

NOTE AND DOCUMENT

Two Unpublished Letters of Stephen Gardiner, August–September 1547 (Bodleian Library, Oxford, MS Eng. th. b. 2)

by SPENCER J. WEINREICH
Harris Manchester College, Oxford
E-mail: spencer.weinreich@hmc.ox.ac.uk

This note is a transcription of two hitherto unknown letters of Stephen Gardiner, bishop of Winchester (c.1497–1555), found in an early seventeenth-century Catholic commonplace book (Bodleian Library, Oxford, MS Eng. th. b. 2). Composed in late August or early September 1547 and addressed to several of the royal Visitors of Winchester, the letters are a delaying tactic in Gardiner's ongoing resistance to the Edwardian Injunctions and the 'Book of homilies', an attempt to win time until the calling of the parliamentary session. The strongly theological content of the letters challenges traditional characterisations of Gardiner as primarily a legalist.

The surviving correspondence of Stephen Gardiner (c.1497–1555) is distinctly patchy for so prominent a figure. For a public career spanning more than thirty years, James Arthur Muller's edition collects 173 letters (an average of one every two months), with gaps as long as three-and-a-half years.¹ Two new letters, from a crucial period of Edwardian religious reform, shed fuller light on how Gardiner navigated the debates over English ecclesiastical life.

A version of this note was presented at the Ertegun Seminar at the University of Oxford in November 2015. In addition to the seminar participants, the author wishes to thank John O'Malley for his kind assistance, Joey Goldman and Alec Ryrie for their insightful feedback, and Diarmaid MacCulloch for his guidance and encouragement.

¹ *The letters of Stephen Gardiner*, ed. James Arthur Muller, Cambridge 1933.

The letters come from Bodleian Library, Oxford, ms Eng. th. b. 2, the second of two manuscript volumes of *loci communes* supporting Catholic doctrine and practice, organised under ninety-three alphabetical headings. The volumes were compiled c.1605–8 by one ‘Thomas Jollet’ (a pseudonym), a lay convert to Catholicism with links to Northamptonshire.² Under the heading ‘Things contingent’, ‘Jollet’ includes four of Gardiner’s letters, two of which appear in Muller (nos 116 and 119), as well as the anonymous treatise ‘An apology of private mass’, attributed to Gardiner under the title ‘A discovery of ceirteyne vanities and lewde phantasies against the Catholique Church our Mother: w^h are not proved by the professours therof’.³ Other entries under ‘Things contingent’ include a letter to Elizabeth I (1533–1603, r. 1558–1603) from the Catholic priest Anthony Tyrrell (c. 1552–1610); speeches in parliament from Anthony Browne, Viscount Montagu (1528–92) and John Feckenham, OSB (c. 1515–84); and accounts of the trials of several early seventeenth-century recusants.

If ‘Jollet’s’ source gave a date for either letter, he did not transcribe that information. Nevertheless, the letters’ addressees, purport and content allow a relatively secure dating to late August or early September 1547. The first letter is addressed to ‘S^r John Mason and S^r Frauncis Cave knights and M^r Doctor Briggs’, the second to ‘Mr.^r Mason’ alone: Sir John Mason (c.1503–66), an Oxford-educated diplomat, administrator and spy; Sir Francis Cave (c. 1502–83), a prominent lawyer; and Simon Briggs (c. 1513–c. 1611), a doctor of divinity and Fellow of Trinity College, Cambridge. The only link between these three men and Gardiner is that in August 1547 they, along with Sir James Hales (c. 1500–54) and Sir Anthony Cope (c. 1486–1551), were tasked with conducting a royal visitation of the diocese of Winchester. Furthermore, both letters mention the *Book of homilies*, marshalled by Thomas Cranmer (1489–1556) and issued on 31 July 1547.⁴ That the homilies are treated as novelties suggests a date within a few months of their publication.

² Mary Clapinson and T. D. Rogers, *Summary catalogue of post-medieval Western manuscripts in the Bodleian Library Oxford: acquisitions, 1916–1975 (SC 37300–55936)*, Oxford 1991, ii. 721–2.

³ The anonymous ‘Apology’ first appeared in print in 1562, when the Protestant controversialist Thomas Cooper (c. 1517–94) published it alongside a rebuttal. Though the ‘Apology’ might of course have been written much earlier, Cooper indicates that it was a recent production, directed against John Jewel, bishop of Salisbury (1522–71), who only rose to real prominence after Gardiner’s death. Furthermore, the ‘Apology’ describes its target as being around forty years of age, Jewel’s exact age in 1562: Thomas Cooper, *An answer in defence of the truth against the Apology of private mass*, ed. William Goode, Cambridge 1850, 1–41.

⁴ *Letters of Stephen Gardiner*, 366; Diarmaid MacCulloch, *The boy king: Edward VI and the Protestant Reformation*, Berkeley 2002, 67–9.

The longer second letter furnishes ampler evidence for its date. On 25 September Gardiner appeared before the privy council, and remained imprisoned in the Fleet until 8 January 1548.⁵ As the first paragraph of the letter makes clear, Gardiner was not in London when he wrote it, establishing 25 September as a *terminus ante quem*. A *terminus post quem* of 23 August is indicated by Gardiner's mention of the absence of the lord protector, Edward Seymour, duke of Somerset (*c.* 1500–52), on a 'iourney' of which there is as yet no news. On 23 August Somerset embarked on an expedition against Scotland, which culminated in a resounding victory at Pinkie Cleugh on 10 September.⁶ Another clue comes from Gardiner's other surviving letter to Mason, dated 30 August 1547 (Muller, no. 128): the Bodleian letter mentions previous missives to Mason, while Muller's does not, suggesting that the manuscript letter is the later of the two. Given all this, the letter was probably written in the first or second week of September 1547.

