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*Abstract:*

*Stephen Gardiner and the Origins of Erastian Catholicism, c.1528 – 1547*

*James F. Austen*

This thesis is a study of Stephen Gardiner's ecclesiological and theological development between his rise to international prominence in 1528 and the death of Henry VIII in 1547. It broadly divides these years into three: it begins by sketching out Gardiner's biographical details and by analysing his attitude to the Church before the split with Rome, and it identifies 1534 as the date at which Gardiner was converted to the Royal Supremacy. The second section examines his thought through the 1530s, during which, Gardiner was mostly concerned with the constitutional and ecclesiological implications of the Royal Supremacy over the fledgling Church of England. In the 1540s, however, he had become more preoccupied with the importance of Catholic theology, and the third section studies how he dealt with the rise of popular Protestantism and how he set about to defend Catholicism.

Gardiner's written works reflected these trends, and this thesis determines just how his ideology progressed by paying particularly close attention to both his published books and his private letters.

Gardiner's faith is described here in terms of Erastian Catholicism, by which is meant a belief in the validity of Henry VIII's Royal Supremacy combined with a doctrinal Catholicism. The thesis shows that these two propositions were not as antithetical as has been thought to be the case, and that Gardiner's primary objective during these twenty years was to reconcile the two.

This thesis is an examination of Gardiner's intellectual development, and it is not intended to be an exhaustive biography. It gives special attention to events in Gardiner's life that either have not been sufficiently expounded to date, or have been persistently misunderstood.

Stephen Gardiner and the Origins of Erastian Catholicism, c.1528 – 1547

James F. Austen

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27 JAN 2003

Submitted for the degree of

Master of Arts

of the  
University of Durham

in the  
Department of Theology

2002

Thesis  
2002/  
AUS

For my Parents

and

For Anna

## *Acknowledgements*

A thesis is never simply the product of its author's endeavours – there will invariably be many people who assist in its creation. I have been very privileged in those who have helped me over the past year. The first mention must be for Sheridan Gilley, who has expertly supervised this project from its conception to its submission. My heartfelt thanks go to him for his care towards me and for the fastidious attention which he has given all my work. His knowledge of British history is limitless and I have been very fortunate to benefit from his immense learning. I wish him all the best in his retirement.

The Department of Theology in the University of Durham has been a wonderful place to study for the past four years and I have profited from its stimulating environment. Two members of staff have been particularly generous with their time and expertise this year, and they ought to have a special mention here. Alison Forrestal initiated a Reformation historiography seminar for me, and my Tuesday afternoons were enjoyably spent discussing the nuances of European Reformation history with her and the group. Robert Hayward was a source of great help on linguistic issues and I invoked his skill as a translator on several occasions. His knowledge of Catholic history is formidable and was freely given, for which I am grateful.

Perhaps my greatest debts of gratitude are to Alison Shell and Arnold Hunt, both of whom have been mentors to me for a number of years. I am glad that I now have the opportunity to record my thanks to them. They have encouraged and supported me throughout this year, and this thesis is much the richer for their assistance. Few students can be so lucky as to have such attentive and caring advocates, and I am very fortunate to count them as my friends.

My research this year was only made possible by the award of an A.H.R.B. Studentship, and I am glad to acknowledge their support of this project.

Whilst it is perhaps *de rigueur* to thank one's parents at such junctures, it would be unforgivable for me not to. My interest in Tudor history dates from visiting Fountains Abbey as a small boy whilst my father explained the Dissolution of the Monasteries to me. I was brought to tears by his story and it was, needless to say, a very formative experience! My father's personal standards of scholarship are exemplary and are a great inspiration to me. His knowledge of sixteenth-century literature, in particular, is superior, and I have greatly benefited from his wisdom. My mother, too, has been indispensable, and has always had faith that one day my potential would be realised. I hope this thesis goes some way towards that goal.

Finally Anna, to whom, with my parents, this thesis is dedicated. Whilst she may not understand my fascination with a dead Bishop, she has been unfailing in her support, and this piece of work would not have been possible without her love and care.

Where credit is due in this thesis, it is due in no small measure to those named above. Where there are faults, they are all my own.

J.F.A.

St. Chad's College, Durham.

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## *Statement*

I confirm that the thesis conforms with the prescribed word length for the degree for which I am submitting it for examination.

I confirm that no part of the material offered has previously been submitted by me for a degree in this or any other University. If material has been generated through joint work, my independent contribution has been clearly indicated. In all other cases material from the work of others has been acknowledged and quotations and paraphrases suitably indicated.

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## *A Note on Citations*

Where quotations have been taken from the original sources, the text has been preserved in its original form as far as has been possible. Spelling and punctuation have both been retained as found, but contractions have been expanded, the added letters being in italics. Where the sources were examined in modern editions, quotations have been rendered in the forms found there, regardless of the works' varying editorial conventions.

## *Abbreviations*

<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research.</i>
Cattley (ed.), <i>Foxe</i>	S.R. Cattley (ed.), <i>The Acts and Monuments of John Foxe</i> (8 vols., London, 1838).
<i>HJ</i>	<i>Historical Journal.</i>
Janelle (ed.), <i>Obedience in Church and State</i>	P. Janelle (ed.), <i>Obedience in Church and State: Three Political Tracts by Stephen Gardiner</i> (Cambridge, 1930).
<i>JEH</i>	<i>Journal of Ecclesiastical History.</i>
<i>L&amp;P</i>	J.S. Brewer, J. Gairdner, and R.H. Brodie (eds.), <i>Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII</i> (34 vols., London, 1862-1910).
Muller, <i>Gardiner</i>	J.A. Muller, <i>Stephen Gardiner and the Tudor Reaction</i> (London and New York, 1926).
Muller (ed.), <i>Letters</i>	J.A. Muller (ed.), <i>The Letters of Stephen Gardiner</i> (Cambridge, 1933).
<i>ODCC</i>	F.L. Cross and E.A. Livingstone (eds.), <i>The Oxford Dictionary of the Christian Church</i> (3 <sup>rd</sup> ed., Oxford, 1997).
<i>P&amp;P</i>	<i>Past and Present.</i>
Redworth, <i>In Defence</i>	G. Redworth, <i>In Defence of the Church Catholic: The Life of Stephen Gardiner</i> (Oxford, 1990).
<i>St.P.</i>	<i>State Papers published under the authority of His Majesty's Commission, King Henry VIII</i> (11 vols., London, 1830-1852).
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>

## *Introduction:*

### *Stephen Gardiner and Erastian Catholicism*

Despite innumerable references to Stephen Gardiner in modern histories of Tudor England, studies of the fifty-eighth Bishop of Winchester are surprisingly few and far between, notwithstanding his prominent career as a prelate, ambassador, Privy Councillor and, ultimately, as Lord Chancellor of England. There remain only two full-length works about him and there is, to date, no modern collection of his published works, many of which have not been printed since the sixteenth century.<sup>1</sup>

This thesis is not a biography of Gardiner; that task has already been undertaken by others.<sup>2</sup> However, some rudimentary facts about Gardiner's life may be instructive. The date of his birth is the matter of some disagreement and accounts vary to between 1483 and 1497. James Arthur Muller estimated the latter date based on the average age of matriculation to Cambridge, and it is his estimate that will be followed here.<sup>3</sup> Gardiner was born in Bury St Edmunds and was the son of John, a clothworker.<sup>4</sup> Despite this background, he was educated at Trinity Hall, Cambridge, where he was eventually elected a Fellow and then Master. He was a lawyer, and graduated a doctor of both civil and canon laws between 1520 and 1522, though to graduate as a doctor of canon law, he undertook two years of biblical and theological study.<sup>5</sup> As with so many of the bright humanists of his day, Gardiner entered the service of Cardinal Wolsey and became his confidential secretary. He was conspicuous by his abilities and Henry VIII – who was never slow to recruit able men to his own service – summoned Gardiner to Court as his Principal Secretary. Hence Stephen Gardiner began life as a royal servant. He was primarily employed as a diplomat and was granted numerous ecclesiastical preferments by Henry in recognition of his service, culminating in the bishopric of Winchester, the richest diocese in the country, in late

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<sup>1</sup> This is apart from Pierre Janelle's edition of three of Gardiner's tracts: Janelle (ed.), *Obedience in Church and State*. Gardiner's personal letters have also been published: Muller (ed.).

<sup>2</sup> The two major biographies of Stephen Gardiner are: Muller, *Gardiner*; and Redworth, *In Defence*.

<sup>3</sup> Against this date, J.B. Mullinger, 'Gardiner Stephen', in *The Dictionary of National Biography* (22 vols., Oxford, 1917-1973), VII, p. 859: Mullinger proposed a date between 1483 and 1490; A.B. Emden, *A Biographical Register of the University of Oxford, A.D. 1501 to 1540* (Oxford, 1974), p. 227 suggested c. 1495.

<sup>4</sup> Here following Muller, *Gardiner*, pp. 1-12.

<sup>5</sup> Emden, *Register*, p. 227, is a useful summary of Gardiner's qualifications and preferments.

1531. The key to Gardiner's early success in the royal service was that he favoured the annulment of Henry's marriage to Catherine of Aragon and subsequent marriage to Anne Boleyn, even assisting in Anne's coronation in 1533.<sup>6</sup> Having displeased Henry by initially rejecting the doctrine of the Royal Supremacy, Gardiner redeemed himself afterwards by defending the doctrine in perhaps his most famous printed work, *De vera obedientia* (London, 1535).<sup>7</sup> This was "the ablest vindication of the royal supremacy then written" and gave Henry the most coherent intellectual justification for his new doctrine.<sup>8</sup> Gardiner had served Henry well, never lost his affection for him, even after the King's death, and remembered him kindly in Mary I's reign (although it is unlikely that the fondness was fully reciprocated).<sup>9</sup> As with the other Catholic polemicists pressed into Henry VIII's service in the 1530s, Gardiner's writings of that decade were substantially concerned with the political imperative of Henry's new status as the *supremum caput* of the Church of England. His attention did not remain there for long, however, for by the 1540s his written works were increasingly betraying a concern over the maintenance of Catholic doctrine within Henry's established Church.

Whilst another biography of Stephen Gardiner would be superfluous, what can be offered here is a reconsideration of Gardiner's thought. It is time to challenge the assumption that Gardiner's skills as a lawyer negated any vocation as a churchman and theologian. Stephen Gardiner was a young man when he was raised to the elevated position of Bishop of Winchester. He was then keen, enthusiastic, and fairly 'raw' in theology; his life was a study in progression, reflection and conflicting loyalties, but, nonetheless, continuity too. Gardiner's highly developed doctrine of obedience enabled his Catholic faith to develop along lines that were, perhaps, unusual for reformation theologians.<sup>10</sup> His study of the law imbued him with a deep reverence for authority which was ever manifest in his writings, and he must have realised at an early date that any reformation along Protestant lines was to lack any coherent doctrine of such an authority. In his travails over the emerging Church of England, Gardiner was determined that the Church of his christening, ordination and

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<sup>6</sup> Muller, *Gardiner*, p. 51.

<sup>7</sup> The standard modern edition of which is Janelle (ed.), *Obedience in Church and State*, pp. 67-171.

<sup>8</sup> Muller, *Gardiner*, p. 65.

