken by Cartwright and his fellows; that conscience is bound exclusively by the scriptures, although he does not reduce these grounds to the text of the decalogue as do the separatists. Hence the idea of a morality known naturally by virtue of one's rational nature is denied by Perkins. The sole norm of conscience, says Perkins, is the bible:

Proper is that thing, which hath absolute and sovereign power in itself to bind the conscience. And that is the word of God, written in the book of the old and new testament. ... Therefore the word of God alone by an absolute and sovereign power binds conscience. Because this point is clear of itself, further proof is needless.⁴⁷

He repeats his theory of the scriptural basis of conscience, comparing the relative deficiency of the law of nature regarding a proper judgment of the moral merit of actions:

without direction of God's word, conscience can give no good direction. ... And here by the Word, I mean no thing but the Scriptures of the old and new testament which contain in themselves sufficient direction for all actions. As for the law of nature though it afford indeed some direction; yet it is corrupt, imperfect, uncertain; and whatsoever is right and good therein, is contained in the written word of God.⁴⁸

Perkins rejects a natural or rational norm in favour of a scriptural norm of conscience, as do the presbyterians and the separatists.

This conception of an exclusively scriptural conscience is logically in keeping with their vision of man as naturally depraved, both in will and in reason, and of the radical dichotomy assumed to exist between God and man. God alone had the monopoly on goodness, and man did not even have the potential to grow towards this divine goodness. Even those in a state of grace still retained the human quality of moral depravity: the essential point of the Lutheran and Calvinist reform was the insistence that, first, one received the gift of salvation due to no merit on the part of the individual but only because God had, according to his own unknowable reasons and purposes, decided to bestow his grace upon the individual; and second, this gift of grace justified but did not actually sanctify. That is to say, in a condition of election, one's actions were taken as if they were actually righteous, whereas in fact grace infused no quality of righteousness upon the individual. Even the saints continued to sin, but because of the theory of imputation, these sins were judged by God to be righteous. The conscience, hence, could not afford to rely upon natural reason as a basis of judgment, for even the elect were still naturally sinful and their reason naturally incapable of knowing the laws of moral action which proceeded from the divine being. In view of this, it was necessary that the conscience, in order to assess the moral quality of actions, be grounded in those principles which were indisputably of divine origin, that is, those contained in scripture.

The theory of a scriptural conscience has a further implication. Usually the moral sphere is considered to be outside the legal sphere; a moral assessment is made according to standards which fall outside the scope of a codified set of prescriptive laws of the land. The basis of morality hence has nothing to do with legality or with illegality, and to live in the moral sphere one must, in effect, live above the laws. Due to the intimate connection between morality and conscience--conscience provides a moral judgment--it is therefore surprising to find that many of the dissenting divines of the Elizabethan period portrayed conscience by means of a legal metaphor. This is the more significant because Hooker's massive defence of the policy and workings of the established Elizabethan church does not employ a legal metaphor when speaking of conscience. In contrast, those who criticized the policy or the doctrine of the established church used the legal metaphor frequently. Perkins writes that in the process of giving judgment conscience is assisted by the primary rules of conscience contained in the mind, so that the mind is a repository of rules and principles. In this context, says Perkins, the mind,

may be compared to a book of law, in which are set down the penal statutes of the land. The duty of it is to prefer and present to the conscience rules of divine law whereby it is to give judgment.⁴⁹

Conscience itself is also likened to a divine tribunal:

God in the heart of every man hath erected a tribunal seat, and in his stead he hath placed neither Saint or Angel, nor any other creature whatsoever, but conscience itself, who therefore is the highest judge that is or can be under God; by whose direction also courts are

kept, and laws are made.⁵⁰

Harrison also pictures conscience as part of a legal proceeding. He refers to the divine law as the accuser "before the tribunal seat of God," speaks of the "inditement against us," and makes several references to "God's judgment bar." This divine courtroom is similarly peopled with judicial figures: the law, as mentioned above, is the accuser, the conscience is the witness, God is judge, and Justice is the Sheriff.⁵¹ It should be explained that, to a certain extent, christian thought in general often refers to God as a judge, and such terminology as accusation, judgment-seat, last judgment, etc., is to be found in any text on christian doctrine. However, what is here unique is that in this case the writers are going beyond the general usage of the idea of God as judge, and are picturing an entire courtroom, and describing proceedings which have more apparent similarity with a legal proceeding than a spiritual judgment. In view of the legal metaphor explicitly described by Perkins and Harrison, and probably assumed by other non-conformists with whom we have dealt (there is, for example, nothing in Cartwright's writings to refute this idea, although he does not write as specifically on the subject as do Perkins and Harrison), the scriptural conscience may be regarded in a clearer light. Scripture may be seen as a sort of law book to which the consciences of all individuals have access. The basis of conscience is hence not an individually-known set of conceptual moral norms; it is instead a collec-

tion of definitive legal prescriptions known to the community as a whole. The corporate character of conscience as an institution which subsumes moral under legal norms is implied in the assumption that the text of the scriptures is the foundation of the judgment of conscience, and is further substantiated by the use of a legal metaphor to describe the action of conscience.

III.2.iii. Conscience in the Public Sphere

It was generally believed that the scriptures were the source of all doctrine, but the Elizabethan divines disagreed on the subject of whether scriptural writings and injunctions were more widely applicable. For those who maintained that the conscience was exclusively bound by the text of the scriptures, this question of the scope of biblical authority was important in their determination of the sphere in which the conscience was capable of judging and hence for which it was responsible. Three areas of responsibility may be assumed to exist in this context: the personal, the ecclesiastical public, and the ecclesiastical and secular public realms. The question to be investigated is whether the conscience of a private individual--that is, a private person as opposed to a public official who represents an office rather than an individual--is believed to have the necessary qualities to judge anything more than his own personal condition.

All the critics of the Elizabethan church whom we are

discussing agreed that the secular sphere was a matter for the magistracy, and none suggested that one's conscience gave one a warrant to question the authority of the magistracy, as long as its prescriptions concerned the secular state. Even apart from the people with whom we are dealing, there were very few who advocated resistance to, or rebellion against, the crown and magistracy in the name of religion. The treatises of Goodman and Ponet (as well as John Knox) were clearly a product of the Marian régime, and there were no comparable writings after 1558. Even the most vehement religious radicals maintained that they posed no threat to the secular authority of the prince and the magistrates. The spectre of militant anabaptism viewed during the Peasants' War and especially in Munster evidently had not faded from their memories. Paul's injunction to obey the magistrate, not only for fear of reprisal, "but also for conscience' sake,"⁵² was fully accepted. It should be mentioned that, following a virtually unchallenged tradition dating from the early christian period and continuing through the medieval and early modern eras, individual laws of human origin and secular application were not considered to be binding in conscience, as were God's laws, and that any human laws which contravened divine law imposed no obligation upon the conscience. However, although one was not required by conscience to obey these unconscionable laws, neither was one required actively to disobey them with impunity. This theory of passive resistance, combined with the general

command to obey the magistracy, was not challenged in the Elizabethan period by the radical reformers. They all deplored what they perceived to be the anabaptist principle of anarchy and subversion of the civil state, and probably would have agreed with what John Selden wrote in the middle of the next century:

If once we come to leave that outloose as to pretend conscience against Law; who knows what inconveniency may follow: for thus, suppose an Anabaptist comes and takes my horse; I sue him he tells me; he did according to his conscience; his conscience tells him all things are common amongst the Saints.⁵⁴

Cartwright denied at some length a charge of Archbishop Whitgift that Cartwright and his colleagues and followers were prepared to subvert the civil government:

It seemeth by the general purpose of the articles which your Grace hath sent me in the straight search that is made of all circumstances concerning our Conferences and more particularly by one article inquiring what other means besides prayer to God and petition to Authority, have been allowed by us as lawful to procure such further reformation as we desire, and by the speeches her Majesty's High Commissioners lately sent had with me: that both some other Ministers and myself are doubted to have intended to procure further reformation by forcible and violent means. For our necessary and just purgation wherein, I testify as in the presence of Almighty God, and am ready to confirm the same at any time that I shall be called by due order hereunto, by my corporal oath that I never intended any such seditious and rebellious disorder nor to my knowledge any Minister of mine acquaintance with whom I have had conferences at any time nor ever proposed to use or procure any other means than only prayer to Almighty God, and most humble suite to the authority that is set over us by him, to her Majesty's most honorable Privy Council, the high Court of Parliament and especially to her excellent Majesty together with the declaration of the reasons moving us thereunto. ... I for myself truly and unfeignedly profess that I have always judged and so judge (and promise by God's grace to be of no other mind while I live) that to procure propose or intend any such attempt of rebellion, as these articles seem to insinuate against us, is most unlawful by the word of God, and

worthily subject, both to such punishment as the laws of this land do lay upon it, and also to the judgment of everlasting death by the law of God.⁵⁵

Perkins also enjoins obedience to civil authorities:

God's commandments bind every man whatsoever, to be subject to the magistrate, Rom. 13.1. Let every soul be subject to the higher powers. Hence we see also what notorious rebels those are [the roman catholics] that being born subjects of this land, yet choose rather to die than to acknowledge (as they are bound in conscience) the King's Majesty⁵⁶ to be supreme governor under God in all causes and over all persons. Lastly, we are taught hereby to be willing to give subjection, obedience, reverence, and all other duties to Magistrates, whether they be superior or inferiour; yea with cheerfulness to pay taxes and subsidies, and all such lawful charges as are appointed by them.⁵⁷

Harrison is as equally vehement that one should not challenge the civil sword, and that magistracy is good, lawful, and necessary:

In the name of God, let Caesar have whatsoever unto him belongeth, even all civil power and Dominion ordained of God. And woe unto him, say I, which shall hold this, and teach men so, that there is no use of the Magistrate's sword among Christians. For that is ... to deprive Christians of that benefit of peace which the Lord have ordained that we should enjoy by their means.⁵⁸

Browne's Treatise of reformation begins by denying that he seeks to take away the authority of the civil prince and state; on the contrary, he says,

concerning our faithfulness to our Prince and Country, and what our judgment is of the civil authority ... concerning our Sovereign Queen Elizabeth ... her Authority is civil, and that power she hath as highest under God within her Dominions, and that over all persons and causes. By that she may put to death all that deserve it by Law, either of the Church or common Wealth, and none may resist Her or the Magistrates under her by force or wicked speeches, when they execute the laws.⁵⁹

Statements such as these abound in the writings of all

these divines. Barring exceptional circumstances, they agree that it is wrong both in principle and in practice, actively to oppose the secular authorities. This implies that the secular state is not the responsibility of the private person's conscience. They all indicate their willingness to transfer the responsibility for the civil common weal to persons in public office. The conscience of the individual cannot judge this public condition, but, instead, is obliged to obey and support the directives of the magistracy.

One must distinguish, however, between the secular and the ecclesiastical public sphere for, although since the Henrician reformation the head of the secular state was also the head of the church, the two realms were often separated in theory, so that obligations to one did not necessarily imply similar obligations to the other. Here we begin to perceive Perkins' affiliation with those who supported the established church, and the distinction between his position and that taken by the presbyterian and separatist groups. Both separatist groups as well as the presbyterian faction claimed that the structure, government and policy of the visible instituted church, as well as all matters of external worship, were a matter of conscience. That is, the conscience of the private person was capable of judging their worth, and hence was responsible to see that they conformed to what perceived to be divine standards. The basis of their position was their belief

that the bible contained precise instructions concerning ecclesiastical government and external worship, and so they were required to judge the actual church--the established church under Elizabeth--according to these norms. Perkins, on the other hand, finds no such precise model of church government in the bible. Travers gives expression to this idea that there is a perfect and complete rule for the church contained in the new testament:

Now whereas I affirm that Christ hath left us so perfect a rule and Discipline, I understand it of that discipline which is common and general to all the Church, and perpetual for all times, and so necessary, that without it this whole society, and company, and Christian Commonwealth, cannot well be kept under their Prince and King Jesus Christ.⁶⁰

Both positions maintain that the judgment of conscience depends upon the scriptures; the difference is that the one does, and the other does not, find explicit instructions concerning ecclesiastical polity, government and worship in the bible.

