

ERASTUS AND ERASTIANISM.

WAS Erastus an Erastian? The question is not superfluous. For party names are commonly misnomers. And while there is no more frequent term of ecclesiastical vituperation than Erastianism, yet it is hardly unfair to say that many of those who make use of it appear to think that the continual employment of Erastus' name, or its derivative, is sufficient compliment to his memory to excuse ignorance of his life, his writings, and the controversy which was their occasion¹. But we cannot understand Erastianism *in vacuo* apart from the influences which produced it, and the name alone is presumptive evidence of some relation between the doctrine and its alleged author. It may, therefore, be not superfluous to inquire a little into the influences under which the notions of Erastus were formed, and thus to gather their true import. Such an investigation may throw light on the problem of the relation between Church and State, as it presents itself to the minds of those who disbelieve in liberty of conscience. For, as we shall see, Erastus was concerned solely with the question as to the proper method and authority for enforcing ecclesiastical discipline in a State which was uniform in its religion². He was not concerned either with the question as to the right to proclaim truth, or as to the coercive religious authority of a State which allowed more than one or persecuted the true faith. His views might have reference to modern Russia, but except constructively can have no bearing on English ecclesiastical controversies of to-day. He is concerned with moral discipline,

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¹ I find, for instance, in one of the most famous of theological encyclopaedias (Herzog) a statement to the effect that Erastus founded a sect in this country.

² Canon Perry's assertion that Erastus 'wrote a treatise with the object of proving that in Christian commonwealths the secular authorities are the proper TEACHERS and administrators of religious discipline,' appears to me a singularly unfortunate way, to say the least, of describing the *Explicatio. Student's Eng. Church Hist.* ii 12.

not doctrine; with a uniform, not a tolerant polity. But it may be convenient first of all to detail the facts of his life¹. Thomas Lüber was born at Baden, in Switzerland, on September 7, 1524. He thus came under the influence of the Zwinglian form of the Reformation, and at no time, so far as can be proved, inclined to any other², nor does there appear to be any evidence that his politico-ecclesiastical notions were directly derived from Luther, as has been suggested; the presumption, as will be seen, is the other way. In 1542 he matriculated at Basel, translating his name Lüber into Erastus, without the grammatical error which was the hard fate of the great scholar of whom he was so nearly a namesake. He attached himself to the philosophical faculty and studied classics, mathematics, and theology. After two years a visitation of the plague led to his quitting Basel. Thence he went to Italy, where he appears to have been supported by a rich patron, spending three years at Bologna and six at Padua, and greatly distinguishing himself by his studies in medicine. In Italy he married a lady of noble birth, who, when a widow, was to marry the man, also an Italian, through whose action alone the fame of Erastus has survived. After this he spent some years as court physician at Henneberg. He rapidly attained distinction as an exponent of the most enlightened medical science of the time, and wrote works on his subject, larger and more numerous than the little volume by which we remember him. He opposed the views of Paracelsus, and was a great assailant of impostures, such as alchemy and astrology, though he was a believer in witchcraft, and did not in that matter rise above his age³. But his ability,

¹ For these facts I would refer the reader especially to M. Bonnard's thesis *Thomas Eraste et la discipline ecclésiastique*, Lausanne 1894. This is an admirable work based on manuscript as well as other sources, in which the author exhibits the whole growth of Erastianism, properly so called, and moreover gives in the footnotes frequent quotations from unpublished letters, which are most valuable. The chapter *Die Kämpfe wegen der Kirchensucht* in Sudhoff's *C. Olevianus und Z. Ursinus' 'Leben und ausgewählte Schriften'* is also valuable in a similar way, though short and very hostile to Erastus. I shall cite these books as B. and S. respectively.

² I say this, assuming that the question as to his alleged Arianism is decided in his favour. The very interesting letter of Silvanus reproaching Erastus with having been the cause of his apostasy, does not really contain any evidence as to the unorthodoxy of Erastus. S. App. B. p. 507.

³ This may be the cause why a modern writer tells us that he was not an

at once general and special, was recognised by contemporary opinion, whether that opinion were friendly or hostile—and it was both. Beza at Geneva was a friend, and apparently remained so, in spite of the controversy. Bullinger and Gwalther at Zurich were not merely supporters, but intimates, into whose ears the troubles of the libertarians at Heidelberg were continually poured. And Erastus, universally recognised as the chief of his party, appears to have had one great quality of a leader, the power of attracting loyalty. Yet on the other hand he would appear to have been a mark for virulent hostility, and to have been treated with as much contumely by his opponents as Erastianism has been since his time by many who have hardly heard his name¹.

But, at any rate, he was an 'outstanding' man as a scientific physician. And whether or no we agree with his views on ecclesiastical politics, there can be no doubt of the skill and lucidity with which they were propounded.

In 1557 he received the appointment which was to fling him into such bitter controversy, and to carry his name down the centuries. His presence being sought at the courts of Dresden and Heidelberg alike, Erastus preferred the offer of the Elector Otto Henry, who was founding a chair of therapeutics, and remained at Heidelberg until, three years before his death, he was driven out by an 'Erastian' religious revolution. His energies found scope in the work, so necessary, so arduous, and so frequent in universities, of drawing up new statutes and a fresh programme of studies. He was elected Rector of the University in 1558, and became also a member of the church council of Heidelberg, a post which he voluntarily resigned in 1564. This is some

enlightened man in the modern sense of the term. Personally I should say that in the only sense of the term which we have a right to apply to the sixteenth century Erastus was eminently an *Aufgeklärter*.

¹ Cf. Bullinger's remarks to Dathenus, 'Modestiam ergo in te, mi frater Dathene, requiro, ne forte non sine causa eam nobis iniicias cogitationem si quando potestatem consequamini in Ecclesia excommunicandi, fore ut omnes, quotquot per omnia vestra non approbarint, atheismi sitis condemnaturi ac expulsuri ad ipsos usque religionis nostrae hostes truculentissimos,' Explicatio 358; and Gwalther to Beza, 'Quid vero de iis, qui Heydelbergae hanc causam agunt, sperare possimus, satis nos una haec audacia admonet, qua suae sententiae subscribere nolentes atheismi accusant, et eos quidem viros in quorum fide, doctrina, moribus nemo bonus aliquid unquam desideravit.' Ibid. 379, 80.

evidence of the weight he was already acquiring as a theologian. But we have more. The situation of religious parties at Heidelberg when Erastus arrived there was briefly this:—The Elector was a tolerant Lutheran, and Heidelberg appears to have been a refuge for theological eccentrics of all nations, just as in our century London has been for political exiles¹. In the city there were two parties, Lutheran and Swiss in sympathy. These again were divided into groups, the former into the strict party, and those who followed Melanchthon, the latter into Calvinists and Zwinglians, of which last Erastus was the most distinguished lay representative. Each party in turn, we may say, gained the upper hand, tolerant Lutheran, Zwinglian, Calvinist, strict Lutheran. The Erastian controversy was the result of the conflict, closed as it was by a Lutheran revolution and the retirement of Erastus. The latter had early won the hatred of the Lutherans by his successful support of the claims of a certain Etienne Sylvius, who, presumably a Zwinglian himself, refused to do the bidding of the theological professor Hesshus and attack the sacramental doctrines of Catholics and Zwinglians alike.

In 1559 Otto Henry died, and was succeeded by Frederic III, a man of austere piety and strongly anti-Lutheran in sympathy. Colloquies took place in 1560 between the parties, and Erastus secured the enthusiastic praise of the great Calvinist Olevianus, who declared that few theologians were his equals in learning and wisdom, and looked to gaining much advantage from his support². He was so successful that in August the Elector definitely introduced the 'reformed' faith, and proscribed alike Catholicism and Lutheranism³. In 1563 the 'reformed' catechism

¹ Bullinger argues that Erastus' services to the exiles should be a good reason for treating him with consideration. 'Si fideles labores eius non praecessissent, tibi aliisque exulibus vix tale patuisset hospitium, quali nunc frueris una cum aliis multis. Beneficia eius tum in peregrinos tum domesticos collocata, eruditio item eius eximia et singularis, denique vera eius et sincera pietas, ob quae a bonis laudatur omnibus, aliud sane ei destinarat praemium, quam nunc ipsi rependitur a nonnullis.' *Explicatio* 366.

² 'Utinam vir ille totum se abderet sacris literis ad quas propendet eius zelus, sed nescio quo pacto vix medendi vocationem audet relinquere, neque reliqui senatores ecclesiastici tam sunt cordati ut eum extrudant in messem, licet maxima et pene incredibili ministrorum penuria laboremus, ipse vero incredibili dexteritate polleat. Ausim dicere Germaniam paucissimos habere tantae doctrinae et prudentiae viros theologos.' Olevianus to Calvin, B., App. II p. 203.

³ The author of the historical introduction to the tercentenary edition of the

of Heidelberg, composed by Olevianus and Ursinus, was introduced, being supported by Erastus, who is the probable author of the *Büchlein vom Brotbrechen*. Erastus also took part in the colloquy of Maulbronn (1564), and published two other books on the Ubiquitarian controversy.

As has been seen, the anti-Lutheran Protestant party had triumphed in Heidelberg, and won the Elector to their exclusive support. It was natural that, so much being accomplished, those who looked to Geneva for guidance should desire the introduction of that famous 'discipline,' which was for them almost the *raison d'être* of religious organisation. By discipline is meant an organised Presbyterian *police des mœurs*, beginning with the parish or church as its unit with a hierarchy of consistory, classis, provincial and national synods, all ecclesiastical, all claiming to be *iure divino*, independent of the civil power, occupied in pronouncing sentence of excommunication upon all those persons whose lives, in some small¹ or large particular, had failed to meet with the approval of ruling elders, or did not submit to a friendly admonition or repent in time. This was claimed to be of Christ's institution; if not a necessary note of a true church, at least its most desirable accompaniment. It flourished in Geneva, its birthplace, in the Netherlands, in France, and was for centuries the most overwhelming ecclesiastical force in Scotland². The divine right of the discipline was the occasion first under Queen Elizabeth, and then under the Westminster Assembly, of furious controversy in this country. Now the life of Erastus might be described as a polemic against ruling elders. It was only in subservience to his design of protesting against what seemed to him a monstrous usurpation of arbitrary power that he developed—so far as he developed at all—his theory as to the functions of the civil magistrate.

