Conscience and Conformity: Some Moral Dilemmas in Seventeenth-Century England[1]

Christopher Haigh[2]

christopher.haigh@history.ox.ac.uk

ABSTRACT

This paper considers how issues of conscience might be considered in seventeenth-century England. It looks at how some of the moral problems arising from the restoration of an episcopal Church of England in 1660 were debated, and focuses on the response of the clergy to the demands for conformity to the Book of Common Prayer, renunciation of the Solemn League and Covenant, and episcopal ordination. A large number of books were published on these subjects, and contemporary diaries show that ministers read these books and discussed the problems among themselves, in reaching difficult and often painful decisions.

KEYWORDS: casuistry, Church of England, conformity, conscience, nonconformity, Restoration

'The rights of conscience cannot be made subject to legislation, however well-meaning', the Archbishops of Canterbury and York told the British prime minister in January 2007.[3] Similar assertions of the rights of conscience are now common, and conscience is currently cited in Anglican circles to claim exemptions from principles of

1. This is a revised version of a public lecture delivered in Toowoomba, Queensland, at the invitation of the University of Southern Queensland. I am grateful to the University for that invitation and its hospitality. Seventeenth-century English casuistry and the impact of the 1662 Act of Uniformity have received separate scholarly attention, but there has been little study of the application of moral principles in the specific context of the Restoration.

2. Christopher Haigh retired in 2009 as Student (i.e. Fellow) of Christ Church, Oxford, and head of the History Faculty at the University of Oxford.

3. At http://www.churchofengland.org/media-centre/news/2007/01/pr0107lb.aspx (accessed 8 August 2012).

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equality in gender and sexual orientation. But the notion that the individual conscience has inalienable rights is a very modern one, and in the past the idea that conscience should not be constrained would have seemed very odd, even dangerous. In early modern England the forcing of conscience was a frequent weapon in politics and religion, and conscience might be enlisted to coerce rather than protect the individual. People might be pressed to take an oath, which then bound them to obedience, and loyalty oaths were a favourite device of regimes – for requiring an oath helped sort out who could be trusted and who could not. There was an oath to the royal succession in 1534, an oath to the royal supremacy in 1535, another supremacy oath in 1559, and an oath to protect Queen Elizabeth in 1586.

In the seventeenth century, oaths came thick and fast and the range was wider. There was an oath to the Prayer Book in 1604, an oath of allegiance in 1606, an oath to the constitution of the Church of England in 1640, an oath for the Protestant religion and Parliament in 1641, an oath for the defence of Protestantism in 1643, an oath of loyalty to the English republic in 1649, an oath against resistance to the king in 1661, an oath to the Book of Common Prayer and the government of the Church in 1662, an oath against Catholicism in 1673, a new oath of allegiance to the king and queen in 1689, and an oath to protect the king in 1696. Some oaths were national, to be taken by all adult males; some were sectional, applying only to secular office-holders, clergy or Catholics – but all were taken before God and would bind the conscience of those who swore them.[4] The power of these oaths depended on a fear of what would happen to anyone who breached them and so committed perjury – on earth, no-one would trust you if you broke your oath, your credit was destroyed; and in the afterlife, you would be punished by God for breaking the third Commandment: 'Thou shalt not take the name of the Lord thy God in vain.' And when almost everybody believed in God, in heaven and hell, that mattered.

The trouble was, some of these oaths were contradictory. In a period of turmoil and political change, one oath might be superseded by another – if you had sworn loyalty to one regime, what happened if another regime demanded your allegiance? Here we will look at one of these

4. See John Spurr, '"The Strongest Bond of Conscience": Oaths and the Limits of Tolerance in Early Modern England', in H. Braun and E. Vallance (eds.), *Contexts of Conscience in Early Modern Europe, 1500–1700* (Basingstoke: Palgrave, 2004), pp. 151–65; D.M. Jones, *Conscience and Allegiance in Seventeenth-Century England: The Political Significance of Oaths and Engagements* (Rochester, NJ: University of Rochester Press, 1998).

changes, the Counter-Revolution of 1660 which brought back the monarchy and the Church of England after the short-lived English republic – and at the crisis of conscience that the counter-revolution brought. The focus will be on the clergy, and how they faced up to the restoration of an established Church of England and the Act of Uniformity of 1662. The Act required solemn declarations or oaths – one approving the Book of Common Prayer and another renouncing the oath to the Solemn League and Covenant of 1643. It also insisted that serving ministers must have been ordained by a bishop – so those who had been ordained by Presbyterians in the 1640s and 1650s were required to be reordained by a bishop. For some clergy there was no problem – those already ordained by a bishop, who loved the Prayer Book, and had avoided the Covenant. For strong-willed Congregationalists and Baptists there was no dilemma either, for they would not join a state Church even if it was prescribed by law. But for others, and there were very many, the restoration of an episcopal Church and the Act of Uniformity brought a crisis of conscience – could they swear to a Prayer Book they had rejected and renounce both the Covenant they had sworn and their Presbyterian ordination? And for men whose professional duty was the service of the God before whom they swore, men whose professional reputations depended on morality and truth, the crisis of conscience was fearful.

Matthew Meade put the moral problem and the practical dilemma squarely to his parishioners at Stepney in London in September 1660: it was a question of 'sinful compliance with the ceremonies against conscience'. If the law requires use of the Book of Common Prayer and its ceremonies, what should the clergy do?