These letters are part of Gardiner's rearguard action against the two-pronged evangelical assault of the Edwardian Injunctions and the *Book of homilies*. They raise many of the same points as other extant letters of late August: as a matter of law, the changes contradict Henrician statutes yet in force; as a matter of policy, it is unwise to legislate while the king is a minor; and as a matter of doctrine, *sola fide* is incoherent and unsupported by either the Bible or the Fathers. Some of the same evidence is adduced, notably the Epistle of James and the sermon *De lege et fide*, spuriously attributed to John Chrysostom (*c.* 349–407).⁷

Here, as elsewhere, the foundation of Gardiner's position is Henry VIII's 'Act for the advancement of true religion' (34 & 35 Hen. 8, c. 1), which flatly invalidated the regime's proposed changes. To the council, Gardiner had declared that he would consider the visitation illegal if it sought to enforce anything contrary to that act or to the King's Book (which enshrined the act's provisions).⁸ He warned Mason that

You and your companyons shall, for your personnes, be as wellcoom as any men of your degree in this realme, and all thing you shall doo, not contrary to thacte of Parliament yet standing in force, shall be as gladlye and thankfullye taken and executed; but as for thacte of Parlyament which preserveth our late soveraigne lordes doctryne sett forthe in his booke, I will not relent in any thing contrary to it.⁹

Gardiner's use of such arguments has long been cited as evidence of a thoroughly legal mind.¹⁰ That he possessed a legal mind can hardly be doubted, but there is a tendency, observable in Gardiner's most recent

⁵ James Arthur Muller, *Stephen Gardiner and the Tudor reaction*, London 1926, 170.

⁶ *Ibid.* 367 n. 2.

⁷ *Letters of Stephen Gardiners*, nos 126–8.

⁸ *Ibid.* 369–70.

⁹ *Ibid.* 374.

¹⁰ Glyn Redworth, *In defence of the Church Catholic: the life of Stephen Gardiner*, Oxford 1990, ch. xi.

biographer, to place law in stark opposition to theology, as though legal training precluded theological thought.¹¹ Moreover, it is arguable whether this is necessarily proof of any particular legalism, rather than of a strategic consideration. The theological underpinnings of *sola fide* and the rest of the Edwardian religious programme were (as they remain) eminently arguable. On the legal question, by contrast, Gardiner was entirely in the right – indeed, the repeal of Henry’s act was one of the council’s first priorities in the parliamentary session of autumn 1547.¹² Ultimately, too clear a distinction between lawyer and theologian seems at best unhelpful and at worst untenable. In a context where a full legal education included the study of canon law, where bishops presided over ecclesiastical courts and sat in the House of Lords, where legislation was often religious in word and deed, Gardiner’s legal training and habits of thought can be acknowledged, but they do not disqualify the bishop as a theologian.

Invoking the 1543 legislation, legally unimpeachable though it might be, was not a long-term tactic: it would last only as long as the law remained on the statute books. Gardiner knew this, and knew also that the act would be among the radicals’ first targets in the coming parliament. Tellingly, he wrote to Mason that Henry’s religious policies ‘must remayne in force till the Act be broken’ – ‘till’, not ‘unless’. Not that Gardiner was resigned to defeat. In the event, Edward’s first parliament saw radical victories on the eucharist and the demolition of much of the Henrician religious settlement, but this was far from certain in late summer and early autumn of 1547.¹³ It was the first parliament called in nearly three years; the government had neither the force of Henry VIII’s personality nor any political operator of the skill of Thomas Cromwell (c.1485–1540) on which to draw. On a local level, even with Gardiner in prison during the election, four of the six members from the Winchester boroughs were returned through his influence or that of his ally William Paulet, then Lord St John (c. 1483–1572).¹⁴ Altogether, as he contemplated the coming session, the bishop was not without grounds for hope: a skilled debater, he had rallied conservatives to defeat reform before. Certainly, he had every intention of participating, declaring to Mason that

I am a Lorde of y^e p[ar]liament & by that tytyle a common counsellor of the Realme, & doo therefore alleadg the Act of p[ar]liament & force of yt: I am a Bishopp & therefore bounde to defende truthe, wherin I must & will speake earnestly.

As the visitation of Winchester geared up, however, the parliamentary session was still to come. Gardiner’s immediate concern was to prevent any irreparable damage: though Mason and his colleagues were hardly fire-breathing radicals, other Visitors had engaged in spectacular displays of iconoclasm.¹⁵ Accordingly, the bishop attempted to buy time, trying to

¹¹ See, for example, *ibid.* 10, 28, 43.

¹² Muller, *Gardiner*, 164, 170.

¹³ Redworth, *Defence*, 265–6. ¹⁴ *Ibid.* 264 n. 51. ¹⁵ MacCulloch, *Boy king*, 71–4.

sow enough doubt in the Visitors' minds to delay any substantive action. In addition to alleging violations of the 1543 act, Gardiner invoked the possible displeasure of the council: 'I dare swear for my Lorde protectour and the noble men that agreed to this matter, they were not aware of the Acte of p[ar]liament.' Furthermore, there was as yet no news from Scotland, and the outcome of the expedition – defeat or victory, Somerset's capture or death – could have dramatic repercussions for the government in London.

It is possible that Gardiner intended to scare the Visitors enough to dissuade them from their task. But he may also have liked his chances of convincing the council that *sola fide* was indeed an 'Equus Traianus [*sic*]'. In the first months of Edward's reign, the government had thrown several sopps to conservative opinion, and Gardiner seems to have believed that the protector in particular was, if not his ally, at least not his enemy.¹⁶ There was also the real possibility of separating secular power-brokers like Somerset from their clerical colleagues. If nothing else, even a week's delay would bring the parliamentary session a week closer, and afford the Visitors less time to work. The letters may also have spoken to audiences beside their addressees: their lengthy, forthright rebuttals of radical positions could furnish fellow conservatives with both encouragement and useful arguments.

The first, briefer letter is more theological than legal in tone, critiquing a single sentence from the *Book of homilies* with reference to the Bible and the Fathers. It is termed a letter because 'Jollet' places it among letters, and because it is addressed to specific individuals. At the same time, it lacks any salutation or closing, and is probably incomplete. It may be a memorandum of sorts, prepared by Gardiner as part of his attack on the homilies. Given that the manuscript tells us little about the original – its length, its genre, its structure – the classification as a letter is necessarily tentative.

However they are categorised, these pieces showcase Gardiner's polemical and intellectual gifts. His arguments are clear and cogent, prosecuted through 'the comōn playne reading' of crucial texts. With a verve worthy of a brilliant lawyer and a brilliant preacher, he deploys vivid analogies – a man who claims a meal was not free because he had to chew it himself – that both render theological concepts accessible and deftly make his case.