It appears that so early as 1556 a suggestion was made for the Catechism is of opinion (pp. 43-5) that the Elector did not intend to break with the followers of Melancthon or the confession of Augsburg, even by the introduction of the Catechism, but that intolerant Lutheranism refused to regard him any longer as anything but an enemy.

¹ It is fair to say 'small,' for one of Beza's arguments for the necessity of the discipline is that the magistrate, if left to himself, might leave unpunished some *offendiculum*. *Tractatus* 120.

² Buckle considered the effects of the system worse than those of the Spanish Inquisition.

introduction of excommunicating elders into Heidelberg. This, however, came to nothing. But Heidelberg being a camp of refuge, there came exiles from France and the Netherlands anxious, regardless of the carnal appetites of the population, to see this holy inquisitorial system at its work of saving souls and protecting the sacrament¹. Erastus declares that, irrespective of right, it seemed to him highly inexpedient to set about excommunicating a population who in reality needed conversion, for not one-thirtieth of the people were in sympathy with the new order of things²; and it was scarcely politic to employ spiritual censures for not being good Calvinists against persons who had not yet become Calvinists at all—for the jurisdiction claimed was to be unaccompanied by civil penalties. Probably, however, Erastus did not believe in this limitation, for he declared in a letter that the discipline would be no whit better than the Spanish Inquisition, except that its supporters would hardly dare to quaff the cup of human blood for which they seemed to be thirsting³.

At first, Erastus tells us, he had accepted the prevailing views as to excommunication, as a divinely appointed prerogative of the Church, but when he came to study the authorities, ancient, medieval, and modern, he saw that the reasons given were flimsy; then betaking himself to Scripture he found no sanction at all for it there, and the texts alleged in its support patient of, and indeed needing, a different interpretation⁴.

Having thus convinced himself that the belief in ruling elders was a 'fond thing vainly invented,' Erastus was ready to do battle for the liberty of the subject and of the prince, in a word

¹ Cf. Bullinger to Beza, *Explicatio* 371, 'Non sine causa murmurant quod omnia fere administrat Princeps per Niderlandos sive Belgas, homines peregrinos, suis illis penitus praeteritis.'

² *Explicatio*, preface. Even Sudhoff (369) in this respect appears to side with Erastus, much as he dislikes his principles: 'Die Ungunst der Verhältnisse, namentlich die aus Unverstand und Laueheit hervorgehende Opposition in den Heidelberger Kreisen des Hofes, der Universität und der Bürgerschaft, die Haltung der Züricher, trugen dabei weitaus die grösste Schuld, wenn auch zugegeben werden muss, dass eine Kirche welche, wie die pfälzische, sumeist durch den staatlichen Impuls entstand und gehalten wurde in der ersten Zeit kein günstiger Boden für ein schnelles Gedeihen der Disciplin sein konnte.'

³ B. p. 73, n. 1; cf. also p. 65, n. 2.

⁴ Preface to *Explicatio*.

for the laity, against a clericalist party. 'New presbyter is but old priest writ large' is the import of Erastianism as expounded by its author, save that he would class with the clergy those ecclesiastically-minded laymen who were likely to be eager elders. He complained that all the changes at Heidelberg were really the work of a camarilla of five men, foreigners, who had the ear of the prince and turned him to their own ends¹. Of these the most important were Dathenus, a Netherlander, and Olevianus, a refugee from Trier, who arrived in 1560, and at once raised the question and wrote to the Genevan authorities to ask advice. By 1562 he was able to report that the Elector recognised the necessity of introducing the discipline. Apparently, however, the matter was not easy, for he speaks of the opposition of those who cared for human wisdom, by which is probably meant Erastus, and of lawyers, who at Heidelberg, as later in England, opposed the introduction of a power which seemed to trench upon their own prerogatives².

The steps of the introduction of the discipline were as follows :— The Catechism (1563) laid down the principle of excommunication for the impenitent and hypocrites, and declares the excommunicate to be excluded by God from the kingdom of Christ³. An ordinance expressing the same principles was issued in 1563, and another in 1564 went a little further towards organising

¹ 'Consiliarii omnes, nobiles, ignobiles, populus, aula, adversantur, illi tamen fortiores sunt omnibus.' B. 76, n. 3.

'Clandestina ineunt iam etiam cum principe concilia, qui in hoc totus est, ut contra voluntatem filiorum, conciliariorum, ministrorum, subditorum omnium, exceptis belgis et gallis, nescio quam disciplinam instituat.' S. 341, note.

'Princeps pergit eudere excommunicationis formulam resistente toto consilio magno. Sed plus potest quinqueviratus.' S. 342.

All these passages are from letters of Erastus.

³ Calvin's remarks are notable : 'Si tibi cum iureconsultis certandum est, scias hoc hominum genus ubique fere esse Christi servis adversum, quia non existimant se gradum suum posse tueri, si qua vigeat ecclesia autoritas.' Calvin to Olevianus ; *Opera* xix Ep. 3869.

³ 'Nach dem Befehl Christi diejenigen, so unter dem christlichen Namen unchristliche Lehre oder Wandel führen, nachdem sie etlichmal brüderlich vermahnet sind und von ihren Irrthümern oder Lastern nicht abstehen, der Kirche oder denen so von der Kirche dazu verordnet sind, angezeigt, und so sie sich an derselben Vermahnung auch nicht kehren, von ihnen durch Verbiethung der heiligen Sacramente aus der christlichen Gemeine und von Gott selbst aus dem Reich Christi werden ausgeschlossen.' Fr. 85.

discipline, but by its provisional character and through the final authority reserved for the central civil power came very far from meeting the views of Olevianus. Then in 1568 there came to Heidelberg an English refugee, George Wither, who had left this country owing to the Vestiarian controversy. Desirous of a doctorate he offered a thesis on the subject of the ceremonies, which was then agitating England. The theological faculty had no mind to quarrel with Parker and the Anglican Church, and so they forbade Wither to dispute on this subject, but suggested instead that of excommunication. Erastus bitterly complains that in their care for English susceptibilities the authorities recked little of setting their own city by the ears¹. On June 10 Wither offered his theses in support of the discipline of excommunication as existing *iure divino* apart from the magistrate, and as including the power to excommunicate the prince. Erastus was not present, but one of his friends opposed the theses, declaring the authority claimed to be utterly contrary to Scripture. The debate was adjourned, and on the second day Erastus was present. What the grounds of opposition were, is indicated in the notes, taken at the time, of Ursinus' replies to them². We gather that the arguments used were much the same as those of Erastus' theses, and that like them the main object was not to magnify the civil power, but to oppose the discipline. The discussion did not stop here. Erastus started working up commentaries on the subject. These he reduced later to the form of 100 theses. His opponents were infuriated, assailed him with a torrent of abuse, and attempted to prevent a man who was not a divinity professor from discussing theological topics³. Eventually he reduced the theses to seventy-five, and circulated them in manuscript, sending a copy to Beza at Geneva. The latter naturally disagreed with Erastus, and wrote the *Tractatus pius et moderatus de Excommunicatione*, the longest and most important contemporary reply to Erastus. Though it does not belie its title, and is moderate and respectful in tone, it is uncompromising for 'the prerogative

¹ Preface to *Explicatio*.

² *Opera* I 301-6.

³ Cf. Rutherford's description of him: 'One physician who in a cursory way diverted off his road of medicine, of which he wrote learnedly, and broke in on the by upon the deepest polemics of Divinity, and reached a rider's blow unawares to his friends.' *Ius Divinum*, Epistle to the Reader.

of Christ,' as later Presbyterians called it, and against laxity towards those accused of *lèse majesté* to the kingdom of heaven. Erastus on the other hand received letters of sympathy from the Zwinglian divines at Zurich, more especially Bullinger and Gwalther, who quarrelled with neither side, but declared distinctly their general approval of Erastus' views. They added that, while not desirous of condemning other churches, they would never be *tam dementes* as to introduce the discipline into their own city¹.

The poor Elector was overwhelmed with the controversy, and tried, like Laud and Charles in a later controversy between Calvinists and Arminians, to prevent either side discussing the matter further². He was not obeyed. Soon after, in 1569, he took a step which greatly pleased the disciplinarians. He married the widow of Bredenrode, the Belgian noble, familiar to all readers of Motley. This event led naturally to the increased influence of athenus and his party. A further check to Erastus was the accusation of heresy levelled at Simonius, who was driven away. Various attempts, described as incredibly base, were made to intimidate other supporters with exile, and not all were unsuccessful. The Elector now demanded from Ursinus and Zanchi their written opinions on the subject. Both supported the discipline, although Ursinus, who was very reluctant to be drawn into the discussion, made so many qualifications in favour of the civil power, whose consent was always to be necessary to excommunications, that had the real object of Erastus been to support the prince rather than to attack excommunication, he might have agreed with his adversary quickly, and indeed is said to have regarded this opinion with some

¹ See the letters published at the end of the *Explicatio*. Bullinger did not go far enough, perhaps, for Erastus, who urged the necessity of repressing the tyranny of these men, and bade him beware lest by his desire to be charitable to two Churches he should bring ruin upon many. Bullinger, it was said, had admitted that this power of excommunication did more than anything else to ruin Churches. What Bullinger and Gwalther both disliked was the confusing of ecclesiastical discipline with the Christian mysteries.