> What? say some. Come let us rather conform to the ceremonies than lose our liberties … Thus many, it is to be feared, destroy their consciences to keep their places and conform against their judgments to preserve their profits … Alas poor souls, how are they fallen in the hour of temptation! Suppose a man were put to this … Either he must take up the ceremonies or lay down his ministry. This would be a great temptation, which part ought a man to choose in this case. Why, you will say, it is pity but such a man should preach; I, but it is greater pity that he should sin. You will say, He may do much good in his ministry would he but conform; I, but he must not do evil that good may come on it.[5]

Others were less clear. 'We are gifted men and can preach and pray; what shall become of our gifts?', asked 'Presbyterian' in a

5. Matthew Meade, *Spiritual Wisdom Improved against Temptation* (London, 1660), Sig. A2, pp. 19–20.

1662 dialogue. 'Shall we quite give over to exercise them, and what shall become of our families if we give over? May we not conform and read some part that so the gospel may be preached, for otherwise the gospel may cease to be preached.' But 'where is good conscience all this while', replies 'Conscience', 'when you do that which is contrary to the light in your consciences'?[6]

Francis Fullwood dealt with the whole question of conformity in the casuistical 'cases of conscience' tradition, in *Some Necessary and Seasonable Cases of Conscience about Things Indifferent* in 1661. 'To my dissenting brethren', he wrote, 'The great case will be upon what grounds you may warrantably lay down your ministry and upon what, not? Or how far you may lawfully obey the imposition of authority'? Fullwood claimed that ministers had no moral right to disobey the law and desert their congregations because of a conscientious scruple against a few aspects of the Prayer Book. These things were 'indifferent', he said – that is, they were neither prescribed nor forbidden in the Bible, so left to human authority to impose or not.[7] Now the imposition of the Book of Common Prayer was a hugely controversial issue, and over a hundred books for and against the Prayer Book were published between 1660 and 1662: its virtues and defects were paraded before the reading public in an earnest polemical exchange. But here we examine the debate on a related question of conscience: which was the greater sin, approving the Prayer Book or disobeying the law?

This was the question put pointedly to the consciences of the clergy by the Act of Uniformity in 1662, which demanded 'unfeigned assent and consent to all and everything contained and prescribed in and by the book entitled the Book of Common Prayer'. Could any clergyman who saw faults in the Prayer Book, much less any who thought it popish and superstitious in parts, make such a declaration? Fullwood's next book, *The Grand Case of the Present Ministry* suggested that he could, and sought to interpret the Act of Uniformity as generously as possible. Approval of the Prayer Book need not be absolute and complete, he said, but should be 'a comparative and respective approbation' – acceptance was better than disobedience and loss of office, so the Book could be approved. Further, he argued, it is the use of the Prayer Book that is to be approved, not its entire contents, so its use could be accepted without

6. [John Collins], *Something Written after the Manner of a Discourse or dialogue betwixt a Rigid Priestbiterian and Good Conscience* (London, 1660), pp. 13–14.

7. [Francis Fullwood], *Some Necessary and Seasonable Cases of Conscience about Things Indifferent* (London, 1661), Sig. A5, pp. 4–5, 8–9, 22–23, 38, 105–107.

approving everything in it.[8] Edward Bagshaw replied to Fullwood in *The XXIV Cases Concerning Things Indifferent* and dismissed these arguments as hypocritical: 'Can any conscientious man consent to the use of all and everything in the Book unless he be first convinced of the truth and goodness of all and everything to be used…?' The distinctions Fullwood made just wouldn't wash – 'a comparative approbation of a sinful thing is itself sinful'.[9]

The moral problem of conformity was posed most acutely for those who had taken the Solemn League and Covenant. How could ministers who had sworn to 'endeavour the extirpation of popery, prelacy (that is, Church government by archbishops, bishops…)' and against superstition now unswear themselves, and accept episcopacy and a Book of Common Prayer they regarded as superstitious (if not popish) in parts? Somehow, they had to be persuaded that the oath to the Covenant was not binding – and this is what John Gauden tried to do in *The Loosing of St Peter's Bands, setting forth the true sense and solution of the Covenant in point of conscience*. He was answered immediately by the strict Presbyterian Zachary Crofton in *St Peter's Bonds Abide*, arguing that the Covenant was 'a national obligation', sworn by the two Houses of Parliament on behalf of the whole nation, so everyone was bound by it: 'Covenant-breaking is so direct a God-provoking sin that I tremble to think of England's least tendency to it'.[10] This controversy really took off: Crofton's answer went through five editions in six months, and there were more tracts published on each side – they included two more by Crofton, one under a pseudonym, one setting out the relevant oaths with a reminder that they particularly concerned the clergy, another by Gauden, and reprints of Gauden's first book against the Covenant of 1643 and Oxford University's declaration against the Covenant of 1647. The anonymous *Anatomy of Dr Gauden's idolized non-sense and blasphemy* mocked Gauden as a self-styled son of the Church – 'Now I see what makes him so

8. [Francis Fullwood], *The Grand Case of the Present Ministry, whether they may lawfully declare and subscribe to the late Act of Uniformity* (London, 1662), pp. 8–11.

9. [Edward Bagshaw], *The XXIV Cases Concerning Things Indifferent* (London, 1663), pp. 53, 55.