Cartwright claims that the individual's conscience is responsible not only for his personal relationship with God, but also for the public church. The manner of public worship, according to Cartwright, ought to be judged according to conscience, guided by biblical precepts:

the conscience desireth resolution and direction to do that which may be acceptable to God knowing how highly it offendeth the majesty of the almighty when we content ourselves in his worship with a human direction consisting in the precepts and counsels of men.⁶¹

The affair of the oath ex officio mero indicates that

Cartwright and his colleagues were not content to leave the direction of church affairs to the discretion of the episcopal authorities, but that they thought it necessary to judge for themselves the quality of any particular article or ruling concerning the church and worship. One of the requirements of the oath was that one swear to the validity and moral rectitude of whatever the High Commission or other ecclesiastical authorities decided--in the future as well as in the present--was fitting for the church. Cartwright gave the responsibility for refusing to take the oath to his conscience:

this oath, we find ourselves much moved in conscience to refuse it ... our consciences are grieved with this oath thus pressed upon us, and we fear before the Lord to take it in that it doth bind us to promise to answer in matters which as yet we do not know, neither can judge or discern of them: ... this oath ... that our consciences dare not undertake.⁶²

He cannot give carte blanche on matters of external worship and ecclesiastical government because he, as an individual whose conscience is enlightened by grace and informed by scriptures, is responsible for the public realm of the instituted church:

We do therefore justly condemn this popish conceit, and blind devotion that God will accept any good purpose in the service of his worship wherein I walk by the light and leading of other men myself being therein blind and void of judgment. To conclude therefore seeing generally in all our ways and especially in an oath, the prophet Jeremy requires that we walk by judgment discovering and discerning what we do; we therefore dare not take this oath.⁶³

The authors of the Admonition to the Parliament say that it is "for the discharge of our conscience" that they bring to

the notice of the authorities the model of the church which Christ had described, and the ways in which the established church deviated from this apostolic model.⁶⁴ Behind this statement is the assumption that their consciences are capable of making this judgment of the church. On the basis of this judgment they say that it is the duty of those in ecclesiastical authority to reform the church,

not only in abandoning all popish remnants both in ceremonies and regiment, but also in bringing in and placing in God's church those things only which the Lord himself in his word commandeth.⁶⁵

The scriptural emphasis is predominant, and indeed provides the grounds of their argument. Insofar as they believe that scriptural writings provide a clear and incontestable model for the church, there is no need for special training, skills and experience in order to regulate matters of church government and worship. Like a code book of laws, the bible is assumed to set forth directives which anyone who reads it can understand plainly. The idea that there should be different standards of right and wrong for the public church and for the private individual is inconceivable. Hence the two Admonitions to the Parliament, as well as the Exhortation to the Bishops, are evidence that this presbyterian group believes that those in public authority are no more knowledgeable concerning what is proper for the church than are private persons, whose consciences can judge the goodness or evil of the instituted church. Private as well as public persons are accountable to God for the state of the visible church, and all are bound not to transfer the responsibility

for it to those in public office.

Barrow's A Brief Discovery of the False Church reproves those who say that external worship and the public state of the church are not a matter of conscience. "Do not the public actions of the church, the worship and service of God, prayer and fasting," he asks, "concern the conscience?"⁶⁶ The reason that these matters do concern the conscience is that they are all things which are precisely described in the new testament, and any deviation from the apostolic model implies a desecration of one's conscience. Barrow says that his intention in A Brief Discovery is to show the truth of the proposition,

That the government and ordinances that Christ in his Testament hath set down and appointed unto his church are necessary, only fit and perpetual, and that the true church of Christ can or may no more receive any other officers, government and ordinances ... than that which God hath assigned.⁶⁷

Barrow's A Plain Refutation is, proclaims the title page, a discovery of the falsity of the ministry, and the worship of "these Parish assemblies, called the Church of England."⁶⁸

The Refutation again presents Barrow's belief that the condition of the visible church is the responsibility of one's conscience, based again on the idea of an unchangeable apostolic model:

Is there any more dreadful or reverend action on earth amongst men, than the judgments of Christ in his church, which are all most holy and true? Or do not these concern the conscience? Doth not every action of which there are certain laws set by Christ himself, nearly concern the conscience to do it according to the same? When the least abuse, neglect, or swerving from the rule even in the least circumstance that is enjoined in the least censure doth so deface the action, is so offensive and prejudicial,

do not those actions which are done for the salvation of souls, that are said to bind in heaven, not concern the conscience? Or do not those rules which are given for the direction and preservation of the public communion of the whole church, and private conversation of every member thereof (without the observation of which rules there can be no order, no duty either public or private, no holy walking in any calling kept) concern the conscience?⁶⁹

In contrast, Perkins' few remarks on the subject of ecclesiastical government and worship show that he disagrees with the presbyterian and separatist notion of the early apostolic church as the only true church, and their belief in the precision with which rules for church government and worship were inscribed in the new testament. Perkins does not deny that ecclesiastical regulations should be based upon the written word of God:

all doctrines pertaining to the foundation and good estate of the Church, as also the whole worship of God, are set down and commanded in the written word of God, and cannot be prescribed and concluded otherwise by all the churches in the world.⁷⁰

He cannot, however, find any more than general instructions in the bible, and so is willing to rely upon the judgment of the church authorities to establish specific rules, following the general biblical instructions.

The laws then which the Church in proper speech is said to make, are decrees concerning outward order and comeliness in the administration of the word and Sacraments, in the meetings of the congregation, etc. And such laws made according to the general rule of God's word, (which requires that all things be done to edification, in comeliness for the avoiding of offense) are necessary to be observed, and the word of God binds all men to them so far forth as the keeping of them maintains decent order, and prevents open offence.⁷¹

Perkins does not pretend to know the precise marks whereby the true church may be discerned, and so is prepared to rest in

the judgment of the authorities unless they contravene the general rule, "that all things be done to edification, in comeliness for the avoiding of offence."

III.2.iv. The Power of Conscience to Direct Action

It has been shown that two interpretations of the extent of conscience's sphere of judgment arose from the same belief in a soteriological and scripturally-based conscience. It is also possible to show that there was further disagreement on the subject of what actions were required of an individual by this same concept of conscience. Assuming that all these divines wished to maintain a "good" conscience, thereby confirming their election to salvation, the question to be posed is how each group proposed that a regenerate conscience would manifest itself in the individual. What actions, proceeding from the judgment of conscience, were considered evidence of godliness? One's election, known internally by faith and in one's conscience, must be constantly re-established in order to prove its validity, and it is the task of the conscience to direct the individual to manifest his election, for it is only in manifesting one's calling unto election that one can be sure of it. Conscience was considered to be the warrant of one's calling to election. But while this calling is known inwardly, it must be verified outwardly, in actions suitable to the elect. The basis of these actions must be the scriptures, read in the light of a graced conscience, and the actions themselves must follow the directions

read in scripture. The idea that by their fruits the elect would be known and recognized was held by all these protestant dissidents, thereby re-introducing the doctrine of works into their theological schema, following James 2 by making works a necessary consequence, although not a pre-requisite, of salvation. However, their conception of precisely what these fruits were was not uniform. All agreed theoretically on the doctrine of "visible saints", but there were different views concerning just what the visible signs of sainthood were. Further, all agreed that a regenerate conscience would direct the individual towards a further reformation of the church in England, but they did not agree on how this should be done.

Harrison's views on this aspect of conscience are expressed in A Treatise of the Church, in which he replies to the charges of a man called Fenton that Harrison's teachings were leading people into schism and away from true preaching. Harrison makes the counter-accusation that, while Fenton professes to desire a reformation of church policy, worship and government, he has done nothing about it. Harrison concludes from this that Fenton's conscience is not properly grounded in scripture, and that he is lacking the zeal necessary to carry out God's will. In effect, Harrison is saying that Fenton lacks both the inward and outward signs of election, and so is probably one of the reprobate. "You say," writes Harrison,

you practice it [a reformed church government] as far as your consciences are assured by the word you may, and so

you leave the practice thereof also, as far as your consciences are persuaded you may ... but ... so shall you be reprov'd for not practicing the whole Church government, in all points as the Lord hath commanded.⁷²

The other basis of Harrison's argument is that Fenton's conscience is not based on scripture, but rather in personal wishes: "And in that you say your consciences are assured by the word, this is but a dazzling of your own eyes."⁷³

Furthermore, Fenton's claim that his calling as a minister is testified by his conscience is disputed by Harrison, who requires some sort of outward sign of his worthiness as a preacher and as one of the elect:

our saviour Christ did not compell any to receive him further than he made, by the works which ... pertained to his calling, apparent in the sight of all men ... but you have no outward witness at all, but inward, by the witness of conscience as you persuade yourselves.⁷⁴

According to Harrison, a true warrant of calling would manifest itself in a vigorous attempt to purify the church and make it conform more strictly to divine imperatives.

Browne's A Treatise upon the 23. of Matthew also expresses the idea that good works must stem from a good conscience, which in turn comes from grace; and that the lack of good works--as defined by Browne--indicates a lack of grace. He speaks of the established church and all those who will not separate from it:

For they allege that they have the spirit of God, a good conscience, and a good mind to do good to the Church, and they have also knowledge sufficient. Thus they speak fair, and will show a good countenance. But is this a good mind, or a good conscience, to strew green rushes upon the mouth of the pit, and then bid us walk over it, for they mind us no hurt? So do they in that they will fully tolerate, or with outrage uphold such great abominations: which also are blind to see the woes of the

Church, and those which they see, they would hide from our eyes, with their dispensings and mitigations, and will wink at grosser corruptions, and say they see them not. If they walk thus after the flesh, how can they say, that they have the spirit or be inwardly called?⁷⁵

According to Harrison and Browne, the only possible outward sign which can confirm the validity of the judgment of conscience is separation from the established church. Again, this is clearly related to their notion of visible sainthood. Browne expresses the separatist position in his famous A Treatise of reformation without tarrying for any:

For the Lord's way sayeth the Scripture, is holy, and no polluted shall pass by it. And again it is written, That the Lord's people (he speaketh of the Church) shall be all righteous, that is, no open wickedness shall so show itself in the Church, that it should be incurable. For either the parties which offend, shall be separated, or else they shall be reclaimed by due admonition. And therefore the Church is called the house of the living God, the pillar and ground of truth. For by the due order therein, Religion and holiness is upheld, and all heresies, evil manners, and wicked examples put away. ... Man is not able to reform all things, and in the commonwealth many things are suffered. But in the Church, though hypocrites which are called the tares, can not be rooted out, yet no open disorder shall so spread itself, that it cannot be remedied. Else should not the Church be called the pillar and ground of truth, the Lord's resting place, his holy habitation, his kingdom and glorious renown. Therefore doth Paul call that part of church government, which is to separate the ungodly, the power of our Lord Jesus Christ.⁷⁶

The keynote of their position is that "the worthy may not tarry for the unworthy, but rather forsake them."⁷⁷ They assume that they can recognize those of the city of God by their actions, in that the actions directed by their consciences will correspond to the soteriological standing of their consciences. Because Browne and Harrison have separated from the church which they consider to be filled

with the reprobate, they are able to maintain to themselves that, "as for us we have our warrant from the Lord who hath sealed our calling surely in our conscience."⁷⁸ Harrison expands on this piece of somewhat bizarre logic:

behold what is seen: we have our Churches planted, the unclean separate from the clean, all open abominations of Antichrist expelled, and our poor flocks redeemed from his iron yoke, and governed by the due order of Christ's government, and we have the keys of outward binding and loosing, without borrowing them from any Antichristian Court. ... It followeth we are surely persuaded, that we are of the number of those that are marked with the mark of God in their foreheads.⁷⁹

Barrow further exemplifies this idea of conscience, whereby a good or regenerate conscience always impels the individual to reform the church or to separate from it. Speaking of one of his opponents, Barrow writes:

Mr. Giffard he is contented, that under heathen or popish princes the church now may reform or proceed in the practice of the whole will of God, but at no hand where the prince professeth the faith in the fundamental points, though otherwise he err and mislead the whole church in some matters of doctrine, or touching the rules of discipline. In these abuses and corruptions 'every private man is to keep a good conscience, but none to take public authority to reform': because these kings are 'principal members of the church'. What clear conscience any private man that yeildeth to these public seen errors or transgressions, or the whole church, whilst it willingly doth, or suffereth these things to be done, can keep, we have above shewed.⁸⁰

Evidently, Barrow does not think that a private individual can keep a "good conscience" by remaining within the established church, where so many abuses and errors are evident.