The shadows of two men hang over the texts. The first is Henry VIII, not yet a year in his grave: references to the deceased king, both as monarch and as man, abound, and not solely for the legal grounds that this provides. Gardiner felt a 'genuine affection' both for Henry and for the conservative elements of the Henrician religious settlement targeted by the reformers.¹⁷ His declaration that in a debate over the homilies, 'I will offre my self to

¹⁶ Muller, *Gardiner*, 144.

¹⁷ Redworth, *Defence*, 248.

defend that determination of our late sovereigne lord as the very trew[th], and agreable with tholde ancient teaching of Christes Church' is a literary flourish – but not devoid of truth.¹⁸ More prosaically, dead though he was, Henry's name remained one to conjure with.

The second presence, Gardiner's almost-invisible adversary, is Thomas Cranmer. The archbishop of Canterbury is named only once in the letters, when Gardiner mentions having written to Cranmer about the radical preaching of his chaplain John Joseph (n.d.).¹⁹ Yet the *Book of homilies*, the innovation most criticised in the letters, was Cranmer's project, and Gardiner knew this – protestations of incredulous ignorance notwithstanding.²⁰ Nor can he have expected what he wrote to Mason and his colleagues to remain secret from Cranmer for long. For all their courtesy, then, the pugnacity of the letters is clear: Gardiner's assault on the homilies' scriptural and patristic *bona fides*, his barbed use of Chrysostom (a favourite of Cranmer's) and his charges of illegality are attacks on the archbishop, albeit indirect ones.

Nor should the modern scholar's knowledge of Gardiner's imminent imprisonment unduly colour his position. With his power restricted by the visitation and the radical party ascendant, it is easy to imagine the bishop with his back against the wall, flailing out against Cranmer, Mason and the council. But he had good reason to be sanguine about his chances against the reformers: his imprisonment is a backhanded compliment to the threat that he posed.²¹

There is no indication from 'Jollet' whence he got his text. In all likelihood, these letters were part of the covert, informal exchange of texts among English Catholics, a form of early modern *samizdat*. What is noteworthy, however, is their inclusion in a seventeenth-century collection, as well as the attribution of the 'Apology' to Gardiner. Unlike his contemporaries Thomas More (1478–1535) or John Fisher (1469–1535), or the Catholic martyrs of the next generation, Gardiner is rarely seen as inspiring a posthumous 'following'. Much more familiar is the image of 'Wily Winchester', the 'Protestant villain' traced by Michael Riordan and Alec Ryrie.²² That 'Jollet' included these letters in what is manifestly a project of many years' duration and considerable personal investment, and that Gardiner was linked to the confident, combative treatise, testifies to some enduring reverence for the bishop of Winchester half a century after his death.

¹⁸ *Letters of Stephen Gardiner*, 367.

¹⁹ *Ibid.* no. 125.

²⁰ *Ibid.* 362.

²¹ MacCulloch, *Boy king*, 76; Muller, *Gardiner*, 161.

²² Michael Riordan and Alec Ryrie, 'Stephen Gardiner and the making of a Protestant villain', *Sixteenth Century Journal* xxxiv (2003), 1039–63.

APPENDIX

*Two Letters of Stephen Gardiner**A note on the transcription*

Folio numbers are indicated in bold, in square brackets. Scribal practice (abbreviations, diacritical marks) has been reproduced wherever possible, save the bars on the descenders of ‘p’ and ‘q,’ and other brevigraphs: given the multiplicity of possible meanings and the difficulty of satisfactorily reproducing these symbols, the abbreviated letters have been included in brackets. ‘Jollet’ numbers paragraphs with Roman numerals, but does so irregularly: where he omits a number, it has been supplied in square brackets. ‘Jollet’s’ hand differs for Latin and English; to reflect this, Latin text has been italicised. Deletions have been indicated with strikethroughs, with the text approximated to the extent possible.

I

[fo. 875] *To the Right wor: S^r John Mason and S^r Frauncis Cave knights and M^r Doctor Briggs*

The opening of a doubtfull & ambiguous speeche in the homily of Salvation.

[I.] Faithe excludeth good deedes, so that we maye not doo them to this intent, to be made good by doing of them: ffor all the good workes that we can doo be imp[er]fect and therefore not able to deserve o^r Iustification.¹

[fo. 876] II. I see no daunger in this intent understanding the speeche after the comōn playne language, in w^{ch} wee saye only we goe to serve the kynge to the entent I maye be made riche & gett fforty pounde land by doing him service: in w^{ch} speeche yt is not signified to other mens vnderstanding that he that so speaketh thinketh to doo service worth fortie pounds a yere. And straungers therfore that serche maisters at libertye, they search to serve a liberall prynce that will not make his accompt in reward of service w^t the value of service, w^{ch} is many tymes worthe nothing in respect of the rewarde, but after the prynces owne accustomed liberallitie: nor the speache implieth not in him that speaketh as afore, ne the intent neither that the service is the rewarde, for that were over grosse: and when wee saye in comōn speache I will goe to sojourne in a phisitians howse to thintent I maye be made hole by dwelling there, I doo not give men to vnderstand that dwelling is my healte, or that I doo in going to the phisition is my healte, but that the healte commeth from the phisition to whom I goe: and w^tout dymnytion to the phisitians reputation vse this speeche afore: so likewise men believe, love, hope in god to this intent to be made good of god by doing of them, not that the workes of believing loving & hoping bee the full goodnes, for they bee

¹ ‘Not that faithe also doth not exclude the justice of oure good workes necessarily to bee doen afterward of duetie towards God (for wee are moste bounden to serve God in doying good deedes, commaunded by hym in his Holy Scripture, all the daies of oure life), but it excludeth them so that we maie not doo them to this intent: to be made good by doying of them. For all the good workes that we can do bee unperfected, and therefore not able to deserve our justification’: *Certain sermons or homilies (1547) and a homily against disobedience and wilful rebellion (1570): a critical edition*, ed. Ronald B. Bond, Toronto 1987, 81.

but begynnings of a further goodnes in Iustification, by communication of christe vnto such as beleve, love & hope: & so o^r imp[er]fect iustice is supplied by the p[er]fection of gods iustice. And thus wee maye & should endevo^r o^rselves wth thassistance of gods grace to creepe wher we cannot p[er]fectly goe, & doo good works to thintent to be made good by the doing of them.; for god loveth them that love him² & maketh them good & better that be occupied in doing goodnes, adding to man y^t man had not, & not making the reckoning only of that man hath: for christe is the foundation of our works³ & the accomplishment also, who supplieth mans imp[er]fections, & measureth his gifte of goodnes to vs after his owne most bounteous liberalitie: as he by the prevention of his grace worketh so wth man, as men maye be meete to receive his further gifte.