10. John Gauden, *Analysis: The Loosing of St Peter's Bands, setting forth the true sense and solution of the Covenant in point of conscience* (London, 1660); Zech. Crofton, *Analepsis, or, Saint Peters bonds abide; for rhetorick worketh no release is evidenced in a serious and sober consideration of Dr. John Gauden's sence and solution of the solemn league and covenant* (London, 1660), pp. 12, 27, 36. The imposition and impact of the Covenant are discussed in Edward Vallance, *Revolutionary England and the National Covenant: State Oaths, Protestantism and the Political Nation, 1553–1682* (Woodbridge: Boydell Press, 2005).

eccentric and extravagant, namely his sucking too much of his mother's milk when she had eaten too much poisonous meats of Arminianism, Socianism and Popery' – and invoked Martin Marprelate's attacks on the higher clergy with 'O read Dr John Gauden, for it is a worthy work'.[11]

The issue of the Covenant had heightened significance in 1662, when the Act of Uniformity demanded that clergy who wished to serve in the Church must first formally renounce the Covenant. John Stileman's *A Discourse of the Nature and Obligation of Oaths* recognized the difficulty: 'I know it will be deemed by many a matter of extreme severity for the Parliament thus to oblige men to renounce what, with hands lifted up to the most high God, they have so solemnly sworn' – but his solution was uncompromising, 'It was an oath unlawfully sworn and cannot but be unlawfully kept'.[12] Francis Fullwood again took a more conciliatory approach in *The Grand Case of the Present Ministry*. He argued that the Covenant was no longer binding because it had been superseded by the requirements of a lawful Act of Parliament. Fullwood's points were again answered by Edward Bagshaw's *The XXIV Cases*, and by a group effort of someone who hid behind the initials M.D. and 'some conformable nonconformists' called *A Short Surveigh of the Grand Case* – the latter asserted that

> though we were not advancers of the Covenant when first imposed, though we are no advocates for the Covenant to be disclaimed, we are expectants of God's avengement of the Covenant now it hath been taken … We therefore yet dare not, cannot, will not declare the Covenant doth not oblige me or any other person to endeavour our alteration of the government in the Church.[13]

11. Zech. Crofton, *Analepsis anelephthe: The Fastning of St Peters Fetters* (London, 1660); [Zachary Crofton], *Berith Anti-Baal, or Zach. Croftons appearance before the prelate-justice of peace* (London, 1661); Theophilus Timorcus, *The Covenanters Plea against absolvers* (London, 1661); W. Wickins, *The kingdoms remembrancer or, The protestation, vow, and covenant, Solemne League and Covenant, animadverted* (London, 1660); [John Gauden], *Anti Baal-Berith or The binding of the covenant and all covenanters to their good behaviours* (London, 1661); [John Gauden], *Certain Scruples and Doubts of Conscience about taking the Solemne League and Covenant* (London, 1661); *Reasons of the Present Judgement of the Universitie of Oxford* (London, 1660); *The Anatomy of Dr Gaudens idolized non-sense and blasphemy in his pretended Analysis* (London, 1660), pp. 3, 28.

12. John Stileman, *A Discourse of the Nature and Obligation of Oaths* (London, 1662), pp. 2, 22.

13. M.D., *A Short surveigh of the grand case of the present ministry whether they may lawfully subscribe and declare as by the late Act of uniformity is required, and the several cases thence arising, especially about the covenant* (n.p., 1663), p. 47.

At least one person followed this exchange closely, and extracts from both Bagshaw and M.D. were copied by a contemporary into the margins of a copy of Fullwood's *Grand Case* now in the British Library. Fullwood answered some of the criticisms in *A Review of the Grand Case*, and quoted 'the judgment of the reverend casuist Bishop Sanderson' to show that an oath must be personal and those that took the Covenant themselves could not bind the whole nation.[14]

The third great issue of conscience faced by ministers in the early 1660s was reordination – the demand first by individual bishops and then by the Act of Uniformity that a minister who had been ordained in the 1640s or 1650s by Presbyterian ministers should be reordained by a bishop if he was to serve in the Church of England. This was an emotional as well as a moral question, and a worrying case of conscience. How could men who believed they had been validly ordained by fellow ministers submit to reordination – which implied that they had never been proper ministers and that the sacraments they had celebrated were invalid. In *A Serious Review of Presbyters' Reordination by Bishops* of 1661, Zachary Crofton was clear: 'Reordination, like rebaptism … is a plain solecism in divinity and Christianity, neither to be taught nor acted in Christ's Church without preposterous levity, ridiculous vanity and palpable profaneness' – an ordained minister 'cannot with a good conscience, rightly informed and duly acting the man unto the discharge of duty and obtainment of peace, be reordained by a bishop'.[15]

The whole issue of reordination came to revolve around the experience of John Humfrey, a minister in Somerset who had been ordained in 1649 as a Presbyterian. In 1660 Humfrey was persuaded by his local bishop to be ordained again: he went through a torment of conscience before agreeing, and afterwards published an explanation and justification of his action – *The Question of Reordination*. There he argued that his reordination was not a rejection of his first ordination, but merely a legal qualification to continue his ministry – 'For what is reordination in this case but a submission to the order of that Church-polity which is again set over us?' But Humfrey was still bothered: 'Only I must needs say, since I have done this thing I find it hath pleased God to exercise my spirit with many perplexities about it'. He was especially worried by 'the grand objection', that he might have breached the third Commandment – because the

14. [Francis Fullwood], *A review of the grand case of the present ministry whether they may lawfully declare and subscribe as by the late act of uniformity is required? In reply to a book entitled A short surveigh of the grand case, &c* (London, 1663), Sig. A4.