The presbyterians, on the other hand, oppose the separatist policy. Although their consciences also judge the established church to be insufficiently reformed, they do

not go to the extent of believing that their consciences require them to separate from the community of the church.

On the contrary, they are of the opinion that separatism constitutes schism as well as civil disobedience, both acts forbidden by conscience. The actions which their consciences require of them consist in petitioning the civil and ecclesiastical authorities to reform the church according to the presbyterian exposition of the nature and government of the true church. Travers concludes his A Full and plain declaration of ecclesiastical discipline, where he declares that it is the duty of the magistracy to establish his ecclesiastical discipline and to abolish "this Popish Hierarchy" of archbishops and bishops, by saying that his conscience impells him to write as he does: "by the testimony of my conscience, that I have discharged my duty to God, and to our Church: I will rest and comfort myself."⁸¹ The Exhortation to the Bishops begins by saying that,

I only seek to discharge my conscience, in showing my dislike of that, wherein as I think you deal scarce brotherly. If any good fall out hereby I shall be glad, and praise God for the same, if none, yet have I satisfied mine own conscience in uttering my mind.⁸²

An Admonition to the Parliament declares that, even if its demands are not met, the authors may still have "quiet consciences" by having presented the petition.

If this can not be obtained, we will by God's grace address ourselves to defend his truth by suffering, and willingly lay our heads to the block, and this shall be our peace, to have quiet consciences with our God, whom we will abide for, with all patience, until he work our full deliverance.⁸³

This theme is continued in A Second Admonition to the Parlia-

ment, in which the authors Field and Wilcox again emphasize the necessity of showing a good conscience by speaking against the abuses in the church. In reference to the book of common prayer, they say that:

he hath but a bad conscience that in this time will hold his peace, and not speak of it for fear of trouble, knowing that there are such intolerable abuses in it, as it is plain there are.⁸⁴

They continue to speak of conscience in general reference to "a reformation of Religion":

for surely only this is God his order, and ought to be used in his church, so that in conscience we are forced to speak for it, and to use it, and in conscience, and in the reverence of God, we are forced to speak as we do of that reformation, which we now use, not so much for ought else, as to set out the deformities thereof, that we might think upon the amending of them.⁸⁵

The imperative of the presbyterians' consciences was limited to petitioning against the defects in the church, and requesting the magistracy to reform them; whereas the separatists' consciences required the individual to secede from the established church and form their own version of the true church.

Perkins likewise asserts that one's election, known in conscience, will manifest itself in outward works. He propounds the theory of salvation which may be described as justification by faith and verification by works, following James' 2, and in agreement with Browne, Farrow, Cartwright, and their followers:

The question then is, whether a man in this life may ordinarily without revelation, be unfallibly certain of his own salvation, first of all and principally by faith, and secondly, by such works as are unseparable companions of faith.⁸⁶

It is pertinent, moreover, that according to Perkins it is the conscience which impels the regenerate individual into showing the proofs of his election:

the regenerate conscience giveth testimony of a certain kind of righteousness, being an unseparable companion thereof: and for this cause, it is called of some the righteousness of a good conscience. Now this righteousness is nothing else, but an unfeigned, earnest, and constant purpose with endeavour answerable thereto, not to sin in anything, but in all things whatsoever to please God and do his will.⁸⁷

As a regenerate conscience gives testimony of our new obedience, so it doth also by certain sweet motions stir men forward to perform the same.⁸⁸

Up to a point, then, Perkins' ideas display a similarity to those expressed by the more radical religious groups. It is their respective enunciations of precisely what this outward testimony should consist of that express the differences between them. Browne and his followers believe that the true elect may be known only through visible separation from the church which they consider ungodly. Cartwright, Travers, and the authors of the Admonitions thought that a sustained attempt to persuade the authorities to reform the government and discipline of the church, in spite of opposition and persecution, constituted the earmarks of election. Perkins, however, avoids a specific statement about the outward marks of the regenerate conscience. Furthermore, his concerns are with personal righteousness rather than with an improvement of the public sphere. Perkins writes that one must preserve a good conscience, received by grace, by the active use of it. A good conscience cannot be a passive conscience. He refers to three impediments of a good conscience which one must avoid:

"ignorance, unmortified affections, worldly lusts." He then writes of the positive means of keeping a good conscience:

The preservatives of good conscience are two, the first, is to preserve and cherish that saving faith whereby we are persuaded of our reconciliation with God in Christ, for this is the root of good conscience, as hath been shewed. Now this faith is cherished and confirmed by the daily exercise of invocation and repentance: which be, to humble our selves, to bewail and confess our sins to God, to condemn our selves for them, to pray for pardon and strength against sin, to praise God and give him thanks for his daily benefits. And by the unfeigned and serious practice of these duties, repentance and faith are daily renewed and confirmed. The second preservative is the maintaining of the righteousness of a good conscience: which righteousness (as I have said) is nothing else but a constant endeavour and desire to obey the will of God in all things. That this righteousness may be kept to the end, we must practice three rules. The first, is that we are to carry in our hearts a purpose never to sin against God in any thing: for where a purpose is of committing any sin wittingly and willingly, there is neither good faith nor good conscience. The second is to walk with God as Enoch did, Gen. 5.24. which is, to order the whole course of our lives as in the presence of God, desiring to approve all our doings ever unto him. Now this persuasion that wheresoever we are, we do stand in the presence of God, is a notable means to maintain sincerity. ... The third rule is, carefully to walk in our particular callings, doing the duties thereof to the glory of God, to the good of the common-wealth, and the edification of the Church: avoiding therein fraud, covetousness, and ambition, which cause men oftentimes to set their consciences on the tenters, and make them stretch live cheverel.⁹⁰

Perkins says that the testimony of a regenerate conscience is to be found in personal righteousness. He does not extend this testimony to public righteousness. His discussion of private and public judgment addresses itself to this distinction, which is made on the basis of two sorts of people, those whose office makes them public persons, and those without office, who are private persons:

Judgment is of two sorts: public, and private. Public, which is given and administered by a public person, in a

public place. Such is the judgment of the Magistrate.⁹¹ Regarding private judgment, which "is that, whereby one man gives judgment privately of another,"⁹² one is commanded to make judgments in three ways: to reprove those whose actions subvert the laws of God, to judge the religious doctrines of everyone according to the word of God, and to judge the personal merit of any person. Concerning this last, Perkins restricts this judgment somewhat:

Now men are of two sorts: either in the Church, or out of the Church. The members of the Church, must be judged by the judgment of charity, not of infallibility. They that are out of the Church, we must suspend our judgments concerning them, and leave them to God.⁹³

Perkins formulates six rules regarding the manner of judging by a private person:

If we know any good thing by any man, whether virtue, or action, we are willingly to speak of it, to commend it. ... If we know any evil, sin, vice, or offence by any man, there is a time when we may, and a time when we may not speak of it, and that with good conscience.⁹⁴

The judgment of evil is bounded by numerous cautions, as noted in the above quotation, and more specifically as follows:

First, he that will give sentence of another man, must in the first place, purge and reform himself. ... Secondly, we must be rightly and truly reformed in the matter before we give judgment. ... Thirdly, our love and charity, must order and direct, both our speech and our judgment of others, that we speak not of them without deliberation. ... Fourthly, he that speaks the evil he knows by his neighbour, must have the testimony of his own conscience, to assure him that he hath a calling to do it.⁹⁵

Perkins continues his caveats concerning the manner of judging, emphasizing the "judgment of charity" and also placing restrictions on the private person's judgment of any

public person or office:

The third Rule. When a man's speech or action, is doubtful, and may be taken either well or ill, we must always interpret it in the better part. ... The fourth Rule. Touching secret offences of our neighbour, we must suspend our judgment of them. ... The fifth Rule. Against an Elder, receive not an accusation under two or three witnesses. By an Elder, understand ministers, civil governors, and all superiors. And if we must not receive, then much less may we frame an accusation against them. This may be a lesson for all inferiors to learn, who take liberty to themselves, to speak what evil they please of their governors. The sixth Rule is, concerning ministers. The Spirit of the Prophets, is subject to the Prophets, and not to private persons. ... Indeed private persons have power to examine and try their doctrine and ministry: but they must go no further: for they have no power to give judgment, either of their ministers' doctrines, or persons. 96

The judgment of charity, which Perkins insists upon in one's private judgment of others, precludes the possibility of civic or political opposition to those who constitute the public realm. Perkins resolves the possible conflict of the fifth commandment with other directives concerning godliness and righteous behaviour, by distinguishing thus between the private and the public sphere, so that for a private person to "tarry for the magistrate" in matters of church reform is not only allowable, but imperative.

We must give place to the sway of the times, wherein we live, so far forth as may stand with keeping faith, and a good conscience. We may not be temporizers, and change our Religion with the times: but yet we may and must give place to times, as we give place to the stream, so that it be done with keeping of true religion, and good conscience. 97

The ambiguity of the phrase, "so far forth as may stand with keeping faith, and a good conscience," is clarified in the following passage which follows upon the last. Perkins here maintains that, even to the extent of allowing "popish images"

to stand in the churches, a private person may in good faith and conscience give place to the times:

If we cannot do the good things that we desire, in that exquisite manner that we would, we must content ourselves with the mean; and in the things which are good, and to be done, it is the safest course to satisfy ourselves in doing the less, least in venturing to do the more, which cannot be, we grow to the extremity, and so fail or offend in our action. It is a good a wise counsel of the Preacher, to this purpose, Eccl. 7.16. Be not just overmuch: and his meaning may be this; Be not too strict or curious, in effecting that which thou intendest, exactly, when thou canst not; but rest contented in this, that thou hast done thine endeavour; and take to the less, when the greater cannot be effected. In some countries, Popish Images erected in Churches, do stand undefaced. The good desire of the people is, that they may be pulled down: but this cannot be brought to pass. What then are they to do in this case? they must not grow to extremity, and pull them down themselves; but they must intreat the lawful Magistrate for their removal, and pray to God, that he may be moved so to do; and in the meantime, rest content with that they have done, and wait the Magistrate's pleasure.⁹⁸

The restrictions which Perkins insists be placed upon the judgment of conscience and the actions following conscience include a judgment of charity for those within the church, and a suspension of judgment for those outside, along with a subjection to the decisions of church authorities, unless they exceed very wide limits. These limitations placed upon the outward testimony of a regenerate conscience indicate that Perkins does not equate a good conscience with opposition to or resistance of the public realm of the instituted church. A good conscience impels the individual to reform himself, not to reform the government, policy, or official doctrine of the instituted church. Although Perkins writes that,

if it should fall out that men's laws be made of things that are evil and forbidden by God, then there is no bond of conscience at all; but contrariwise men are bound in

conscience not to obey,⁹⁹
this imperative is so narrowly circumscribed by restraints
and restrictions that it amounts to no more than a
theoretical possibility, applicable perhaps to the subjects
of Nebuchadnezzar, but certainly not to the members of the
Elizabethan church.

III.3. The Reply of Hooker

Richard Hooker's Of the Laws of Ecclesiastical Polity is the classic defence of the institutional structure and the official doctrine of the Elizabethan church. Inasmuch as the people discussed in the previous section were united --in theory if not in actuality--in their deviation from official doctrines and their dissatisfaction with the existing practices of the established church, Hooker shall serve as a model for comparison. By investigating Hooker's theory of conscience in the light of the ideas expressed by Cartwright, Browne, Barrow and Perkins, it shall be seen that Hooker and these dissenting groups and individuals presented two very different conceptions of conscience.

Hooker is not, of course, the sole defender of the via media under Elizabeth. We might also use the arguments of John Whitgift or Richard Bancroft, or those of the seventeenth-century casuists Jeremy Taylor, Robert Sanderson or Joseph Hall. However, Hooker hardly needs intellectual support, and his ideas are sufficiently cogent not to require reinforcement. Although Taylor, Sanderson and Hall provide more precise

information on conscience, they belong to the Jacobean period, and so do not direct themselves specifically to the concerns of the Elizabethan church. Hence, apart from a few passing references to these others, Hooker shall stand on his own.

Hooker was born in 1553 near Exeter in Devon, of a protestant and fairly poor family of burghess stock. Through the patronage of John Jewel, Bishop of Salisbury, arranged by his uncle, Hooker was educated at Corpus Christi, Oxford. Following his ordination into the church of England, and his marriage, he was presented with a living at Drayton-Beauchamp in Buckinghamshire in 1584, and was made Master of the Temple in London in 1585. In 1591 he left the Temple and took a living as rector in Boscombe in Wiltshire, where he began work on the Polity; in 1595 he went to Eishopsbourne, Kent, near Canterbury, where he died in 1600. The first four books of the Polity were published in 1593, the fifth book in 1597, and books six to eight were only published posthumously between 1648 and 1662.