<sup>9</sup> *Ibid.*, p. 142; Redworth, *In Defence*, p. 328.

<sup>10</sup> Muller, *Gardiner*, p. 7.

consecration should not suffer from such Protestant failings. To deny Gardiner's theological *savoir-faire* is clearly inadequate: an ecclesiologist must, of necessity, also be a theologian, and Gardiner was nothing if not a dedicated and gifted student of Church discipline. Gardiner's works were often written in a combative, adversarial manner that was clearly influenced by his experiences as an advocate at the Bar, yet it is surely short-sighted to claim that his style denied him a profound theological foundation.

Indeed, it will be the central contention of this thesis that only by placing an equal emphasis on the twin concepts of obedience to the faithful magistrate and the propagation of the Catholic creed in Gardiner's thought can a balanced view be reached of the man who was at the same time an apologist for the Royal Ecclesiastical Supremacy and, at the same time, the received Catholic faith. At first sight this might seem an unexceptional suggestion, but it is surprising how frequently Gardiner is pigeonholed by modern academics as a dissembler and a timeserver in his attempts to reconcile these two positions.<sup>11</sup> This period between c. 1528 and 1547 constituted a unity in Gardiner's life, and treating it in isolation has the advantage that any inclination to intrude later developments in Gardiner's thought into this early period is inhibited.

It will become apparent that Gardiner's theological ability increased over time, spurred on by a number of *stimuli*, and became a force which contributed to an intellectual atmosphere in which a Catholicism, English in temperament, and a unique product of its time, could develop.<sup>12</sup> Whilst the martyrs More and Fisher famously looked to Rome for validation of their religious beliefs, and the Protestants variously invoked Wittenberg, Zurich, or Geneva, Gardiner and a *coterie* of churchmen-scholars were the sole intellectuals of their time interested in promoting a creed that favoured an English Church free from outside interference. Gardiner will therefore be presented here as perhaps the most original theologian-cum-statesman of his era. This original element in his thought will be defined here as 'Erastian Catholicism' – a term

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<sup>11</sup> See R. Pogson, 'God's law and man's: Stephen Gardiner and the problem of loyalty', in Cross, C. *et al* (eds.), *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 67-89.

<sup>12</sup> See L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), *passim*, for a similar thesis, positing that Reformation humanism enabled an intellectually curious, Catholic climate to develop in England between 1530 and 1570.

that, of course, Gardiner never used himself, but one which may assist the modern historian in reaching a nearer understanding of the bishop's motives and priorities.<sup>13</sup>

The popular conception of the English Reformation is that of a stark polarisation of beliefs between the conservative traditionalists of the Old Learning and the radical evangelicals of the New Learning, between those who favoured Rome and those who preferred Wittenburg or Geneva.<sup>14</sup> Scholars have sometimes been too speedy to 'pigeonhole' the protagonists of Henry VIII's unfolding religious drama (often following sixteenth-century prejudices) into categories which, after consideration, can seem arbitrary and artificial. The concept of Erastian Catholicism challenges this tendency by positing an alternative which takes seriously the twin ideals of a vibrant Catholicism and a firm desire to conform to the English Church and State. This thesis is part of a continuing trend in modern historiography of identifying those Englishmen who conformed to the various Tudor Settlements of Religion but whose intentions in doing so need some clarification. It does not make any claims for the existence of a widespread party of parochial Erastian Catholics, and only examines the notion with reference to Stephen Gardiner's thought. It submits that there was an ill-understood trend within Henrician intellectual circles which allowed the theory of the Royal Supremacy in principle, whilst still adhering to a Catholic doctrinal system, a trend of which Gardiner was the major exponent.

It is difficult to construct a meaningful definition of what it meant to be a Catholic in mid sixteenth-century England; it is clear that membership of the institutional Roman Church was not necessarily a prerequisite for catholicity in the minds of most Englishmen of the period: Catholicism could, in principle, exist independent of the Roman obedience. Even after Henry VIII's renunciation of the Papacy in 1534, the majority of the nation continued to consider themselves in some sense to be Catholic. If membership of the Roman Church was not the criterion of Catholicism, then surely it was adherence to a set of doctrines which identified one as a Catholic or a

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<sup>13</sup> The term 'Erastian' is used advisedly, but it is acknowledged that Gardiner cannot be said to have subscribed *in toto* to Erastus' doctrines. It is also noted that Gardiner antedated Erastus, for whom cf. J.N. Figgis, 'Erastus and Erastianism', *JTS* 2 (1901), pp. 66-101. Erastianism can be briefly defined as "The ascendancy of the State over the Church in ecclesiastical matters", see *ODCC*, *sub* 'Erastianism', p. 558.

<sup>14</sup> For the proper use of the terms Old and New Learning, see R. Rex, 'The New Learning', *JEH* 44 (1993), pp. 26-44.

Protestant. However, valuable work has recently been done by Lucy Wooding, among others, which establishes that prevailing attitudes to Catholic doctrine were more amorphous than is often admitted.<sup>15</sup> Wooding characterises the period between 1530 and 1570 as a “turbulent and confusing era when ideas were still being worked out, when English Catholics and Protestants alike were still groping for certainties to cling to in the fog of religious speculation and debate.”<sup>16</sup> She believes that what made one a Catholic or a Protestant was largely a question of self-definition. This approach certainly underlines the truism that history is not a neat and tidy science, with easy categorisation of individuals and ideas into clearly defined groups. As Glyn Redworth asks, what was the point at which one ceased to be a Catholic? Could one, for example, abandon the doctrine of purgatory, intercession to the saints, the Latin Bible or, more pertinently, the papal primacy, and still describe oneself as Catholic?<sup>17</sup> Such were the questions that beset the educated men of England from the 1530s onwards, and there were no easy answers to them. It was rare to find men like Thomas More or John Fisher who were prepared to give their lives in absolute certainty of religious conviction.

It is clear that Stephen Gardiner considered himself to be a Catholic from his birth to the day of his death, yet he had at one time or another, countenanced all of the above deviations from received medieval Catholicism, and many more besides. If it is hard to know how to use the word ‘Catholic’ of a Reformation Englishman, it is even more difficult to know when to describe one as ‘Erastian’. Erastus (or Thomas Lüber, to use his real name) did not even commit his ideas on the government of the Church by the State (ideas epitomised by his famous seventy-five theses) to paper until the late 1560s, over thirty years after the developments in Henrician England.<sup>18</sup> The concept of Erastianism in England is dominated by Thomas Hobbes’ seminal work, the 1651 *Leviathan*, and the dominance of Hobbes’ essentially secular political philosophy tends to obscure the earlier doctrine of Tudor Erastianism which was espoused by men such as Stephen Gardiner.<sup>19</sup> However, to describe the architects of the Royal

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<sup>15</sup> Wooding, *Rethinking Catholicism*, p. 3.

<sup>16</sup> *Ibid.*, p. 3.

<sup>17</sup> Redworth, *In Defence*, p. 48.

<sup>18</sup> *ODCC*, sub ‘Erastianism’, p. 558.

<sup>19</sup> In the best treatment of the Henrician approach to Erastianism, Edward Allen Whitney commented that there was “clearly an enormous gulf between the Henrician Erastianism of a loyal Catholic... and the views of so irreverent a free thinker as the author of what [J.N.] Figgis calls “full blown”

Supremacy as Erastian is not particularly novel: E.A. Whitney spent an entire paper explaining the Erastian character of the Royal Supremacy and its proponents. Despite Whitney's assertion over sixty years ago that "The most neglected aspect of the problem of Church and State in [Reformation] England may be summed up in one word, Erastianism", there has been a consistent reluctance amongst historians to come to terms with the concept as applied by Gardiner *et al.* This thesis seeks to redress this imbalance in current scholarship and, after investigating how (or if) Gardiner came to accept the possibility of the Erastian governance of the English Church, it will examine what role the Royal Supremacy played in his thought up to the death of Henry VIII in 1547.

The structure of the thesis falls into three sections of varying lengths, each representing a development in Gardiner's approach to the Royal Supremacy and the Catholic faith. After some prefatory words on the relevant historiographical context to this research, the second chapter deals with the period between 1528 and 1532, during which time Gardiner seemed to oppose any encroachment by Henry's Government on the historic liberties of the Church and its ministers. The first part suggests a possible scenario for Gardiner's conversion to the Royal Supremacy, and the second section examines his early approach to the changed religious situation in England in the 1530s, epitomised by his famous *De vera obedientia* of 1535. The third and final part of the thesis will look at Gardiner's growing concern about the spread of heretical, especially sacramentarian, opinions in the 1540s and ask whether these made Gardiner re-evaluate his attitude to Henry's religious polity (and if so, how far). The dissertation ends at Henry VIII's death, and makes the assumption that the sea-change in religion and politics under Edward VI presented Gardiner with a development in the use of the Royal Supremacy which was completely unanticipated during Henry's lifetime. It will conclude by drawing the themes in Gardiner's thought over twenty years together and by offering some explanations for his actions.

A thesis restricted to *circa* fifty thousand words can never pretend to be exhaustive, and perhaps a word about the inclusion (and omission) of material is necessary. This

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Erastianism." He went on, writing that "The term ['Erastian'] is very unfortunate, because the attitude to which that name has been applied was not reduced to a formula until after it had outlived its usefulness and was in the process of being discarded": E.A. Whitney, 'Erastianism and Divine Right', *Huntington Library Quarterly* 4 (1939), pp. 373-398, at pp. 385, 380.

dissertation hopes to do something more than give a simple overview of existing scholarship; it reconsiders those areas of Stephen Gardiner's thought that have been consistently misrepresented in current academic circles and it brings into the open material and events that have only been cursorily acknowledged, if indeed at all. This approach has inevitably had an effect on the presentation of the thesis; thus whilst the chapters are arranged chronologically, there can sometimes be a gap in time between the events described. The reader will find that the material here is presented in an episodic manner, and not always in a continuous narrative of the events in Gardiner's life as one might find in a biography. The events selected for inclusion here have been chosen because they are interesting and, it is submitted, because they offer some insight into Gardiner's rationale for his words and deeds. Some events, such as Gardiner's use of his position as Chancellor of the University of Cambridge in propagating Catholicism and hindering the New Learning have not been included because, valuable though they are, they offer little new information about Gardiner's thought processes.<sup>20</sup> Likewise, Gardiner's unusually reticent attitude towards the burning of heretics does not receive much attention here, although it provides an interesting contrast to the willingness of other conservatives to burn their Protestant foes.<sup>21</sup> It is to be hoped that these omissions, made necessary by a restrictive word-limit, can be excused in what is essentially an intellectual biography.<sup>22</sup>

The reader will notice an increasing reliance on Gardiner's written works through the 1530s and 1540s, and this tendency was anticipated from the beginning of the study. Tracing the development of Gardiner's intellectual development in the early years of his career proved to be a difficult matter due to the scarcity of evidence on offer, and has largely been a matter of piecing together fragmentary and sometimes disjointed episodes into a plausible whole. Once Gardiner became a prolific author in his own

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<sup>20</sup> Gardiner's dealings with John Cheke, for instance, over the correct pronunciation of Greek indicate strong humanist persuasions, but a refusal to countenance potentially unsound novelties born of the New Learning. Likewise, his correspondence with Matthew Parker, then Vice-Chancellor of Cambridge, over the performance of an unsound play betray the same concerns. These well known facets of Gardiner's character may be taken for granted here. However, for further details of these events, see Muller (ed.), *Letters*, pp. xvi, 92, and nos. 63-64, pp. 100-123; J. Cheke, *De Pronuntiatione Graecae...* ([Basileae], 1555), *passim*, for the pronunciation of Greek, and Muller (ed.), *Letters*, p. 129, nos. 69-72, pp. 129-140 for the controversy over the play *Pammachius*.

