

‘Dimittimini, exite’

Debating Civil and Ecclesiastical Power in the Dutch Republic

1. Dordrecht, Monday 14 January 1619.

‘You are cast away, go! You have started with lies, you have ended with lies. Dimittimini, exite’. The end was bitter and dramatic. The chairman of the Synod of Dort, Johannes Bogerman, lost his patience. Roaring, as some reports put it, he ordered Simon Episcopius, who had just, in equally outspoken terms, accused Bogerman of committing acts of slavery, to leave. Episcopius and his fellow Arminians left.

As usual the two great --indeed massive-- seventeenth century accounts of the Synod, those of Johannes Uytenbogaert on the Arminian and of Jacobus Trigland on the orthodox Calvinist side, differ strongly in their account and appreciation of what happened at the Synod of Dort¹. But they agreed Dort marked a schism; Dutch Reformed Protestantism had split apart. In almost all 57 fateful sessions of the synod which had started on 13 November 1618 the debate had been bitter, though invariably participants asked for moderation, temperance and sobriety. The Synod vacillated between the bitterness of intense theological dispute and a longing for religious peace, between the relentless quest for truth and the thirst for toleration. For over ten years Dutch Reformed Protestants had been arguing, with increasing intensity and rancour. Divisions and issues were manifold with those, such as Simon

¹ See Johannes Uytenbogaert, *Kerckelicke Historie*, Rotterdam, 1647, pp. 1135-1136 and Jacobus Trigland, *Kerckelycke Geschiedenissen, begrypende de swaere en Bekommerlijcke Geschillen, in de Vereenigde Nederlanden voorgevallen met derselver Beslissinge*, Leiden, 1650, p 1137. The official acts of the Synod give a sober version; see *Acta of Handelingen der Nationale Synode...te Dordrecht in de jaren 1618 en 1619*, Houten, 1987; reprint of the 1885 Leiden edition, pp. 200-204. The most influential early twentieth century Calvinist account opts for full drama; see H. Kaajan, *De Groote Synode van Dordrecht in 1618-1619*, Amsterdam, 1918, pp. 168-172. Recent and more balanced Dutch overviews of the synod include W. Verboom, *De Belijdenis van een gebroken kerk*, Zoetermeer, 2005 and W. Van't Spijker [et al.], *De Dordtse synode van 1618-1619*, Houten, 1994.

Episcopius and Johannes Uytenbogaert, endorsing the views of the theologian Jacobus Arminius, labelled Remonstrants or Arminians, fighting the followers of his erstwhile Leiden colleague, Franciscus Gomarus, named Contra-Remonstrants or Gomarists. In all probability quite a few Dutch Protestants were somewhere in between, often lost in disbelief and anxiety.

As the Dutch Reformed Protestant Church split apart, it became imperative to resolve the theological controversy. Vital questions needed to be answered. Should theological questions be settled by a national synod of the church or should diversity be accepted, as long as the fundamentals of Protestantism were not stake? Who should decide? Was it the church itself, was it the States General as the highest federal institution or was each province sovereign in decreeing its own solution? The Arminian troubles entailed fundamental debates about the nature of the church, its position in and relation to the commonwealth and the location of sovereignty within the Dutch Republic.

2. The Dutch Revolt.

The coalition between Dutch Calvinists and the town regents of Holland had been frail and uneasy throughout the decades of the revolt against Philip II and his government. In 1581, the year when Philip was officially abjured, the national Synod of Middelburg fully affirmed the Presbyterian organization and doctrine of the Dutch Reformed Protestant church². Three years earlier, the National Synod of Dordrecht had decided that church ministers should not be appointed by town magistrates, but by the consistory in cooperation with the deacons and the classis. This bold assertion of the independence of the Reformed Protestant church was unacceptable to a majority of the towns and States of Holland. One of the sternest opponents was the town of Leiden. In 1579 Leiden expressed its strong disagreement with the synod. Leiden argued that the appointment of ministers, elders and deacons pertained to the magistrate. Leiden's position was presented in a famous *Justification*, written by Coornhert. It accused the consistory of trying to 'usurp' the 'magistrate's regiment'

². See W. van't Spijker, 'De Acta van de synode van Middelburg (1581)' in J.P. van Dooren, *De nationale synode te Middelburg*, 64-128 and R.H. Bremmer, 'De nationale synode van Middelburg (1581): politieke achtergronden van kerkelijke besluitvorming' in Van Dooren, 1-63.

and avowed that the magistrate 'being relieved of the awkward yoke of the tyrannical Romanists', did not intend to bear 'a new form of yoke from anyone else'³.