It should be remembered that the Polity was not written as a summa but rather as a lengthy polemic, with the express intention of refuting the arguments of those such as Cartwright and Travers. In criticizing the presbyterian group, he also challenges and questions the ideas which this faction shares with both the separatists and with Perkins. Hence Hooker is guided not only by the principles of pure scientific and philosophical appraisal in presenting

his theology and theory of the church, but also by a desire to reconcile his opponents. In the preface to the Polity, Hooker writes that,

my whole endeavour is to resolve the conscience, and to shew as near as I can what in this controversy the heart is to think.¹⁰⁰

Hooker's method of "reconciling the conscience" consists in reintroducing the natural law arguments of Aquinas, and the conception of a public morality distinct from the private which the humanists, Christopher St. German in particular, had introduced.

Hooker's theory of conscience is directly related to his conception of the universe as a great intricate whole consisting of numerous particulars bound together by order and degree. This is by no means an original thought, but it serves to underline Hooker's general dependence upon medieval theology, and his particular affiliation with Aquinas and with Aristotle. Hooker describes universal order and degree as a divine imperative whereby all things are linked together in a vast hierarchy of being:

The whole world consisting of parts so many, so different, is by this only thing upheld; he which framed them, hath set them in order. The very Deity itself both keepeth and requireth this forever to be kept as a law, that wheresoever there is a coagmentation of many, the lowest be knit unto the highest by that which being interjacent may cause each to cleave to the other, and so all to continue one.¹⁰¹

The unity of the universe is preserved by the ordered character of all existence. It should be noted that this conception of order is not merely a social or even genetic order; but rather a hierarchy based on essential being.

Each type of being within the universal network is distinguished by its own proper teleological principle, whereby each seeks to perfect, or realize, its own nature and in so doing bring itself closer to excellence, and hence closer to the image of God, the source and prototype of perfect excellence:

God alone excepted, who actually and everlastingly is whatsoever he may be, and which cannot hereafter be that which now he is not; all other things besides are somewhat in possibility, which as yet they are not in act. And for this cause there is in all things an appetite or desire, whereby they incline to something which they may be; and when they are it, they shall be perfecter than now they are. All which perfections are contained under the general name of Goodness.¹⁰²

As these principles of being are defined in terms of their end or goal, they impart directives which will enable each kind of thing to attain to the goodness or perfection suitable to its kind.

These different types of directives are what constitute the principles of being; they are the laws which pertain to each kind of being, a law defined in its general sense as "a directive rule unto goodness of operation."¹⁰³ The rule of non-rational creatures is described as "the judgment of common sense or fancy" which beasts follow; angels and spirits are guided by "their intuitive intellectual judgment"; while men have the rule of rational apprehension:

The rule of voluntary agents on earth is the sentence that Reason giveth concerning the goodness of those things which they are to do.¹⁰⁴

Along with all other things and beings, man seeks to become as much like God as he is able--it being the natural

inclination of all things to strive towards perfection, which is both the source and the whole of existence--and while he participates in divinity both in his mere existence and as an animal being, it is particularly his reason which distinguishes the nature of man from the lower orders of being, and which allows him to participate more fully in divinity. The assumption is, of course, that God is in part or in whole a rational essence. Man as a rational being does not only obey divine imperatives, he is also capable of sharing in divine rationality.

The soul of man therefore being capable of a more divine perfection, hath (besides the faculties of growing unto sensible knowledge which is common unto us with beasts) a further ability, whereof in them there is no show at all, the ability of reaching higher than unto sensible things. ... When once it comprehendeth /for example/ ... differences of time, affirmations, negations, and contradictions in speech, we then count it to have some use of natural reason.¹⁰⁵

The law of man's nature, whereby he participates in an aspect of divinity, is the law of reason. This law is one of the series of laws which Hooker describes, in conformity with the late medieval categorization of laws, as a closely knit hierarchy of laws, all ultimately emanating from the mind of God. The first law is the eternal law of God, which is God's law for himself, by which all things are made and decreed: "This law therefore we may name eternal, being that order which God before all ages hath set down with himself, for himself to do all things."¹⁰⁶ This law eternal, existing only in the mind of God, is manifested to the world of created things by the various subdivisions of the second

law eternal;

by 'law eternal' the learned for the most part do understand the order, not which God hath eternally purposed himself in all his works to observe, but rather that which with himself he hath set down as expedient to be kept by all his creatures, according to the several conditions wherewith he hath endued them.¹⁰⁷

The workings of this second law eternal are described as providence, the "divine efficienoy" of all things.¹⁰⁸

Hooker calls that part of the second law eternal which orders non-animate and animate but non-intelligent things, nature's law; the law which angels observe in fulfillment of their own particular excellence, a celestial law; and for man there is "the law of Reason, that which bindeth creatures reasonable in this world, and with which by reason they may most plainly perceive themselves bound."¹⁰⁹ Man is also governed by the divine law, which deals with things not knowable by reason. "That which bindeth them," writes Hooker, "and is not known but by special revelation from God, [is] Divine law."¹¹⁰

These two laws of man--the law of reason and the divine law--constitute the two norms of moral action. They are necessary in that the first is a natural law, and "Laws natural do always bind,"¹¹¹ and the second is a positive law which receives its authority directly from God, and is hence binding and necessary by virtue of its promulgator. The divine law is the revealed law as found in the books of the old and new testaments, written by God through the medium of the prophets and apostles, from Moses through Paul.¹¹² The

law of reason is somewhat more complicated, but it is more or less a reiteration of Aquinas' natural law of reason. It is, above all, that which decides the merit of moral actions:

Wherefore the natural measure whereby to judge our doings, is the sentence of Reason, determining and setting down what is good to be done. ... And the Law of Reason or human Nature is that which men by discourse of natural Reason have rightly found out themselves to be all for ever bound unto in their actions.¹¹³

Law rational therefore, which men commonly use to call the Law of Nature, meaning thereby the Law which human Nature knoweth itself in reason universally bound unto, which also for that cause may be termed most fitly the Law of Reason; this Law, I say, comprehendeth all those things which men by the light of their natural understanding evidently know, or at leastwise may know, to be befitting or unfitting, virtuous or vicious, good or evil for them to do. ... Wherefore as touching the Law of Reason ... there are in it some things which stand as principles universally agreed upon; and that out of these principles, which are in themselves evident, the greatest moral duties we owe towards God or man may without any great difficulty be concluded.¹¹⁴

The laws of reason, says Hooker, are self-evident; not only in that they are tautologies, but also in that they are based upon common consent. Common consent does not make them rational laws, but it is a sign by which they may be known.

Laws of Reason have these marks to be known by. ... the knowledge of them is general, the world hath always been acquainted with them. ... It is not agreed upon by one, or two, or few, but by all.¹¹⁵

Speaking in general of "Goodness", of which the law of reason is one facet, Hooker says that there are two ways in which it may be known:

And of discerning goodness there are but these two ways; the one the knowledge whereby it is made such; the other

the observation of those signs and tokens, which being annexed always unto goodness, argue that where they are found, there also goodness is, although we know not the cause by force whereof it is there. The former of these is the most sure and infallible way, but so hard that all shun it.... Signs and tokens to know good by are of sundry kinds; some more certain and some less. The most certain token of evident goodness is, if the general persuasion of all men do so account it. The general and perpetual voice of men is as the sentence of God himself. For that which all men have at all times learned, Nature herself must needs have taught; and God being the author of Nature, her voice is but his instrument.¹¹⁶

It must be emphasized that the consensual character of rational moral law does not mean that common consent is the criterion of morality or rational law, for Hooker maintains the necessary existence of a fixed moral law. Common consent is simply a means of verifying the tenets of this fixed moral and rational law. It is also noteworthy that when Hooker refers to common consent, he is implying consent over time, which is tradition, rather than consent simply over place, which denies the validity of tradition. Hooker continues his discussion of the law rational by outlining what he considers to be the major principles of the law of reason:

The main principles of Reason are in themselves apparent. axioms or principles more general are such as this, 'that the greater good is to be chosen before the less'. ... 'That small difficulties when exceeding great good is sure to ensue, and on the other side momentary benefits when the hurt which they draw after them is unspeakable, are not at all to be respected'. ... the law most reasonable, that doth forbid those crimes which men for gain's sake fall into. ... Axioms less general yet so manifest that they need no further proof, are such as these, 'God is to be worshipped;' 'Parents to be honoured;' 'others to be used by us as we ourselves would be by them.' Such things, as soon as they are alleged, all men acknowledge to be good; they require no proof or further discourse to be assured of their goodness.¹¹⁷

Furthermore, Hooker also asserts that the moral mosaic law is also part of the law of reason.

Touching the several grand mandates [from the context, it is evident that Hooker is here referring to the decalogue] ... the minds even of mere natural men have attained to know, not only that there is a God, but also what power, force, wisdom, and other properties that God hath, and how all things depend on him. ... these axioms and laws natural concerning our duty have arisen, 'that in all things we go about his aid is by prayer to be craved: 'that he cannot have sufficient honour done unto him, but that the utmost of that we can do to honour him we must; which is in effect the same that we read, 'Thou shalt love the Lord thy God with all thy heart, with all thy soul, and with all thy mind: 'which Law our Saviour doth term 'The first and the great commandment.' Touching the next ... the like natural inducement hath brought men to know that it is their duty no less to love others than themselves. ... on these two general heads already mentioned all other specialties are dependent.¹¹³

The laws of reason also include those which may be deduced necessarily from these general precepts, so that the criterion of rational moral law is, for Hooker, evident reasonableness.

It is to this law moral, rational, and natural that the conscience is bound. The revealed divine law of the scriptures is part of it but, according to Hooker, the biblical injunctions are for the most part also known by rational apprehension. Those which are not known by natural reason (for example, the fourth commandment) are only one part of the law which guides conscience. The exclusively scriptural character of conscience is denied by Hooker. Instead, he proposed that the thing which has power to bind conscience is "necessary and demonstrative" argument. Hooker has no quarrel with moral action based on conscience; he is only concerned that the knowledge assumed to be of divine origin mediated through conscience be properly deduced, and that

conscience not be pleaded for things over which it has no jurisdiction. This is Hooker's essential argument with his opponents in the church government dispute; his contention is that they are not able to advance the necessary and demonstrative arguments required to support their claims:

Not that I judge it a thing allowable for men to observe those laws which in their hearts they are steadfastly persuaded to be against the law of God: but your persuasion in this case ye are all bound for the time to suspend; and in otherwise doing, ye offend against God by troubling his Church without any just or necessary cause. Be it that there are some reasons inducing you to think hardly of our laws. Are those reasons demonstrative, are they necessary, or but mere probabilities only? An argument necessary and demonstrative is such, as being proposed unto any man and understood, the mind cannot choose but inwardly assent. Any one such reason discharged, I grant, the conscience, and setteth it at full liberty.¹¹⁹

Anything else, that which is merely probable, has no necessary moral quality; this is the realm of human law; which is derived from divine or rational law, but is no more than what men assume to be a probable expedient.¹²⁰ Human laws have an entirely different function than the laws of reason and the divine law. Speaking of "the manifest Laws of Reason," Hooker writes:

Within the compass of which laws we do not only comprehend whatsoever may be easily known to belong to the duty of all men, but even whatsoever may possibly be known to all of that quality, so that the same be by necessary consequence deduced out of clear and manifest principles. For if once we descend unto probable collections what is convenient for men, we are then in the territory where free and arbitrary determinations, the territory where Human Laws take place.¹²¹

Human laws, insofar as they are only probable conjectures, do not bind the conscience, as the conscience only has reference to necessary precepts of reason or of God. But

they none~~x~~theless require obedience for two reasons: first, because of the general injunction to obey the magistrate found in the fifth commandment and in Paul ("Let every soul be subject..."); and second, because the order requisite to social life is supported by human laws, to disregard these laws is to invite social disorder. Hooker points out that some people have said that human laws have no power to command the conscience:

There are which speak simply of human laws, that they can in no sort touch the conscience, that to break and transgress them cannot make men in the sight of God culpable, as sin doth.¹²²

In theoretical terms, he agrees with this point of view, for, he says, "St. Augustine rightly defineth sin to be that which is spoken, done or desired, not against any laws, but against the law of God."¹²³ However, it is the law of God, continues Hooker, which demands subjection to rulers and to human laws:

Subjection, therefore, we owe, and that by the hand of God; we are in conscience bound to yield it even unto every of them that hold the seats of authority and power in relation to us.¹²⁴

In view of this, one must be exceedingly careful that one's opposition to any given human laws--civil or ecclesiastical--is based on the necessity of the laws of reason or of divine law. Laws rational may be discovered by the common consent of all people at all times; divine laws are expressly written in the scriptures.