15. [Zachary Crofton], *A Serious Review of Presbyters' Reordination by Bishops* (London, n.d., 1661?), p. 5.

promises he had made in God's name at his second ordination were worthless as he had already made similar promises at his first. 'We on one hand dare not but own our former ordination as valid for our ministerial acts past; on the other hand, if we own the first as valid what room can there be for a second?', he asked himself and his readers. He repeated his distinction between ordination and qualification: Presbyterian ordination had been enough in 1649, but 'it will not any longer serve the turn or end, through the stream of the times, how happy soever otherwise, to give our ministry its free course, the marrow of all, and upon that account are we ordained again'.[16]

Humfrey soon came under attack. Richard Alleine's *A Letter to a Friend* accused those who had accepted reordination of betraying the Presbyterian cause and their own ordination, and effectively accused Humfrey of breaking the third Commandment. 'Upon the whole I see not but that they who refuse reordination may be reckoned among men of a tender frame and serious spirit, and not among such as are of a scanty soul and too superstitious conscience.'[17] *A Peaceable Enquiry into that Novel Controversie about Reordination* by a certain R.I. tackled Humfrey's distinction between ordination and qualification, and noted that was not how the bishops saw things: 'though the receivers of reordination may fancy it to be only accumulative, if there can be such a thing, yet it is plainly destructive of their former ordination in the judgment of the reordainers'. R.I. thought there was a problem of pastoral responsibility to parishioners, and asked 'Whether by a reordination we shall not create innumerable scruples in the hearts of the people about the validity of our former consecrations of sacraments?' Might parishioners think they were not properly baptised? 'If for the satisfaction of a scrupulous clergy we accept an hypothetical reordination, how shall we avoid the giving of an hypothetical rebaptization for the satisfaction of a scrupulous laity?'[18]

16. John Humfrey, *The Question of Re-ordination, whether and how a minister ordained by the Presbytery may take ordination also by a bishop* (London, 1661), pp. 2, 18–21, 35–36.

17. R[ichard] A[lleine], *Cheirothesia tou presbyteriou, or, A letter to a friend tending to prove I. that valid ordination ought not to be repeated, II. that ordination by presbyters is valid: with an appendix in which some brief animadversions are made upon a lately published discourse of M. John Humfrey, concerning re-ordination* (London, 1661), pp. 5, 7, 70, 78.

18. R.I., *A peaceable enquiry into that novel controversie about reordination With certain close, but candid animadversions upon an ingenious tract for the lawfulness of reordination* (London, 1661), pp. 18, 36.

Poor John Humfrey was in a turmoil of conscience. He went before the bishop's registrar, tore up his ordination licence and renounced his reordination – and then published *A Second Discourse about Reordination*, a convoluted argument justifying reordination but nevertheless wishing he hadn't undergone it. He argued that it was Christ who made a minister, so that ordination 'is but the solemn approbation, declaration or confirmation of our call by God' – 'the ministry itself is not conferred by our orders at the first and consequently that it cannot be endangered by being reordained in the least, but that these orders first and last both do operate on or to the same only by way of declaration before men'. So far, so good: reordination was justified as a necessary condition for service in the Church. But Humfrey's conscience still pricked him, and he now thought he should not have submitted to reordination: 'My judgment is still as large as it was but my heart is made afraid.' This was mainly because he did not think he would be able in conscience to meet the other conditions required for conformity, so his reordination had been pointless. 'Unless I could be sure my heart would serve me to hold throughout and I could see safety there at the end, I will not stand the danger of having gone so far but will rather discount my action and crave mercy than look to be justified by what I have done'.[19] Humfrey knew his reputation was now tarnished, that he would be condemned for justifying reordination and condemned for renouncing his own. He was right: the Presbyterians damned him for betrayal, and the episcopalians mocked his retraction. And as he expected, Humfrey was sacked from his parish in 1662, so his conscience had been racked for nothing.

John Humfrey was one of nearly a thousand ministers removed from office by the Act of Uniformity in 1662. Some of them preached a 'farewell sermon' on 17 August, the last Sunday before their ejection. Many of these were printed, and some were brought together in a collection of 22 sermons, most by London ministers, with two sermons added from the funerals of like-minded men. These preachers usually appealed to conscience as a justification for refusing to conform and leaving their posts. Edmund Calamy made light of their troubles: 'Consider it is sin only that makes trouble to deserve the name of trouble, for when we suffer for God's sake or a good conscience these

19. John Humfrey, *A second discourse about re-ordination being an answer to two or three books come out against this subject, in behalf of the many concern'd at this season, who for the sake of their ministry, and upon necessity, do yield to it, in defence of their submission* (London, 1662), pp. 6–7, 96, 98, 105–12.

troubles are so sweetened by the consolations of heaven that they are no troubles at all'. Thomas Jacomb told his congregation:

> that it is not this thing or that thing that puts us upon this dissent but it is conscience towards God and fear of offending him. I censure none that differ from me as though they displease God, but yet, as to myself, should I do thus and thus I should certainly violate the peace of my own conscience and offend God, which I must not do, no not to secure my ministry.