<sup>21</sup> For an admirable summary of Gardiner's attitude towards burning heretics, grounded in the details gleaned from his Episcopal register, see H. Chitty (ed.), *Registra Stephani Gardiner et Johannis Poynt, Episcoporum Wintoniensis* (Canterbury and York Society, vol. 38, Oxford, 1930), pp. ix-x.

<sup>22</sup> Some of the material that has been omitted from this thesis will be considered in a Ph.D. project due to begin at King's College of the University of London in October 2002.

right, this initial problem became less of a concern. Whilst ever aware of problems of context and interpretation inherent in analysing the written word, problems only exacerbated by Gardiner's reputation as a self-serving and untrustworthy witness, it is the contention of this thesis that Gardiner's writings offer the best opportunity for understanding his mindset throughout his career. Consequently Gardiner's printed treatises and private letters have been heavily relied upon in constructing this account of his beliefs, and this may be seen as a reaction against Glyn Redworth's contention that "Gardiner's life illuminates his writings, not vice versa."<sup>23</sup>

The major influences on this thesis should be reasonably apparent from the references in the bibliography, but one must be particularly conscious of the debt of gratitude to the revisionist scholars of the last twenty years, who have dominated studies of Catholicism in Reformation England. More immediately, the second generation of revisionists, who are beginning to question some of the conclusions of their predecessors and tease out the subtleties of early modern religion, are doing valuable work. This thesis stands indebted to them, and hopes to make a small contribution to their work.

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<sup>23</sup> Redworth, *In Defence*, p. xi. This approach is criticised as "a somewhat opaque justification" by C.D.C. Armstrong, review of *In Defence of the Church Catholic: The Life of Stephen Gardiner* (Oxford, 1990), by G. Redworth, in *JEH* 44 (1993), pp. 311-313, at p. 311.

## Chapter 1:

### *The Historiographical Context*

Stephen Gardiner has been continuously written about for the last four hundred and fifty years, which in itself bears testimony to the man's monumental stature in Tudor history. However, much of the vast swathe of typescript produced about Gardiner has been routinely negative, clearly influenced by the domination of Whiggish, Protestant histories of the period. From the sixteenth century hatchet-job of John Foxe to the seething criticism of the modern scholar Father Philip Hughes, Gardiner has been painted as a woeful excuse for a bishop of the Church. Confessionalised histories of all persuasions have portrayed the Bishop of Winchester as prevaricating, power-hungry, and pernicious. He was dangerous, untrustworthy, and a malign force in the Tudor Church. This chapter does not pretend to be an exhaustive annotated bibliography of all the material written about Gardiner from the sixteenth century to the present day, but it does seek to give the reader a preliminary and representative impression of the kinds of things that have been thought – and written – about Gardiner before moving on to the specifics of the Bishop's own beliefs.

Some have tried to posthumously recover Gardiner from his miry reputation, and build up a more positive, more realistic, picture of the man. The twentieth century has been kinder to Gardiner's memory than any period before and, as C.D.C. Armstrong notes, Gardiner has at last become very fortunate in his students.<sup>1</sup> One might feel that after four-and-a-half centuries of condemnation, this kinder approach has been nothing more than just redress. Modern criticism has, for the first time, endeavoured to be balanced in its appreciation of Stephen Gardiner, but what it has gained in historical accuracy, it has arguably lost in drama: the Gardiner of Protestant polemic was nothing if not a colourful, larger-than life figure, somewhat at odds with the more staid characterisation of modern scholarship.

A recent essay by Michael Riordan and Alec Ryrie differentiates between two Stephen Gardiners: on the one hand there was the man of Protestant imagination, and

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<sup>1</sup> C.D.C. Armstrong, review of *In Defence of the Church Catholic: The Life of Stephen Gardiner* (Oxford, 1990), by G. Redworth, in *JEH* 44 (1993), pp. 311-313, at p. 311.

on the other, the real man, these two personas rarely overlapping.<sup>2</sup> The most important facet of Gardiner's character in Protestant polemic was his fundamental untrustworthiness and this attribute was singularly responsible for Gardiner's most famous *sobriquet*: 'Wily Winchester', which seems to have been popular as term of abuse for Gardiner during his lifetime.<sup>3</sup> John Foxe was largely responsible for the enduring popularity of this tag, and he used it liberally throughout his works.<sup>4</sup> Such alliterative labels were an important part of the success of Protestant hagiography and demonology: they effortlessly ridiculed the enemies of the Gospel and made their villainous *alter egos* instantly memorable. 'Wily Winchester' was as necessary a caricature as 'Bloody Bonner' in the construction of a confessionalised theology of hatred.<sup>5</sup> The adjective 'Bloody' was prefixed to Bonner's name during the reign of Mary I for the obvious reason that he was an active persecutor of heretics within his Diocese of London, but the circumstances surrounding the evolution of Gardiner's description were a little more interesting – and revealing. Stephen Gardiner was blamed almost without exception in Protestant writings of the 1540s and 1550s for being the principal cause of any conservative or anti-Protestant legislation in England during the reign of Henry VIII.<sup>6</sup> As Riordan and Ryrie remark, Gardiner was under-

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<sup>2</sup> M. Riordan and A. Ryrie, 'Stephen Gardiner and the making of a Protestant villain', (forthcoming), p. 1. I am very grateful to Alec Ryrie for letting me have a copy of this important essay prior to its publication. The first half of this chapter is greatly indebted to their exposition of Protestant sources on Gardiner. The page references to this article are to my (draft) manuscript edition.

<sup>3</sup> Riordan and Ryrie mistakenly ascribe the first use of this nickname to John Foxe, but it must have been in popular parlance long before the martyrologist published his *Actes and monuments of these latter and perillous dayes, touching matters of the church* ([London], 1563), since Gardiner refuted the description of him during his lifetime: he wrote to the Privy Council in 1547, saying "what so ever falt I have besides... I am not wilie Winchester, but playne, humble and obedient, with as mucche affection to the preservacion of the Kings Majestie and this realme, as my dewtie bindeth me, which is a very sore bond", Muller, *Letters*, no. 127, pp. 368-373, at p. 372. Indeed, William Palmer also used the term 'wyly' of Gardiner in the very same year, 1547: see P. Janelle, 'An Unpublished Poem on Bishop Stephen Gardiner', *BIHR* 6 (1928-9), pp. 12-25, 89-96, 167-174, at p. 21. See Riordan and Ryrie, 'Protestant villain', p. 1, n. 6.

<sup>4</sup> See Cattley (ed.), *Foxe*, V, p. 261, for example.

<sup>5</sup> Cf. Janelle, 'Unpublished poem', p. 15.

<sup>6</sup> Riordan and Ryrie cite William Turner, *The huntynge & fyndyng out of the romishe fox* (Basyl [i.e. Bonn], 1543), sig. Eiiii<sup>v</sup> as an example of this trend, though many others would suffice just as well. Here Turner argued that Henry had ordered the bishops to drive out the Romish fox, but that the bishops, with Gardiner at their head, had merely concealed it from the King. See Riordan and Ryrie, 'Protestant villain', p. 7, n. 37. Likewise, John Foxe blamed Gardiner's "crafty fetches" for England's pro-Imperial, anti-German foreign policy in c. 1540: Cattley (ed.), *Foxe*, V, p. 261. Glyn Redworth points out that the Bishop of Winchester was popularly blamed for the strongly Catholic Act of Six Articles in 1539, even though he had little to do with it: G. Redworth, 'A study in the formulation of policy: the genesis and evolution of the Act of Six Articles', *JEH* 37 (1986), pp. 42-67, at p. 42 and *passim*. Redworth also points to William Turner as an example, who described the Act as "Gardiner's gospel": W. Turner, *The rescuyng of the romishe fox other wyse called the examination of the hunter deused by steuen gardiner. The second course of the hunter at the romishe foxe* (Winchester [i.e.

qualified for villainy, there being little evidence for his supposed machinations.<sup>7</sup> However, “as every conspiracy theorist knows, the absence of evidence of the wrongdoing simply proves that the villain is clever enough to hide it”.<sup>8</sup> Gardiner was labelled as ‘wily’ precisely because of the very lack of evidence which exonerated him from that charge.<sup>9</sup>

When considering ‘what manner of man’ Gardiner was, Muller wrote that the epithet ‘Wily Winchester’

was not inapt in so far as it portrayed his proficiency in all the arts of the legist and diplomat. He was not, on occasion, averse to giving the diplomatic lie, nor to the use of indirect means to attain a desired end. Yet there can be little doubt that much of his reputation for subtlety arose from his natural reticence and reserve.<sup>10</sup>

Here Muller put his finger on one of the most important aspects of the Protestant charges against Gardiner: his subtlety. Gardiner was in possession of one of the most acute minds in Tudor England and was further blessed with a vocabulary and turn of phrase which enabled him to become a tremendously successful orator and polemicist. He was a true intellectual and his scholarship resounded with flair and quick wit. His abilities were recognised by his detractors, and he was seen as all the more dangerous for them.<sup>11</sup> As Riordan and Ryrie observe, Gardiner’s eloquence was one of his characteristics that most befitted his role as a Protestant villain: they write,

Rhetoric has always been a double-edged art, and those reformers who did not share his eloquence were quick to accuse him of using fine words to conceal treachery, inconstancy and arrogance.<sup>12</sup>

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Bonn], 1545), sig. Aiii. Gardiner’s ubiquitous influence, then, was singular: it encompassed both foreign and domestic political policy, and matters of ecclesiastical doctrine, too.

<sup>7</sup> Riordan and Ryrie, ‘Protestant villain’, p. 8.

<sup>8</sup> *Ibid.*, p. 10.

<sup>9</sup> Riordan and Ryrie correctly analyse that Gardiner was lambasted in these terms with such astounding frequency because the Protestants realised that the other obvious candidate for the role of villain was Henry VIII himself, “a conclusion which evangelicals were determined to avoid”: *ibid.*, p. 7. This was something that Gardiner was aware of, and he complained to George Joye in 1545, writing, “Suppose ye, y<sup>e</sup> kynges maiestie, can not vnderstande, what ye meane by wynchester? when ye attribute all the fashion of the state of the realme to winchester? cal the actes that myslyke you Wynchesters? al statutes Wynchesters? all iuste punishementes (howe so euer ye call them) wynchesters? and charge all vpon wynchester, that in so doing ye name Wynchester, not for wynchester, but vse the name of wynchester, in stede of that ye dare not name and speake oute. Ye abuse herein to muche, the kynges maiestees most excellent giftes, and I am ashamed, that any part of his maiestees glorie, in defense of religion from your corruption, shulde be deriued vnto me, by any meane, who haue deserued no part of it”: S. Gardiner, *A Declaration of svch true articles as George Ioye hath gone about to confute as false* (London, 1546), fol. 96<sup>v</sup>. Also quoted by Riordan and Ryrie, ‘Protestant villain’, pp. 7-8.