The public power of all societies is above every soul contained in the same societies. And the principle use of that power is to give laws unto all that are under it; which laws in such case we must obey, unless there be reason shewed which may necessarily enforce that the Law of Reason or of God doth enjoin the contrary. Because

except our own private and but probable resolutions be by the law of public determinations overruled, we take away all possibility of sociable life in the world.¹²⁵

Conscience has little to do with positive human laws. That which judges this sort of law is only opinion; and private opinion, far from inducing godliness, results in disorder and chaos.

In distinguishing between private and public judgment, Hooker implies that the individual is not responsible for public morality, for private and public morality are two different things. In this he reveals his affiliation with the earlier humanists, especially in their introduction of the concept of equity. In a general sense, equity refers to a quality of fairness; in jurisprudence, equity is the recourse to general principles of justice--which the Roman jurists called the naturalis aequitas--in order to correct or supplement the narrower provisions of common or statute law. Christopher St. German, in The Doctor and Student, addresses himself to the question of equity. He proposes that there are two realms of social life, the public and the private, and that two sorts of conscience should deal with these two areas. Anent personal and private matters of morality, the individual has recourse to the principles of naturally-implanted morality known through the judgment of conscience. But in public matters, St. German claims that the private consciences of individuals are incapable of rendering a proper judgment, and so proposes that a suitable office or institution should perform a task

analogous to that of the private conscience by acting as the "conscience of the law". This public conscience is equity, grounded ultimately in the laws of God and of reason.

St. German proposes that equity be a department under the crown and that it be handled by the Chancellor and the courts of Chancery. The Chancellor would inform the king on matters not covered adequately by the regular courts by using his discretionary jurisdiction to mitigate or correct the existing positive laws. St. German describes the notion of equity:

Wherefore in some cases it is necessary to leave the words of the law, and to follow that ~~which~~ reason and justice requireth, and to that intent equity is ordained; that is to say to temper and mitigate the rigour of the law. And it is called also by some men epieikeia; the which is no other thing but an exception of the law of God, or the law of reason, from the general rules of the law of men, when they by reason of their generality, would in any particular case judge against the law of God or the law of reason. ¹²⁶

An article by Milton Abrams gives a brief outline of St. German's discussion of the various grounds of English law.¹²⁷ Briefly, they are the laws of God, the laws of nature or reason, customs, maxims, and statutes enacted by parliament. Customs and maxims are subject to correction by statute, but statutes also need to be subject to the laws of God and of reason. These laws of God and of reason are what form the basis of equity, or the conscience of the law (sometimes called the "king's conscience"), and the Chancellor is to be the administrator and arbitrator of equity. Equity is to the public realm of secular and ecclesiastical jurisprudence what the private conscience is to the individual.

Hooker similarly assumes this separation of the private and the public realms. Public morality--that is to say, the quality of good and evil in reference to public institutions--is assured by the discretionary jurisprudence controlled by the crown through the offices of the Chancellor and other courts of equity. In all but exceptional cases, private opinion based upon probable reasoning has no authority over or responsibility towards the public order. To confuse these two areas--public and private--, and to look to the private faculty of conscience for matters of public institutions and concerns, is to breed dissension, social confusion, and disorder:

Thus by following the law of private reason, where the law of public should take place, they breed disturbance. ... unless we will be authors of confusion in the Church, our private discretion, which otherwise might guide us in a contrary way, must here submit itself to be that way guided, which the public judgment of the Church hath thought better. ... men's private fancies must give place to the higher judgment of the Church which is in authority a mother over them.¹²⁸

As regards civil law, Hooker and his opponents were agreed on this principle. But, whereas Hooker regarded ecclesiastical law as the same kind of law--i.e., human law--as civil law, his opponents treated ecclesiastical law as if it were governed by necessary and divine truths and hence could be judged by conscience. Hooker's argument really has little to do with the authority of, and the obligation required by, civil laws. The matter of contention is the body of legislation concerning religion. Hooker says that the conscience is qualified to judge points of doctrine, known by faith:

Touching points of doctrine, as for example, the Unity of God, the Trinity of Persons, salvation by Christ, the resurrection of the body, life everlasting, the judgment to come, and such like, they have been since the first hour that there was a Church in the world, and till the last they must be believed.¹²⁹

But concerning matters of earthly government of the church there can be but probable arguments made, arguments which the conscience is not bound to implement. Laws concerning the government of the church as an institution are neither immutable nor infallible, and are hence subject to change. This is also Hooker's major point of dispute with the Roman Catholic church; further, it is indicative that Hooker's concerns are those of the humanists with their emphasis upon the civic and historical dimensions of the church, in contrast with a Thomistic axiomatic scholasticism. Used against his protestant opponents, however, Hooker's argument maintains that, because all laws of men are at least partially corrupt, it is impossible that anyone should insist that one system of law be substituted for another. Why should one probable argument be better than another? Hooker quotes from Tertullian: "'The rule of faith,' saith Tertullian, 'is but one, and that alone immoveable and impossible to be framed or cast anew.' The law of outward order and polity not so."¹³⁰ Because the individual conscience has no authority in the realm of probable truths, it has no prerogative to decide upon or to judge the laws of government. This authority rests exclusively with the church and the secular powers. These two aspects of government are, of course, one and the same following the Henrician reformation

and the princely assumption of papal jurisdiction.

If it be granted a thing unlawful for private men, not called unto public consultation, to dispute which is the best state of civil polity [Hooker is here referring to a statement to this effect made by Calvin] ... if it be a thing confessed, that of such questions they cannot determine without rashness ... is there any reason in the world, why they should better judge what kind of regiment ecclesiastical is the fittest? For in the civil state more insight, and in those affairs more experience a great deal must needs be granted them, than in this they can possibly have.¹³¹

Hooker concludes from this that, unless anyone can find something either in the law of reason or in the law of scripture which shows that the present regulations are in direct contradiction to either of these laws, he should submit his own private opinion to the public judgment.

It was, however, precisely on this point that Cartwright, Travers, and the rest, presented their case. There were, they said, certain clear injunctions in scripture which made necessary a reformulation of the government and discipline of the church. They claimed to be imitating the early apostolic church. Hooker, however, categorically denies the validity of their arguments. Regarding the Genevan discipline which his opponents advocate, Hooker says that the most that he could show out of scripture was that there were a few intimations of a probable nature:

But what argument are ye able to shew, whereby it was ever proved by Calvin, that any one sentence of Scripture doth necessarily enforce these things ...?¹³²

we may boldly deny, that of all those things which at this day are with so great necessity urged upon this Church under the name of reformed church-discipline, there is any one which their books hitherto have made manifest to be contained in Scripture. Let them if they can allege but one properly belonging to their cause,

and not common to them and us, and shew the deduction thereof out of Scripture to be necessary.¹³³

Hooker accuses them of reading into scripture things which are only there by implication, and vague implication at best.

The orders observed by the apostles which they wish to copy were, says Hooker, not necessarily established as permanently sufficient, and are subject to change. Moreover, continues Hooker, there is still not enough proof of the nature of the actual apostolic discipline. This false interpretation of the divine law is, moreover, dangerous in that it provokes dissension, and dissension leads to social confusion:

false opinions, touching the will of God to have things done, are wont to bring forth mighty and violent practices against the hinderances of them; and those practices new opinions more pernicious than the first, yea most extremely sometimes opposite to that which the first did seem to intend.¹³⁴

when the minds of men are once erroneously persuaded that it is the will of God to have those things done which they fancy, their opinions are as thorns in their sides, never suffering them to take rest till they have brought their speculations into practice. The lets and impediments of which practice their restless desire and study to remove leadeth them every day forth by the hand into other more dangerous opinions, sometimes quite and clear contrary to their first pretended meanings: so as what will grow out of such errors as go masked under the cloak of divine authority, impossible it is that even the wit of man should imagine, till time have brought forth the fruits of them: for which cause it behoveth wisdom to fear the sequels thereof.¹³⁵

This general warning is also applied with specific reference to the situation which Hooker is discussing:

what other sequel can any wise man imagine but this; that having first resolved that attempts for discipline without superiors are lawful, it will follow in the next place to be disputed what may be attempted against superiors which will not have the sceptre of that discipline to rule over

them? ... there is ... most just cause to fear ... a thing of so perilous consequence.¹³⁶

This piece of dubious logic--that dissent leads to civil disorder--follows quite naturally from Hooker's conception of an ordered universe.

Hooker brings another argument to bear against his opponents: to wit, that they discredit the ability of natural reason to discern the moral value of things, and rely exclusively on the written revealed divine law. Hooker's presuppositions are that man is a rational creature, that he is rational by virtue of his divine origin, and hence that God, the world, and all created things participate somewhat in rationality and its correlate, order. If God be a thing of reason, then his directives concerning man must be known by reason. The anti-rationalists to whom Hooker addresses himself do not share this belief:

our opposites in the cause ... it is their error to think that the only law which God hath appointed unto men ... is the sacred Scripture. By that which we work naturally, as when we breathe, sleep, move, we set forth the glory of God as natural agents do ... In reasonable and moral actions another law taketh place; a law by the observation whereof we glorify God in such sort, as no creature else under man is able to do; because other creatures have not judgment to examine the quality of that which is done by them, and therefore in that they do neither can accuse nor approve themselves. Men do both, as the Apostle teacheth; yea, those men which have no written law of God to shew what is good and evil, carry in their hearts the universal law of mankind, the Law of Reason, whereby they judge as by a rule which God hath given unto all men for that purpose.¹³⁷

The apostle to whom Hooker refers is Paul, and the reference --Rom. 2:14-15--is to the law which the Gentiles have, which assumes the same function as the law does for the Jews; and

it is to this law of natural reason which the conscience bears witness. Hooker assumes that God's will is revealed not only in scripture, but also by natural reason:

That which is of God, and may be evidently proved to be so, we deny not but it hath in its kind, although unwritten, yet the selfsame force and authority with the written laws of God.¹³⁸

There is nothing in the Elizabethan church, claims Hooker, which directly contravenes either reason or scripture; hence there is no reason for anyone to be bound in conscience to change it.

Hooker's theory of conscience stands in marked contrast to that of the dissenters. Hooker's conscience is a natural moral faculty, bearing no direct reference to salvation. He makes no distinction between a regenerate and an unregenerate conscience, thereby assuming the pagan character of conscience which Aquinas had also postulated. The individual's state of election or non-election makes no difference to the functioning of conscience. Hooker also emphatically denies that conscience is exclusively bound to the written revealed divine law of the scripture. Hooker retains the Aristotelean conception of teleological principles of being, and Aquinas' belief in the indestructibly rational nature of man, which is morally good because it is that which man shares with divinity. Hooker hence places the norm of conscience within the individual, in his rational soul. His opponents give relatively less credit to man and more to God: for them, the ultimate norm of conscience consists in divine imperatives known externally, by reading

the bible; furthermore a regenerate conscience, which alone is morally efficient, proceeds from grace, not from human endeavour. Hooker also severely limits the area of life which the private conscience of the individual is deemed capable of judging. By restricting conscience to "necessary and demonstrable" arguments, conscience has no jurisdiction concerning the institutional church. Furthermore, because conscience for Hooker is not a soteriological phenomenon, the salvation of the individual does not depend upon acting according to conscience.