As the treatise pointed out, the Reformed Protestant consistory demanded the 'prohibition, constraint and punishment' by the town magistrate of Mennonites, Roman Catholics and all other religious groupings. Whilst the town magistrate was not allowed to interfere in church affairs, it was expected to execute the orders of the Reformed Protestants. With this policy, the *Justification* argued, Reformed Protestants threaded in the footsteps of the Inquisition, as they demanded the force of conscience, which had been 'the root cause of this bloody war'. If Reformed Protestants denied the Magistrate an independent judgment in religious affairs, then the aim of the consistory was to subject the Magistrate, to control its sword and to make it act like Pilate, who followed the wishes of the Pharisees without making a proper judgment himself.

The Leiden *Justification* was music in the ears of politicians such as Holland's leader Johan van Oldenbarnevelt, who, whilst clearly sympathising and agreeing with the main aspects of Reformed Protestantism, were not willing to replace the 'popery of Rome' with the 'popery of Geneva'. Ever since his visit to London Oldenbarnevelt believed that, whatever differences there might be with the King of England and Scotland, James, they shared a distinct distaste for radical Presbyterians, for the 'popery of Geneva' and an even stronger preference for the superiority of secular over ecclesiastical authority. In 1611 Oldenbarnevelt was shocked to find that James sided with distinct Presbyterian theologians such as Sybrandus Lubbertus, professor of Divinity at the University of Franeker in Friesland, to oppose the appointment of Conrad Vorstius as the successor of Arminius in Leiden. In the judgement of James Vorstius was, so he told ambassador Caron, 'a pernicious person', who had repeatedly 'fallen into great errors in his interpretations and doubts concerning the divinity and Christ'. James deemed these errors to be 'wholly impious, godless, and yes full of Arianism'⁴. In his public declaration on the affair, James went

³ *Justificatie des Magistraets tot Leyden in Hollant* (1579), fol A4; see Van Gelderen, *The Political Thought of the Dutch Revolt*, 230-231.

⁴ A.J. Veenendaal (ed.), *Johan van Oldenbarnevelt. Bescheiden betreffende zijn staatkundig beleid en zijn familie, vol. II: 1602-1613* (The Hague, 1962) 492, 494. For James' religious policy and thought see Kenneth Fincham and Peter Lake, 'The Ecclesiastical Policy of King James I', *Journal of British Studies*, vol. 24 (1985) 169-207; Linda Levy Peck (ed.), *The Mental World of the Jacobean Court* (Cambridge, 1991); W. B. Patterson, *King James VI and I and the Reunion of Christendom* (Cambridge, 1997); Kevin Sharpe, 'Private Conscience and Public Duty in the Writings of James VI and I' in Kevin Sharpe, *Remapping Early Modern England. The Culture of Seventeenth-Century Politics* (Cambridge, 2000) 151-171.

as far as to brand Vorstius as an 'Atheist', indeed 'a Viper, who may make a fearful rent, not only in their Ecclesiastical, but also in their [the Dutch] politic state'⁵. Oldenbarnevelt was stunned: 'I can really not believe, that on the issue of predestination and all that depends on it, the King would be so strict as to condemn all other opinions but those of Calvin and Beza'⁶. Holland's leader not only failed to recognise that James's attack Vorstius was not about predestination but about Socinianism; Oldenbarnevelt also did not see that, as Peter White has remarked, in attacking Vorstius, James 'was concerned to vindicate his own orthodoxy'⁷. From their side the English king and his counsellors failed to recognize that by presenting their grievances to the States General, where the English ambassador was entitled to speak, they were touching the heart and nerve of the Dutch political system, the issue of sovereignty. The appointment of Vorstius in Leiden was a matter for the States of Holland and the town and university of Leiden, not of the States General. As Leicester had done before the English were once again offending Holland's pride, its provincial sovereignty and civic autonomy. Moreover, the publication of James' *Declaration* in 1612 turned the Vorstius affair into a public conflict. James and Oldenbarnevelt were now asserting and claiming their authority in Holland's public sphere. More than ever their authority depended on political and theological argument and on powers of rhetoric and persuasion.