² 'Cives murmurant, Princeps affligitur, consiliiarii importunis supplicationibus, et tantum non enecantur. Si hactenus omnino fuissem cum Belgis, iam cessarem, quia impie tyrannice impudentissime rem agunt.' Jezler to Ulmer. B. 78, n. 1. (It is curious to note that the Arminian controversy in Holland was apparently one of the first cases in which the writings of Erastus were largely used.)

sympathy¹. Zanchi's views and arguments are much the same as those of Beza². But the disciplinarian party was determined, and Erastus speaks with disgust of their clandestine intrigues with the Elector to induce him, against the wishes of his children, his counsellors, and all his subjects save French and Belgian refugees³, to lay upon their necks a burden which their fathers were not able to bear in the support of a view held merely by men fired with the lust of power⁴. A catastrophe clinched the matter. In a negotiation between the Prince of Transylvania and the Empire for aid against the Turks, it had come out that Neuser and Sylvanus had written letters expressive of anti-Trinitarian and even Mahomedan sympathies. The scandal brought discredit upon Erastus, and the need of repression

¹ Ursinus, on the one hand, has no wish to give power to an oligarchy apart from the Christian community or the prince. But he will not, with Erastus, accept the individual's desire to receive the sacrament as sufficient evidence of repentance. *Explicatio Catechesis, Opera* I 296 sqq., and *Iudicium* III 802 sqq. He avers further that any discipline of the kind desired cannot be effective without the magistrates' assistance (as in 1646, powers to compel attendance, &c., would be needed).

(a) 'Si item sic intelligi vellent, quod non debeat esse aliquis peculiaris senatus in Ecclesia, qui vel excommunicare etiam blasphemos, vel constituere quidquam possit, invito magistro et populo Christiano, ego cum ipsis non contendero.' Ursinus to Bullinger. B. 159, note 1.

(b) 'Nam ut novus senatus constituatur, qui invitis etiam praecipuis Ecclesiae membris excommunicare possit aut alia gerere in Ecclesia, in ea sententia nunquam fui.' Ibid.

(c) 'Nihil in hac re tentetur nisi tali consensu magistratum ministrorum et populi vel totius vel potioris partis ut nullae neque politicae neque ecclesiasticae turbae inde oriri possint.' Ibid.

(d) 'Claves non sunt ministrorum tantum, sed totius ecclesiae.' *Exp. Cat., Opera* I 298. Further, the whole tone of Ursinus' 'opinion,' insisting so strongly on the need of the consent of the whole Church as a preservative against tyranny, is on a par with the attitude of certain believers in majority rule, who ignore the fact that a majority may exercise a tyranny just as much as an oligarchy.

² *Opera* viii App. 139. Zanchi gives the magistrate the custody of both tables, the duty of reforming the Church, punishing idolatry, securing suitable ministers, but condemns of course those 'qui mutant pro suo placito religionem, non ut servi Dei sed ut Domini ecclesiae sese gerunt.' *De Ecclesiae Militantis Gubernatione* viii 555. This shows how much power all in those days granted the prince. Knox would have said the same.

³ 'Non filios non conciliarios, qui ei, uno excepto Ehemio, constantes advertantur omnes, non nobiles, non doctos, non plebeios, audit. Episcopus est aulae Dathenus.' S. 344. 'Summa est, Genevenses et Belgos oportet esse, seu velimus seu nolimus.' lb. 341.

⁴ 'Vestra igitur excommunicatio nil aliud est quam inane figmentum hominum imperare aliis cupientium.' Erastus *Confirmatio* iii 3 p. 196.

was felt to be so great, that in 1570 the discipline was definitely established by Electoral ordinance, though even this ordinance left the ultimate power to the Elector. Erastus himself described it as tolerable¹. Neuser, it should be said, escaped, and became first a Mahomedan, then an atheist. Sylvanus was tried. There were different views as to executing him. Beza wrote strongly in favour of severity. He argued that repentance was all but impossible, and even if it were not, death would be the only sure way of saving him from like blasphemy in the future. The case dragged on. Eventually the Elector decided for execution, in virtue, as he said, of a special gift of the Holy Ghost, the guide into all truth². But there is no evidence to connect Erastus with these heresies.

The discipline was not popular. Some refused to act as elders. Those who did act quarrelled. The masses hated the system and rendered it ineffective, as was the case throughout the greater part of England when it was established in the next century. The discipline was in fact Erastian in the worst sense of the word. It was imposed by the civil power at the bidding of foreign influence within and without the State, against the wishes of the great majority of the people.

In 1572 Erastus was again Rector. It may be that, like Gibbon's hostility to the Revolution, of which Mr. Bagehot says 'the truth is, he had arrived at the conclusion he was the sort of person revolutionists are likely to kill,' that of Erastus to the discipline was inspired by a feeling that it would not leave him long unscathed. For he too was excommunicated for a couple of years, 1574-6. In 1575 he was accused of anti-Trinitarian tendencies, but was acquitted. In 1576 the death of the Elector wrought another change. A Lutheran reaction under his successor followed, the hostile parties were once more united, and Erastus resigned his professorship and left Heidelberg. Had he been an Erastian in the ordinary sense, he would not have done this. He went to Basel, where he was treated with distinction. Having lectured on ethics, he died in 1583.

¹ B. 96, n. 2.

² 'Er habe auch den H. Geist, welcher in dieser Sache ein Lehrer und Minister der Wahrheit sei.' B. 92, n. 1.

Let us now follow the fortune of his works, since it throws light upon their meaning. In the interests of peace his own contribution to the controversy and that of Beza had been kept in manuscript. Before Erastus died, however, he appears to have changed his mind. But this is not certain. In 1589 both Theses and *Confirmatio* (the reply to Beza) were published under the title *Explicatio gravissimae quaestionis, utrum Excommunicatio, quatenus Religionem intelligentes et amplexantes, a Sacramentorum usu propter admissum facinus arcet; mandato nitatur Divino, an excogitata sit ab hominibus*. The publisher called himself Baiocius Sultaceterus, and described his action as due to a death-bed wish of Erastus and to the love of truth; more probably it was to the love of money. The place of publication was given on the title-page as 'Pesclavii.' Beza was annoyed, and declared that Erastus would never have sanctioned such proceedings. It appeared that Pesclavium was really London, that the real editor was Castelfeltro, the husband of Erastus' widow, and that John Wolf was the real publisher. Now the disciplinarian controversy had been raised some years back in England by Cartwright and Travers. Beza hinted at Whitgift's being at the bottom of a publication which was so opportune¹. He said he was not. But he certainly knew about it. And from a statement of Selden in his *De Synedriis*, there would appear to be evidence that Wolf was rewarded by the privy council². There can be little doubt that the treatise was published with the object of finally settling the disciplinarian controversy in England. Hooker shows himself well acquainted with Erastus, and goes into some of the questions he raises. In his main principles about Church and State he held Erastus', *not* Erastian, views; though he did not share his disbelief in the power of the keys. But he is strongly imbued with a sense of the iniquity of excommunicating the prince.

¹ It was opportune, for Baillie speaks of Beza as afraid to answer Erastus' book (ii 227). This must, of course, refer to the *Confirmatio*. Cf. also pp. 265, 311. And the whole controversy of the Westminster Assembly is a proof of the ingenuity of the arguments of Erastus. Selden's *De Synedriis* is only a development of one part. Cf. *Ius Divinum*, or Collinges' *Responsio Bipartita*, in both of which Erastus is regarded as the most formidable opponent.

² Selden gives a long account of the whole matter (*De Syn.* i 1016-21). Cf. what Beza says in his preface, and also the letters in Strype's *Whitgift* i 168 and App. III 302.

In the Arminian troubles in Holland the name of Erastus was invoked¹. We have a treatise of Grotius *De Imperio Summarum Potestatum circa Sacra*, 1614, said to be entirely Erastian. Grotius, however, like Erastus, is guarded. He will grant to the magistrate no power to contradict the word of God, to promulgate new articles of faith, or to prohibit preaching or the sacraments². This would assuredly have seemed a poor and ecclesiastical view to writers like Hobbes and perhaps Selden. Further, Grotius, though he cites many supporters, among them Wolfgang Musculus, does not cite Erastus, nor do the views of the two about excommunication agree. The debates of the Westminster Assembly naturalised the term Erastianism in this country. In the attempt of the divines to draw up a scheme of uniform presbyterian Church government, the greatest difficulty of all was raised by the claim to the power of the keys. The English Puritans were strongly Calvinist in the modern sense of the term. But they were loth to exert a power which they deemed arbitrary and unlimited, and to put it in the hands of an ecclesiastical body. The Independents objected, not to suspension of individuals in each congregation, but to any attempt to make parishes unite in a larger organisation for the review of decisions³. They appear to have been willing to admit a final right of appeal to the civil magistrate. This brought them very near to the Erastians⁴. Many are the groans of Dr. Baillie over the influence of these latter. He describes them as follows:—

‘In the Assembly we are fallen on a fashious proposition, that has kepted us divers dayes, and will do so divers more, coming upon the article of the church and the church-notes to oppose the Erastian heresy, which in this land is very strong, especially

¹ Arminius and his friends leant on the civil power, and were much attacked for having appealed to the superior magistrate against the ecclesiastical authority; see *Articles of Synod of Dort*, translated by Dr. Scott, and *History of Pceeding Events* 137 and passim.

² *Opera* iii 214.

³ ‘The proposition we stick on is that no particular congregations may be under the government of one Classical Presbytery.’ Baillie ii 139 (1644).