IV. Conclusion: Some Further Implications

Hooker assumes, with Aquinas and Aristotle, that divinity is a thing of mind rather than will, and consequently emphasizes the rationality of God at the expense of the principle of the potentia dei absoluta. Hooker does not deny the unconditional power of God, in theory, to step outside the parameters of rationality, but this is a matter of peripheral interest only and of limited application regarding the regulation of human affairs. The normative significance in divinity is, according to Hooker, its rationality. From this Hooker concludes that, insofar as the created world is an extension of God, it partakes in the nature of its creator. The universe, created ex nihilo, exhibits the imprint of divinity in presenting a rationality which is orderly and logical. This notion of a "chain of being" assumes that each thing has its own peculiar essence or nature and that each increases in excellence or divinity by acting according to its own quality of being. Here we have the philosophical theory which corresponds to the social conservatism of "everything in its place.". From the idea of a rationality present in reality by virtue of a reasonable God who has made the universe in accordance with his own nature, there is the conservatism of "what is real is rational," rational implying divine, and divine indicating good. And, originating in the idea that rational laws which present moral norms may be known by common consent over time, we see the conservatism of an exaltation of tradition.

In contrast to this, the idea that the ultimate norms for moral action are to be found in the express command of a God who, while he may be reasonable in his own way, does not necessarily follow the same rules of reason which man does, depicts something quite different. If there is no necessary rationality in God, his commands can hardly be found in reason. Rationality bears no reference to goodness, hence reality--existing customs and institutions--has no sanction. The dissenters' God of will rather than of mind carries with it a potential for change and for reform which the God of Aquinas and of Hooker does not. Moreover, there is very little sense that the world is an ordered whole, according to those such as Perkins, Cartwright, and Browne. In rejecting all the assumptions about hierarchical existence, teleological natural essences of each kind of being, and an inherent striving towards a whole, these divines are in effect denying that there is any necessary goodness in the structure of their whole society. The sharp gap which they believe to exist between man and God is the foundation of this viewpoint.

However, while Hooker is undeniably conservative in his philosophical assumptions, his opponents are reactionaries rather than progressives. Their goal is a restoration of a past world, and their model is the apostolic church as they perceive it. Their desire for change and reform is backwards-looking. Moreover, the impetus for reform according to a written divine law was not the only

potentiality for change and reform. After the failure of several new Jerusalems and cities on hills, the eighteenth century proposed a different method for reforming the world. This new force was concerned with the power of reason which Hooker maintained was the preserve of everyman because it was contained in his very nature. The deism, the naturalism, and the new moralism of the post-reformation and the enlightenment may be traced back to the conservatism of the successors of Aquinas, not to the radical protestants who came under attack from the established Elizabethan church.

Herbert of Cherbury, usually considered a precursor to the deism and naturalism of enlightenment thought, certainly owes more to Hooker than to Hooker's contemporary religious radicals. Herbert (1582-1649), born in Shropshire of the wealthy landed gentry and educated at Oxford, acted as James' ambassador to the French court, and served under both early Stuarts in other minor political capacities. In terms of philosophical considerations, Herbert represents one of the ways in which ideas expressed by Hooker were transmuted to serve as a new basis for truth.

Like others of the same period, Herbert is looking for a principle of certainty by which he may distinguish truth from error, as is evident from the very title of his book De Veritate. Like Hooker, Herbert rejects the notion that practical truth is to be found exclusively in specific written divine commands as set forth in scripture. Moreover, he pays relatively little attention to the words of the bible.

Hooker, despite his quarrel with those who he thought were using the scriptures indiscriminately to prove their own point, adds a marginal annotation in a response to his

Polity:

I think of the Scripture of God as reverently as the best of the purified crew in the world. I except not any, no not the founders themselves and captains of that faction. In which mind I hope by the grace of Almighty God that I shall both live and die.¹

This sort of reverence for scripture is missing from Herbert's works. For Hooker, natural laws discoverable by reason are clearly justified because he believes that they have issued from God's mind. Herbert, however, puts less emphasis on this aspect. At the beginning of the De Veritate he states that:

the truths with which I am here concerned are truths of understanding, not truths of Faith. The truths which bear upon Faith must be discerned by their own light, and I have accordingly passed them by.²

By making, as had Bacon, a sharp distinction between nature and grace--or, as Herbert puts it, between Nature or General Providence and Grace or Special Providence--his ultimate norms of morality are more anthropocentric than theocentric. Hence Herbert is more closely related to those such as Descartes and Shaftesbury. Nonetheless much of his work follows closely the views set out by Hooker.

Herbert is apparently very interested in the question of conscience: although there is no evidence that he ever did so, he declares that he was "preparing an entire treatise on Conscience."³ He also devotes several pages of his De Veritate to the subject of conscience. Herbert's key notion

is the idea of "Common Notions" which is the principle of certainty. These Common Notions are apprehended by "natural instinct, or the faculty which conforms with Common Notions,"⁴ and they are akin to the primary precepts of the practical intellect of Aquinas; they are, in fact, what Aquinas and Hooker refer to as the laws natural. Note, however, that Herbert depersonalizes God as the author of these laws of nature; Herbert's references are to the divine efficiency which is providence, rather than to the personal God of Hooker and Aquinas. This does not deny the parallel existing between the two theories of conscience. Herbert describes the primary truths of the intellect as Common Notions, in much the same way as does Hooker:

Truths of the intellect, then, are certain Common Notions which are found in all normal persons; which notions are, so to say, constituents of all and are derived from universal wisdom and imprinted on the soul by the dictates of nature itself.⁵

These Common Notions are ideas which man shares with divinity; Herbert writes that "I conceive that our mind is not only created in the image of God ... but it has, in the Common Notions, some shares in the Divine Universal Providence."⁶ They are irrefutable precepts universally imprinted on all people's minds by reason of nature:

Common Notions, therefore, are principles which it is not legitimate to dispute; they form that part of knowledge with which we were endowed in the primeval plan of Nature.⁷

In truth I hold that every age, place and person, Greek or barbarian, ancient or modern, has had this knowledge of Common Notions, or the truths of natural instinct, fully in possession.⁸

Because these notions are natural and universal, it is possible to discover what they are by searching out those ideas to which common universal consent is given: "Whatever is believed by universal consent must be true ... Universal consent, then, will be found to be the final test of truth."⁹ Herbert enumerates numerous Common Notions--note that, like his contemporaries and many of his predecessors, he confuses descriptive with prescriptive law--dealing with logic and experience:

It is a Common Notion to which all experience points that there are many things in nature the causes and effects of which are entirely hidden from us. ... It is, in fact, a Common Notion that there is a certain minimum size in things which can only be reached by the intellectual faculty.¹⁰

as well as with moral action: "a Common Notion teaches us to shun every kind of evil."¹¹ Religion and law, as general categories, Herbert says are Common Notions.¹² Moreover, he claims that the decalogue is not only part of the entire set of Common Notions, but that it constitutes a summary of all the Common Notions. Again, it must be noted that Herbert is judging these commandments by the merit of their universal acceptance, not by reason of their divine author.

I wish briefly to consider whether the precepts contained in the Decalogue are Common Notions or revealed truths.¹³ For my part I am certain that they ought to be counted Common Notions, since their injunctions are implicit in every kind of law and religion. ... These commandments, therefore, constitute a summary of Common Notions ... though our parents lived in earlier ages under conditions in which the law of Nature was inviolate, yet because in process of time their hearts became corrupt, it is reasonable to suppose that God prescribed the foregoing rules as guides to a better life.¹⁴

For Hooker, the truth of the decalogue and other divine

pronouncements depend upon God as their author, although universal consent is a means of checking or discerning what God was saying.

These Common Notions of Herbert are evidently in the same category of things as Aquinas' laws of nature, or primary precepts of the practical intellect, and Hooker's rational apprehension of the law of nature. To extend the applicability of the parallel, it is to these Common Notions that the conscience bears reference. Conscience, for Herbert, is a sense faculty rather than a simple judgment or the final term of a syllogism. It is the whole act of applying the truths contained in the Common Notions to decisions concerning what is right and wrong to do; it judges from the universal to the particular. Herbert defines conscience as follows:

Conscience is the common sense of the inner senses. It springs from the faculty which is conscious, through which we examine not only what is good and evil, but also their different degrees, according to their value or reverse, by means of the high authority of the Common Notions, with the aim of reaching a decision concerning what we ought to do.¹⁵

Conscience "has always been present in every man" and "its existence is due to Nature or Universal Providence."¹⁶ Its primary function is to act as a moral arbitrator:

The decrees of conscience are the laws of all good and evil action, made known in every circumstance examined by it. It is so widely diffused that no word or thought can escape its sway or be hidden from its gaze. But its special function is to take pleasure in moral action and to induce a physical repugnance and remorse in the presence of evil. ... /conversely/ when the action is moral, it produces a pleasant and agreeable sensation.¹⁷

In common with many of his contemporaries or near-contemporaries,

Herbert uses a legal analogy to depict conscience:

I establish also a tribunal of divine Providence in conscience in order to unite in this way the higher with the lower realm, so that all that is holy and sacred may be here investigated as before a supreme court or parliament, beyond which there is no appeal. ... It is not then merely the court of the spirit and the body that is held in the hall of conscience, but the court of God, and before it all the causes of the inner faculties are pleaded.¹⁸

It was noted earlier that the legal analogy was used by Hooker's opponents to denote the corporate nature of conscience. But with Herbert the legal metaphor is not used to introduce a written text which would reduce public and individual judgments to the same principles of direction. Rather, Herbert uses the legal metaphor to suggest universal or trans-community norms to govern the relations between peoples and, by implication, the relations between groups in a pluralistic society. Bearing this distinction in mind, we note that Herbert refers to conscience as "a guardian of divine justice;"¹⁹ and as such it is "a sacred bond linking the higher order with the lower."²⁰ Conscience "has full knowledge of Common Notions"²¹ and it is on the basis of these that it pronounces its judgment of the moral value of any action. It is, moreover, unextinguishable: "I think it is certain," writes Herbert, "that no human being can so deafen his conscience as to lose his power of distinguishing, in any particular case, between good and evil."²²

In summary, conscience is a judgment proceeding from the Common Notions, resting upon universal consent, and is one of the natural accoutrements with which all people in all

places are provided. Herbert's theory evidently displays an essential similarity to that of Hooker's and his antecedents. However, it may also be seen that Herbert's slightly different emphases concerning certain aspects of conscience links him with a more modern period. By deviating very slightly from Hooker's conceptions, Herbert produces a set of ideas which, in essence, refute the philosophical assumptions of Hooker's pre-modern schema of thought. Arthur Lovejoy, in an article, enumerates what he calls "the characteristic idea-complex which constitutes what is commonly called the 'rationalism of the Enlightenment.'"²³ Lovejoy lists the elements of this complex: uniformitarianism, rationalistic individualism, the appeal to the 'consensus gentium,' cosmopolitanism, intellectual egalitarianism, rationalistic anti-intellectualism, rationalistic primitivism, and a negative philosophy of history. Several of these are inapplicable to Herbert, as will be seen, but some of them indicate the extent to which Herbert is both part of an old tradition and part of a new. Under the rubric "Uniformitarianism," Lovejoy writes:

This is the first and fundamental principle of this general and pervasive philosophy of the Enlightenment. The reason, it is assumed to be evident, is identical to all men; and the life of reason therefore, it is tacitly or explicitly inferred, must admit of no diversity. ... That which is 'according to nature' meant, first and foremost, that which corresponds to this assumption of uniformity.²⁴

Herbert's insistence on the universality of Common Notions, of natural instinct, and of conscience, leads one to assume that he could not fail to agree with these ideas. For Aquinas and

Hooker, the visible sign of divine ordinations regarding the realm of creation and especially of man was their universal acceptance, but it was not their universality which made them true. Herbert has common consent act as the reason as well as the touchstone of truth, although common consent does, according to Herbert, originally emanate from divine providence. He writes that:

I maintain that universal consent (which has not been established without the aid of Divine Providence) is in the last resort the sole test of truth. I accept this interpretation with greater confidence because in treating of these Notions I am defending God's cause, Who has bestowed Common Notions upon men in all ages as media of His divine universal providence.²⁵

Regarding religion in general, it is but a small step towards the idea that christianity is in fact not universal, and that

The only religion, therefore, which could claim credence from any man must be the religion of nature--'of nature' here signifying primarily and most essentially uniformity and universality.²⁶

This is not a conclusion which Herbert explicitly reached; he is actually more irenicist than deist; and it is certainly not a conclusion which Hooker would accept. But it stems from the logic of their arguments. Regarding rationalistic individualism, Lovejoy says:

By rationalistic individualism I mean the belief that--precisely because all individuals, qua rational, are fundamentally alike, and because this uniform element in them is the only important element--truth is to be attained by every individual for himself, by the exercise of his private judgment uninfluenced by tradition or external authority; in other words, by 'the pure light of nature' which shines in all alike.²⁷

Herbert could certainly attest to the validity of this: the judgment of conscience in due conformity with the Common

Notions--both of which are naturally inherent in everyone--should produce the same moral norms for all individuals. Hooker, of course, in maintaining the fallibility of what he calls private reasoning, might have serious reservations about the ability of individuals to judge the world without benefit of tradition and external authority. Discussing the appeal to common consent over place and time, Lovejoy notes Herbert's approval of the idea. In view of Herbert's attachment to the idea of universal consent, this is clearly evident. Lovejoy even attempts to show that this notion is not alien to Hooker; he quotes from the Polity Hooker's dictum that "The general and perpetual voice of men is as the sentence of God himself."²⁸ But Lovejoy does go on to mention that Hooker's appeal to common consent is rather different from that of the enlightenment philosophers. In reference to the statement from Hooker, he points out that:

This the scholastic philosophers and orthodox divines of the more rationalistic sort had often said; the deist merely added 'nothing but' to the proposition, and applied it to the special case of religion. Only that which could be shown, or plausibly be assumed, to be uttered by 'the general and perpetual voice of men' could be taken as the voice of God, and therefore the content of the true religion.²⁹

Thus, in several cases, Lovejoy is able to show that "Voltaire was but repeating what Lord Herbert and many others had said long before him."³⁰ But other ideas of the enlightenment--rationalistic primitivism, for example--are not to be found in either Herbert or Hooker. The notion of the primitive savage, uncorrupted by evil custom and institutions, and relying on pure natural sense and reason, can hardly be

considered to derive even from Herbert.