3. James I and Hugo Grotius.

For Oldenbarnevelt it was vital to loosen the coalition between King James and the Counter-Remonstrants. He managed to engineer a letter from James, published in 1613, in which the King acknowledged and praised the authority of the States General in church affairs and called upon them to use their 'public authority' to silence the disputes on predestination⁸. Emboldened by this development Oldenbarnevelt secretly

⁵ *His Majesty's Declaration concerning his Proceedings with the States General of the United Provinces of the Low Countries in the cause of D. Conradus Vorstius* (1612), 6. For the Vorstius affair see A.Th. Van Deursen, *Honni soit qui mal y pense?*, 52-59; Den Tex, *Oldenbarnevelt*, vol. III, 191-223; F. Shriver, 'Orthodoxy and Diplomacy: James I and the Vorstius affair', *English Historical Review*, 336 (1970), 449-474; W. Nijenhuis, 'Saravia and James I's moves against the appointment of Vorstius' in W. Nijenhuis, *Ecclesia Reformata: Studies on the Reformation*, vol. II (Leiden, 1994), 206-224; Edwin Rabbie, 'Introduction' in Hugo Grotius, *Ordinum Hollandiae ac Westfrisiae Pietas* (1613), ed. Edwin Rabbie (Leiden/New York/Köln, 1995) 16-29.

⁶ Veenendaal (ed.), *Johan van Oldenbarnevelt. Bescheiden*, vol. II, 491.

⁷ White, *Predestination, Policy and Polemic*, 161.

⁸ The letter was published as *Copie van den Brief des Conings van Groot Britannien, gheschreven aen de E.M. Heeren Staten Generael der Gheunieerde Provincien. Waer in hy sijn Aadvijs, nopende*

instructed Hugo Grotius to discuss the Arminian troubles with James in person. From 30 March 1613 until 31 May Grotius was in England as the most prominent member of a delegation of the Dutch East India Company to discuss a number of commercial issues, most importantly the English protests against the Dutch monopoly on trade with a number of Spice Islands, which, as the English delegates were keen to point out, seemed to contradict Grotius' own work on the freedom of the seas⁹.

Grotius met James on 16 April and 15 and 21 May 1613. The reports on these meetings vary. There is agreement that James smiled, but the smile must have been ambivalent. According to the Archbishop of Canterbury, George Abbott, James was deeply irritated by the arrogance and 'tedious tittle-tattle' of the Dutch humanist¹⁰. Grotius meanwhile was convinced of his own success. He thought his *exposé* of the position of the Counter-Remonstrants, of their refusal to give civil government any say in the election of church ministers had convinced James that the Counter-Remonstrants were, as the king had exclaimed himself, 'the veriest puritans'¹¹. Grotius also felt that James had sympathy with the proposal to set up a General Council of Protestant Churches, which rationally would establish the fundamentals of Christianity and would call for moderation in the debates on less important issues such as predestination. James himself, Grotius wrote to his friend Isaac Casaubon, with whom he developed the idea, would, as 'the wisest of Kings' be 'its president and moderator'. Establishing such a General Council was a matter of urgency, if only because, as Grotius wrote, 'every age does not produce learned Christian Kings, nor will England always have a Casaubon', praised by Grotius as the direct successor of Erasmus¹².

het different tusschen de Remonstranten ende Contra-Remonstranten over-schrijft (1613) (Knuttel Pamphlet 2061)

⁹ For the documents concerning these debates see G.N. Clark, W.J.M. van Eysinga, *The Colonial Conferences between England and the Netherlands in 1613 and 1615*, Bibliotheca Visseriana, Vol. XV (Leiden, 1940); the analysis of the debates appeared under the same title as Vol. XVII in the same series. For a thorough study of Grotius' role during these colonial conferences see most recently Martine Julia van Ittersum, *Profit and Principle: Hugo Grotius, Natural Rights Theories and the Rise of Dutch Power in the East Indies, 1595-1615*, PhD thesis Harvard University (Cambridge, Mass., 2002), 468-624.