And Thomas Lye pleaded his conscience in touching and modest terms:

> 'Tis true, I cannot in my conscience conform, but I do not lay the stress of salvation on it, as I did not lay the stress of my salvation on my being a Presbyterian. I confess I am so and have been, it hath been my unhappiness to be always on the sinking side, yet I lay not the stress of my salvation upon it. 'Tis my conscience, but it may be I have not so much light as other men, and I profess in the presence of God, could I conform without sin to my own conscience I would. If I should do anything against my conscience I should sin and break my peace and conscience and all, and never see good day.[20]

Edmund Calamy lost his position as minister at St Mary Aldermanbury in London, but continued to attend services there. On Sunday 28 December 1662 there was no-one else to preach, so Calamy stepped in and preached on 1 Sam. 4.13, 'Eli sat upon a seat by the wayside watching, for his heart trembled for the ark of God', which he interpreted as true religion threatened in England:

> When the ark of God is taken the ministers of Christ are driven into corners … The souls of our wives and children are in danger to miscarry when the ark of God is taken and the Gospel gone … When the ark of God is taken Jesus Christ is then trampled underfoot, the ordinances of God are shut out of door, then blasphemy, atheism and all manner of wickedness comes in like an armed man.

Calamy was arrested and brought to trial for breaching the Act of Uniformity: 'I hope I must not go against my conscience within me to comply with my superiors above me', he said. The bishop of London put his finger on the nonconformists' dilemma:

> It is a sad thing that you have brought yourselves and other poor souls to such a strait between two sins, and you can by no means possible avoid both as long as you persist in this way. For if you do the things

20. *A Compleat Collection of Farewell Sermons preached by Mr Calamy, Dr Manton, Mr Caryl,…* (London, 1663), Sigs A3–4, K4, Q4.

> commanded you go against the persuasion of your own conscience, and that is a great sin, and if you do them not you disobey lawful authority and that is a sin too.[21]

Conscience got you all ways.

The public debates around conformity, the Covenant and reordination show how some of the clergy dealt with such conflicting sins. They argued that they must follow conscience – but some consciences said conform, some said don't; some said disobedience was a sin, some that displeasing God was a greater sin than displeasing the king; and Francis Fullwood said there were ways of conforming that didn't conflict with conscience. But with the exception of John Humfrey, who was not really sure, all our writers argued a clear case and tried to persuade others to do as they had done. It seems that for Matthew Meade and Zachary Crofton and Edward Bagshaw and Edmund Calamy there was no doubt: each one's conscience told him what he must do; he must refuse to conform and leave the Church of England's ministry. John Gauden and John Stileman and Francis Fullwood also had clear consciences, and knew they should conform. But was it usually like that? Perhaps the doubting John Humfrey was more typical, and perhaps it was not so easy to follow conscience when a minister had a family to support and no other livelihood. Some diaries and contemporary biographies suggest how less public men faced up to these dilemmas. One thing is clear: they did it in fear and trembling – fear of God, fear of the law, fear of poverty and fear of shame.

Many ministers followed the progress of repressive legislation through Parliament with growing concern, and often with uncertainty over what they should do. They read the weekly newsletters, and had news by letter from friends in London, Cambridge and Oxford. They met together to discuss their options, and Philip Henry from Flintshire went to consult the new head of his Oxford college, John Fell, dean of Christ Church. At Manchester Henry Newcome studied some of the books of controversy: 'In the afternoon I read about reordination'; 'I read over the little book of cases about conformity this night'; 'studied today in the cases of conscience'; 'I studied this day something on the point of reordination'; 'I read part of Mr Humfrey's touching reordination over today'; 'read out Mr Humfrey's and the other books

21. Edmund Calamy, *Eli Trembling before the Ark. A Sermon preached at St Mary Aldermanbury, Decemb. 28. 1662* (London, 1663), p. 20; *Master Calamies Leading Case* (London, 1663), p. 10.

about reordination'; 'I read the Oxford reasons about the Covenant'; 'read sundry things touching things in present debate'; 'I after read something about the ceremonies'; and 'I read a little in a book of farewell sermons by the London ministers' 'After read in the Grand Case.'.[22] It is good to know someone actually read the books discussed here. Clearly, many ministers were particularly exercised about reordination: Philip Henry noted in his diary that 'Ministers met at Hanmer to discourse about the lawfulness of reordination. Mr Orlando Fogg reordained, as for myself I am at present of the mind it ought not to be, the former being sufficient. Lord show us what thou wouldst have us to do.' Henry Newcome followed the case of John Humfrey: 'The passage of Mr Humfrey's renouncing his reordination is of great use, and a providence as greatly satisfying a doubtful mind as can be. I sent for the book this day. One had as good be without it [reordination] with peace of conscience, as be forced to renounce it for peace of conscience.'[23]