III. And after this vnderstanding of the former speeche the inhabilitie of deserving or imp[er]fectnes of the worke is no reason to dissauade [*sic*] any man to haue an intent to doo good workes, to thintent to be made good by the doing of them, for god supplieth our imp[er]fection & giveth more & more to him that will thryve, & be doying & specially be doing to this intent to be made good by so doing: for only god is p[er]fectly good, we never attayne here to the p[er]fection of goodnes, but let vs well m[ar]ke the terme (imperfections) for god in those that be called & haue opportunitie supplieth not their nothings, but of such as be desyrous to come when they be called, supplieth their imp[er]fections. And because the maker of the homelye deliteth in auncient teaching as he pretendeth & alleayeth S^t Chrisostome *De lege et fide*.⁴ yt were good for him to consider howe to take this sentence of Chrisostome in the same homelye expounding S^t peters words thus. *In veritate comperi quia non est personarum acceptor deus, sed in omnia gente qui facit iustitiam, ei acceptus est, hoc est dignus sit vt assumatur*.⁶ This is a great waye from only faithe as the homelyes declare yt.

II

Stephan[us] Gardiner[us] Episc. win. A^o 15⁷

[L.] Mr.^r Mason, after right hartie comendations I haue receaved yo^r l[ette]res touching the sending of my man to London, w^{ch} I would gladly haue accomplished if I could have tolde how to have sent him in tyme: but being the Iurisdiction suspended,⁸ all such as

² Proverbs viii.17.

³ 1 Corinthians iii.11.

⁴ In the homily on salvation Cranmer makes only a general reference to Chrysostom, as one of the Fathers whose writings support *sola fide*. It is in the homily on faith that he quotes *De lege et fide*: 'And S. Chrisostome saith, "faith of it self is full of good workes: as sone as a man doth beleve, he shalbe garnished with them": *Homilies*, 82, 94.

⁵ Acts x. 34–5.

⁶ *In veritate comperi quod non est personarum acceptor Deus: sed in omni gente, qui facit iustitiam, ei acceptus est. Non dixit: in omni gente, qui facit iustitiam salutem consequitur; sed, acceptus est: hoc est, dignus sit ut assumatur*: Pseudo-Chrysostom, *De fide et lege naturae*, PG xlviii.1082.

⁷ 'Jollet' generally indicates the dates of the authorities whom he cites. That this letter has nothing more specific than a century may indicate that 'Jollet' did not know the date – or simply that this detail, like much else in the manuscript, is unfinished.

⁸ On 23 August 1547 Gardiner's episcopal authority had been suspended in advance of the visitation: Muller, *Gardiner*, 367 n. 2.

intended vpon yt be spakeled:⁹ neuertheles I thinke yo^r purpose maye vppon sight of the dyrectorie w^{ch} I have sent ther colleges be well served wthout any seruaunt, & you have the comoditie of the poste of portsmouth to signifie yo^r deterynation, w^{ch} concerning appearaunces shalbe executed accordingly. I thanke yo^u for yo^r two books & trust you have by this tyme receaved my letters at London, in w^{ch} bookes such matter as I founde *In medio caeno virulentarum annotationum* serveth much to the improving of the learning of only faithe, wherin I haue also written in generall in my said letters vnto you, & more specially to my Lordes of the councell.¹⁰

II. The Author of those Annotations pressed by them of Trident saith, nowe he & the Germaines vnderstoode by *fidem* in Iustification, *fiduciam*, w^{ch} *fiducia* signifieth to vs more then faithe: and therefore only faithe is by them a false proposition, for yt must be called only truste and confidence, in w^{ch} faithe cannot exclude that wherby she hath the name of confidence: that is to saye, love & hope.¹¹ And furthermore he that made those Annotations will not strive for *sola*, as he saith, & graunteth that speeche not to be in scripture, but saith *sola* is as muche to saye as *gratis*, wthout all workes of gods lawe &c: and so is o^r newe teaching of only faithe, to iustifye, laid in the duste even by them who should saye yt, if any man woulde saye yt, but they be weary of *sola*, & be come to *gratis*, [fo. 877] w^{ch} is a worde in deede of scripture & enforce all men to confesse yt as it is in deede: truth it is wee [be] iustified *gratis*, & yet not by only faithe, for like as it repugneth not to *gratis* to receave faithe before iustification, no more repugneth yt to receave love before Iustification, & ther w^t hope, & before penaunce *gratia* is not impayed by encrease of gifts but augmented. If one for example shall giue me leather & then helpe me to make of yt a purse, & then other leather agayne & helpe me to make of yt a girdell, & then silver & helpe me to make of yt a buckell, & further helpe to trymme the girdell & purse & all about mee, and after¹² all theisse giue me xx^{li}, should the liberalitie of this xx^{li} be impayed because he gave me a purse, a gyrdell & a silver buckell before? If a man asked me wher I had my purse, I would saye of him that gave me the xx^{li}, & wher my buckell? of him that gave me the xx^{li}: now would any man saye that herein I diminished the glory of him that gave me the xx^{li}? or is not the guift of the xx^{li} *gratis*? because I saye he gave me a purse a girdell & buckell before? if scriptures had in this tearmes handled the matter I would thinke in my selfe want of capacitie to comprehend yt: if any Auncient writers had resolved this poynt I would yield to authoritie: but when men

⁹ Possibly 'sparked,' in the sense of 'scattered, dispersed': see 'sparkled, *adj.*2', *Oxford English dictionary*, 2nd edn, Oxford 1989.

¹⁰ *Letters of Stephen Gardiner*, nos 126–8.