<sup>10</sup> Muller, *Gardiner*, p. 303.

<sup>11</sup> Riordan and Ryrie, ‘Protestant villain’, p. 11.

<sup>12</sup> *Ibid.*, pp. 11-12.

Pierre Janelle characterised Gardiner thus: “in regard to letters, [he was] a humanist, and a conceited one at that, proud of his knowledge of Greek, and eager to display his familiarity with “Tullius” and the Latin comics”.<sup>13</sup> It must have pleased Gardiner very much that he embodied so comprehensively the qualities of Renaissance Man.<sup>14</sup> He was certainly aware that he had built a reputation for legalism and sophistry: he made fun of George Joye’s accusation of his narrow legal learning and, in a letter to Somerset in 1547, he remembered with evident glee that Cranmer “would falto arguing, and overcom me that am called the Sophister, by sophistry”.<sup>15</sup> His foes, however, refused to be so impressed by his abilities, and frequently saw his mental acuity as merely improving his talent for prevarication and self-preservation.

The primary charge laid at Gardiner’s door was religious inconstancy born of timeserving: it was widely believed that he had originally been a supporter of the Papacy, but had abandoned this upon being appointed to Henry VIII’s household in a bid for promotion. He then changed his mind again and defied the King over the Supplication of the Commons, pleading for the preservation of the liberties of the Church. He redeemed himself only by penning *De vera obedientia*, thus forsaking the Papacy for a second time. By Mary I’s reign, Gardiner was willing to rescind the Royal Supremacy and turn to Rome once more. The reality of Gardiner’s intellectual development over those twenty-five years was of little interest to Protestant polemicists, and they capitalised on these various twists and turns in their subject’s career. Gardiner was made to feel very uncomfortable when an English edition of *De vera obedientia*, probably translated by John Bale, was brought onto the market in 1553. The editor addressed Gardiner, writing, “by your double sayenges you are a double traitor and a very wethercocke” – potent criticism indeed for a man already sensitive to such a charge.<sup>16</sup>

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<sup>13</sup> Janelle (ed.), *Obedience in Church and State*, p. x.

<sup>14</sup> R. Pogson, ‘God’s law and man’s: Stephen Gardiner and the problem of loyalty’, in Cross, C. *et al* (eds.), *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 67-89, at p. 84. Pogson writes that “Gardiner relished some aspects of his reputation for ‘wiliness’, and took scholarly pleasure in disputation”.

<sup>15</sup> He addressed Joye thus: “Howe saye you now, haue I not commened with you lyke a lawier?”, Gardiner, *Declaration*, fol. 83<sup>r</sup>; Muller, *Letters*, no. 130, pp. 379-400, at p. 398.

<sup>16</sup> Janelle (ed.), *Obedience in Church and State*, p. 87.

Most contemporary accounts of Gardiner's life took the form of prose polemics, written by Protestants in a concerted campaign to discredit the Bishop. However, a substantial amount of the material written against Gardiner lampooned him in verse, and often took the form of ballads which were intended to be sung to simple music, thus broadening their appeal – and range – beyond the literate minority. Such poems were very popular in Reformation England and became a vastly powerful political weapon.<sup>17</sup>

Gardiner was very much aware of the opprobrium with which he was viewed during his own lifetime and was familiar with a number of the slanderous ballads which denigrated him, and supposedly even composed a response in verse to the libels, though this is now lost.<sup>18</sup> One poem written against him, entitled *A Pore Help*, was particularly full of “sharpness of wit and fancy” in John Strype's opinion, and pretended to “stand up stiffly for the said Bishop”, whilst all the time mocking him as a superstitious Papist.<sup>19</sup> Although *A Pore Help* was the only poem that Strype referred to as insulting to Gardiner at the time of his incarceration in the Fleet prison in 1547, there were doubtless very many more, and Winchester often complained in his letters of maltreatment at the hands of unscrupulous “printers, players, and prechers”.<sup>20</sup>

One of the Protestants' favourite slurs against Gardiner was his alleged vicious repression of the Henrician Protestant martyrs, perhaps most importantly Anne Askew, and his involvement in her death was the spur for some of the most successful

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<sup>17</sup> T. Watt, *Cheap Print and Popular Piety, 1550-1640* (Cambridge, 1991), pp. 86, 88, records that, although religio-political ballads were a failure in the long term, constituting only nine percent of popular stock, they accounted for over two-fifths of short-lived ballads. The ‘overwhelming proportion’ were vehicles for aggressive Protestantism and anti-Catholicism.

<sup>18</sup> The details of these events are preserved in J. Strype, *Ecclesiastical Memorials Relating Chiefly to Religion... and the... Church of England...* (3 vols. in 6, Oxford, 1822), II, i., pp. 85-86.

<sup>19</sup> L. Shepherd, *A Pore Help, The buklar and defence of mother holy kyrke* (London, [1548?]); *ibid.*, II, i., p. 86. The poem itself is reprinted in its entirety in *ibid.*, II, ii., pp. 333-337, and was notable for the particularly offensive lines which noted Gardiner's ‘red’ complexion when angered, and which went on to read “For Peter, James, and John, / And Apostles every one, / (I give you playne warning,) / Had never no such learnynge, / As hath this famous Clarke. / He is lerned beyond the mark”: Strype, *Ecclesiastical Memorials*, II, ii., p. 336. Cf also Riordan and Ryrie, ‘Protestant villain’, p. 14.

<sup>20</sup> See Muller, *Letters*, no. 120, pp. 276-284, at p. 278, no. 79, pp. 159-163, at p. 160, for instance. Gilbert Burnet wrote that, upon being released from the Fleet prison, Gardiner “complained much of the songs made of him, and of the books written against him, and particularly of one Philpot in Westminster, whom he accounted a madman”: G. Burnet (rev. and ed. by N. Pocock), *The History of the Reformation in the Church of England* (7 vols., Oxford, 1865), II, p. 139.

poems written against him. In a letter to Lord Protector Somerset in 1547, Gardiner complained about a book that had recently been published which hailed Anne Askew as a martyr, even though, Gardiner protested, she was a sacramentary.<sup>21</sup> Gardiner's involvement in Askew's trial provided much ammunition for Protestant martyrologists and was capitalised on at the end of the seventeenth century, when a poem entitled *I am a Woman Poor and Blind* was published, purporting to be a first person account of Askew's treatment, and singling out Gardiner as the chief player in her death.<sup>22</sup>

Anne Askew was not the only person Gardiner was accused of maltreating – grievances against him ran much deeper than that, and almost everyone of an evangelical persuasion who crossed Gardiner had cause to regret it. One such man was John Harington, whom Gardiner imprisoned during the rule of Mary I for allegedly carrying a letter to the Queen's half-sister, Princess Elizabeth. Harington was very eloquent, and wrote a persuasive poem protesting against his incarceration, which began, "At least withdraw your creweltie / or force the time to worke your will / Yt is to muche extreamytie / to kepe me pent in prison styl".<sup>23</sup> Harington accused Gardiner of "deavellishe dryftes", "snares", and "shyftes", but realised the futility of his desire to "coldly playne" against his persecutor.<sup>24</sup> Harington was consciously writing in the genre of prison verse – a genre which was tremendously popular in Tudor England, since it encouraged pathos for the captive and disdain for his captor.<sup>25</sup>

Perhaps the most interesting stanza in Harington's lament compared his imprisonment with Gardiner's own incarceration in the Tower of London only a few years before. Harington wrote:

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<sup>21</sup> Muller (ed.), *Letters*, no. 120, p. 277. The book Gardiner complained about must have been either A. Askew, *The first examinacyon of Anne Askewe, lately martyred in Smythfelde, with the elucydacyon of J. Bale* (Marpurg in the lande of Hessen [i.e. Wesel], 1546), or *idem*, *The latter examinacyon of Anne Askewe, with the elucydacyon of J. Bale* (Marpurg in the lande of Hessen [i.e. Wesel], 1547), these being the only two books then in print about Askew's trial and execution by this early date.

<sup>22</sup> *An Askew, intituled, I am a woman poor and blind* ([London, 1695]). This poem characterised Gardiner as a man who loved to entice his victims to "work his will", keeping them in 'blindness' with "lies and mocks".

<sup>23</sup> The quotations of Harington's works are taken from R. Hughey (ed.), *John Harington of Stepney, Tudor gentleman. His life and works*. (Columbus, Ohio, 1971). This poem is to be found on pp. 92-93.

<sup>24</sup> *Ibid.*, pp. 92-93.

<sup>25</sup> For an analysis of verse controversy between Catholics and Protestants, see A.E.M. Shell, *Orality and the Old Religion* (Cambridge, forthcoming), in the chapter entitled 'Answering Back: Orality and Controversy'. I am very grateful to Alison Shell for granting me a copy of this chapter before its publication.

Your chaunce was once as myne is now  
to kepe this hold agaynst your will  
and then you sware you know well how  
though now you swarve I know how yll  
but thus the world his course doth passe  
the priest forgets that Clerk he was  
and you that then cryed Justyce styll  
and now have Justyce att your will  
Wrest Justyce wrong agaynst all skill.<sup>26</sup>

Gardiner's plight was once identical to Harington's, and he persistently cried for justice, both in private letters to the Government, but perhaps more interestingly, in a piece of prison verse of his own.<sup>27</sup>

This important poem of Gardiner's own composition has passed by with very little attention, even though it broadens our understanding of his considerable literary ability and gives an unparalleled insight into his state of mind during his long imprisonment.<sup>28</sup> The poem has been preserved as a broadside, printed side-by-side with a Protestant counter-effort which followed Gardiner's metre and content closely.<sup>29</sup> In his poem, Gardiner reflected on his fate, and claimed that, though he presumed his enemies meant to execute him, "theyr dedes I drede not" and that, even whilst in mortal danger, it was still the Protestant agenda that grieved him most: "theyr wordes beyng suche / I drede and regarde, in manner as moche."<sup>30</sup> For after all, "Not man vnto man, can threaten I wote / More greuous then death, the horryble lote." Gardiner claimed, "And if it be death, by sentence of man / I suffre and that,

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<sup>26</sup> Hughey (ed.), *Harington*, p. 92. Harington was most probably alluding to Gardiner's published poem here.

<sup>27</sup> For Gardiner's letters of complaint to Somerset, see Muller, *Letters*, nos. 130-139, pp. 378-428.

<sup>28</sup> The poem begins "Theyr dedes in effect, my lyfe wolde haue" and there is only one known surviving copy, in the library of the Society of Antiquities in London. It is catalogued in R. Lemon (ed.), *Catalogue of a Collection of Printed Broad-sides in the possession of the Society of Antiquities of London* (London, 1866), p. 6. Lemon dates the poem to June 1548, but this is almost certainly far too early: Gardiner had only just been imprisoned in the Tower by this point and it is far more likely that it was composed at a later time in his stay there, once the full extent of his plight had become apparent. It is a poem which, however stylised in appearance, bears the hallmarks of a man wearied by imprisonment, and not of one recently incarcerated. It must be conceded, though, that there is no external evidence for the piece's date. It should also be noted that there can be no serious doubt about Gardiner's authorship of this poem – it was attributed to him at the time at which it was printed, and it would have been highly irregular for anyone to have falsely attributed the piece to him simply in order to refute it.