¹⁰ Den Tex, *Oldenbarnevelt*, vol. III, 288. See also Christopher Grayson, 'James I and the Religious Crisis in the United Provinces 1613-1619' in Derek Baker (ed.), *Reform and Reformation: England and the Continent, c1500-c1750* (Oxford, 1979), 203 and Hugh Trevor-Roper, 'Hugo Grotius and England' in Simon Groenveld and Michael Wintle (eds.), *The Exchange of Ideas. Religion, Scholarship and Art in Anglo-Dutch Relations in the Seventeenth Century*, Britain and the Netherlands, vol. XI (Zutphen, 1994) 45-46.

¹¹ Grotius to Oldenbarnevelt 5/15 May 1613' in P.C. Molhuysen (ed.), *Briefwisseling van Hugo Grotius. Eerste deel, 1597-17 augustus 1618* (The Hague, 1928), 234-236. See Grayson, *James I and the United Provinces*, 203 and Den Tex, *Oldenbarnevelt*, vol. III, 289.

¹² *Briefwisseling*, vol. I., letter 219; see Trevor-Roper, *Hugo Grotius and England*, 45.

The call for a General Council continued to be an important of the Grotian search for concord and toleration amongst Christians. Returning home in May 1613 Grotius was optimistic about the prospects for his ambitious irenic programme, which would restore unity in European Protestantism and concord in the United Provinces. But back home discord prevailed. In July 1613 Sibrandus Lubbertus published the massive *Commentary on the ninety-nine errors of Conrad Vorstius*¹³; in a clever move he dedicated it to George Abbott. Lubbertus reiterated the accusation that the proposal to appoint Vorstius in Leiden had been an attempt to introduce Socinian heresies into the church, and he strongly rejected both the equation of Dutch Counter-Remonstrants and English Puritans and the accusation that the Counter-Remonstrants did not acknowledge any form of ecclesiastical hierarchy. Informed by Lubbertus' *Commentary* James had started to wonder whether Grotius' clarification of Counter-Remonstrant doctrines had been deceitful. As the main intellectual behind Oldenbarnevelt's policy it was up to Grotius to respond. Urgency was required; Grotius wrote his reply in less than a month¹⁴.

4. Church and Commonwealth

The *Ordinum Hollandiae ac Westfrisiae Pietas* was the most comprehensive justification of the policy of Oldenbarnevelt, Grotius and their allies in the States of Holland to appear during the Arminian troubles¹⁵. The Latin version was published in October 1613, the Dutch translation, prepared by Uyttenbogaert, followed immediately and the French translation appeared a little later. The multi-lingual publishing campaign of *Ordinam Pietas* indicated the importance of the work; it was aimed to appeal to an international audience, to James and other English readers in particular. Grotius emphasised the importance of the Anglo-Dutch alliance and praised the great liberality of King James, who, Grotius wrote, 'even after he had concluded peace with the Spaniards had constantly how much he had the welfare of our commonwealth, *reipublicae nostrae salus*, at heart'¹⁶. Grotius underlined the 'faithful, wise and salutary counsel' that 'public authority is needed' to settle the disputes on predestination and he

¹³ Sibrandus Lubbertus, *Commentarii ad nonaginta novem errors Conradi Vorstii* (Franeker, 1613); The preface to the commentary is reprinted in Grotius, *Ordinum Hollandiae ac Westfrisiae Pietas*, ed. Rabbie, 423-439.

¹⁴ See Rabbie, *Introduction*, 39.