¹¹ This probably refers to the decrees of the sixth session of the Council of Trent, held on 13 January 1547, which discuss justification. Chapters 8 and 9 in particular attempt to clarify the role of faith in justification, in response to Lutheran assertions of *sola fide*. *Canons and decrees of the Council of Trent*, ed. H.J. Schroeder, St Louis 1941, 29–46. It is curious that Gardiner, whose nephew had been executed in 1544 for denying the royal supremacy (a debacle that nearly cost the bishop his life too), should have cited a papal council. Paradoxically, it may be an appeal to Mason's own conservatism: in 1538 Edmund Bonner (c. 1500–69) had remarked on Mason's blatant 'popery'. Whatever the reason, it is a reminder that Edwardian England was never totally insulated from the goings-on of Catholic Europe, and striking evidence for the rapid dissemination of Tridentine decrees: Redworth, *Defence*, 84.

¹² Above the word 'after', 'stet' has been inserted. Scoring on the page makes it appear as though 'and after all' had been struck through, and 'stet' has presumably been added to indicate that this was not the case.

argue of the worde *gratis*, it is *insania* to confesse that multiplication of benefyts should impayre *gratis*, and the Germainys leaving contention of *sola*, be come to *gratis*, w^{ch} they note *equipollet* to *sola*, wherby to exclude all o^r works of desert, & in deed no man saith we can deserve justification as desert soundeth in comōn language: but let vs leave the worde desert, & speak of o^r working, gods giving *gratis*. Shall we saye any guift to be impayred or not to be *gratis*: because he to whom the guift is made doth that w^{out} w^{ch} the guift cannot bee, or cannot take effect, according to the mynde of the giver, If the kynge give a man a thowsand pounce, in the receaving wherof he to whom the guift is made spendeth some tyme: is not the guift *gratis*, because ther was somewhat done in the receaving of yt? If I giue one a coate to weare, shall he saye yt was no free guifte, because I willed him to weare yt? and he that had bene fedd *gratis* at my table a whole yeare, shall he saye they are to blame that report he had yt *gratis*, for he had not his meate w^{out} worke, for he was fayne every daye at dynner once to arise, & once at supper to sytt downe at my table, & cut his meate, yea cut his breade himself, & then put it in his mouthe, & occupie his foreteethe wth sheering & his hynder teethe w^t grynding, his tongue w^t conveying it downe: besides the lifting of the cupp to his mouthe as ofte as he was a thirste & once or twice more somtymes w^t such a labor and chafyng of his inwarde p[ar]te as he sweatt many tymes, as lustely as he that digged & delved for iiij^d a daye: and call ye not shall he saye theis worke? will ye now saye that hee came by this meate & drynke *gratis*? he that should reason after this sorte, a man would thinke he were madd, & yet what differeth that from this? to make an accompt of o^r love & hope in god, w^t w^{ch} vertues & faithe man is indowed to receive Iustification, as though if they remayned still vnexcluded by faithe, we should not be seene to be *gratis* iustified: for theis vertues be exercised in the receaving of o^r Iustification, & be no works of deserrt, but wrks [*sic*] of convenyencie. to receive gods ~~furoure~~ further guifte: as the workes of eating & drynking be workes of convenyence to receive meate, w^{ch} I freely giue to them that will eate yt, & doo eate yt at my coste, although I doo not mynse yt, chawe yt, or alter yt for them, but leave these works to them to be donne, by them alone, otherwise then god doth who worketh w^t vs in believing, loving & hoping, & wee wth him, & therw^t helpeth vs to receive his guifts, so as men gave small cause to conceave the loving of god when he calleth man to life, to be a cause of desert, wherfore faithe should exclude charitye in Iustification.

[III.] Here if one that is full of mylde speeche should saye: my Lorde leave your carnall reasoning, leave yo^r sophistrye, receive gods meere truthe, further gods glorie spend gods talent in the furthering of gods worde, & marke howe yo^u have overseene yo^rself in the first symilitude, wherin ye seemed to vnderstand by the xx^{li} mans p[er]fect iustification, w^{ch} the purse only app[re]hendeth, & therfore like as in those three, of the buckell girdell & purse although the girdell & buckell were p[re]sent w^t the purse, yet the purse did only apprehend the Iustification as the purse app[re]hendeth or comprehendeth the xx^{li}, & the comōn speech is in deede of him that hath monye howe he hath xx^{li} in his purse, he saith not xx^{li} in his griddle [*sic*] & much lesse xx^{li} in his buckell: after w^{ch} speeche we should saye, we be iustified by faith only the purse receath the monye only.

[IV.] I have heard many devises of symilitudes to set forthe the only faith for wante of scripture & doctours, as my Cookes haue somtyme devised many freishe dishes for want of good meate. and this symilitude of the purse w^{ch} pleaseth mee p[er]case more because yt is of myne owne invention, & herein somtyme mans imp[er]fection sheweth it self. *in non admirari sua quod est genus stultitiæ*, & yet herein is no great matter worthy this p[re]face: but in good faithe, fond as yt is, it is neerer the purpose then many I have heard & coulde reherse if I had tyme to compose them, & if one of the converses made yt, it might be thought wyttely devised, [fo. 878] and to procede from the right