<sup>29</sup> Alison Shell notes that "Catholics and Protestants – like all controversialists – both quoted opponents in order to refute them; since even weighty marginal annotation could not wholly direct response, Catholics probably benefited from their texts being printed in the mainstream", Shell, *Orality*. It is ironic that in this case, a Protestant attempt to damage Gardiner resulted in the preservation of the only known copy of this work.

<sup>30</sup> Gardiner, *Theyr dedes*. All subsequent quotations from this poem are taken from the same place.

well suffre I can”, and not just that – he seemed to be anticipating a martyr’s death for himself: a remarkable turnaround for a man famed for timeserving. He wrote:

Than welcome be death, the entrye of lyfe  
And dewe to the worlde, the stage of all stryfe  
Lyfe lost in this wyse, releueth agayne  
For euer in blysse, to lyue without payne.

One must, of course, be cautious when approaching such words and not be too quick to accept them at their face value, but one might feel that ‘H.S.’, the author of the parallel Protestant poem, was more unfair than usual in his response:

I doubte the welcome of death, to that lyfe  
Plased for Popes pageauntes, in stage of moche stryfe  
Lyfe lost in this wyse, releueth agayne  
As he that from blysse, returneth to payne.

He reminded the Bishop that “yf ye haue death, that Justyce gyue can / Drede then your desertes, and blame ye not man.” Gardiner was destined not to die in the Tower during the reign of the boy-King, but the eventual occasion of his death in 1555 brought forth yet more verse about him, both elegies and their corresponding parodies in equal measure.

A certain ‘Mr. Prideaux’ wrote a particularly trite elegy on the occasion of Gardiner’s death, which was mercilessly parodied by an unnamed “ill-wisher of the said Bishop”, and both poems have been preserved in a late eighteenth-century tome on the history of Hampshire and the Bishopric of Winchester.<sup>31</sup> Prideaux’s offering took the genre of the elegiac poem to a bizarre extreme, and his depiction of the deceased Bishop can scarcely be reconciled with what is known of the real man. In twenty-six stanzas, Prideaux managed to extol about forty-six different virtues in Gardiner! Two of the stanzas will give the reader an accurate impression of the whole poem:

A Stephen in religion stout,  
a bishop by his acts,  
A faithful man most free from fraud,  
as witnessse be his facts;

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<sup>31</sup> These poems are to be found in D.Y., *Collections for the history of Hampshire and the Bishopric of Winchester, including the Isles of Wight, Jersey, Guernsey, and Sarke*. By D. Y. With the original *Domesday of the County and an ... English translation, preface, and introduction ... to which is added a glossary ...* By R. Warner ... with upwards of sixty plates, etc. (5 vols. in 6, London, 1795), I, ii, pp. 292-299.

A judge most just in judgement seat,  
of parties no regard;  
An eye to see, an eare to heare,  
a hand that shunn'd reward.<sup>32</sup>

Gardiner's 'ill-wisher' correspondingly catalogued more than forty of the former Bishop of Winchester's faults, which gave the reader a distinct impression of the author's lack of charity. He followed Prideaux's metre and style precisely, echoing but inverting every one of Prideaux's exultations. The parallel two stanzas in the 'ill-wisher's' parody amply illustrate the point:

A Stev'n in name, a Fox in fact,  
a Bishop but in weeds,  
A faithless man full fraught with frauds  
as deem him by their deeds.

A partiall judge in judgement-seat  
of parties great respect,  
A blinded eye, a closed eare,  
a hand with bribe infect.<sup>33</sup>

Such was the extremity that Stephen Gardiner brought out in others, an extremity perhaps best brought out in the creative medium of verse. It is ironic that a man of such studious moderation was the cause of this overwhelming amount of immoderate attention. It is perhaps no surprise, then, that some have attempted to free Gardiner

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<sup>32</sup> *Ibid.*, I, ii, p. 293.

<sup>33</sup> *Ibid.*, I, ii, p. 296. Puns on Gardiner's name were commonplace in Protestant verse of the period. The image of the Bishop of Winchester as a gardener was particularly prevalent, notably in the aforementioned poem on Askew (see above, p. 14), and in the Jacobean poem, C. Lever, *Queene Elizabeths teares: or, Her resolute bearing the Christian crosse, inflicted on her by the persecuting hands of Steuen Gardner Bishop of Winchester, in the bloodie time of Queene Marie. Written by Christopher Lever.* (London, 1607). Lever wrote two particularly important verses in this poem, the first contrasting Gardiner with St. Stephen, and the second punning on his surname. He wrote the following at sig. Di:

(*Steuens*,) it was thy contriement, and thy care;  
To persecute the cause for which *Steuens* bled.  
Betwixt two *Steuens* what differences are;  
Yet both of you with bloud were sprinkled,  
Thou martiredst many, he was martired.  
How ill it fittes thee to be called *Steuens*,  
Thy nature is from hell, thy name from heauen.

Thou hadst the name and place of *Gardner*,  
To dresse the Vintage thou commaundest o'er;  
But by thy hand, the hedges broken were,  
Which holy Church had fenced in before;  
And thou thy selfe (prowd *Gardner*) like a Bore,  
Rootst vp the floure, and fruitfull bearing tree,  
That in Gods holy Gardens fairest be.

from this burden of unhistorical criticism and tried to perpetuate a more favourable impression of him.

Following the accession of Elizabeth I to the throne in 1558, few men were sympathetic towards Gardiner: the Protestants loathed him for his connection with the Marian Reaction and the Catholics could not often bring themselves to venerate such a compromised figure of their faith. It was very unusual, then, to find the Jesuit Robert Parsons defending Gardiner against Sir Francis Hastings' accusations of treason in the 1590s.<sup>34</sup> In the midst of his defence of Gardiner; he claimed the astonishingly naïve opinion that

verely I beleue, that if a man should aske any good natured Protestant that liued in Queen Maries tyme, and hath both wit to iudge, and indifferency to speake the truth without passion, he will confesse that no one great man in that gouernment, was further of from blood and bloodiness, or from crueltie and reuenge, than Bishop Gardener, who was known to be a most tender-harted and myld man in that behalf...<sup>35</sup>

Parsons was in rather lonely company as one of the handful of writers that encouraged sympathy for Gardiner, and this situation was not to change substantially until the works of James Gairdner, a long-standing servant at the Public Record Office, began to see Gardiner in a more appreciative light in the late nineteenth century. He claimed as his task that

I would fain clear the portrait of one who, though not without his faults, exhibited throughout a consistency and unity of purpose, together with an independence of mind rarely met among his contemporaries.<sup>36</sup>

To use the words 'consistency' and 'unity of purpose' of Gardiner was a radical departure from the norm, and Gairdner was criticised for an overly enthusiastic attempt at establishing the Bishop's good name. Nonetheless, others followed in his trail-blazing footsteps and the first third of the twentieth century heralded more

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<sup>34</sup> N.D. [i.e. Robert Parsons], *A temperate ward-word, to the turbulent and seditious Wach-word of Sir Francis Hastings knight, who indeuoreth to slaunder the whole Catholique cause ...* ([Antwerp?], 1599). This was a response to F. Hastings, *A Watch-Word to all religious and true hearted Englishmen* (London, 1598).

<sup>35</sup> N.D., *Ward-word*, p. 42. Parsons' unusual defence of Gardiner was probably elicited because Hastings had compared the treachery of Gardiner, Bonner and Tunstall with that of the Elizabethan recusants, who professed loyalty to the Queen, yet persisted in their illegal faith. Parsons' objective, then, was two-fold: to make out that Gardiner *et al* were not so bad as Hastings suggested, and then to defend recusants against the same charge of treason.

<sup>36</sup> J. Gairdner, 'Stephen Gardiner', in *Typical English Churchmen* (Series 2, Church Historical Society, vol. 78, London, 1909), pp. 167-190, at p. 170.

positive narratives of Gardiner's life than ever before. James Arthur Muller was the first to make a full-length, systematic study of Gardiner's life, and he arguably left more valuable material to Gardiner scholars than any other single man before or since.<sup>37</sup> In his preface to the reader, Muller claimed,

I came to this study without any desire to prove anything; I leave it not without sympathy for that "proud and glorious" prelate whom John Foxe delighted to call "Wily Winchester".<sup>38</sup>

Muller's sympathy for Gardiner was made abundantly plain throughout his book, and, like Gairdner before him, he has been criticised for seeing Gardiner through rose-tinted spectacles.<sup>39</sup> Muller was a fastidious and methodical scholar, and his labours in various archives resulted in the publication of his superb edition of Gardiner's personal letters.<sup>40</sup> This has provided students with access to some of Gardiner's most intimate (and honest) writings and has become an essential tool in examining his true opinions throughout his long career.

The work of another scholar, Pierre Janelle, has been heavily depended upon in this thesis. Janelle produced an invaluable collection of some of Gardiner's works of political philosophy in 1930, and though the remarks in his introduction harked back to the earlier mistrust of Gardiner's motives, they were nonetheless an important perspective on his life. Janelle took Gardiner's insincerity as read and made little attempt to tease out the meanings of some of his subject's more curious statements and actions.<sup>41</sup> In his attempts to explain Gardiner's insincerity, Janelle occasionally overstretched his evidence, and his periodic errors and exaggerations have not previously been examined in detail, an opportunity which is taken here for the first time.<sup>42</sup> Janelle published a second book concerned with Gardiner's reaction to the rejection of the Papacy, *L'Angleterre Catholique a la Veille du Schisme* (Paris, 1935),

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<sup>37</sup> Muller, *Gardiner*. This standard biography of Gardiner was published in 1926 and is yet to be bettered.

<sup>38</sup> *Ibid.*, p. ix.

<sup>39</sup> See especially Pogson, 'Problem of loyalty', p. 69. Pogson writes, "In his standard biography, Muller tried to resist... received assumptions and to emphasise Gardiner's positive principles, but his summary of Gardiner's character loses credibility because it makes too little mention of self-interest..."

<sup>40</sup> Muller, *Letters*.

<sup>41</sup> Janelle (ed.), *Obedience in Church and State*, p. xiv: "There is good reason to doubt the sincerity of some at least of Gardiner's assertions...". However, even Janelle was prepared to allow an element of an "underlying continuity" in Gardiner's political thought, cf. p. lxviii. See also Pogson, 'Problem of loyalty', p. 69.

<sup>42</sup> See below, Chapter 5.

but this important work has never been translated into English, and has not achieved the English critical acclaim of his *Obedience in Church and State*.