¹⁵ I have used the splendid new edition and translation prepared by Edwin Rabbie: Hugo Grotius, *Ordinum Hollandiae ac Westfrisiae Pietas* (1613), ed. Edwin Rabbie (Leiden/New York/Köln, 1995).

¹⁶ Grotius, *Ordinum Pietas*, 122/123.

endorsed the view, which he attributed to James, that the conflicting theological ‘opinions do not differ so much that they are inconsistent with the truth of the Christian faith and the salvation of the souls’¹⁷. The problem with the Counter-Remonstrants was that they were neither willing to be charitable in church disputes nor prepared to accept the authority of the supreme magistrate to arbitrate and settle such disputes. In this sense Counter-Remonstrants were Puritans, who, Grotius writes, ‘deny that the King is the head of the external Anglican Church’¹⁸.

These remarks exemplify Grotius’ strategy to defame the Counter-Remonstrant and to sway the opinion of James I. But they also pointed to the heart of the conflict. *Au fond* Counter-Remonstrants disagreed profoundly with Grotius’ theory of commonwealth of church, with his views on sovereignty and his plea for toleration. Grotius had developed his theory of the formation of the commonwealth and of the location of sovereignty in one of his earliest, unpublished works, *De Iure Praedae*¹⁹. The point of departure is the idea of natural freedom. Grotius asserts that ‘God made man ‘autexousios’, *liberum sui que juris*’, perhaps best translated as ‘fully autonomous, free and on his own right’(Ibid., 1868,18; 2006, 33). In a quintessential attempt to build consensus, Grotius presented his principle as profoundly Christian, steeped in Greek philosophy and built on one of Roman Law’s most classic phrases. In Grotius’s lines, the notions of being ‘fully autonomous’, ‘free’ and ‘in one’s own right’ go smoothly hand in hand, though analytically they were quite distinct. The Greek term ‘autexousion’ ‘seems to be of Stoic origin and refers to [the] ability to act of one’s own initiative’ (Frede 2011, 74). Grotius may have found the term in Epictetus, in the work of Alexander of Aphrodisias, and, perhaps more likely, in the works of Tertullian and Origen, who as part of his major work *De Principiis*, had written a brief piece on freedom (*Peri autexousiou*) and who had been crucial to Erasmus. Origen’s reflections on freedom could be read as emphasising and squaring notions of autonomy, responsibility and self-determination.

The Roman Law definition of *libertas* also carried the connotation that being ‘naturally free’ means to be autonomous and master of one’s own actions. In the

¹⁷ Ibid., 124/125.

¹⁸ Ibid., 172/173.

¹⁹ Hugo Grotius, *De Iure Praedae Commentarius*, ed. H.G. Hamaker (The Hague, 1868), abbreviated as DIP. I will also give references to the English translation *De Iure Praedae Commentarius. Commentary on the Law of Prize and Booty*, Volume 1, eds. Gwladys L. Williams, Walther H. Zeyde (Oxford/London, 1950); for what follows see Martin van Gelderen, see ‘Aristotelians, Monarchomachs and Republicans: Sovereignty and *Respublica Mixta* in Dutch and German Political Thought, 1580-1650’ in Martin van Gelderen, Quentin Skinner (eds.), *Republicanism: A Shared European Heritage. Volume 1: Republicanism and Constitutionalism in early modern Europe*.(Cambridge, 2002), 2020204.

classical texts of Roman Law, Justinian's Institutes and the Digest, *libertas* is defined as the natural faculty to act as one pleases²⁰. Grotius takes up this definition and argues that the familiar concept of 'natural liberty' refers to 'the faculty to act'. To be free, he argues, means that in our actions and in our use of the things that belong to us we are not subject to any other human will. Thus, from the start, Grotius explicitly associates the concept of freedom, of *libertas*, with notions of ownership and property, or, in the Latin, with the rich and complicated concept of *dominium*.