judgment. But for my answer to my owne symilitude, I would saye, first that if yt were agreed to be a true speeche that only faithe iustifies, a symilitude had then some effect to open that trueth agreed on, & that is the proper vse of a symilitude, the w^{ch} *volentem ducit*, as Agricola saith, *Invitum non trahit*.¹³ And therefore when yt is not founde in scripture & reproved by p[ar]liament, to such faithe only iustifieth: the symilitude ~~only~~ is nothing although yt were never so aptly conceived, & therefore in my other symilitudes that I have made if the principle had not bene by scripture conformed, that *accessio beneficiorū auget gratiam ab habenti dabitur*¹⁴ *et tu esto supra quinq[ue] civitates*.¹⁵ [sic] I woulde never haue vsed the symilitudes before rehersed. Nowe a wrong ymagination of app[re]hending gods m[er]cy by faithe in him that is iustified entangleth this matter. It is fancied of them that defend only faithe, howe iustification is only received by faithe, & it hath a like subtiltie, as if a stoke¹⁶ would defend that a man seeth wth his inward sense, only, w^{ch} is in sight the first, & w^tout yt no sighte, & yet *absq[ue] oculi organo* it seeth not, & therefore yt were a fond conclusion to saye, *mens solum videt*, or *oculus solum videt*, for *vitium in alteratio* marred all & letteth the action: and so likewise in these things, we hope & looke for *fides cum charitate* apprehendeth: *id est fides viva apprehendit promissionem cui imituntur: voluntas autem et intellectus fidei et charitatis subiecta apprehendunt dei iustitia qua innovantur*: w^{ch} is as much to saye, as faith hope & charitie be vertues given to man of god wherw^t man is indewed when god iustifieth him, w^{ch} vertues be so knytt together as eche one receaveth p[er]fection or increase of other, for faithe w^tout charitie is imp[er]fect, charitie w^tout faithe cannot bee, nor hope can be p[er]fect w^tout faith & charitie, being the worde only dissilabed *omninosum* to challeng a place amongst them, & was yet never allowed of any auncient wryter, in this vnderstanding. ffor the *sola fides*, the doctours speake of, make no trouble betwene charitie hope & faithe to dissever them in such sorte as the Homelye teacheth: and therefore whensoev[er] I come to answer the matter I will not put my truste & confidence in my owne learning, w^{ch} they defame w^t sophistrie & many good morrowes: but in their ignorance they shall oppose mee, as I have seene o^f late Sovereigne Lorde (god p[ar]don his soule) donne at the butts whoo in a dooble shoote somtyme would meat w^t asmuch advantage as a gamster might have, but if he sawe the shoote wonne, he would saye to the other p[ar]tie, mete yt you and take yt:¹⁷ and therefore I will leave reasons, leave symilitudes, leave writing, leave talke, & come to a short issue, a quyet issue, a playne issue, such as the homelye bindeth the maker to wyne in, that calleth only faithe an Auncient teaching, & nameth certeyne old ffathers of the church, among w^{ch} let him shewe but one of them that teacheth as the homely doth: howe the vertues of pennance, faith charitie hope obedience ioyned together him that is iustified, faithe excludeth them in thoffice of iustification, & that in justificacon

¹³ In a complex double allusion, Gardiner alludes to Seneca (4 BC–AD 65) – ‘Ducunt volentem fata, nolentem trahunt’ – to illustrate the opinion of the humanist Rudolf Agricola (1444–85): *L. Annaei Senecae ad Lucilium epistulae morales, ep. cvii.11*, ed. L. D. Reynolds, Oxford 1965, ii. 448. Bk II.25 of Agricola’s *De inventione dialectica* covers *similitudines*, which he describes as instructing the sympathetic and outfacing the anti-pathetic. The phrase ‘volentem ducit, invitum non trahit’ does not appear in Agricola, so far as I have been able to determine: Rudolf Agricola, *De inventione dialectica libri tres / Drei Bücher über die Inventio dialectica: auf der Grundlage der Edition von Alardus von Amsterdam (1539)*, ed. and trans. Lothar Mundt, Tübingen 1992, 152–64, esp. pp. 152–3.

¹⁴ Matthew xxv. 29.

¹⁵ Luke xix.19.

¹⁶ Probably ‘stoic’.

¹⁷ ‘meat’ (or ‘mete’) is an archery term, meaning ‘to take aim at something’ (‘mete, v.1’, *Oxford English dictionary*). The sense seems to be that when Henry knew that he had lost the round, he yielded, urging his opponent to take the point; Gardiner is (ostensibly) yielding on the issue of his own learning, to establish a stronger ground for his next argument.

man must renounce his good deedes, & maye not doo any good deede to thintent to be made good by the doing of them.

V. If theis three speeches can be showed wrytten in this forme of doctrine I will for my p[ar]te w^t shame ynough and asmuch to, to my confusion, as Saxton did receave,¹⁸ w^tout distaunce in such wise as I shall not neede to make a declaration of my recantation: other wise called Retraction: but if no such forme of doctrine can be showed, as ther cannot, but only threpperings¹⁹ & bearings in hand, that the Authors alleaged meant this mann[er] of doctrine taken so, In w^{ch} vnderstanding if Weston²⁰ and Smyth²¹ would agree, shall their newe vnderstanding be a sufficient grounde to conclude the doctrine of only faithe, w^{ch} speech scripture hath not, to be auncient, & of such authoritie, as he were not to be reputed a true christen man, but reasoning w^tout scripture: and that also at such tyme saye as men teache, that only scripture is sufficient for a true christian man, and at such tyme as o^r great adversary wanteth neither Arguers nor arguments w^tout scripture? who by o^r owne bookes shall showe that we embrace a doctrine w^tout foundation of scripture, & was never wrytten of any man for a doctrine in the forme we speake yt, reproved by o^r owne Acte of p[ar]liament, removed by an vniforme teaching all theis fower yeares, reproved by the Emperour & ffrench kyngs determinacons: so many waies reprooved, & never approved, no not in Germany througely that I haue read, after this sorte in any whole churche among them, but as every man at his owne libertie hath uttered his dreame, w^{ch} they did by privedg *Libertatis evangelice*, out of w^{ch} they be fallen into a miserable state?

VI. It shall never be showed in sense or meaning that faithe excludeth charitie in thoffice of Iustification, otherwise then ffaithe excludeth herself wth them, & goo all out from Iustification for company, as neither of them being sufficient to deserve iustification, & in that sense to call faithe an office, w^{ch} by the light of the truthe declareth to penaunce, love [fo. 879] hope, obedience, that although they bee there & she w^t them, yet in them not in her self neither is not the p[er]fection of mans iustice, but only in christe, & therfore they maye not p[re]sume nor forgett the estimation, nor they together ne shee w^t them take the office of iustification from god who only iustifieth.

¹⁸ This is a sarcastic allusion to Nicholas Shaxton (c.1485–1556), former bishop of Salisbury, who in 1546 had been forced to recant as a heretic for denying the real presence. Shaxton's recantation was evidently painful (cf. the poem he wrote to his wife, whom he was forced to abandon). Gardiner seems to be insisting that his recantation would be equally unwilling: Robert Crowley, *The confutation of the. xiii. articles, wherunto Nicolas Shaxton, late byshop of Salilburye subscribed and caused to be set forth in print the yere of our Lorde. M.C.xlvi. whe[n] he recanted in Smithfelde at London at the burning of Mestres Anne Askue*, London 1548 (RSTC 6083), n.p.