Deism and related phenomena can hardly be attributed solely to Hooker's--and others'--enunciations of a rational God. And even insofar as there is a logical connection, neither is it direct nor does it deny other philosophical directions. The progression might be seen as follows.

With Hooker, the ideas of a personal God of salvation, and an impersonal God of reason transmitted through human and external nature, are fused. The one does not contradict the other, in that it is the same personal God of salvation who is responsible for the rationality of the created world.

Herbert distinguishes these two facets of the divine character, making reason and nature independent of the personal and the salvific aspects of God. The impersonalization of God and the unilateral identification of divinity with reason and nature marks the advent of deism, of naturalism, of pantheism, and of the concept of "God the clockmaker." Hooker attempted to combat the claims of those who, in his opinion, would bring disorder and calamity to the church, society and religion. But in doing so he also unwittingly laid certain possible foundations for another means of undermining the church and the society which he sought to preserve.

NOTES

I. Introduction

¹See, for example, C. S. Lewis, "Conscience and Conscious," in Studies in Words, 2nd ed. (Cambridge: University Press, 1967), pp. 181-213. Although this discussion is largely semantical, it does provide a certain amount of useful information.

²Michael G. Baylor, Action and Person: Conscience in Late Scholasticism and the Young Luther. Studies in Medieval and Reformation Thought, vol. XX, ed. Heiko A. Oberman (Leiden, Netherlands: E.J. Brill, 1977), p. ix.

³Christopher Goodman, How Superior Powers Ought to be Obeyed ... (1558) (New York: Columbia University Press for The Facsimile Text Society, 1931); and John Ponet, A Short Treatise of Politic Power ... (1556) (Menston, Yorkshire: The Scholar Press, 1970) are often cited to prove the converse of this theory. These two works, however, are clearly applicable only to the Marian régime, and there are no comparable works produced after the accession of Elizabeth in 1558.

⁴John Field and Thomas Wilcox, An Admonition to the Parliament (1572), in William Huse Dunham and Stanley Pargellis, eds., Complaint and Reform in England, 1436-1714 (New York: Oxford University Press, 1938), p. 242.

⁵Henry Barrow, A Brief Discovery of the False Church (1590), in The Writings of Henry Barrow, 1587-1598, ed. Leland H. Carlson, Elizabethan Nonconformist Texts, vol. III (London: George Allen & Unwin, 1962), p. 405.

⁶This is taken mainly from Steven E. Ozment, Religion and Dissent: Religious Ideology and Social Protest in the Sixteenth Century (New Haven and London: Yale University Press, 1973), pp. 1-13.

⁷I am ignoring the controversy concerning whether conscience and synteresis should be classed as facultates or as habitus; I am not following the precise meanings given these terms by late medieval scholastics.

⁸With reference to Luther, this is Baylor's thesis in Action and Person.

II. Background

¹The reference to conscience as that which bears reference to the naturally-imprinted moral law (Rom. 2.15) is in fact an early gloss on the passage, but it is treated as part of the text itself by all the commentators referred to in this study.

²Rom. 2.17ff.

³Rom. 1.18.

⁴Rom. 1.20.

⁵Rom. 2.14-15.

⁶I Cor. 4.4.

⁷Claude A. Pierce, Conscience in the New Testament, Studies in Biblical Theology, no. 15 (London: S.C.M. Press, 1955), p. 88.

⁸Ibid., p. 89.

⁹I Cor. 10.27-28.

¹⁰I Cor. 3.6-7.

¹¹Pierce, pp. 68-9.

¹²Ibid., p. 111.

¹³Baylor, Action and Person, pp. 24-5.

¹⁴Ibid., p. 25.

¹⁵S. Eusebius Hieronymus, Commentarium in Ezechielem Prophetam, in J. P. Migne, ed., Patrologiae cursus completus, series Latina, 25, col. 22B; quoted in ibid., p. 26.

¹⁶Physics, II.1, 192b, 15-35.

¹⁷Ibid., II.1, 193b, 10-15.

¹⁸Ethics, V.7, 1134b, 18-22.

¹⁹Rhetoric, I.13, 1373b, 4-18.

²⁰Cicero, On the nature of the gods, I, 40; quoted in Leo Strauss, "Natural Law," International Encyclopedia of the Social Sciences, ed. David L. Sills (1968), XI, 82.

²¹Cicero, De re publica, III, 22, 33; quoted in Francis

H. Eterovich, Approaches to Natural Law from Plato to Kant (New York: Exposition Press, 1972), p. 37.

²²Augustine, The City of God, trans. Gerald G. Walsh et al., ed. V.J. Bourke, abr. ed. (New York: Doubleday & Co., Image Books, 1958), pp. 246-47.

²³Ibid., p. 456.

²⁴Ibid., p. 250.

²⁵Ibid., p. 263.

²⁶Ibid., p. 265.

²⁷Ibid., pp. 264-66.

²⁸Thomas Aquinas, Summa Theologiae, trans. Thomas Gilby et al. (Cambridge: Blackfriars et al., 1964-1976), 1a2ae. 90.1; 28.7

²⁹Loc. cit.

³⁰Ibid., 1a2ae. 92.2; 28, 47.

³¹Ibid., 1a2ae. 93.1; 28, 53.

³²Ibid., 1a2ae. 93.4; 28, 63.

³³Ibid., 1a2ae. 91.1; 28, 19.

³⁴Ibid., 1a2ae. 93.3; 28, 59.

³⁵Ibid., 1a2ae. 93.6; 28, 69.

³⁶Ibid., 1a2ae. 94.3; 28, 83.

³⁷Ibid., 1a2ae. 94.3; 28, 85.

³⁸Ibid., 1a2ae. 91.2; 28, 25.

³⁹Ibid., 1a2ae. 91.2; 28, 23.

⁴⁰Ibid., 1a2ae. 95.4; 28, 115.

⁴¹Loc. cit.

⁴²Ibid., 1a2ae. 91.3; 28, 27.

⁴³Ibid., 1a2ae. 91.5; 28, 35.

⁴⁴Ibid., 1a2ae. 94.5; 28, 93.

⁴⁵Ibid., 1a2ae. 76.1; 25, 145.

- ⁴⁶Ibid., 1a. 79.13; 11, 195.
- ⁴⁷Ibid., 1a. 79.12; 11, 188.
- ⁴⁸Ibid., 1a2ae. 94.2; 28, 77.
- ⁴⁹Ibid., 1a2ae. 94.2; 28, 79.
- ⁵⁰Ibid., 1a. 79.12; 11, 189.
- ⁵¹Thomas Aquinas, The Disputed Questions on Truth, trans. from the Leonine text, Robert W. Mulligan, James V. McGlynn, Robert W. Schmidt, Library of Living Catholic Thought (Chicago: Henry Regnery, 1952-54), q. 16, a.1; II, 304.
- ⁵²S.T., 1a. 79.12; 11, 189.
- ⁵³Truth, q. 16, a.3; II, 312.
- ⁵⁴S.T., 1a2ae. 94.2; 28, 81.
- ⁵⁵Truth, q. 16, a. 1; II, 306. See also Truth, q. 16, a. 1; II, 301; q. 24, a. 5; III, 158.
- ⁵⁶S.T., 1a2ae. 94.2; 28, 83.
- ⁵⁷Ibid., 1a2ae. 94.4; 28, 91.
- ⁵⁸Baylor, Action and Person, p. 50.
- ⁵⁹Ibid., pp. 50-52.
- ⁶⁰Daniel J. O'Connor, Aquinas and Natural Law, New Studies in Ethics, ed. W. H. Hudson (London: MacMillan & Co., 1967), p. 76.
- ⁶¹Ibid., p. 81.
- ⁶²Truth, q. 17, a. 1; II, 322.
- ⁶³Ibid., q. 17, a. 1; II, 321.
- ⁶⁴S.T., 1a. 79.13; 11, 193.
- ⁶⁵Truth, q. 16, a. 2; II, 310.
- ⁶⁶S.T., 1a2ae. 94.4; 28, 91. See also Truth, q. 24, a. 10, III, 178-79.
- ⁶⁷S.T., 2a2ae. 47.8; 36, 27. See also 1a2ae. 57.4; 23, 51.
- ⁶⁸Ibid., 2a2ae. 47.15; 36, 49.

69 Ibid., 2a2ae. 47.14; 36, 45.

70 Ibid., 2a2ae. 47.15; 36, 49.

71 Thomas Gilby, "Prudence and Conscience," in S.T., 36, 180 (Appendix 3).

72 John Calvin, Institutes of the Christian Religion, trans. Henry Beveridge (Grand Rapids, Mich.: William B. Eerdmans, 1975), II.2.22; I, 241-42.

73 Ibid., II.3.1; I, 317.

74 Ibid., IV.20.16; II, 664.

75 Ibid., II.8.1; I, 317.

76 Ibid., II.2.24; I, 242-43.

77 Ibid., II.2.25; I, 243.

78 Ibid., III.2.20; I, 487.

79 Ibid., III.13.3; II, 70.

80 Ibid., III.13.5; II, 72.

81 Ibid., III.9.6; II, 30.

82 Ibid., III.13.3ff; II, 70ff.

83 Ibid., III.19.2; II, 131.

84 Ibid., III.19.4; II, 132.

85 See also ibid., III.14.20; II, 87-88.

86 Ibid., IV.10.5; II, 416-17.

87 Ibid., III.19.14; II, 140.

88 Loc. cit.

89 Ibid., III.19.15; II, 140-41.

90 Ibid., III.19.15; II, 141.

91 Ibid., IV.10.27; II, 433-34.

92 Ibid., IV.10.1; II, 414.

93 Ibid., IV.10.30; II, 436.

94 Loc. cit.

⁹⁵Loc. cit.

⁹⁶Ibid., III.19.12-13; II, 138-40.

⁹⁷The same text appears, twice, in the Institutes: III.19.15-16; II, 140-142 and IV.10.3-4; II, 415-16.

⁹⁸Ibid., III.19.15; II, 141.

⁹⁹Ibid., III.19.16; II, 142.

¹⁰⁰Loc. cit.

III. Protestant Theories of Conscience in Elizabethan England

¹See also the list of prominent and lesser presbyterian figures in The Presbyterian Movement in the Reign of Queen Elizabeth as Illustrated by the Minute Book of the Dedham Classis, 1582-1589, ed. Roland G. Usher (London: Royal Historical Society, 1905), Introduction, pp. xxxv-li.

²Martin Eucer, De regno christi (written 1550; published posthumously 1557), in Melancthon and Eucer, ed. William Pauck, The Library of Christian Classics, vol. XIX (London: S.C.M. Press, 1969).

³See Goodman, How Superior Powers, and Ponet, A Short Treatise.

⁴The standard biography of Cartwright is A. F. Scott Pearson, Thomas Cartwright and Elizabethan Puritanism, 1539-1603 (Gloucester, Mass.: Peter Smith, 1966/1925), from which the above is taken.