As Grotius explains, for reasons of demographic growth, better protection and greater economic convenience individuals in the state of natural freedom create smaller societies, which are 'formed by general consent for the sake of the common good'²¹. The *respublica* refers to a multitude of private persons who have come together to improve their protection through mutual aid and to assist each other in acquiring the necessities of life. At their own free will these individuals unite by way of civil contract --Grotius uses the term *foedus*-- in a 'unified and permanent body' with its own set of laws. From *singuli* they turn themselves into *cives*, citizens.

The laws of the commonwealth emanate from its will as a unified body based on consent. Grotius argues that 'civil power, manifesting itself in laws and judgements, resides primarily and essentially in the bosom of the commonwealth itself'²². Of course not everybody has the time to devote himself to the administration of civil affairs. The exercise of lawful power is therefore entrusted to a number of magistrates, who act for the common good. By mandate the magistrates have the authority to make laws for the *respublica*, which bind all citizens. Grotius uses the concept of *magistratus* to emphasise that those who exercise civil power, be they king, princes, counts, States assemblies or town councils, are administrators. Arguing that 'just as every right of the magistrate comes from the commonwealth, so every right of the commonwealth comes from private persons', Grotius reaffirms later in *De Iure Praedae* that 'public power is constituted by collective consent'²³. Following Vranck Grotius makes a crucial distinction between the residence of supreme civil power and its administration. The supreme power of the commonwealth remains intact even after the appointment of one or more magistrates but the administration of the marks of sovereignty is to be divided amongst various magistrates. When he

²⁰ See *Justinian's Institutes* 1987: I, 3: 'Et libertas quidem est, ex quam etiam liberi vocantur, naturalis facultas eius quod cuique facere libet, nisi si quid aut vi autiure prohibetur'.

²¹ Grotius, *DIP*, 19/20; *Commentary*, 20.

²² Grotius, *DIP*, 25; *Commentary*, 25.

²³ Grotius, *DIP*, 91; *Commentary*, 92.

compares the constitutions of the ancient glorious republics, Grotius accepts the pleas of the wisest men for a *respublica mixta*, 'in the sense that a single *civitas* combines 'the majesty of a prince with the authority of a senate and the liberty of the people'. In his unpublished works Grotius expresses a distinct preference for a *respublica mixta* where the aristocratic element dominates. In his highly popular *Treatise of the antiquity of the Batavian now Hollandish Republic* from 1610, in many ways the successor to Vranck's *Short Exposition*, Grotius argues that Holland has been such a virtuous republic of optimates since the days of Roman antiquity.²⁴

In Grotius' civil philosophy the public church is an integrated part of the commonwealth. As public office the church stands under the authority of the magistrate, who holds and administers civil power on behalf of the citizens that make up the commonwealth. This conception of the position of the public church in the commonwealth implies, Grotius writes, that 'nobody has the right to decide on the faith of the Church inasmuch as it is public, except for him in whose hand and power all public bodies lie'²⁵. Given the public status of the Church, it is part of the commonwealth; hence its oversight lies with the supreme magistrate, whose civil powers are derived from the unified body of citizens that make up the commonwealth. In *De Imperio* Grotius underlines the important public –external-- dimensions of religion, arguing that 'supreme authorities' should also take charge of the public manifestations of religion, because 'religion is of great importance for outward happiness and concord'. In terms of civil utility, Grotius underlines that religion 'makes men quiet, obedient, lovers of the fatherland and advocates of justice and equity'²⁶. The distinction between the internal and external dimensions is of crucial importance. Whilst all external actions happen within the commonwealth Grotius emphasises time and again, that 'internal actions', beliefs, thoughts and ruminations that have no external effect, fall outside the scope of, as he puts it, 'imperii humani'²⁷. Putting it in the context of the wider debate on the relationship between freedom and slavery, Grotius insists that, whilst, as he puts it, 'external actions form the primary material of human authority', internal actions, such as thoughts and beliefs are by their very nature free. 'The better part of man' is by

²⁴ Hugo Grotius, *Liber de Antiquitate Reipublicae Bataviae* (Leiden, 1610) 22.

²⁵ Grotius, *Ordinum Pietas*, 188-189.