Newcome awaited his own fate with trepidation: 'At night I saw the Act of Conformity and it answers expectation to the full. The Lord show his poor servants what he would have them to do.' 'We prayed this evening for help and direction in the sad evil'. 'Had much tossing in my heart about my outward condition. I am unprovided for and am like to sustain the smart and the blame of it too. But alas I cannot help it. I sought the Lord and had some satisfaction. This is my grief.' 'I perceive how little hopes there is about this Act for Uniformity, but yet I know not what I should do' – and again, 'Very sad how things are going about the Act for Uniformity, yet I know not how to think it should be.' He turned for consolation to the story of David facing Goliath in the Bible: 'The Lord that delivered me out of the paw of the lion and out of the paw of the bear, he will deliver me out of the hand of this Philistine' (1 Sam. 17.37).[24] At Coley near Halifax, Oliver Heywood waited too: 'now I am but in the same predicament with the rest of my brethren in the ministry since the passing of this fatal Act of Uniformity, which we are waiting for the execution of which cometh from the 24 of August, which if not prevented will strike dead most of the godly ministers in England'. Adam Martindale, vicar of Rostherne in Cheshire also called it 'the fatal Act of Uniformity', and on 17 August 1662 he preached his farewell sermon, 'forbearing to tell the

22. *The Diary of the Rev. Henry Newcome* (ed. T. Heywood; Chetham Society, vol. 18, 1849), pp. 7, 37, 60, 95, 97, 108, 109, 129, 131, 136.

23. *Diaries and Letters of Philip Henry, MA* (ed. M.H. Lee; London, 1882), p. 78; *Diary of the Rev. Henry Newcome*, p. 88.

24. *Diary of the Rev. Henry Newcome*, pp. 77, 92, 105.

people what in particular I boggled at, and all reflections upon our superiors or the Act of Uniformity, only saying in general that such things were required as I could not satisfy myself to comply with'.[25]

Some ministers who had been doubtful found that the harsh terms of the Act clarified matters for them. According to his wife, 'Before the Act for Uniformity came forth' Joseph Alleine of Taunton in Somerset

> was very earnest day and night with God that his way might be made plain to him, that he might not desist from some advantages of saving souls with any scruple upon his spirit. In which when he saw those clauses of assent and consent and renouncing the Covenant he was fully satisfied. But he seemed so moderate before that both myself and others thought he would have conformed, he often saying he would not leave his work for small or dubious matters.[26]

Philip Henry's son reported that his father was relieved that the Act demanded so much: 'He thought it a mercy, since it must be so, that the case of nonconformity was made so clear as it was, abundantly to satisfy him in his silence and sufferings. And I heard that Mr Anthony Burgess, who hesitated before, when he read the Act blessed God that the matter was put out of doubt.'[27]

When a copy of the Act reached Manchester, John Angier of Denton in Manchester 'preached very plainly on Esther 4:1', 'When Mordecai perceived all that was done, Mordecai rent his clothes and put on sackcloth with ashes, and went into the midst of the city and cried with a loud and a bitter cry.' But Angier kept his head down and managed to hold on to his post despite his continued nonconformity – probably because he held an informal chapel curacy rather than a benefice.[28] Ralph Josselin, vicar of Earls Colne in Essex, kept his head down too. On 17 August 1662 he noted 'The last Sabbath of our liberty by the Act', but a week later, on Black Bartholomew day, 'God good to me, my heart cheerful in his work, hoping God will make way for my liberty and many other: my soul trusts in him. Sad to see how the

25. *The Rev. Oliver Heywood B.A., 1630–1672: His Autobiography, Diaries, Anecdotes and Event Books* (ed. J.H. Turner; 4 vols.; Bingley, 1882–85), vol. 1, p. 181; *The Life of Adam Martindale, written by himself* (ed. R. Parkinson; Chetham Society, Vol. 4, 1845), pp. 166–67.

26. [Theodosia Alleine], *The Life and Death of that Excellent Minister of Christ Mr. Joseph Alleine* (n.p., 1671), p. 52.

27. [Matthew Henry], *An account of the life and death of Mr. Philip Henry* (London, 1698), p. 104.

28. *Oliver Heywood's Life of John Angier of Denton* (ed. E. Axon; Chetham Society, new series, Vol. 97, 1937), p. 69.

shepherds are scattered.' Josselin had escaped dismissal, but the Church authorities were soon after him: 'Cited this day to the archdeacon's visitation; our professors [those who professed his kind of religion] had rather I should lay down than conform, as John Day told me, but I had it only from him: the Lord direct me.' And soon he was using the Book of Common Prayer, though he did not conform completely.[29]

The vast majority of clergy conformed more or less willingly, and it should not be supposed that only nonconformists had consciences. Richard Kidder would not subscribe under the Act until he had studied the revised Prayer Book, so he lost his vicarage – but he conformed in 1664 and went on to be bishop of Bath and Wells. Edward Fowler took two years to conform, but he later became bishop of Gloucester. John Tillotson got himself ordained by a Scottish bishop who did not fuss about conformity, and he went on to be Archbishop of Canterbury.[30] But conformity might have its drawbacks, not least in the accusation of hypocrisy and perjury. In 1665 an anonymous author published *Covenant-Renouncers Desperate Apostates. Opened in two letters written by a Christian friend to Mr William Gurnal of Lavenham in the county of Suffolk. Which may serve as an admonition to all such Presbyterian ministers and others who have forced their consciences…*

William Gurnall, on the receiving end of this, had been a Presbyterian and had preached on the binding obligation of the Covenant – ''What, Mr Gurnal conform!'' concerning whom men were almost ready to say … ''though all men forsake Christ, renounce the Covenant and submit to episcopal conformity, yet Mr Gurnal will not.'' ' But in 1662 he had been reordained three days before the August deadline and had subscribed under the Act of Uniformity, and nonconformists had failed to persuade him to change his mind. However, wrote his attacker, 'that which more private addresses will not do God is sometimes pleased to effect by more public shame, and certainly if ever any man stood in need of this antidote against the poison of his own deceitful heart, viz. to be brought to reflect upon himself with shame and to cover his face with sackcloth and ashes, surely Mr Gurnall is the man'. 'One while up the Covenant and down

29. *The Diary of Ralph Josselin, 1616–1683* (ed. Alan Macfarlane; British Academy, Records of Social and Economic History, new series, vol. 3), pp. 490–93.