⁴ Neal’s remarks are notable. Except that he calls Erastus a divine, he gives a very fair description of his teaching. The pastoral office, he says, was according to Erastus only persuasive, like that of a professor of the sciences over his students, without any power of the keys annexed.

among the lawyers, unhappy members of this Parliament. We find it necessary to say that "Christ in the New Testament had institute a Church government distinct from the Civil, to be exercised by the officers of the church, without commission from the magistrate." None in the Assembly has any doubt of this truth but one Mr. Coleman, a professed Erastian, a man reasonably learned but stupid and inconsiderate, half a pleasant, and of small estimation. But the lawyers in the Parliament making it their work to spoil our Presbyterie, not so much upon conscience as upon fears that the Parliament spoil their mercat and take up most of their country pleas without law, did blow up the poor man with much vanity; so he is become their champion, to bring out in the best way he can Erastus's arguments against the proposition, for the contentment of the Parliament. We give him a free and fair hearing; albeit, we fear, when we have answered all he can bring and have improved with undeniable proofs our position, the Houses when it comes to them shall scrape it out of the Confession; for this point is their idol. The most of them are incredible zealous for it; the Pope and the King were never more earnest for the headship of the Church than the plurality of this Parliament. However they are like for a time by violence to carry it, yet almost all the ministry are zealous for the Prerogative of Christ against them. We are at this instant yoked in a great and dangerous combat for this very thing. Often we have been on the brink to set up our Government, but Satan to this day hath hindered us. The ministers and elders are not willing to set up and begin any action till they may have a law for *some power to purpose; all former ordinances have been so intolerably defective that they could not be accepted.* The Erastian and Independent party joining together in the Houses to keep off the Government so long as they were able, and when it was extorted, to make it so lame and corrupt as they were able; yet at last yesterday an Ordinance came forth to supply the defects of all the former, that so without much further delay we might go to work. We laboured so much as we were able before it came out to have it *so free from exceptions as might be*, but notwithstanding of all we could do, it is by the malignity of the fore-mentioned brethren in evil so filled with grievances, that yet it cannot be put in practice. We for our part mind to give in

a remonstrance against it ; the Assembly will do the like ; the City Ministers will give the third ; but that which by God's help may prove most effectual is the zeal of the City itself. Before the ordinance came out, they petitioned against some materials of it. This both the Houses voted to be a breach of their privilege, to offer a petition against anything that is in debate before them till once it be concluded and come abroad. This vote the City takes very evil. It's likely to go high betwixt them. Our prayers and endeavours are for wisdom and courage to the City. I know to whom this matter has cost much labour. *The Independents has the least zeal to the truth of God of any men we know.* Blasphemous heresies are now spread here more than ever in any part of the world. Yet they are not only silent, but are patrons and pleaders for liberty almost to them all. We and they have spent many sheets of paper upon the toleration of their separate churches. At the last meeting we concluded to stop our paper-debates, and on Thursday next to begin our verbal disputation against the lawfulness of their desired separation. When we have ended, the Houses will begin to consider this matter. The most there and in the army will be for too great a liberty ; but the Assembly, the City, and the body of all the ministry in the Kingdom are passionately opposite to such an evident breach of the Covenant¹.

Mr. Gillespie in his *Aaron's Rod Blossoming* (table of Contents) describes the genesis of the party thus :—

'The Erastian error not *honestis parentibus nati*. Erastus the midwife, how engaged in the business. The breasts that gave it suck profaneness and self-interest. Its strong food arbitrary government. Its tutor Arminianism. Its deadly decay and consumption, whence it was? How ill it hath been harboured in all the reformed churches? How stifled by Erastus himself? Erastianism refuted out of Erastus. The divers who have appeared against this error. How the controversy was lately revived.'

Rutherford occupies the greater part of *Jus Divinum* with an able answer to Erastus, and thinks that in answering him he has fully answered Prynne's objections². He describes the attempts

¹ Baillie *Journal* ii 360, 1 (1641).

² Epistle to the Reader.

of the Erastian party thus:—‘It is not an enriching spoil to pluck a rose or flower from the crown of the Prince of the Kings of the earth. Diamonds and rubies picked out of the Royal Diadem of Jesus Christ addeth but a poor and sorry lustre to earthly supremacy; it is *baldness instead of beauty*.’ He makes use of the argument to be made famous by Pascal, ‘In things doubtful conscience hath refuge to the surest side. And Christian rulers would not do well to venture upon Eternity, Wrath, the Judgement to come, confiding on the poor plea of an Erastian distinction, to encroach upon the Prerogative Royal of Jesus Christ.’

The arguments are much the same as in the case of Heidelberg, though there was a great deal more here about the civil magistrate; but Collinges in his *Responsio Bipartita* declares his opponents’ arguments to be all derived from Erastus, ‘the first worker in that sort of brass¹.’ The extension of the term Erastian to mean not opponents of excommunication, but upholders of the view that the magistrate could order religion as he liked and command obedience, was due to this controversy². Now of course its original significance has been largely forgotten.

The *Explicatio* was reprinted in 1649 at Amsterdam. The Theses (not the *Confirmatio*) were translated into English in 1659 under the title of *The Nullity of Church Censures*. Another translation appeared in 1682.

In our own day the disruption of the Church of Scotland caused Dr. Lee to republish in 1844 the old translation, with an elaborate preface of his own, vindicating Erastus from the charge of Erastianism as commonly understood, and the

¹ p. 20.

² It is fair to say that Rutherford regards Erastus as more not less Erastian than his followers, but I think he does not reflect (1) that Erastus’ remarks as to the civil magistrate were *obiter dicta*; (2) that the power he gives him, as to *sacra*, would go to any Christian under a doctrine of the priesthood of the laity, held as strongly as Erastus undoubtedly held it; and (3) that he introduces numerous qualifications in one place or another. Nor indeed is there anything to show for certain that Erastus would have let the magistrate administer the sacraments without ordination, and (4) Erastus always contemplates the magistrate not as changing religion at his will, but as the orthodox head of an orthodox church. (5) Erastus does *not*, as Rutherford thinks (513), ever say that it is the magistrate’s business to excommunicate apostates or any one else. He merely says that his objections to the discipline do not apply to them.

Church of Scotland from being either Erastian or a supporter of Erastus.

Having thus detailed the relevant facts, I proceed to a few points which may serve towards the elucidation of the problem with which I started, How far was Erastus an Erastian? But a definition of Erastianism is necessary. Perhaps the theory is expressed in the barest and therefore most complete form by Selden in the words 'Whether is the Church or the Scripture the judge of religion? *In truth neither, but the State!*' Such a view is clear enough. It places all truth at the mercy of the civil power and utterly denies any rights of conscience to either individual or church. It places the claims of expediency above those of reason. It makes political convenience the sole test of belief. And it is such a view as this that gives its *locus standi* to the hierarchical theory of the State; although indeed it might perhaps more fairly be said that it was the hierarchical theory and its consequences which produced Erastianism by way of repulsion. Still the great argument in favour of theories of ecclesiastical supremacy, whether propounded by Jesuits or Presbyterians or Fifth Monarchy Men, is always the same. In an age in which uniformity in religion is the political ideal, the spiritual organisation must claim a deciding view in matters of faith, or religious belief will become merely a question of political convenience. The only safeguard for truth is a claim which seems preposterous to those living in a world where toleration has solved the problem. Theories of ecclesiastical supremacy may be bad, but they are better than the view which makes religion or atheism a mere political instrument, the shuttlecock of State or private interests. They are, in fact, the form which a regard for the rights of conscience takes in an age in which persecution is regarded as a duty. The Roman Empire had made of religion a mere political engine. In the inevitable reaction the Christian Church was led to put forth a claim nearly equally indefensible to dominate the civil authority. Then the Reformation witnessed the uprising of the laity against this view. And nearly all supporters of change were willing to allow to the civil ruler more power in the

¹ *Table Talk* Op. iii 2067; cf. also 2016.

direction of taking the initiative¹ in reformation than our own age would be disposed to do. Some went further. The *Leviathan* exhibits true Erastianism in its most full-blown form. Hobbes regards religion as under the absolute control of the State, which for its own ends may establish and prohibit what forms it pleases, and demand not only on loyal but on moral grounds the obedience of every member. The conscience is in fact bound to any religion the State imposes. It is true Hobbes makes one reservation, in which a merely passive obedience is permitted, but it concerns only the case where the State denies the Incarnation, and is besides so contemptuous, that he leaves little doubt that he himself would regard conformity to any and every conceivable State-imposed religion or negation as a moral duty. The king is at once priest and bishop. Bishops have no right to call themselves so by *divine permission*, and the clergy ought to preach of nothing but the duty of civil obedience.

But perhaps the simpler definition of Erastianism as the theory that religion is the creature of the State may serve; and I suppose that no one will deny that the word as commonly employed means at least this much. Now did Erastus teach this or not? If not, was his doctrine at all an approximation to it? And how, then, did the theory become attached to his name? To the first of these questions, I believe that the answer is in the negative; to the second an affirmative, although opinions will probably differ as to how far such approximation extends. And the third can be answered from the history of the controversies mentioned above.

(1) We must always remember that Erastus did not write directly in support of the State, but with the object of crying down excommunication. Any views he expresses as to the functions of the magistrate are mere *obiter dicta* introduced in support of the main position. He is bound in fact to show

¹ Cf. even Knox' Letter to Queen Regent Mary, *Works* iv 443; and also second book of *Discipline* x 7, in Calderwood iii 545. Knox, like the Pope, was willing to exalt the civil power, so long as it could be used as an instrument. A great deal of so-called Erastianism is little more than the extravagant support of the one power that could carry through or maintain the particular religious views of the writer; as a later writer says, 'Only this honour the Presbyterians give to their magistrates, they must be the executioners of their judgements to hang whom they condemn,' and cf. the Confession of Puritan exiles in Holland.

that morality will not suffer, if his views be adopted. And so he goes on to say that excommunication is not only unscriptural and a usurpation, but that the magistrate can effect all that it aims at; not that he himself can excommunicate. His argument runs on these lines: (a) Excommunication was not practised among the Jews; (b) it has no authority in the New Testament; (c) in a state where every one is of the same opinion, (*not* excommunication, but) all coercive jurisdiction belongs to the magistrate alone. The argument is of the character of the times, and there is no need to go into it at length. The alleged instances among the Jews are disposed of. The Sanhedrin¹ is shown to be a political not merely a religious body, and to have had coercive power. This point was elaborated by Selden in the *De Synedriis*². The passages from the New Testament cited as favouring the discipline are then examined and explained. The most important of these is Matthew xviii 17. Erastus argues that Christ's command has nothing to do with excommunication. It refers to private wrongs. The aggrieved party is to go either to the Sanhedrin or to a similar body acting in a non-Christian State as a court of arbitration. If that fails, the erring brother is to be treated as a heathen and a publican. This means not that he is excommunicate, but that an action in the State courts may be brought against him. He will not act as a Christian, let him therefore be treated merely as a citizen³. St. Paul's delivering over to Satan of the erring Corinthian is also discussed. This is interpreted as a prayer for his removal from this world, not as excommuni-

¹ The Disciplinarians based their argument partly on the assumed fact that the powers of the Sanhedrin were continued in the Church, and that they were essentially ecclesiastical. Both Bancroft in his *Survey of the Pretended Holy Discipline* and Bilson in *The Perpetual Government of Christ's Church* appear to have held the same views as Erastus on the matter.