²⁶ Hugo Grotius, *De Imperio summarum potestatem circa sacra*, ed. Harm-Jan van Dam, Leiden, 2001, Chapter I, Paragraphs 11, and 13, p. 172 and 174. *De Imperio*, written between 1614 and 1617, was first published in 1647.

²⁷ *Ibid.*, Chapter III:1, p 206.

nature free from slavery. As Grotius puts it, underpinning his view as so often with a quote from Seneca, ‘only the body is at the mercy and disposition of a master’. The mind is its own master, ‘sui iuris est’. Hence, as Grotius reformulated Article 13 of the 1579 constitutional Union of Utrecht, ‘no-one is to be punished for thinking’.

5. Civil and Ecclesiastical Powers

Both Grotius and Uyttenbogaert were keen to underline that the Counter-Remonstrants did not share their line of thought. Uyttenbogaert did so in his *Treatise on the Office and Authority of a Higher Christian Government in Church Affairs*²⁸, published in 1610. The main response came from one of Dutch Calvinism’s finest minds. In 1615 Antonius Walaeus published his study on *The Office of Church Servants*²⁹, which outlined the office and duty of church governors and, as the subtitle highlighted, ‘the authority and supervision that a high Christian government’ has vis-à-vis the church. Walaeus claimed his study was directed against Papists and Mennonites who argued that the civil and ecclesiastical office were distinctly different and completely separate and against those ‘who with a libertine heart and a Machiavellian maxim mere hold religion to be a bridle, with which subjects may be maintained in blind obedience to their governors’³⁰.

Looking for a *via media* Walaeus felt it was imperative to start with analysis of the office of church servant and its differences from civil office. Throughout Counter-Remonstrant thought the emphasis was very much on the concept of ‘officium’. To analyse the origins and duties of civil and ecclesiastical office Counter-Remonstrants did not so much, as Grotius had done, develop a civil philosophy from the state of natural freedom, but put full weight on the Bible, taking the Word of God as supreme authority. The initial focus was on the Old Testament, on the stories of Israel’s prophets, kings and judges. Reading the Old Testament Counter-Remonstrants saw ecclesiastical and civil authority as wielding distinct powers of different kinds in two diverse spheres of human life. As Walaeus put it, ‘the passages and examples of Scripture speak about the office of ecclesiastical persons... and notably emphasise that this office is, at God’s explicit ordinance, to be distinguished from the office of

²⁸ Johannes Uyttenbogaert, *Tractaet van t’Ampt ende Authoriteyt eener hoogher Christelicker Overheydt in Kerckelicke saecken* (The Hague, 1610).

²⁹ Antonius Walaeus, *Het Ampt der Kerckendienaren, midtsgaders de autoriteyt, ende opsicht, die een Hooghe Christelicke Overheydt daer over toecompt*, Middleburg, 1615.

³⁰ *Ibid.*, preface

government'³¹. Counter-Remonstrants insisted that, as Polyander put it in the 'Synopsis of Pure Theology', God is the 'causa efficiens principalis', or, as he translated the phrase, 'the principal effective cause or author of each government'³². The two offices were distinctly different. Whilst the authority of the church was in religion and was a spiritual power, the sovereignty of civil government was related to civil affairs. The mission of the servants of the church was to teach and preach and to administer the sacraments. Their power was qualified as purely 'spiritual'—it was, to an important extent, the power of the Word. The church was to govern the 'community spiritually' and by definition it was to do so not as monarchy, but as along the lines of an aristocratic republic, 'with mutual tolerance and forbearance of many of those who are optimates'³³.

By contrast civil power was called to 'corporeal' power. In a highly typical phrase from Walaeus, magistrates wield 'the sword to punish the bad and protect the good'. Like the Remonstrants the Counter-Remonstrants argued that civil power was 'effective only upon the body', that it could neither touch the human soul, nor man's free conscience. 'Faith', as Polyander put it, 'is to be persuaded, not forced, and nothing should be as voluntary as Religion and the internal worship of God'³⁴. For Counter-Remonstrants the recognition of the distinctive nature of the 'spiritual sphere' entailed respect for both the freedom of conscience and the autonomy of the church in spiritual affairs.