⁵Samuel J. Knox, Walter Travers: Paragon of Elizabethan Puritanism (London: Methuen, 1962).

⁶Dedham Classis, Introduction, p. xxxvii.

⁷Ibid., pp. xl, xlvii.

⁸The nature of their disagreement is described in B. R. White, The English Separatist Tradition (London: Oxford University Press, 1971), pp. 71-72.

⁹The Writings of Robert Harrison and Robert Browne, ed. Albert Peel and Leland R. Carlson, Elizabethan Nonconformist Texts, vol. II (London: George Allen & Unwin, 1953), Introduction, pp. 6-8.

¹⁰Ibid., Introduction, pp. 1-3.

- 11 The Dictionary of National Biography, 1, 1217-13.
- 12 Ibid., VIII, 527-28.
- 13 William Perkins, 1558-1602, English Puritanist. His pioneer works on casuistry: "A Discourse of Conscience" and "The Whole Treatise of Cases of Conscience," ed. Thomas F. Merrill (Nieuwkoop, Netherlands: B. de Graaf, 1966), Introduction, pp. xv-xviii; Patrick Collinson, The Elizabethan Puritan Movement (London: Jonathan Cape, 1967), pp. 125-20; Rosemary A. Sisson, "William Perkins Apologist for the Elizabethan Church of England," Modern Languages Review, XLVII (1952).
- 14 A Short Catechism, in Cartwrightiana, ed. Albert Peel and Leland H. Carlson, Elizabethan Nonconformist Texts, vol. I (London: George Allen & Unwin, 1951), p. 172.
- 15 A Second Admonition to the Parliament (1573), in W. H. Frere and C. E. Douglas, eds., Puritan Manifestoes (London: S.P.C.K., 1954), p. 122.
- 16 There is much evidence to support this in A Reproof of certain schismatical persons and their doctrine ..., in Cartwrightiana, pp. 201-61, but this work cannot incontrovertibly be established as Cartwright's.
- 17 An answer unto a godly merchant's letter ..., in Cartwrightiana, p. 90.
- 18 A comfortable Letter written to a Godly and zealous Lady ..., in Cartwrightiana, p. 82.
- 19 Dedham Classis, p. 80.
- 20 Harrison, Three Forms of Catechisms ..., in Writings of Harrison and Browne, pp. 124-28.
- 21 Ibid., pp. 136-37.
- 22 Ibid., p. 137.
- 23 Loc. cit.
- 24 Loc. cit.
- 25 Browne, A Book which sheweth the life and manners of all true Christians, in Writings of Harrison and Browne, p. 301.
- 26 Ibid., p. 251.
- 27 Harrison, A Treatise of the Church and the Kingdom of Christ, in Writings of Harrison and Browne, p. 59.

- 28 Barrow, A Brief Discovery of the False Church, in Writings, 1587-90, p. 410.
- 29 Ibid., p. 447.
- 30 Perkins, pp. 5-6.
- 31 Ibid., p. 70.
- 32 Ibid., p. 44.
- 33 Loc. cit.
- 34 Ibid., p. 45.
- 35 Ibid., p. 49.
- 36 Ibid., p. 61.
- 37 Travers, A full and plain declaration of ecclesiastical discipline ... (1574), p. 3.
- 38 A Second Admonition, in Frere and Douglas, p. 94.
- 39 A Short Catechism, in Cartwrightiana, p. 173.
- 40 Cartwrightiana, p. 112.
- 41 Writings of Harrison and Browne, p. 134.
- 42 Ibid., p. 136.
- 43 Ibid., p. 141.
- 44 A Brief Discovery, in Writings, 1587-90, pp. 411-12.
- 45 Ibid., p. 412.
- 46 Ibid., p. 414.
- 47 Perkins, p. 10.
- 48 Ibid., p. 42.
- 49 Ibid., p. 33.
- 50 Ibid., p. 32.
- 51 Three Forms of Catechisms, in Writings of Harrison and Browne, pp. 135-37.
- 52 Rom. 13.5.
- 53 Table Talk of John Selden, ed. Sir Frederick Pollock

(London: Quaritch, 1927), p. 35.

⁵⁵Mr. Cartwright's answer sent to the Lord Archbishop (1590), in Cartwrightiana, pp. 23-24.

⁵⁶The reference to King rather than Queen is a little puzzling; perhaps, as this quotation is from the second edition of 1608 (originally published in 1596), Perkins' editors simply updated the text. It is also possible that Perkins is using the term King in a general sense of no particular gender, just as Prince is co-terminous with ruler and does not specify gender.

⁵⁷Perkins, pp. 37-38. See also p. 180, where Perkins discusses the fact that Moses' revenge on the Egyptian was the act of a private person: Perkins claims that Moses' calling was to be a public person, although this was not yet manifested fully to him. See also pp. 237-39.

⁵⁸Harrison, A Little Treatise upon the first Verse of the 122. Psalm ... (1583), in Writings of Harrison and Browne, p. 119.

⁵⁹Browne, A Treatise of reformation without tarrying for any (1582), in Writings of Harrison and Browne, p. 152.

⁶⁰Travers, A full and plain declaration, p. 5.

⁶¹Cartwright, Treatise on the Oath Ex Officio (1590), in Cartwrightiana, p. 31.

⁶²Ibid., pp. 31-32, 36.

⁶³Ibid., p. 32.

⁶⁴[Field and Wilcox], Admonition, in Dunham and Pargellis, p. 235.

⁶⁵Ibid., pp. 234-35.

⁶⁶Barrow, A Brief Discovery of the False Church, in Writings, 1587-90, p. 409.

⁶⁷Ibid., p. 589. See also p. 596.

⁶⁸Barrow, A Plain Refutation, in The Writings of Henry Barrow, 1590-1591, ed. Leland H. Carlson, Elizabethan Nonconformist Texts, vol. V (London: George Allen & Unwin, 1966), p. 28.

⁶⁹Ibid., pp. 205-6.

⁷⁰Perkins, p. 36.

⁷¹Loc. cit.

⁷²Harrison, A Treatise of the Church, in Writings of Harrison and Browne, pp. 46-47.

⁷³Ibid., p. 47.

⁷⁴Ibid., pp. 51-52.

⁷⁵Browne, A Treatise upon the 23. of Matthew ... (1582), in Writings of Harrison and Browne, pp. 216-17.

⁷⁶Browne, A Treatise of reformation, in Writings of Harrison and Browne, pp. 168-69.

⁷⁷Ibid., p. 156.

⁷⁸Harrison, A Treatise of the Church, in Writings of Harrison and Browne, p. 49.

⁷⁹Ibid., pp. 52-53.

⁸⁰Barrow, A Refutation of Mr. Giffard's Reasons ... (1591), in Writings, 1590-91, p. 352.

⁸¹Travers, A full and plain declaration, p. 109.

⁸²An Exhortation to the Bishops ..., in Frere and Douglas, p. 62.

⁸³Admonition, in Frere and Douglas, p. 36.

⁸⁴Second Admonition, in Frere and Douglas, p. 114.

⁸⁵Ibid., p. 130.

⁸⁶Perkins, p. 49.

⁸⁷Ibid., p. 64.

⁸⁸Ibid., p. 65.

⁸⁹Ibid., p. 75.

⁹⁰Ibid., p. 76.

⁹¹Ibid., p. 232.

⁹²Loc. cit.

⁹³Ibid., p. 233.

⁹⁴Loc. cit.

- 95 Ibid., pp. 233-34.
- 96 Ibid., pp. 234-35.
- 97 Ibid., p. 169.
- 98 Ibid., p. 170.
- 99 Ibid., p. 34.
- 100 Richard Hooker, Of the Laws of Ecclesiastical Polity, Everyman ed. (London: J. E. Dent, 1907), Preface, VII.1; I, 122.
- 101 The Works of Mr. Richard Hooker ... (Oxford: J. Vincent, 1843), VIII; II, 395.
- 102 Ecclesiastical Polity, Everyman, I.V.1; I, 164.
- 103 Ibid., I.VIII.4; I, 177.
- 104 Ibid., I.VII.4; I, 177.
- 105 Ibid., I.VI.3; I, 167.
- 106 Ibid., I.II.6; I, 154.
- 107 Ibid., I.III.1; I, 154.
- 108 Ibid., I.III.4; I, 159.
- 109 Ibid., I.III.1; I, 154-55.
- 110 Loc. cit.
- 111 Ibid., I.XV.1; I, 220.
- 112 Ibid., I.XIII.1; I, 212.
- 113 Ibid., I.VIII.1; I, 181-82.
- 114 Ibid., I.VIII.9-10; I, 182-84.
- 115 Ibid., I.VIII.9; I, 182.
- 116 Ibid., I.VIII.2-3; I, 175-76.
- 117 Ibid., I.VIII.5; I, 177-78.
- 118 Ibid., I.VIII.7; I, 179-81.
- 119 Ibid., Preface, VI.6; I, 121-22.
- 120 Ibid., I.III.1; I, 155.

- 121 Ibid., I.VIII.11; I, 185.
- 122 Ecclesiastical Polity, VIII; in Works, II, 454.
- 123 Loc. cit.
- 124 Ibid., VIII; II, 455.
- 125 Ecclesiastical Polity, Everyman, I.XVI.5; I, 228.
- 126 Christopher St. German, Doctor and Student, ed. T.F.T. Plucknett and J.L. Barton (London: Selden Society, 1974) I, 16; p. 97.
- 127 Milton C. Abrams, "Kingship, Equity and Natural Law in Christopher St. German," in Morris D. Forkosh, ed., Essays in Legal History in Honor of Felix Frankfurter (Indianapolis, Kansas City, New York: Bobbs Merrill, 1966), pp. 467-79.
- 128 Ecclesiastical Polity, Everyman, I.XVI.7; I, 229-32.
- 129 Ibid., III.X.7; I, 332-33.
- 130 Ibid., III.X.7; I, 333.
- 131 Ibid., Preface, III.4; I, 96-97.
- 132 Ibid., Preface, II.7; I, 90.
- 133 Ibid., I.XIV.2; I, 216.
- 134 Ibid., Preface, VIII.6; I, 132.
- 135 Ibid., Preface; VIII.12; I, 139.
- 136 Ibid., Preface, VIII.14, IX.4; I, 142-43.
- 137 Ibid., I.XVI.5; I, 227-28.
- 138 Ibid., I.XIV.5; I, 219.

IV. Conclusion: Some Further Implications

¹ Marginal annotations to Hooker's copy of an answer to the Ecclesiastical Polity, "A Christian Letter of Certain English Protestants ..." (1599); quoted in Basil Willey, The English Moralists (London: Chatto & Windus, 1954), p. 118.

² Edward, Lord Herbert of Cherbury, De Veritate, trans.

Meyrick H. Carré (Bristol: J.W. Arrowsmith, 1937), p. 71.

³Ibid., p. 186.

⁴Ibid., p. 116.

⁵Ibid., p. 106.

⁶Ibid., p. 151.

⁷Ibid., pp. 120-21.

⁸Ibid., p. 141.

⁹Ibid., pp. 116-17.

¹⁰Ibid., pp. 90-91.

¹¹Ibid., p. 186.

¹²Ibid., p. 121.

¹³Revealed truth, according to Herbert, is that which owes its validity directly to God.¹ Truth of revelation is not known by natural instinct; it "surpasses human understanding" and "the truth of revelation depends upon the authority of him who reveals it." Ibid., p. 308.

¹⁴Ibid., pp. 312-13.

¹⁵Ibid., p. 184.

¹⁶Ibid., pp. 183-84.

¹⁷Ibid., pp. 184-85.

¹⁸Ibid., p. 185.

¹⁹Loc. cit.

²⁰Ibid., p. 188.

²¹Ibid., p. 185.

²²Ibid., p. 311.

²³"The Parallel of Deism and Classicism," in Essays in the History of Ideas (Baltimore: The Johns Hopkins Press, 1948), p. 78.

²⁴Ibid., pp. 79-80.

²⁵Herbert, De Veritate, p. 118.

²⁶Lovejoy, pp. 81-82.

²⁷Ibid., p. 82. -

²⁸Ibid., p. 83; Lovejoy's reference is to Hooker,
Ecclesiastical Polity, I.VIII.3.

²⁹Ibid., p. 83.

³⁰Ibid., p. 86.

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