² Baillie was very anxious to have him answered, e. g. 'The Erastian party in the Parliament is stronger than the Independent, and is like to work us much woe. Selden is their head. If L'Empereur would beat down this man's arrogancy, as he very well can, to show out of the Rabbins, that the Jewish State was diverse from their Church, and that they had the censure of excommunication among them, and a double Sanhedrin, one civil, another ecclesiastical; if he would confound him with Hebrew testimonies it would lay Selden's vanity, who is very insolent for his Oriental literature' (ii 277). Gillespie was also very strong on this point.

³ This argument appears in *Musculus Loci Communes, De Magistratibus* p. 631, Ed. 1611.

cation¹. Lastly, Erastus declares that in a Christian State the magistrate is the proper person to punish all offences. He is not to excommunicate. That would be to give him a purely religious function². He is merely to act on a law inspired by religious principles. Erastus does not touch doctrine, and therefore gives the magistrate no power over truth. For he says that he is only considering the case where prince and people are all of the same religion, and that the true one. All this appears to me to show that the views of Erastus are not relevant to modern Church controversies, which take place in a State which recognises every religion, and which presuppose a 'magistrate' (Parliament) composed of persons of a thousand conflicting views. It is only through the ignoring the two provisoes: (1) that the true religion is supposed to be established and none other allowed in the State; (2) that the magistrate has no power to transgress the Word of God: that it is possible to identify the views of Erastus with those of Hobbes or Selden. His objection is clearly to two governing coercive authorities in one State.

'Ut in rebus profanis curandis ei non licet terminos et fines aequitatis, iusticiae, ac honestatis, hoc est praescriptionem legum et statutorum Reipublicae, transcendere; sic in disponendis et ordinandis rebus sacris vel ad cultum Divinum pertinentibus longe minus ei licet ulla in parte a praescripto verbi Dei discedere: quod tanquam regulam in omnibus debet sequi, ab eoque nusquam vel latum pilum deflectere. Summa est, Magistratum in Christiana Republica unicum esse cui a Deo commissa sit *gubernatio externa rerum omnium quae vel ad civilem vel ad piam et Christianam vitam pertinent; ius et auctoritatem imperandi ac ius dicendi neque ministris neque aliis ullis concessum esse. Intelligi hoc debet de ea Republica dictum, in qua Magistratus et subditi*

¹ Lightfoot *Horae Hebraicae* shares Erastus' views on many of these points.

² Cranmer indeed does this in his *Questiones N. O.* 116, *Remains and Letters* 117.

'A bishop or a priest by the Scripture is neither commanded nor forbidden to excommunicate, but where the laws of any region giveth him authority to excommunicate, there they ought to use the same in such crimes as the laws have such authority in; and where the laws of the region forbiddeth them, there they have none authority at all; and they that be no priests may also excommunicate, if the law allow them thereunto.' But to the whole of this is added 'This is mine opinion and sentence at the present, which I do not temerarily define, and do remit the judgement thereof wholly unto your majesty.'

eandem profitentur religionem, eamque veram. In hac dico duas distinctas iurisdictiones minime debere esse. In alia, in qua videlicet Magistratus falsam tuetur sententiam, certo quodam modo tolerabilis videri fortasse possit divisio rationum¹.

‘Oppugno tantum iudicium de moribus, quod hodie Ecclesiasticum nominant, distinctum a iudicio politici magistratus. Nempe duas iurisdictiones sive duo discriminata de moribus iudicia *publica et externa* nego in una Republica esse oportere, cui pius Magistratus a Deo praepositus est².’

Is this substantially different from Elizabeth’s claim for herself in *The Admonition to simple men deceived by the malicious*? Erastus’ magistrate is in fact merely a sovereign, ‘over all persons and in all causes within his dominions supreme,’ no more. Further he says that in matters of faith the magistrate will of course consult the leaders of theological opinion, who will teach him what is or is not the Word of God. And he admits it may be well that for moral offences he may delegate power to bodies composed at least partly of ecclesiastics or of persons elected by churches⁴, who shall inquire into such offences and bring the offenders to justice. But he objects to the assumption of jurisdiction by the spiritual authority, which he deems essentially non-political⁵. His opponents claimed without justice that their discipline in no way usurped the power of the State. He retorted by asking them why if this was so they required an act of State to introduce their discipline. He also objects to any attempt to introduce it among an unwilling population as too ‘Erastian’ in our sense, and as depriving the Christian community of its rights⁶. They made the cardinal error of all

¹ *Confirmatio* iii 1 p. 161, 2. In another place he says ‘Verbum Dei et Sacramenta nulli potestati subiciuntur.’

² *Confirmatio* iv. 1.

³ ‘Non hoc dico, Deum voluisse magistratum sacrificare atque alia huiusmodi, quae sacerdotibus imperata solis fuerant, facere, sed illud assero Deum soli magistratui concedidisse curam et gubernationem tam sacrarum quam profanarum rerum.’ *Confirmatio* iii 1 p. 163.

⁴ *Ibid.* 172.

⁵ Cf. the description of Baxter’s views in Calamy’s *Life of Baxter*, and his reasons for disliking the Presbyterians, *Reliquiae Baxterianae* 142, 3.

⁶ ‘Si verum est Christum nomine Ecclesiae intellexisse totam multitudinem, falsum est magistratui hoc permitti, ut nolente Ecclesia hos ei Presbyteros imponat. Quanquam enim *Magistratus praecipuum est Ecclesiae membrum*, tamen ipsismet interpretibus non iussit Christus membro primario et principi indicare, sed Ecclesiae

clericalist parties in arguing that their decisions, being concerned with religious matters, were of a radically different order from those of other men. They claimed infallibility. 'An apud solos Allobroges homines non falluntur in iudicando?' asks Erastus pertinently¹. Beza's argument was that the sentence of the Church was merely declaratory, announcing upon earth a sentence of exclusion from Paradise previously passed in an invisible court above². This in his view differentiated the decisions of ruling elders from those of earthly courts. Erastus saw through this (unconscious) sophistry. He saw that the attempt to judge whether a man desirous of communicating was sincere or no in repentance involved an impossible claim to a knowledge of motive, and was therefore in this respect an encroachment on the divine justice, no less than it was in another a usurpation of human. It judged motives, i.e. it claimed infallibility; it affected reputation, i.e. it had a civil aspect³. The fact is that the conception of the Church entertained at that time by Presbyterians and Papalists alike is largely political, just as rigid predestinarianism is the theory of legal sovereignty applied to the actions of God. The Deity of Calvinism is Hobbes' Leviathan, with power unchecked by law, justice or conscience. To both Papists and Presbyterians the Church is a State, *the* State indeed—though not all would have admitted so much. But Erastus saw the dangers of the system

toti: in qua non facit alios aliis potentiores quod ad hanc rem attinet.' *Confirmatio* vi 1 p. 329.

¹ *Confirmatio* iii 4 p. 223.

² In excommunicating 'Deum ipsum constituimus et presbyterii et huius iudicii auctorem, cuius dumtaxat minister et interpres fit presbyterium.' Excommunication is really the supplement to an act previously done in heaven: 'ut videlicet nihil aliud sit excommunicatio in terris quam declaratio alterius occultioris factae in coelis, ex qua nimirum merito colligatur eum qui in coelis eo quidem tempore non approbatur, indignum esse qui inter fideles in terris censeatur: quae posterior etiam declaratio in terris facta, rata est in coelis.' Beza *Tractatus Moderatus* 4. 'Nos autem . . . tam credimus rata esse in coelis, quam Christum scimus regnare in eorum ministerio quos ecclesiae suae hic regendae praefecit; neque haec legitima vero presbyterii iudicia secus arbitramur reformidanda, quam si filius ipse Dei aeternus illa ore suo pronuntiaret.' *Ibid.* 8.