Whilst Muller and Janelle have been by far the most important modern contributors to our knowledge of Gardiner, many other scholars have also added their own thoughts. Glyn Redworth published a second biography of Gardiner in 1990 – a brave move, considering the quality and comprehensiveness of Muller’s edition.<sup>43</sup> Unlike most other studies of Gardiner, Redworth’s attempt was not received particularly well, and many criticisms were levelled at it, particularly that it offered little new material, but merely went over old ground.<sup>44</sup> There undoubtedly were problems with Redworth’s book, but to disregard it would be unfair – he did offer (for the first time) a systematic study of Gardiner’s role as a political ambassador, an approach which contained an exposition of much that was valuable and hitherto largely overlooked.<sup>45</sup> It is a shame that these qualities were marred by particularly facile comments like “we are often... wearied by the commonplace of his theology” and by Redworth’s astonishing propensity to disregard some of his subject’s most important writings.<sup>46</sup> Redworth’s other major contribution to this field came in the form of his essay, ‘A study in the formulation of policy: the genesis and evolution of the Act of Six Articles’, which examined Gardiner’s role (or, crucially, his lack of one) in the creation of the Act of Six Articles of 1538, commonly dubbed “Gardiner’s gospel”.<sup>47</sup> This again looked at Gardiner as a political creature and played to Redworth’s evident strengths in political, rather than ecclesiastical, history.

Whilst no further monographs have been written about Gardiner since Redworth’s, there has recently been a succession of important articles and equally significant

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<sup>43</sup> Redworth, *In Defence*.

<sup>44</sup> See Armstrong, review of *In Defence*, pp. 311-313.

<sup>45</sup> This subject was, after all, the bulk of the D.Phil. thesis that provided the basis for the book: G. Redworth, ‘The political and diplomatic career of Stephen Gardiner, 1538-1551’ (University of Oxford D.Phil. thesis, 1985).

<sup>46</sup> Redworth claimed that he kept his study of Gardiner’s printed works to a minimum because of his belief that “Gardiner’s life illuminates his writings, and not vice versa”: Redworth, *In Defence*, p. xi. That may or may not be a fair point, but if one makes no effort to test the hypothesis, then it just becomes meaningless bluster. Redworth passed over *De vera obedientia* in just three pages, which is particularly unforgivable in any study of the Bishop’s life, see Redworth, *In Defence*, pp. 66-68. Redworth’s reviewer may well have been right to ask, “why should Redworth bother to study a man whose writings he finds boring?”: Armstrong, review of *In Defence*, p. 311.

<sup>47</sup> G. Redworth, ‘A study in the formulation of policy: the genesis and evolution of the Act of Six Articles’, *JEH* 37 (1986), pp. 42-67.

mentions in books with wider terms of reference. Perhaps the most important of these is Rex Pogson's 'God's law and man's: Stephen Gardiner and the problem of loyalty', which reassesses the stresses and strains of Gardiner's conflicting loyalties, but which also emphasises an overall continuity in his thought.<sup>48</sup> Pogson assesses Gardiner's career with a level-headed and even-handed approach, and his impressions are refreshingly acute, but the length of the essay unfortunately precluded any in-depth analysis of the nuances of Gardiner's career.

More extensive investigations of Tudor religious polemicists and their works have been written and, as one would expect, Gardiner has figured prominently on their pages. The most noteworthy of these are undoubtedly Ellen Macek's *The Loyal Opposition*, and Lucy Wooding's *Rethinking Catholicism in Reformation England*, both of which examine the literary output of the major English Catholic controversialists throughout the Reformation period.<sup>49</sup> These have recently been hailed in an important and wide-ranging review article as "disciplined and well-focused", and "attractive and persuasive" respectively.<sup>50</sup> Ellen Macek convincingly argues that, even before the Council of Trent, the English traditionalists spoke with one voice on doctrinal matters, especially on those crucial areas of the Mass and

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<sup>48</sup> 'God's law and man's: Stephen Gardiner and the problem of loyalty', in Cross, C. *et al* (eds.), *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 67-89, esp. at pp. 69, 87. In a similar vein, see R. Rex, 'The Crisis of Obedience: God's word and Henry's Reformation', *HJ* 39 (1996), pp. 863-894.

<sup>49</sup> E.A. Macek, *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996); L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Cambridge, 2000). P. O'Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), is also worthy of a mention. Though sadly marred by its incomparably bad imprint with numerous typographical errors, this book is a useful aid to understanding the conformist bishops' relationships with their King and their faith.

<sup>50</sup> C. Haigh, 'Catholicism in Early Modern England: Bossy and Beyond', *HJ* 45 (2002), pp. 481-494, at pp. 484, 485. However, for a less than glowing review of the former book, see D. MacCulloch, review of *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996), by E.A. Macek, in *JEH* 49 (1998), pp. 361-362. MacCulloch is particularly concerned that Macek failed to "perceive Fisher's skeleton at the feast" in the mid-Tudor Traditionalists' thinking on justification. A. Hunt, review of *Rethinking Catholicism in Reformation England* (Cambridge, 2000), by L.E.C. Wooding, in *Times Literary Supplement* 2 February 2002, p. 32, describes Wooding's book as "the best available guide to the mindset of Marian Catholicism", and identifies Erasmian Humanism as the "presiding spirit" of the book. He is concerned, however, that Wooding fails to explain the differences between the Humanism that she so admires and the scholasticism which, it is implied, is a leftover from the *ancien régime*. This is certainly fair, but perhaps the more pertinent question would be how did these two methodologies *interact* in the minds of the Henrician Catholics, rather than seeking to define them in terms of their mutually exclusive differences.

justification. Haigh acknowledges that her point is “well made and taken”, and her analysis of the traditionalists’ doctrinal unanimity is both useful and interesting.<sup>51</sup>

Lucy Wooding’s project is similar to Macek’s, but far more wide-ranging, and primarily looks at the phenomenon of printed works written in English by Catholic authors between *circa* 1530 and 1570. The central point of her thesis is that English Catholics were heavily influenced by the importation of Erasmian Humanism and this background enabled them to accept much of Henry VIII’s reformist agenda. On Wooding’s model, Gardiner, Tunstall, Bonner, *et al*, genuinely reconsidered the fundamentals of their faith in the 1530s onwards, rethinking their Catholicism. Of course the intended pun in Wooding’s title is that the book itself rethinks Catholicism in Reformation England, calling for a new awareness of the subtleties of early modern Catholicism. After all, she claims, “Religious identity is more complex than we like to think”, and modern scholarship is only beginning to come to terms with the true complexity of faith in the Tudor Church.<sup>52</sup> Of course, this new direction in historical scholarship is not universally embraced – it is often the way with new approaches to old questions. Christopher Haigh criticises Wooding for laying the subjects of her book “end-to-end in a plausible intellectual movement” and believes that, whilst “They may have been rethinking Catholicism”, they may simply have been “putting

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<sup>51</sup> Haigh, ‘Bossy and Beyond’, p. 484. Ellen Macek and Christopher Haigh clearly both feel that the Council of Trent definitively answered the questions that the English schism raised (see *ibid.*, p. 485, on whether one could be a Catholic without accepting some of the tenets of Roman Catholicism: Haigh writes that “Eventually, Trent said no...”). It is an untested, and dangerous, assumption that Trent would have settled these issues to the satisfaction of the English Catholic *intelligentsia*. Certainly, so far as Gardiner was concerned, the importance of the Council of Trent appeared to be minimal. He was a professional diplomat, and was well-aware of the proceedings there and their significance for England’s political allegiances, but there is little evidence that he looked forward longingly to the Council’s doctrinal edicts. Indeed, there was merely one reference to the Council in all of Gardiner’s private letters, in a letter to Paget, dated 2 March 1546. He wrote, “I send youe here such newes are abrode among the ambasadours of that is said and doon at Trent in ther conciliable, where be gaye wordes”: Muller, *Letters*, no. 106, pp. 236-237, at p. 237. One must be careful in allotting the Council of Trent too much significance for the Catholics of mid-Tudor England until a thorough study has been made of their response (or, indeed, lack of one) to it. John O’Malley makes a similar point with regard to St Ignatius Loyola and the Society of Jesus’ attitude towards the Council. O’Malley writes, “he [Loyola] – and the vast majority of his colleagues – seem remarkably detached from the doings of the Council. ... A persuasive but unexamined assumption in much that is written about sixteenth-century Catholicism is that the Council of Trent set the agenda and that all fervent Catholics... fell in to implementing it”, and continues, “we easily imagine Jesuits of the sixteenth century pouring over the documents of Trent and rushing around the world with them in their hands. That is not how it was. Few of them probably ever saw the decrees”: J.W. O’Malley, ‘Was Ignatius Loyola a Church Reformer? How to look at Early Modern Catholicism’, in D. Luebke (ed.), *The Counter-Reformation. The Essential Readings* (Malden, Massachusetts, and Oxford, 1999), pp. 66-82, at pp. 76-77, 78.

<sup>52</sup> Wooding, *Rethinking Catholicism*, p. 15.

up the best case they could".<sup>53</sup> So here it is again, then – that old accusation of timeserving self-interest. It really will not go away. This being the case, Wooding's and Macek's monographs are all the more creditable because they are brave enough to advance revisionist thinking, even despite the criticism of those original revisionists.<sup>54</sup>

It is into this fertile and exciting intellectual atmosphere that this thesis is submitted. It is hoped that by applying these new trends in historical scholarship to the life and writings of Stephen Gardiner, there may result a useful case study of just how a Tudor bishop came to deal with the changing circumstances of his faith.

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<sup>53</sup> Haigh, 'Bossy and Beyond', p. 485.

<sup>54</sup> Christopher Haigh's own works remain some of the most important examples of revisionist scholarship, see particularly his *Reformation and Resistance in Tudor Lancashire* (Cambridge, 1975), *The English Reformation Revised* (Cambridge, 1987), and his review article 'The Recent Historiography of the English Reformation', in C. Haigh (ed.), *The English Reformation Revised* (Cambridge, 1987), pp. 19-33, for example. The introduction to Wooding's book reads like a muster-call to students of Tudor history to cast aside tired presumptions about what constituted 'orthodoxy' for the Catholics of Reformation England, and to examine with fresh eyes, just how intellectually vigorous their faith could be. It is as clear a statement of the aims of second-generation revisionism as one could wish for.

## Chapter 2:

### *Before Erastian Catholicism*

Information regarding the early years of Stephen Gardiner is sparse in comparison with the glut of both printed and manuscript works of his later life, and piecing together the facts of his early life and career, let alone speculating on his intellectual development during the period, is a difficult matter. Whereas most attention is justly centred on his later years, it is impossible to come to a full appreciation of Gardiner's lifelong ideological concerns unless they are traced from the beginning. Stephen Gardiner's early career was a stage in his life during which many formative events took place, and these events left an indelible mark on his later thoughts.

Gardiner was heavily influenced by the humanist movement which was growing in popularity amongst his contemporaries at Cambridge.<sup>1</sup> An essential part of humanist study was the rediscovery of the ancient languages of Greek and Hebrew and, although he never took a degree in the Arts from his university, there is some evidence that Gardiner had mastered the critical methods of humanism from an early age. He must have been reasonably fluent in Latin even to matriculate into Cambridge, as it was almost the sole language of the universities until well into the seventeenth-century.<sup>2</sup> As Muller reminded his readers, Gardiner also had sufficient Greek to undertake a translation of the Gospels of Saints Luke and John in 1535.<sup>3</sup>

It is thought that Gardiner occasionally frequented the notorious White Horse Tavern in Cambridge, where those on the more radical fringe of humanism met to discuss the religious developments of the day. The inn was often known as 'Little Germany', such was the influence of the fledgling Lutheran movement upon it.<sup>4</sup> It is known that Gardiner kept evangelicals as friends or acquaintances in his Cambridge days and that, in time, he protected them from the consequences of their opinions. In the purge

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<sup>1</sup> Janelle (ed.), *Obedience in Church and State*, p. x; D. MacCulloch, 'Two Dons in Politics: Thomas Cranmer and Stephen Gardiner, 1503-1533', *HJ* 37 (1994), pp. 1-22, at p. 11.