¹⁹ This word does not appear in the *Oxford English dictionary*, but may be related to 'frippery', or to 'thrip' ('to make a noise with thumb and finger'). In any event, the sense is plain: a waste of time, a meaningless diversion.

²⁰ Hugh Weston (c. 1505–58), Lady Margaret Professor of Divinity at Oxford, 1542–51. Although hardly a leading figure, Weston was sufficiently well-known as a religious conservative to be arrested as such in 1549: C. S. Knighton, 'Weston, Hugh (c.1510–1558)', *ODNB* lviii. 290.

²¹ Richard Smyth (c.1499–1563), a conservative theologian and the first Regius Professor of Divinity at Oxford. Under pressure from the Edwardian authorities, Smyth made two public recantations in May 1547, a development that Gardiner deplores several times in his letters: J. Andreas Löwe, 'Smyth [Smith], Richard (1499/1500–1563)', *ODNB* li. 447; *Letters of Stephen Gardiner*, nos 120, 121, 124.

[VII.] This p[ar]te might be ymaged to make faithe an office if yt maye bee allowed to devise newe metaphores & swarve from the olde forme of holsome doctrine, & call faithe gentleman vsheer to god to make waye for gods worke, where she is ioyned w^t penance, charitie & hope, in the man to be iustified, to exclude them in iustification: that is to saye, put them forthe of the Iustification chamber, & goo her self after to keepe the dore, on the outward syde: whiles god only iustifieth: for faithe cannot lyve, charitye being excluded, no more then my body can lyve, my soule excluded, & therfore this newly ymaged speech howe faithe excludeth charity in iustification, giveth occasion to two slanderous arguments deduced of other prynciples in the Homilies as bee these.

[VIII.] The Homilies saye, dead faithe is no faithe: faithe voide of charitie is a dead faithe, & then in reason wthout the booke exclusion & void benuce²² is all one.

[IX.] The Homilies teache, that faithe w^tout love & hope is the divells faithe: Nowe *ex premissis*, as they be taught, *arguitur sic*.

[X.] Faithe, charitie excluded iustifieth: faithe, charitie excluded, is a devells faithe ergo a divells faith iustifieth. And otherwise this.

[XI.] Faithe, by exclusion of charitie, dead, iustifieth: ergo no faith iustifieth.

[XII.] And such Arguments shall o^r Adversaries make of the learning in the Homilies w^{ch} have such contradictions in them, as they confound themselves, And after muche adoo to declare howe only faith iustifieth, he bringeth yt to this poynte that by the true meaning we bee not iustified by only faith, for he saith wee be iustified by only christe & by no vertue &c. Then assume the minor & faithe is vertue, ergo, faith iustifieth not, w^{ch} was S^t James his teaching,²³ w^t only to yt, & our late Sovereigne Lorde teaching, & the whole p[ar]liament nowe by strength of the Acte.

[XIII.] In the Homilie of salvation, the divells faithe is so dilated as it hath neither scripture ne author to beare yt. It is affirmed that the divell beleeveth all the articles of our faithe, & beleeveth all things written in the old & newe testament to be true:²⁴ what an Asseveracon is this w^tout scripture, or auncent doctors, to sett forthe the divell? for though scripture saye the divell beleeveth god to bee,²⁵ yet yt goeth not so farr, for they be *Spiritus tenebrarū* & not *lucis*. and if the booke had no other fault then this, shall men affirme, they cannot proove? There was a mayster of Arte at cambridge that in an extreeme paroxisme of a fever, fancied that he reasoned wth the divell & overcame him by reasoninge: in a probleme vppon publication wherof yt was resolved, the divell was but a flye, that could be overcome by such a maister of Arte that had so small learning. And nowe I must preache that the divells beleve all the articles of o^r faithe,

²² This word – b, e, four minims, c, e – is difficult to decipher. The most plausible suggestion has been ‘benuce’, as a form of ‘in nuce’ (‘in a nutshell’), although it must be acknowledged that it is not written in the hand used for Latin.

²³ James ii.14–26.

²⁴ ‘For even the devilles know and beleve that Christ was borne of a virgyn, that he fasted forty dayes and fortye nightes without meate and drynke, that he wroughte all kynde of myraclis, declaryng hymself very God. They beleve also that Christe for our sakes suffered moste paynfull death to redeme us from eternal death, and that he rose agayn from death the thyrde daye. They beleve that he ascended into heaven, and that he sitteth on the right hand of the Father, and at the laste ende of this world shal come agayne, and judge bothe the quicke and the deade. These articles of our faith the devilles beleve, and so they beleve all things that be written in the New and Old Testament to be true’: *Homilies*, 86.

²⁵ James ii.19.

w^{ch} I will never beleeeve till I see playne scripture in that specialtie because I knowe so, that many that have beene famylier wth the dyvell, & haue not believed the articles of o^r faith at all.