³ 'Nos enim de solis illis loquimur, ut saepe monui, qui cupiunt cum Deo reconciliari; at hoc unum contendimus, non esse a Deo institutum Presbyterium, quod de cordibus hominum dicentium se poenitere iudicet, verene an false dicant; atque sic vel ad sacramenta admittant, vel ab eisdem removeant.' *Confirmatio* ii 1 p. 152. Cf. also i 4.

it was proposed to introduce¹. He saw the power which the right of excommunication would give to ecclesiastical oligarchies in a community all of one faith. Excommunication in our heterogeneous modern world would have far less effect, although even here it might affect a man's business prospects and be therefore a proper subject for the courts² to investigate. But in a society of uniform religious belief, if practised as had been desired, it would have been defamation of character raised to the level of a divine ordinance and relieved of every civil penalty. To claim such a power was certainly to claim what lay within the magistrate's functions, unless there was appeal to him, and that was the thing most disliked. There can be no reason why a preacher who spoke of certain individuals in his sermons should not suffer the pains and penalties of slander, if his allegations were unjustifiable. Excommunication was the same sort of thing on a grander scale. It is not calculated to advance a man's prospects in this life to tell his neighbours that his prospects are unpleasant for the next, *if they believe you*. And it is noteworthy that this, though under different names, and not always explicitly stated, was the main ground of dispute at the Westminster Assembly. It was argued by the supporters of the discipline that the jurisdiction was in no sense coercive but purely spiritual. Erastus is not much blamed in his own day for ascribing too much power to the magistrate. Beza says little on the subject, nor do any anti-Erastians deny in set terms that all coercive authority belongs to the State³. They are rather concerned to

¹ He regards it as on a level with Papal oppression. 'Haec enim vere fortis Deus fuit, qui omnes Reges et principes, omne robur, omnes conscientias, ipsam etiam sacrosanctam scripturam, Pontificis Romani pedibus subiecit. At nos, iniquies, aliter instituimus, Pontificum factum non probamus. Audio quidem hoc dici, *sed contrarium video et experior*. Per multa alia in Pontificibus recte reprehendimus; at eadem deinde fecimus et facimus, postquam nobis paulum confirmati videmur. Nolo exempla dissipatarum Ecclesiarum, iniquorum iudiciorum, et aliarum confusionum atque malorum, quae aetate nostra ex hac vel sola vel praecipue orta sunt, commemorare; quia sunt odiosa.' *Confirmatio* v I p. 298.

² *Ius Divinum* 632.

³ Beza indeed declares the magistrate to have the custody of the two tables. *Tractatus* 99. The real point between the two was not as to the power of the magistrate, but as to the divine origin of excommunication. We may compare, as showing the Erastianism of the anti-Erastians, the appeal of Ursinus at the end of his *Iudicium*, begging the Elector to cause questions of new doctrine to be brought before him.

show that theirs does not conflict with it. Here indeed Ursinus breaks away from his party and asserts that the magistrate must be consulted and give his assent to excommunication. Prynne, a great disciplinarian and anti-Erastian, was attacked for supporting the discipline on what we should call Erastian grounds—on the ground, that is, that the government was supporting or was about to support the system, and every one must therefore obey it. He is asked, why he did not act upon that view in the days of prelatical tyranny¹. Moreover the thing most hateful to the Presbyterians in England was the insistence by Parliament on a right of final appeal to the civil power². They object to all limiting of excommunication and want to free it alike from exceptions and all other jurisdiction³. There is indeed no doubt that in England the main force of the hostility was fear of clerical tyranny⁴. Selden declares that ‘Presbyters have the greatest

¹ Cf. *Certain Brief Observations on Mr. Prynne's Twelve Questions*.

² ‘But we deny that (in a well constituted Church) it is agreeable to the will of Christ for the Magistrate either to receive appeals (properly so-called) from the sentence of an Ecclesiastical Court, or to receive complaints exhibited against that sentence by the party censured, so as by his authority upon such complaint to nullify or make void the censure.’ Gillespie 253.

‘Great wrestling have we for the erecting of our Presbyterie; it must be a divine thing to which so much resistance is made by men of all sorts; yet by God's help we will very speedily see it set up in spite of the devil . . .’

‘Our greatest trouble for the time is from the Erastians in the House of Commons. They are at last content to erect Presbyteries and Synods in all the land, and have given out their orders to that end; yet they give to the ecclesiastic courts so little power that the Assemblie, finding their petitions not granted, were in great doubt whether to set up any thing till, by some powerful petition of many thousand hands, they obtain more of their first desires. The only means to obtain this and all else we desire is our recruited army about Newark.’ Baillie ii 317, 18 (1645).

³ ‘To limit the censure of excommunication in matter of opinion to the common and uncontroverted principles, and in the matter of manners to the common and universal practices of Christianity, and in both to the parties known light, is the dangerous doctrine of the Arminians and Socinians, openeth a wide door and proclaimeth liberty to all other practices and errors which are not fundamental and universally abhorred by all Christians, and tendeth to the overthrow of the Reformed religion.’ *The Reformation cleared* 21.

⁴ ‘The Clergy, who, what Church forms soever they set up, will be ever imposing their private opinions in matters of religion for infallible truths, and incensing prince against people and people against prince, and one sort of men against another, making their followers to espouse and maintain their unjust quarrels, till they become insensibly slaves to their ambition and boundless power, instead of attaining to any solid real or truly Christian reformation.

‘Whether that wisdom and power of the Clergy which hath taken upon it in all ages to suppress heresy and schism by human laws and penalties, have not been a

power of any clergy in the world and gull the laity the most¹.

That the discipline really aimed at a function not of persuasion but of government is proved (1) by the argument of one supporter that its object was the external peace of the Church, not the mind of the member²; (2) by another's argument that the proper persons to maintain order in the churches and prevent brawling are the ecclesiastical authorities³; (3) by a case of which both Erastus and Bullinger speak, where the presbytery, in their

pervverting and interrupting of that law of love amongst the members of Christ's body which he commands? And whether they, under the pretence of composing differences and settling a government over the body of Christ, by endeavouring to reduce all the members of the body to unity of judgement and uniformity of practice in matters of religion upon grounds of outward compulsion have not discovered in themselves that true spirit of schism described 1 Cor. 12 (which they would seem to extirpate), which despises all below it and envies all above it as unnecessary members, and fit to be cut off from the body, so defacing and dividing the body of Christ by labouring to make the whole body but one member, and where then is the body!' *Twelve Weighty Queries* p. 8.

'Lay no more burden of government upon the shoulders of ministers than Christ hath plainly laid upon them; have no more hand therein than the Holy Ghost clearly gives them. . . . I fear an ambitious ensnarement, and I have cause. I see what raised Prelacie and Papacy to such a height. When once they had a hand in the work they soon engrossed it, and then made it the main, the sole point of religion. "Christian perfection," saith one of them, "doth not consist in almsdeeds and devotion, but in exalting the ecclesiastical jurisdiction, the true cement of that perfection.'" Coleman *Hopes Deferred and Dashed* p. 25.

'O ye honourable worthies, open your eyes and see whither you are going or whither some are leading you. Once the Pope had your predecessors at his beck, and you may again, for you will lose your freedom under a Presbyterian domination. The Lord of heaven grant that England never see that day wherein Parliament must not meddle with Church government because a spiritual thing.' Coleman *A Brotherly Admonition* p. 6.

¹ *Table Talk* Op. iii 2064. One of Baillie's complaints was that in a form of discipline at one time proposed it would have been possible for the ministers to be controlled by laymen in the kirk-session (iii 452). A good account of the clericalist character of Calvin's régime is given by Bancroft *Survey* chaps. ii and iii.

² 'Neither is it the internal or nearest aim of Discipline in Church government to work upon or rule the mind, which is not known to the Church or Church governors, but to procure the external peace of the Church, which may be obtained, the mind remaining still unconvinced.' *Answer to a Libel* 55.

³ 'Suppose there should be any disturbance in the church assembled for the public worship of God by some drunkard or madman or any heretic, either by sporting or by railing or seducing or any abominable action, where lies the power to suppress it? Is it in the magistrates or in the church officers? I answer it is in the hand or power of the church officers first, because they were charged to keep the door, that there be no such occasion for disturbance in the midst of divine worship.' *An Answer to those questions* 15.

anxiety to secure jurisdiction, were actually driven into a course which led to the impunity of a man accused of unnatural vice¹.

It is the competing jurisdiction and its clericalist character that frighten Erastus. Yet it must be allowed that he writes largely of the civil power. He quotes Musculus to the effect that the worst of heresies is to regard a Christian magistrate as on the same level with a heathen². Nor can there be any doubt that like all the reformers he would have been ready (and indeed probably helped) to impose his faith by the help of the civil power upon an unwilling people. There is no hint of toleration in his writings, yet his crusade was one in favour of popular liberty as well as the civil power, against those who were duping the latter into assisting an attempt to crush both. If the thing is to be introduced, in Erastus' view the people as well as the prince should be consulted. Further there are one or two passages in which he says that the magistrate might teach, if he had time, which he had not, and might even act as a minister³; yet Erastus was very anti-sacerdotal and bases these views on general principles about the priesthood of the laity⁴. And even then we must remember the true religion is supposed to be established; there is no notion of a right in the prince to change religion at will. Nor is there any evidence that he would have put truth under the heel of policy, and like Hobbes have dragged

¹ Cf. Gwalther's letter, who states the case. 'In palatinatu nulla prius scandala tam atrocia incidisse quam ea sint, quae seniorum illic constitutorum culpa acciderint. . . . Quod si ergo novam in Ecclesia tyrannidem his principiis stabilire posse metuemus, quis nos absque causa id timere dicet?' *Explicatio* 379.

² Musculus, though in many ways more Erastian than Erastus, yet saves himself from the charge of enslaving religion to the State policy. 'Horum consideratione manifestum redditur etiam si ad magistratus Christianos cura religionis pertineat, haud tamen illis competere, ut citra verbum Dei quicquam in religione constituent. Nequit enim fieri ut arbitrarii cultus Deo placeant, quia non sunt voluntati ipsius conformes: nec possunt conscientias hominum de eo certas reddere, quod Deo vere serviant, hoc est, rem gratam faciant.' He goes on to show that Moses in the Old Testament, and the Apostles in the New, were given explicit directions, nothing being left to their arbitrary will. '*Haec praecedentibus adicere volumus, ne damnabilem eorum magistratum temeritatem approbare videamur, qui absque Verbo Dei quaecumque volunt religionis formam subditis suis proponunt, et pro potestate sua a Deo accepta authenticam esse servarique volunt: et si quis illam sequi recusaverit, mox contumaciae ac rebellionis damnant, quasi Christiana religio a potestate magistratum et non magis ab infallibili divinarum eloquiorum certitudine et auctoritate pendeat.*' *Loci Communes* 646.