<sup>2</sup> The first printed catalogue of the Bodleian Library, Oxford, in 1605 reveals that only one book in a hundred was written in English, cited in A.E. McGrath, *In The Beginning: The Story of the King James Bible* (London, 2001), p. 35.

<sup>3</sup> Muller, *Gardiner*, p. 7.

of Lutherans in 1526, the young don did all he could to help his acquaintance Robert Barnes to escape the penalties for his beliefs, and he played the same part for George Joye.<sup>5</sup> Both men later repaid his favours by writing and publicly preaching against him. This makes rather an interesting parallel with the university experiences of Thomas Cranmer, who was Gardiner's contemporary at Cambridge and, later, his nemesis. As Diarmaid MacCulloch has shown, there is reason to suspect that whilst Stephen Gardiner was keen to explore the new intellectual implications of humanism, Cranmer was initially the more conservative of the two.<sup>6</sup> Indeed, in the marginalia of Cranmer's personal copy of John Fisher's 1523 tract, *Assertionis Lutheranae Confutatio*, the future reformer is scathing in his criticism of Martin Luther.<sup>7</sup> It is clear that of the two men, Gardiner was more in tune with the ideas of the day, and his career progressed rapidly whilst Cranmer continued to lecture in theology in the comparative quiet of Cambridge.

Stephen Gardiner was undoubtedly possessed of a sharp wit and sound learning, which quickly found him preferment to Court circles, and by the beginning of October 1524, he was in the service of the premier statesman and bishop of the day, Thomas Cardinal Wolsey.<sup>8</sup> As Muller perceived, "The Cardinal was not blind to ability, nor tardy in securing it for his own purposes" and Gardiner, the young Doctor of Law, was one among many of the bright young men in Wolsey's service looking forward to a successful career at court. Before long, historical circumstance combined with Gardiner's proven intellectual ability propelled Wolsey's secretary into the highest circles of English society and on to the world stage: King Henry VIII believed that his marriage to his wife, Katherine of Aragon, was unlawful and that it must be dissolved as soon as possible.<sup>9</sup> It seems that even at this early stage Stephen Gardiner was being recognised as the most able canon – and civil – lawyer of his generation, and he quickly proved himself to be indispensable in what Glyn Redworth labels "one of the most famous *cause célèbres* in English history": the 'King's Great Matter'.<sup>10</sup>

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<sup>4</sup> Redworth, *In Defence*, p. 11; M. Dowling, *Humanism in the Age of Henry VIII* (Beckenham, 1986), p. 76.

<sup>5</sup> D. MacCulloch, *Thomas Cranmer: A Life* (New Haven, 1996), p. 25; Muller (ed.), *Letters*, no. 81, pp. 164-175, at p. 166.

<sup>6</sup> See MacCulloch, 'Two Dons in Politics', *passim*.

<sup>7</sup> *Idem*, *Cranmer*, pp. 26-29.

<sup>8</sup> Following the chronology in Muller, *Gardiner*, p. 341, n. 26.

<sup>9</sup> Henry came to believe that it contravened the Levitical prohibition on marrying one's brother's wife.

<sup>10</sup> Redworth, *In Defence*, p. 14.

Gardiner was probably party to the earliest developments of Henry's separation from his wife and was present at the abortive divorce proceedings in May 1527 at Cardinal Wolsey's Westminster house, where Henry VIII was secretly summoned to answer to the charge of having lived with his dead brother's wife for eighteen years.<sup>11</sup> Gardiner continued to follow the proceedings as Wolsey's secretary and all of the Cardinal's important letters of that period were either dictated to, or copied by, Gardiner alone.<sup>12</sup> Henry VIII's sole aim with regard to the divorce at this time was to secure a papal commission from Clement VII allowing Wolsey, as his legate in England, to pronounce invalid the marriage to Katherine of Aragon. But whilst Katherine's nephew, Emperor Charles V, ruled supreme in Europe and was imprisoning the Pope, it would be a monumental achievement to receive such a papal commission. However, as Wolsey's most able administrator, Stephen Gardiner was instructed to go as a leading figure of a delegation to Orvieto, where the Pope was living, and plead for just such a commission.

Gardiner's experience of the papal court on his trip to Orvieto has been credited with being the genesis of his later anti-papalism, and his description of the living conditions of the Pope and his Curia are certainly graphic in their detail. He wrote:

The Pope lieth in an old palace of the bishops of this city, ruinous and decayed, where, or we come to his pryvey bed chamber, we pass three chambers, all naked and unhangd, the roofs fallen down, and, as we can guess, thirty persons, rif raf and other, standing in the chamber for a garnishment. And as for the Pope's bed chamber, all the apparel in it was not worth twenty nobles, bed and all.<sup>13</sup>

Whilst the reformers would have taken some delight in this humiliation of the Pope, Gardiner was clearly dismayed that the first of the bishops and the successor of Peter lived amid such decay. Rex Pogson suggests that Gardiner's disillusionment with the papacy as an institution began at this point and that he did not want the English Church and State to be subject to the will of such a prevaricating and weak man.<sup>14</sup>

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<sup>11</sup> Muller, *Gardiner*, p. 19; *L&P*, IV, pt. 2, no. 3140, pp. 1426-1429 gives an account of the proceedings. Gardiner was named as one of only eight people present. The secret scheme was abandoned upon Queen Katherine hearing of it, and informing her nephew, Emperor Charles V, who was at that time supreme in Italy and captor of the Pope, see G.A. Bergenroth *et al* (eds.), *Calendar of Letters, Dispatches, and State Papers, Relating to the Negotiations between England and Spain* (11 vols., London, 1862-1911), III, pt. 2, no. 69, pp. 186-195, at p. 193.

<sup>12</sup> Muller, *Gardiner*, p. 343, n. 5.

<sup>13</sup> N. Pocock (ed.), *Records of the Reformation* (2 vols., London, 1870), I, p. 89.

<sup>14</sup> Pogson, 'Problem of Loyalty', p. 71.

Gardiner's dispatches to Henry VIII on his second visit to the Pope as the King's special ambassador certainly do give a sense of Gardiner's exasperation with the Holy Father's evasion.<sup>15</sup> Faced with angering either Henry VIII or Charles V if he acted one way or the other, inertia proved the easiest path for Clement VII, much to the *chagrin* of the English delegation.

Gardiner thus proved largely unsuccessful on his first foray into diplomatic affairs. He had failed to secure a decretal commission, but had succeeded, at great length, in extracting a general one from Pope Clement; the commission that Henry eventually received did not preclude the possibility of revoking the case to Rome. It did not guarantee that the judges would be English bishops, nor did it give any determination on the points of law at stake, all of which were central demands of the English King's. However, despite these shortcomings, Gardiner endeavoured to make the best of the situation and respectfully sent the fruits of his labours home to the King. The circumstances in which Gardiner coerced Pope Clement to issue this commission may be informative, and merit a closer examination: Gardiner accused Clement of maltreating Henry VIII and argued that, upon the papal indifference to Henry's suit being relayed to England, Rome would lose the support of its one true ally. He added that, upon this happening, "the chair of Peter, already tottering, would tumble to pieces, with the consent and applause of everybody."<sup>16</sup> All this occurred after midnight, and the clearly exhausted Clement threw his hands in the air and resigned himself to concede to his cajoling suitors. Muller's conclusions about this mission go some way to illustrate Gardiner's mentality at this point:

It is noteworthy that on this long mission Gardiner gave no indication of reverence for the Papacy, certainly none for Clement the Pope. Nor does he seem to have doubted the justice of the King's cause. Perhaps his attitude towards that would be best described by saying that he did not think of it under the categories of just and unjust. He was convinced of its legality.<sup>17</sup>

James Gairdner developed this theme further, writing that,

His services to the King were peculiarly those of a legal casuist, who told him what was feasible and what was not. The misfortune was that, so far as concerned the acts of his sovereign, legality seemed to constitute Gardiner's only standard of right and wrong.<sup>18</sup>

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<sup>15</sup> Muller, *Letters*, nos. 7-10, pp. 9-17.

<sup>16</sup> Muller, *Gardiner*, p. 25; Pocock, *Records*, I, p. 133.

<sup>17</sup> Muller, *Gardiner*, p. 27.

<sup>18</sup> J. Gairdner, 'Stephen Gardiner', in *Typical English Churchmen* (Church Historical Society, Series 2, vol. 78, London, 1909), pp. 167-190, at p. 174.

As Pogson surmises, Gardiner certainly did not see the divorce in Sir Thomas More's terms of God's law *versus* man's, but instead in those of England's interests *versus* the Papacy's. Since the Papacy's stance towards Henry's 'Great Matter' was dictated by the vagaries of the balance of secular power in continental Europe and not by purely spiritual considerations, so likewise Gardiner was inclined to see the problem in the light of England's best interests weighted against those of Rome.

The early setbacks in securing a favourable outcome to Henry's proposed divorce from Katherine did not halt Gardiner's meteoric rise in importance. As a reward for his efforts at the Papal Court, Gardiner was made Archdeacon of Worcester, in addition to his current status of Archdeacon of Taunton.<sup>19</sup> He was enduring his second fruitless embassy to Clement VII in June 1529 when he was recalled to England to assist in the trial of Henry's marriage before the Cardinals Campeggio and Wolsey at the King's personal insistence. He arrived in London on 22 June and immediately assumed the duties of 'chief scribe' at the trial. Six days later, he became Principal Secretary to the King.<sup>20</sup> Glyn Redworth points out that Gardiner's services in this role extended far beyond those of a mere scribe, since Gardiner not only wrote the King's letters, but also helped to draft them. He was thus, to some degree, able to influence the direction of policy. It was in his role as Principal Secretary that Gardiner made one of the most portentous decisions of his early career. It was one that was to have enormous ramifications for his future, and those of his country and his church. He (along with Edward Foxe) introduced Thomas Cranmer to the King.

At this point the divorce proceedings were reaching an *impasse* and it was beginning to seem as though Henry's lawyers were fast running out of new ways to advance his cause. The proceedings had been revoked to Rome and so were out of Henry's control. Moreover, the power of the Emperor over the Pope was unabated and a favourable resolution of the King's delicate problem seemed never further away. It was under these circumstances in August 1529 that Gardiner and his fellow Royal

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<sup>19</sup> A.B. Emden, *A Biographical Register of the University of Oxford, A.D. 1501-1540* (Oxford, 1974), p. 227.