30. *The Life of Richard Kidder D.D., Bishop of Bath and Wells, written by himself* (ed. A.M. Robinson; Somerset Record Society, vol. 37, 1924), pp. 10–11, 13; *Oxford Dictionary of National Biography*, *sub* Fowler, *sub* Tillotson; Thomas Birch, *The Life of the Most Reverend Dr John Tillotson* (London, 1753), pp. 18–19.

with episcopacy and superstitious inventions, another while down with the Covenant and up with prelacy and Common-Prayer-Book devotion!' Gurnall himself added a third part to his book *The Christian in Compleat Armour*, in which he justified the use of set forms of prayer, but the charge of going against his conscience dogged him for the rest of his career – though his holy life did something to rebuild his reputation.[31]

There were great public debates about the right thing to do, and people really did anguish when the right thing was not obvious, or when principles and practicalities conflicted. We have seen the moral dilemmas of the clergy, and morality was their job – but laypeople also fretted over the Prayer Book and how far they should conform. In January 1663 John Angier dealt with a lengthy case of conscience from a woman who thought she should not attend Prayer Book services – 'nothing but sin and sinful compliance could I think it to be', she had said, 'and this was so much set upon my heart that if I did hear it thus I should never have peace in my conscience more'. Angier concluded that her conscience had been corrupted by prejudice: she should recognize her prejudice and ask God for pardon, 'which obtained, prejudice will be prayed out and the heart returned to soundness'.[32] John Bradshaw, a Sussex rector, had little patience with an over-scrupulous conscience in religion:

> It is no argument but a pitiful shift in too many to cover idleness, pride, disdain of the ministerial office and perhaps something worse to say 'I cannot come to church, I understand not the meaning of such a ceremony, I approve not of such prayers, I like not the calling, gifts or disposition of such a minister, I like not joining in assembly with profane persons'.

But 'If the thing be not forbidden by God but lawful, or not evil but indifferent, if the magistrate command it to be done, though we know not the good or end of the ordinance, the conscience is bound to yield to it.'[33] Conscience must normally conform to the law.

31. Anon., *Covenant-Renouncers Desperate Apostates* (n.p., 1665), pp. 6, 12; Clergy of the Church of England Database, sub Gurnall, Norwich diocese, at http://www.theclergydatabase.org.uk (accessed 8 August 2012); William Gurnall, *The Christian in Compleat Armour… The third and last part* (London, 1662), pp. 437–38); William Burkitt, *The People's Zeal Provok't to an Holy Emulation by the pious and instructive example of their dead minister* (London, 1680), Sig. B, pp. 2, 20, 22.

32. *Oliver Heywood's Life of John Angier*, pp. 107–108, 111.

33. John Bradshaw, *A Moderate Short Discourse touching tenderness of conscience* (London, 1663), pp. 23–24, 31.

Someone, perhaps John Gauden, the new bishop of Exeter, thought ill-informed conscientious objections were being taken too seriously and a dose of humour might deflate them. In 1662 he published *A Discourse of Artificial Beauty in point of conscience between two ladies, with some satirical censures on the vulgar errors of these times.* One of the ladies had a conscientious scruple against cosmetics, based primarily on the story of Jezebel in the Bible. But this text, in the guise of a debate about makeup (called 'complexioning'), was surely intended as a satire on the arguments employed against the Prayer Book and a plea for the rational conclusion of moral questions. One by one arguments against makeup, and by implication the Prayer Book, are stated and demolished: God has not expressly allowed makeup ('I cannot, I say, but believe that this gracious God would either in the Old or New Testament have positively and expressly forbidden all such additionals to beauty or helps to handsomeness … if they had been in the use and nature of the things as abominable to him as idolatry, theft, lying, murder and adultery, which some men have passionately but very impotently pretended'); it has been misused ('If we should therefore think all things unlawful to be used because they have been or are abused, which is a most pitiful piece of vulgar sophistry and superstitious fear, the devil's and wicked men's encroachments would wholly abridge all God's bounty and Christian liberty'); it is contrary to one of the Commandments ('there can be no evil in it against the seventh Commandment where no adulterous, wanton or evil purpose is harboured in the soul of those that use it'); its use suggests dissatisfaction with the face that God has given (so 'we may not quench those fires which causally seize on our houses nor extinguish those flames which incendiaries kindle of faction and sedition in Church or state'?); godly ministers oppose it ('Private men's opinions may not charge the soul with sin in things of outward use and fashion where Scripture and Councils are silent'); and it gives offence to the godly who think it sinful ('Thus ignorance, superstition and suspicion will ever be overawing truth and Christian liberty, both in private persons and in public societies or Churches, imperiously enjoining others to forbear the use of their liberty merely because this or that poor soul says they are offended').[34]