³ *Confirmatio* iv 2 p. 265.

⁴ *Ibid.* iii 1 p. 175.

religion under the Juggernaut car of reason of State. He regarded the function of the Church as purely persuasive¹. It is a pity that, seeing this, he did not go further and deny the right of the State to persecute, whether or no at the bidding of the Church². But at least it was liberty not tyranny for which he contended. He could not be deceived by the specious pretence of spiritual illumination into regarding as harmless upon earth a jurisdiction whose only virtue in the eyes of its supporters lay in the fact that it rested upon fear, that is compulsion, and therefore needed the sanction of the State³. Indeed his views may be summed up in the following passage from the life of Baxter, hardly an Erastian in our sense. 'The Erastians, I thought, were thus far in the right in asserting more fully than others the magistrate's power in matters of religion, that all coercive power is only in their hands, which is the full sense of the Oath of Supremacy, and that no such power belongeth to the pastors or people of the Church.' 'He could not but approve their holding the pastoral power to be only persuasive, though authoritative and by divine appointment; and that pastors were officers of God's institution, who were not only to persuade by sermons general and special, but by particular oversight of their particular flocks; and could as the ground of their persuasion produce God's commission or command for what they said or did. But that as pastors they had no secular or forcing power; and that unless the magistrate authorised them as his officers they could not touch men's bodies or estates, but had to do with conscience only⁴.' This is also the exact line taken by Coleman.

¹ He did not, for instance, object to the rebuking of the magistrates in sermons. What he could not endure was the claim to examine them judicially. This, in his view, meant an assumption of governmental authority. v 1.

² If the truth that 'my kingdom is not of this world' be a valid reason for giving no coercive jurisdiction over morals to the Church, it is equally valid against any coercion in matters of belief by the State, irrespective of the question as to whether or no the State is advised by the Church. Cf. *Confirmatio* p. 173.

³ Cf. *Reformation cleared* 23: 'There cannot be so much as trial and examination of the offence without authority unless the party be willing to appear; that persuasion and jurisdiction, that the delivering over to Satan and thereby striking the conscience with the terror of God by the authority of Jesus Christ, which hath the promise of a special and strong ratification in heaven, and any other ecclesiastical way whatever, which must be inferior to this, and depend only upon persuasion on the one part, and free will on the other, can be supposed to be alike efficacious.' Here the appeal to force is evident.

⁴ *Reliquiae Baxterianae* 139; Calamy p. 113.

It is the impossibility of two co-equal jurisdictions in a State which strikes Erastus. And this is obvious. One of them must be final, so far as the State be united¹. In a State where the magistrate is non-Christian, and therefore *ex hypothesi* persecutes the Church, he would allow jurisdiction to the Church. But where this is not the case, he saw like the Papalist the need of unity. He indeed points out that the Popes had based their claim to a universal monarchy on the fact that since there was only one supreme authority, the inferior, i.e. the secular, must yield to the superior, the ecclesiastical power. Erastus held the modern view that the office of the Church as such is purely persuasive². But since he identified Church and Nation he naturally added that the public policy must be inspired by Christian maxims, and would punish all sins as well as crimes, so far as needful. In a State where men are all of one faith, crime and sin become interchangeable externally, and many things forbidden by religious sentiments may be punished by civil means without injustice. Where this is not so the attempt to enforce morality as such on the community is a form of persecution; but of course in such a case the jurisdiction of various religious bodies may appear in some form, for they may regard as wrong acts of their members which the State, looking to the whole variegated mass of the people and their opinions, must treat as indifferent. It may be added that what we know of the actual working of the discipline lends confirmation to the views of Erastus, and proves it to have acted as a restraint upon individual liberty³.

¹ Cf. Coleman. 'I could never yet see how two co-ordinate governments, exempt from superiority or inferiority, can be in one State, and in Scripture no such thing is found that I know of.' He explains, 'Government I take strictly for the corrective.' *Hopes Deferred* 25.

² He asks why the duty of ministers to teach is to be expanded into a right to judge (iv 3).

³ The following passage from the ordinance imposing the discipline in England (1648) gives some notion of the liberality of the system. The undermentioned classes of persons are to be excommunicated: 'All worshippers of images, crosses, crucifixes, or relics; all that shall make any images or pictures of the Trinity or of any person thereof [this would condemn all religious art]; all religious worshippers of saints, angels, or any meer creatures; any person that shall profess himself not to be in charity with his neighbours; all persons in whom malice appears, and they refuse to be reunited . . . any person that shall upon the Lord's day use any dancing, playing dice, or cards, or any other game, masquing, wakes, shooting, bowling, playing at football, stool-ball, wrestling, or that shall make or resort unto

The main object then of Erastus was not to magnify the State, nor to enslave the Church, but to secure the liberty of the subject. He regarded the discipline as a narrow and illiberal form of persecution, which if not entirely clerical was ecclesiastical to the core, and if allowed to work unchecked was liable to ruin the State¹. He asks pertinently enough, Who will be best obeyed, the magistrate or those who have power to excommunicate him? For though his throne be intact, and civil obedience be still preached as a duty, are men in a State where all are earnestly convinced of their religion and all united, likely to pay much respect to one who has been, although desirous of taking part in the sacrament and declaring himself repentant, excluded from it because the presbytery disbelieves his sincerity?² What Erastus disliked was not only the attempt to steal from the prince his power, but also the arrogant assumption of ability to do God's office and read the thoughts of the heart. If a man desired the sacrament, was orthodox in his belief, and declared himself penitent, that was for men sufficient proof of repentance. For we can only judge externally, and cannot put our own authoritative interpretation upon the sincerity of the act without claiming

any plays, interludes, fencing, bull-baiting, bear-baiting, or that shall use hawking, hunting, or coursing, fishing or fowling, or that shall publicly expose any wares to sale, otherwise than is provided by an ordinance of Parliament of the sixth of April, 1644; any person that shall travel on the Lord's Day without reasonable cause; any person, father or mother, that shall assent to the marriage of their child to a Papist, or any person that shall marry a Papist; any person that shall repair for any advice to any witch, wizard, or fortune teller.' And see the whole story of the attempt to introduce the discipline into England in Neal, who was by no means unfavourable to the Puritans. Cf. also a letter of Gwalther's complaining that whereas the episcopal excommunication was always accompanied by reasons, in Heidelberg persons had been excluded from the sacrament and no reason given. *Explicatio* p. 387.

¹ Bancroft *Survey* 208: 'There is but only this difference between them and the rankest Jesuits in Europe, that what the one sort do ascribe unto the Pope and his shavelings, the other do challenge unto themselves and their aldermen.'

² 'Dicitis quidem Magistratui excluso nihilominus obedientiam deberi. Sed quis credat me illi parere velle, cui ego vitae totius modum cum potestate et coactione praescribere me posse arbitror? Facile est obedientiam praestare ei, qui contra voluntatem tuam facere nihil ausit. Sane Magistratus quem sibi subiecit Presbyterium, nihil aliud est, quam servus Presbyterii: dum pro eius arbitratu cogitur in quoslibet molliter, duriter, cruciatu corporis, exilio, vinculis, morte, etc. animadvertere.' *Confirmatio* v I p. 301. Bancroft deliberately connects Buchanan's doctrine of deposition with the alleged right to excommunicate princes (*Survey of the Pretended Holy Discipline* 204); cf. Knox *Exhortation to England Works* v 516.

infallibility. Thus excommunication usurps not only man's authority by its claim to jurisdiction, but God's by its assurance of certainty. The Popes had seen this, and argued logically enough that an excommunicate king could not rule a Catholic people, and so they proceeded to claim a deposing power. Erastus feared lest the Presbyterate should do the same, and a glance at the writings of Knox will convince us that his fears were not unreasonable.

It is then, I think, not so easy to answer the question Was Erastus an Erastian? as many people imagine; or if we answer in the affirmative, we shall have to surrender a favourite nickname for our opponents. He was, I believe, less Erastian than Whitgift¹, perhaps less so than Cranmer², far less so than Selden or Hobbes³. Strangely enough, even Pareus⁴ uses phrases about the power of the magistrate in religion, which many would call Erastian. As Dr. William Cunningham says, 'Erastus is less Erastian than some who in modern times have been ranked under that designation, not perhaps without some injustice to him, but most certainly with no injustice to them⁵.'

But though this may be the case, it is not therefore true either that Erastus was right or that his views have no relation to Erastianism or Byzantinism. He saw one side in a debate which had lasted for centuries, and even yet is hardly concluded. Taught by experience Erastus desired to prevent the establishment of what seemed to him an ecclesiastical tyranny. In the course of his argument he asserted that in a State of one religion all that was needed for the enforcement of piety and morality could and ought to be done by the magistrate; and that for any other persons to assume a coercive control without appeal was a usurpation on the one sovereign authority. Yet the powers

¹ See *Defence of the Answer to the Admonition Tractate xx*, Works iii (295-325), especially p. 306, where he quotes with approval '*princes deciding in matters of religion, even in the chief and principal points.*'

² See his works *passim*, more especially the Corrections of the Institution, *Questions concerning the Sacraments* II p. 117.

³ Cf. Lee, preface to the Theses, who says that Erastianism is not to be identified with the tenet of Hobbes that the civil power may establish whatever religion it pleases, and exact obedience to it, which the subject is bound to render for conscience sake, or even set up any form of Church government it pleases, and change it as often as it likes (xlv, vi).

⁴ *Aphorisms* § xi.