Another key moment in Counter-Remonstrant political thought was to argue, as Gomarus put it, that civil authority 'too is under God'. Therefore, he added, 'the power and authority of civil government is not almighty and unlimited; neither is her pleasure a firm rule, nor is her will her law; both have to be bridled by God's Will and Word'³⁵. As the Counter-Remonstrants saw it, if and when church and civil government were united under the command of God's Will, they should not be seen as rivals for sovereignty but as complementary offices, each wielding its distinct powers for the sake of the Word of God. As usual Gomarus spoke with force and clarity: 'Justice and the fear of God should set the rule and measure of civil

³¹ Ibid., 10.

³² Polyander, *Synopsis purioris theologiae*, p. 296.

³³ Walaeus, p 47.

³⁴ Polyander, *Synopsis purioris theologiae*, 312.

³⁵ Gomarus, *Verclaringhe*, p 14.

government; God's honour and the happiness and salvation of her subjects should be her aim³⁶.

Religious conflict should be resolved within the church itself—no interference from civil magistrates was allowed. Moreover, given that the church had the sacred duty to spread and profess the Word of God, on the interface of theology and moral philosophy the church should be free to give directions. Walaeus pointed out that church servants had 'the power of refusal'; when civil governors acted wrongly and became unworthy, the officeholders of the church could refuse to administer the sacraments³⁷. Indeed, whenever civil government went wrong and ordered and ordered against the teachings of 'Christ and his Apostles', of whom church servants were the successors, it was the duty of the church to disobey. In a key phrase of Protestant thinking, the duty was to obey God rather than man. Gomarus was hardly modest on this point, putting the 'servants of Christ' in the line of both the great Old Testament prophets, heralding Moses and Nathan, and the New Testament apostles, such as Timothy and of course Peter. Given that the church was autonomous in the interpretation of the Word of God, it was clear that not only in religious but also in moral debates the church was free to give direction, indeed instruction. Gomarus hammered home the key point. 'Allow yourself to be taught, you Kings', he proclaimed', 'allow yourself to be disciplined, you judges on earth'³⁸

6. Conclusions

As Grotius, Uytenbogaert and Oldenbarnevelt saw it, having arrived at this point Calvinists started to dabble in civil affairs. In the worst case scenario their idea of what was labeled 'collaterality' meant replacing 'the popery of Rome' with 'the popery of Geneva'. In return Walaeus argued that Grotius and Uytenbogaert had fallen into popish traps, turning 'worldly rulers', the sovereign power into 'a new Pope'³⁹.

To accuse each other of seeking to establish new forms of popery was a rhetorical strategy Remonstrants and Counter Remonstrants shared in articulating their views on civil and ecclesiastical office. In substance they were worlds apart, as exemplified by contrasting the work of Grotius with that of Walaeus. Whilst they know

³⁶ Ibid.

³⁷ Walaeus, p 28.

³⁸ Gomarus, *Verclaringhe*, 1609, 28.

³⁹ Walaeus, p 46.

and respected each other, the difference in their point of departure already marked their very different theories of civil and ecclesiastical power. Grotius derived civil power with a strong appeal to 'natural reason' from the notion of man's fundamental freedom in the natural state of liberty. Walaeus started from the Old Testament, founding both powers on divine ordination as expressed in the Word of God. Having presented the case for the formation of the commonwealth as *res publica* Grotius mainly regarded the church as a public institution. Walaeus wanted to analyse civil and ecclesiastical office in conjunction—but also in separation.

Both lines of argument had great problems. Whilst Counter-Remonstrants endorsed the principle that government was based on popular consent, it was not so easy for them to give substance to the principle. When the Remonstrants were thrown out of the Synod of Dordrecht, they did not want to set up another 'public church'. Remonstrants stuck to the idea that there should be only one public church in the commonwealth. As Simon Episcopius explained, Remonstrants merely intended to meet as brothers in faith in 'private meetings'. Their new 'church' was -- and still is-- called 'Remonstrant Brotherhood'.

Martin van Gelderen,
Lichtenberg Kolleg, Göttingen