There are mischievous asides suggesting that hostility to makeup is as absurd as hostility to the customs of the Church – 'So about caps

34. [?John Gauden], *A Discourse of Artificial Beauty in point of conscience between two ladies* (London, 1662), pp. 24–25, 29, 49–50, 72, 154, 180–81. The book had been first published in 1656, perhaps in response to Oliver Cromwell's prohibition of use of the Prayer Book.

and hoods, vestures and gestures, music and organs, crosses and weathercocks, steeple-houses and churches … Yea the use of public liturgies or solemn forms of Common Prayer, singing of psalms, the recitation of the Creed and concluding with the Lord's Prayer, these are fallen under various reports.' The ignorant conscience is no guide to good or evil, and conscience must be properly formed and informed by right reason and the judgment of the Church. In some questions, the rule is by Scripture, 'to which in matters of internal holiness we are confined, though in things of external decency the wisdom and custom of the Church is a safe and wholesome rule'. So cosmetics, and Common Prayer, are acceptable in conscience, and the individual conscience should not be misled by erroneous interpretations of Scripture. The critic of complexioning is persuaded: 'So much have you made me a cheerful Conformist to your judgment and charity, which I find follows not easy and vulgar reports but searcheth the exacter rules of reason and religion'.[35]

All sorts of dangerous nonsense might be peddled on the excuse of conscience, and in 1663 someone published a tongue-in-cheek proposal for selling licences for it. 'Since nothing can be dearer unto poor Christians than liberty for the free exercise of their judgments and conscience', let the king make a profit from it. If you paid the appropriate fee you could think what you liked: for £5 you could speak against the government, for £1–5 s you could support the Solemn League and Covenant, and for only £1 you could criticize the bishops and the Book of Common Prayer. For those who could afford £10, it was even permissible to assert the pope's supremacy.[36] Others shared the joke, and the pamphlet sold four editions in a year. The meaning was clear: an erroneous conscience could not justify sedition and subversion, nor downright error, and it must be restrained in the interest of good order and social harmony.

For conscience was no 'get out of a moral dilemma free' card: it had obligations rather than rights. The puritan oracles William Perkins and William Ames both began their discussions of conscience by insisting that conscience is a function of the understanding not of the will; that is, conscience must be directed by reason to a proper conclusion.[37]

35. [?Gauden], *A Discourse of Artificial Beauty*, pp. 203–204, 237, 262.

36. *A Proposal Humbly Offered for the farming of liberty of conscience* (n.p., 1662), pp. 1, 5.

37. William Perkins, *A discourse of conscience* (Cambridge, 1596), pp. 1–2; William Ames, *Conscience with the power and cases thereof* (n.p., 1639), pp. 1–3. For a general consideration of cases of conscience, see Keith Thomas, 'Cases of

For conscience then was not a subjective thing – as if you could do as you liked as long as it felt fine. Moral relativism or good intentions were no excuse. Conscience had to get things right, and throughout the century, books were published and sermons were preached to guide the conscience, both by general principles and by consideration of specific problems – what were called 'cases of conscience'. In 1660 a highly influential book of cases was published, Robert Sanderson's *Several Cases of Conscience*, based on lectures he had given in Oxford in 1647. The book's influence came from its systematic treatment of issues and its sober and authoritative tone, and writers on all sides appealed to Sanderson's authority and the rules he set out for making moral decisions – though not always the conclusions he drew. 'The proper and adequate rule of conscience is the will of God, in what way soever it is revealed unto men', Sanderson argued, but 'the Scripture or written word of God is not the adequate rule of conscience' for otherwise the heathen would have no rule. The will of God is fully revealed by the law of nature, the written word of God, the use of reason, and the authority of the Church – 'not of one or a few men, not of one age or of one corner of the Church, but of the whole Catholic Church, of all places and all times, spread over the whole face of the earth'.[38]

Though there might be disagreement on the answers to moral questions, everyone agreed that there were answers – one correct answer to each moral question. And the Christian conscience had to find the correct answer. For an erroneous conscience got you into all sorts of trouble, as Jeremy Taylor made clear in another influential text of 1660. 'If an erring conscience commands what is simply evil, or forbids to do that which is absolutely commanded, the man sins whether he obeys or obeys not.' Further, 'A conscience erring vincibly or culpably is an unavoidable cause of sin, whether it be resisted or complied with', though 'It is a greater sin to do a good action against our conscience than to do an evil action in obedience to it.'[39] This was Catch-22 with a vengeance, and it is why the men (and one woman)

(F'note continued)

Conscience in Seventeenth-Century England', in John Morrill, Paul Slack and Daniel Woolf (eds.), *Public Duty and Private Conscience in Seventeenth-Century England* (Oxford: Clarendon Press, 1993).

38. Robert Sanderson, *Several cases of conscience discussed in ten lectures in the Divinity School at Oxford* (London, 1960), pp. 119, 126–45.

39. Jeremy Taylor, *Ductor Dubitantium, or The Rule of Conscience* (London, 1660), pp. 108–11.

we have considered read and discussed and worried about conformity. Conscience had to be followed wherever it led, but unless it led in the right direction the destination would be wickedness, more or less. So the methodical rules for deciding moral problems set out by casuistical writers in the seventeenth century were essential guides for Christian living. Could modern appeals to conscience be subject to some such systematic discipline?