⁵ *Hist. Theol.* ii 572.

which he admitted to be the magistrate's were sufficiently large even within the limits laid down. And these limits could not endure. Erastianism is not rightly named, if we mean by it the explicit tenets of Erastus. Yet the attribution is not altogether wrong. For the word describes the actual and inevitable, if not the logical, development of his teachings when torn from their context and shorn of the careful qualifications with which he surrounded them. Erastus did not mean to do more than assert that all coercive authority is vested in the State. But he added to this the prevailing notion that the State must support one religion and tolerate no other. It was then not many steps to the theory of Hobbes that the State could support any religion it pleased out of motives of State policy and with no regard to truth. In fact the power which Erastus claimed for the Christian might soon be asserted to belong to the non-Christian magistrate, although such a claim was far enough from the thought of Erastus and from that of many Erastians. Erastus paved the way for a theory more imposing, more systematic, more antagonistic to reason than his own. For assuredly there is no less reasonable view than that which permits a magistrate to set up a Church on purely political grounds and to prohibit all others. This position, if ever thoroughly carried out, might be more destructive to free inquiry than any ecclesiastical tyranny. It did not indeed, I think, directly follow from the doctrine of Erastus or the Erastian reformers. But they might easily be misunderstood or misrepresented as if it did.

The opposite (or ecclesiastical) view had held the field, though not unassailed, for centuries. The Reformation was in one respect the uprising of the laity against the clergy; in another an assertion of State rights against a federal imperialism in Church matters. It was in fact individualist and particularist, as opposed to a system which was socialistic and centralised. And the circumstances under which it took place made men rely very largely on the prince's authority as their most effective support. It made some reformers, such as Erastus abroad and Anglicans and many Independents at home, dread the Presbyterian discipline as being the counterpart of that bureaucratic clericalism from which they believed themselves to have escaped. The 'Erastians' aim, or that of most of them, whether at

Heidelberg or Dort or Westminster, was rather to protect the individual than the State, though the latter object was a good deal more prominent at Westminster. This indeed was the main cause of the later use of the word Erastianism as a term having no reference to excommunication and a large general reference to State authority. The conflict was inevitable between Church and State, so long as persecution was to be enforced. For such enforcement required the aid of the State, which could not be expected to give it without being consulted. The remedy lay beyond the vision of Erastus and the men of his day, though not far beyond that of some of his opponents in the synod of Westminster. With liberty of conscience proclaimed as the State policy, the conflict of the two jurisdictions is at an end for all practical purposes. So far as it is not, it is the Churches very often that are to blame. When the State leaves off the hopeless task of imposing one faith and worship by force, and the Church leaves off preaching persecution as a duty, there would be no cause for a serious struggle, and on the principles of Erastus no ground for interfering with the jurisdiction of religious bodies over their members: while the existence of other religious bodies would prevent such jurisdiction doing serious civil damage to a man in cases where the whole community irrespective of creed was not on his side¹. Excommunication to be seriously effective needs the absence of competing Churches or systems. But this way out of the difficulty was not clear to Erastus. He, it may be thought, would unduly exalt the State. Certainly Erastians did, just as Olevianus, Knox, and the disciplinarians would use the State as the handmaid of the Church, with more outward deference, but with no more real respect, than Gregory VII or Boniface VIII. Neither party could be at peace so long as Catholics and Protestants alike were agreed as to the import and efficacy of an *auto-da-fé* as the means of promoting the 'one faith.' For this view made the forces of Church and State necessary to one another, and yet brought them into incessant conflict. The problem was

¹ For instance, supposing for the sake of argument it be right to excommunicate a man or woman who had married a divorced person. Such an act might have effect on a devout Churchman, but unless the general sentiment of the Community, Churchmen, Dissenters, and Agnostics, was in favour of it, it would be unlikely to injure him seriously in his business or profession.

not solved, it was transcended. The battle was only over when men saw that peace being the end of the State, social well-being would be attained by leaving all religious bodies the fullest liberty to organise, to develop, and to preach. To employ a familiar method, toleration was the higher unity in which were resolved the contrary but complementary ideals of secular authority and spiritual independence. The victory was won by both sides and by neither. On the one hand, ecclesiastical pretensions, however preposterous, burnt into men's minds (and indeed their bodies) the sense that society needs some basis other than force. We owe to them the belief that a duty is laid upon men to secure freedom for the expression of spiritual aspirations, a freedom which might otherwise have been sacrificed to the shock of national ambitions or the jealousies of competing dynasties. On the other hand, but for Erastus and his followers, even Hobbes and the supporters of the divine right of kings, who insisted so strongly on the right of the State to be, on the essential need of political society to human well-being, and on the duty of preserving men against the evils of a domination which on its own showing was human in administration and divine in its sanctions and claims, and therefore likely to be the more unrestrained in its tyranny, there might have been—there nearly was—an age-long enslavement of human thought and action to a system in some respects more narrow because more complete, less broadly human, less careful of culture and intellectual enlightenment, than was the system of the mediaeval world taken at its worst.

There are two more reflections that occur to the student of the Erastian controversy. In the first place, on the particular ground which he took up, the world has sided with Erastus. Whatever be thought of his general views upon the relation of the civil to the religious power, it will, I think, be admitted that the believers in excommunication as an effectual method of promoting piety, are but few nowadays. It may be urged that the possibility of such a thing has removed the necessity of its exercise, yet on the whole I think the general sentiment of all Christians would be, that Erastus was right in ascribing to religious bodies a purely persuasive and hortatory function, that he was right in his refusal to enter into motives, and in his demand that

the individual's presence at the Communion Service should be construed as evidence of repentance without further inquiry. It must also be admitted that modern opinion would side with him in his hostility to the practice of *Anmeldung*¹, or information to the pastors on the part of intending communicants. Erastus regarded this as amounting to compulsory absolution, and presumably confession. Whatever be thought of the advisability of persuading the majority of Christians to adopt such a form, modern opinion, even that of the believers in auricular confession, has declared itself unmistakably against any attempt at compulsion. On the whole, however, it may be said that opinion has mainly swung round to the view, that the duty of religious bodies is confined to the preaching of an ideal in life, and that its enforcement by an appeal to fear or any form of compulsion is undesirable as well as impracticable. In this the discipline has disappeared.

The other point is this. The development of Erastus' views shows that the doctrine of the legal omnipotence of the State is one which has important consequences. That all coercive jurisdiction must be wielded either directly or indirectly by the State will be denied by no one to-day. That no body can have any legal right to do or abstain from any act save in so far as the State concedes it to them is equally certain. That every citizen has a right to appeal to the State to protect him against illegal breaches of contract is also true. But just as the State will not prevent a parent exercising certain powers over children or a club making rules breach of which justifies expulsion (and no modern State would attempt this), so in regard to religious bodies and questions. Toleration itself needs a legal foundation, and no one denies the abstract (legal) right of Parliament in this country to establish and endow Mahomedanism and proscribe Christianity. Such a step of course is impossible, and if possible would justify a revolution. It transgresses both the external and internal limits of the sovereign power². And so it is no denial of the authority of the State to assert that it has no (moral) right to permit any form of persecution. But this does not prevent it, as guardian of the peace, from regulating the forms under which opinions shall be expressed, nor make such regulation unnecessary. Nor can any

¹ S. 362, B. 94.

² Cf. Dicey *Law of the Constitution*.

religious body expect entire freedom, if by freedom be meant liberty to interpret its own formularies in such a way as to work injustice, through breaking contracts with its servants. A recent case in the North of England showed how a free religious body might have its doctrines come before a court of law, in order that it might be decided whether or no a minister had broken the contract to preach them. This might serve to show some opponents of Erastianism how far it would be wise to go. Irrespective of the special conditions of an Established Church, there is some control involved in the paramount claims of the State to all coercive jurisdiction, and its duty to maintain the binding force of contracts upon all citizens. And it does not follow that attacks are necessarily made upon the liberty of opinion because in such cases the State may interfere¹. In one sense the ideal of a free Church in a free State is unattainable, for the absolute liberty of either is impossible and unthinkable. Indeed the controversy raised by Erastus is one form of the general and eternal debate between the individual and the community; in modern Church controversies it takes a different form, that between a (relatively) small society and the whole. But in any case the debate can never be settled in theory or on grounds of legality alone. A reasonable compromise between individual liberty and governmental authority is all that can be hoped or desired. There is always an *ultima ratio*, for on the one hand the larger body may not act with justice (on any theory) and produce a revolution, just as the complete expression in practical life of disregard for the opinion of one's fellows leads a man to the dock. Only it is well to distinguish between acts which the State must do or cause to be done, as the wielder of force and sanctioner of contracts, from any attempts to control free inquiry. And even here, since in the long run the case against the repression of novel and dangerous opinions rests on the belief that truth or the search for it is of more importance to mankind than this or that form of society, it cannot be said that there are no cases in which for the purpose of preserving peace, its main end, the State might not be

¹ There is, I suppose, nothing to prevent a Government allowing religious bodies to interpret their own formularies, provided this be a condition under which emolument is taken. But even then an ejected minister might claim a right of appeal on the ground, say, that the interpreting body had exceeded its powers, or ejected him for some other cause.

justified in temporarily repressing at least the indiscriminate publication of sentiments hostile to the majority of the people. For surely if the State's business be to maintain order, there may conceivably be times when the only way to maintain order might be to prohibit certain opinions being even published. I am not sure that such cases ever actually occur, and am very sure of a danger of encouraging any belief that they are frequent; but it is hardly possible to say that they could never arise.

In any case enough has been said to show that Erastian or anti-Erastian are scarcely good party watchwords. Perhaps Byzantinism¹ would be a better term, for that would imply the claim of the secular power to control belief. Also it may be hoped that it has been made clear that the State cannot always be accused of trampling upon the 'rights of conscience' or 'liberty of prophesying,' if it demands (1) enforcement of the terms under which any office temporal or ecclesiastical is held, (2) assurance that no one is holding or being unlawfully deprived of any money or position on invalid grounds, and (3) in crises or times of emergency to restrict within narrower limits than usual the right of every man to 'speak the thing he will.'

J. NEVILLE FIGGIS.

¹ Since this was in type I find that this suggestion was made once before by Hardwicke.