[XIV.] I talke w^t yo^u as w^t one that is learned, but learned w^t this advantage that ye may passe over in scilence, that you thinke ye cannot remedye, and so maye not I, my office is to speake, as long as I maye speake, & as the matter requyreth to be spoken in, et *melius est incurere in manus hominū quam in manus dei viventis*.²⁶ And yet I neede bare no daung[er] of mans power, if my Lord protector returne prosperously from this journey, as I trust he shall, I was so famylier of late w^t all my good Lords, & knowe their vertues such as I were a beast to bare them, nor I will never slander them so muche: I am a Lorde of y^c p[ar]liament & by that tittle a common councelle^r of the Realme, & doo therefore alleadg the Act of p[ar]liament & force of yt: I am a Bishopp & therfore bounde to defende truthe, wherin I must & will speake earnestly, w^t such circumstances as becommeth me to such as bee in authoritie & be not p[ar]ties, wherin I knowe my Lord protectour to be no doer, but one that will indifferently heare truthe: & to my Lord of canterbury I haue wrytten as playnly in this matter as I doo to you, requyring him to beware of one Joseph a ffryer quondam,²⁷ that begann to preach only faith, w^{ch} oppinion I esteeme to bee *Equus Traianus* [sic], and doubt not but if my Lord protector and other noble men sawe what were in yt, they would not suffer yt to be had in the cittie of our common wealthe: and specially to clyme over the walles to breake the strength of y^c comōn wealthe, howe lamentably doth Ænæas rehearse that tale, wherin virgill learneth Rulers prudence, that after breache of the common force, for any purpose, followeth dissipation, as Ænæas saith in the p[er]son of the Rulers. *Dividimus muros et menia scindimus* [sic] *urbis. Accingunt omnes* [fo. 88o] *operi*,²⁸ and a litle after, et *funē quisq[ue] contingere gaudet* [sic].²⁹ This ment no evill to the cittie of Troye, the Rulers had a good intent, & such as medled by their comandmt also, but it had an other effect, because ther was one that p[er]suaded the matter that meant not so. what is in the matter I will speake no further then I can prove, but if men maye in any case contemne an Act of p[ar]liament, yt is a m[er]velous matter & I dare swear for my Lorde protectour and the noble men that agreed to this matter, they were not aware of the Acte of p[ar]liament, & by my troth I my selfe had forgotten yt that yt was so p[re]cisely made as it is, for by the Act all o^r Sovereigne Lordes Iniunctions, all & all his ordynaunces must remayne in force till the Act be broken, insomuch as because his highnes comanded p[ro]cessions they must remayne also, for it is in the Act sett forthe (or to be sett forthe) & so it is in the lightes before the Roode, & many other things that yo^r Iniunctions should forbidd.³⁰

XV. And yt is not wthout the doubte of a *premunire* for a Bishopp to breake a common lawe or Act of p[ar]liament, although it be done in the kyngs ma^{ties} name. and so was yt reasoned in the p[ar]liament howse, when I thought yt no reason that a man might be

²⁶ cf. Daniel xiii.23; Hebrews x.31.

²⁷ *Letters of Stephen Gardiner*, no. 125.

²⁸ 'dividimus muros et moenia pandimus urbis. / accingunt omnes': Virgil, *Aeneid I-VI*, ed. R. Deryck Williams, London 1996, II.234-5.

²⁹ 'funemque manu contingere gaudent'. *ibid.* II.239.

³⁰ The Edwardian Injunctions stipulate that the clergy 'shall suffer from henceforth no torches nor candles, tapers or images of wax to be set afore any image or picture'. Another article banned 'any procession about the church or churchyard or other place': *Visitation articles and injunctions of the period of the Reformation*, ed. Walter Howard Frere and William McClure Kennedy, London 1910, II. 116.

in daunger of a *premunire*, executing the kyngs comandment, but y^e common Lawiers haue a great respect to those peeces of the lawe w^{ch} they call the kyngs crowne, & in A^o. 32 in the Act of p[ar]liament p[ro]clamation it is specially provided that the kynges of this Realme [sic] shall make no lawes by p[ro]clamations contrary to the common lawes or an Acte of p[ar]liament [*vere* 31 Hen. 8, c. 8]. It is necessarie to foresee when things be enjoyned, by what lawe y^e trasngression of the Iniunction maye be punished. If a beneficed man that maye spend c^h by the yeare shall refuse to fynde a scholler,³¹ & saye, if mens goods being their own by the comōn lawes of the realme maye be bestowed by Iniunctions & appoyntment yerely, what shall p[ar]liaments neede for graunts? The intent of the thinge is good, but of good examples have ensewed many p[ar]liaments: whatsoev[er] Iniunctions ye make if they be not executed the people shall learne disobedience, w^{ch} is a great matter: on the other side if ther be no evident lawes to enforce him w^tout slander of such allegations as afore, ther shall follow as hath done in o^r late Sovereigne Lords daies in p[ro]clamations, w^{ch} when we said they disobeyed, the Iudges said we could not execute the paynes of yt, wher vpon ensewed the Acte.³²

XVI. I will make yo^u weary of reading my letter & I am not weary of writing for I discharge some p[ar]te of such matter as troubleth me, but the Homilyes be overfarr out of the way as I saye to you: & as I must saye further if ye command me to preache them, but I trust my Lords will waye & consider the matter, & by your good meanes the letter, for this were a m[er]velous p[re]sident in the tyme of a kyngs Mynortie to have two or three at London that shall make lessons in Religion for Bishoppes, & bidd them preache this or that notw^tstanding an Act to the contrary. But on my conscience I dare depose my Lorde protectour knewe not of the Acte to be thus p[re]cisely as yt is, but yt is very p[re]cise & taketh the p[re]sent state & doctrine in all religion as fyrm as is the Sacrament of the Aultar touching the Authoritie of the realme, for both be established by an acte of p[ar]liament. Thus I have pratled my mynde yo^u, w^{ch} I am sure you will fryndly to doo good as yee maye & ~~wou~~ otherwise would advise you not to trouble yo^r self: If you were as not my Iudge I would not wryte to yo^u: whom god send hartely well to fare.

³¹ The Injunctions further require ‘every parson, vicar, clerk, or beneficed man ... having yearly to dispend in benefices and other promotions of the church an 100^l shall give competent exhibition to one scholar’: *ibid.* ii. 121.

³² Henry viii’s Act of Proclamations provided that royal proclamations not contrary to parliamentary statutes or ‘any lauffull or lawdable Customes of this Realme’ should have the force of law. The act’s preamble describes how confusion arose from the absence of any statute compelling obedience to royal proclamations: *The statutes of the realm: printed by command of His Majesty King George the Third: in pursuance of an address of the House of Commons of Great Britain*, London 1817, iii. 726–8 at p. 726. The act was controversial, its passage torturous; it proved enduringly unpopular, particularly for its association with Thomas Cromwell. In raising the act here and elsewhere, Gardiner not only challenges the Injunctions as contrary to existing statute, but also cleverly tars the regime for their use of an unpopular law to give the Injunctions legal force; cf. *Letters of Stephen Gardiner*, 391. See also G. R. Elton, ‘Henry viii’s Act of Proclamations’, *EHR* lxxv (1960), 208–22. The spectre of social disorder occasioned by evangelical challenges to hierarchy and tradition was a characteristic theme of Gardiner’s writings: Muller, *Gardiner*, 17, 93.