<sup>20</sup> Here following Muller, *Gardiner*, p. 31. See also Redworth, *In Defence*, p. 22.

servant and friend, Edward Foxe, stayed at Waltham in the very house that their Cambridge acquaintance Thomas Cranmer was resident. Whilst discussing university matters and the King's divorce proceedings, Cranmer suggested the royal advocates should switch their energy from the legal case at Rome to canvassing the opinions of university theologians throughout Europe.<sup>21</sup> This approach was not new in itself and was common humanist methodology; it had even been applied to the divorce suit already in the form of a vote in the theology faculty of the University of Paris in October 1528. However, those working on Henry's behalf were primarily lawyers and not theologians and had been, at least up until then, keen to settle the matter through canon law. Cranmer's suggestion came at a time when almost any new ideas were welcome, such was the legal stalemate. Consequently, it was referred to the king.

MacCulloch muses that it is the particular conceit of academics to believe that their own discipline provides the best way to enlightenment and since Cranmer was a theologian and a biblical humanist, and one now erring towards Lutheranism, the complexities over the minutiae of Roman canon law would have been increasingly insignificant to him.<sup>22</sup> Cranmer's approach to the 'divorce' differed radically in one important way from those that preceded it: whereas Gardiner initially saw the matter as "a problem in canon law", Cranmer intended to pursue a course which would see it in the context of burgeoning doubts about the veracity of traditional interpretations of biblical texts.<sup>23</sup> He cannot have been so naïve as to be ignorant of the fact that "political partisanship rather than academic discipline tended to colour opinions about the absolute nature of the Levitical command, producing a Continent-wide patchwork of ideas".<sup>24</sup> Cranmer himself was now a partisan in what was becoming guerrilla warfare between the vested interests of the Old Religion in England and the spread of Protestantism imported from the Continent. Not for the last time in his reign, Henry VIII accepted Cranmer's proposal, proving quick to make use of the ambiguities and

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<sup>21</sup> The narrative for this event is by Ralph Morice, in J.G. Nichols (ed.), *Narratives of the Reformation* (Camden Society, London, 1859), pp. 234-272, at pp. 240-242. It is followed by all of the modern authorities, cf. MacCulloch, *Cranmer*, pp. 44-46; Muller, *Gardiner*, p. 40; Redworth, *In Defence*, pp. 28-29.

<sup>22</sup> MacCulloch, *Cranmer*, p. 46.

<sup>23</sup> Redworth, *In Defence*, p. 39.

<sup>24</sup> MacCulloch, *Cranmer*, p. 46.

divisions that Protestantism brought, yet without sharing the underlying principles of the creed.

After six months, the consultations of the universities were producing promising results. A Cambridge committee unanimously voted that to marry one's deceased brother's wife was to contravene both divine and natural law, Oxford University also obliged the King with a decision in his favour, as did Paris and a number of other universities in France and Italy.<sup>25</sup> The counsels of these learned institutions were then forwarded to Rome, either to increase the pressure on the beleaguered Pontiff, or to demonstrate that sufficient support for Henry's cause existed for him to be able to act unilaterally, and outside the normal practices of Roman Catholicism.<sup>26</sup> Stephen Gardiner had been instrumental in securing a favourable verdict from Cambridge despite great opposition, and the rewards for his continued and successful service swelled proportionately.<sup>27</sup> They culminated in his appointment by the King as Bishop of Winchester in September 1531. At the time, Winchester was by far the richest See in England, at an income of around four thousand pounds *per annum*.<sup>28</sup> In practical terms it was also second in importance to Canterbury. It was a vast diocese stretching all the way from the south coast of England to the south bank of the Thames. This made it ideal for statesman-bishops, who could consequently fulfil the requirements of residence within their See, and also attend upon the King at Court. For the first time in his life, Stephen Gardiner was an important and powerful man in his own right. William Warham, the Archbishop of Canterbury, was by this time an old man and somewhat detached from the intrigues of Court life; he had resigned himself to life within Wolsey's shadow during the Cardinal's ascendancy and, upon Wolsey's fall from grace, there was a notable power vacuum in the higher clergy of the English Church. Gardiner's enthronement as the Bishop of Winchester put him in a prime position to assume the power of the ecclesiastical establishment.

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<sup>25</sup> Muller, *Gardiner*, p. 41.

<sup>26</sup> *L&P*, IV, pt. 3, no. 6513, pp. 2929-2930: "The Spiritual and Temporal Lords of England to Pope Clement VII., praying him to consent to the King's desires, and pointing out the evils which arise from delaying the divorce..."

<sup>27</sup> Emden, *Biographical Register*, p. 227.

<sup>28</sup> H. Chitty (ed.), *Registra Stephani Gardiner et Iohannis Poynt, Episcoporum Wintoniensium* (Canterbury and York Society 37, Oxford, 1930), p. 156.

Gardiner's oath to the King for the restoration of the temporalities of the See of Winchester was unexceptional in itself, but it must have thrown the unfolding events of Henry VIII's reign into sharp relief. In it, Gardiner swore to

renounce and clerely forsake all such clauses, wordes, sentences, and grauntes which I have or shall have hereafter of the Popes Holines of the busshoprick off Winchester that in any wise is or may be prejudiciall to your Highness, your heires, successours dignitie or estate roiall, knowleging my self to take and hold the said busshoprick immediately and only of your Highness...<sup>29</sup>

Indeed, Henry's intentions with regard to the Church were already becoming wider than merely his divorce: in the much-discussed Praemunire manoeuvres of 1531, Henry demanded an acknowledgement that he was the "sole protector and supreme head of the Anglican church and clergy" in return for a pardon for the offence of Praemunire.<sup>30</sup> Henry alleged that, as a body, the clergy had committed Praemunire simply by accepting Cardinal Wolsey's legatine authority.<sup>31</sup> In responding to Henry's articles, Convocation had managed to insert the formula "so far as the law of Christ allows" ("*quantum per legem Dei licet*"), thus enabling any clergy who had reservations about Henry's right of authority over the Church (of which there were, no doubt, many) to sign the articles.<sup>32</sup> Gardiner, by virtue of his positions as Archdeacon of both Taunton and Worcester, sat in that Convocation and duly acknowledged Henry to be the Supreme Head of the English Church.<sup>33</sup> Just how important or otherwise the saving clause was in influencing Gardiner's vote will never be known; it is possible, as Redworth suggests, that elevation to the bench of bishops "had a profound spiritual effect on Gardiner" and that only subsequent to his consecration was he concerned to protect the liberties of the Church.<sup>34</sup> However, it need not be

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<sup>29</sup> Muller, *Letters*, Appendix 1, pp. 479-480, at p. 479. For the background to such oaths for the restoration of temporalities to English bishoprics cf. F. Makower, *The Constitutional History and Constitution of the Church of England* (London, 1895), pp. 12ff; *ODCC*, sub 'Praemunire', pp. 1313-1314.

<sup>30</sup> Praemunire was the offence of the usurpation of powers properly belonging to the monarch by the Church or one of its ministers.

<sup>31</sup> "*Ecclesiae et cleri Anglicani (cujus protector et supremum caput is solus est)*", Christ Church College, Oxford, MS 306, p. 33. The source is cited in, and the translation is by, S.E. Lehmborg in his *The Reformation Parliament, 1529-1536* (Cambridge, 1970), p. 112. On the Praemunire charge and the Pardon of the Clergy, see: J.A. Guy, 'Henry VIII and the Praemunire manoeuvres of 1530-31', *EHR* 97 (1982), pp. 481-505, *passim*; J.J. Scarisbrick, 'The Pardon of the Clergy, 1531', *HJ* 12 (1956), pp. 22-39, *passim*; G.W. Bernard, 'The Pardon of the Clergy Reconsidered', *JEH* 37 (1986), pp. 258-282.

<sup>32</sup> Lehmborg, *Reformation Parliament*, p. 114.

<sup>33</sup> E. Herbert, *The History of England under Henry VIII* (London, 1870), p. 467, cited in Muller, *Gardiner*, pp. 54, 349, n. 1. According to Muller, Herbert used Convocation records that are no longer extant which stated that Gardiner voted for the Royal Supremacy in 1531.

<sup>34</sup> Redworth, *In Defence*, p. 33.

assumed that until his consecration Gardiner was merely a royal vassal who performed the King's will with no integrity of his own. It is entirely plausible that, without the clause limiting Henry's authority "in so far as the law of Christ allows", Gardiner would have rejected the clause on the Royal Supremacy at that time. Indeed, he took precisely this qualifier as his own during Edward VI's reign, using it in an identical way, making it highly probable that such casuist addenda played an important part in retaining his assent for difficult legislation which divided his loyalties.<sup>35</sup> Regardless of how easily Stephen Gardiner added his signature to the articles facilitating the Pardon of the Clergy in 1531, the time was rapidly approaching when a definite stand for Church or King would be called for, and Gardiner's predisposition to value his obedience to both would be put under the greatest of strains.

Gardiner returned to London from an embassy to France on March 6, 1532, at which time Convocation was already in session. Just over a month later, on April 12, Archbishop Warham presented the Supplication of the Commons Against the Ordinaries to the southern Convocation for discussion. This document was a list of grievances against the Church hierarchy that the Lower House of Parliament had sent to the King. It seems in all likelihood that Thomas Cromwell masterminded the scheme and that it was tantamount to an official demand that the Church cede many of its privileges.<sup>36</sup> Chief among the complaints was the proposition that "the prelates and spiritual ordinaries... have in their convocations heretofore made and caused to be made, and also daily do make, many divers fashions of laws, constitutions, and ordinances, without your [i.e. Henry VIII's] knowledge or most royal assent, and without the consent of any of your lay subjects".<sup>37</sup> Henry was in a belligerent mood over ecclesiastical canons and decrees at the time – it was precisely such laws over which he could hitherto exercise no control which were hindering his divorce from Katherine of Aragon and his intended marriage to Anne Boleyn, with whom he was ever increasingly infatuated. Consequently the Commons added for good measure the inflammatory suggestion that "which laws... be not only to the diminution and derogation of your imperial jurisdiction and prerogative royal, but also to the great

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<sup>35</sup> Pogson, 'Problem of Loyalty', p. 76.

<sup>36</sup> The text of the Supplication is in H. Gee & W.J. Hardy (eds.), *Documents Illustrative of English Church History* (London, 1896), no. 46, pp. 145-153.

prejudice, inquietation, and damage of your said subjects.”<sup>38</sup> There was nothing Henry hated more than ‘diminution’ or ‘derogation’ of his status, least of all that of his newly ‘rediscovered’ imperial authority.<sup>39</sup> It was therefore suggested that Convocation should submit all its proposed canons to the King for his assent to them.

Stephen Gardiner, the newcomer to the bench of bishops, as a proven canon and civil lawyer who was fully conversant with the laws and principles at stake, was entrusted with framing the reply. He completed his task within the week and in so doing, had committed to paper the most serious political blunder that he was ever to make.<sup>40</sup> The most important section of the Answer came near the beginning of the document and stated that “we, your most humble subjects [i.e. the ordinaries], may not submit the execution of our charges and duty, certainly prescribed by God, to your highness’s assent”.<sup>41</sup> Gardiner may have some inkling that in maintaining such a position the clergy would be sailing close to the wind, and that the King would be wary of the clergy’s ability to pass legislation without his control. He wrote that, whilst the Commons submitted that

we [the Ordinaries] should by usurpation and presumption extend our laws to your most noble person, prerogative, and realm, yet the same your highness being so highly learned will, of your own most bounteous goodness, facilely discharge and deliver us from that contention...<sup>42</sup>

The only logical explanation for this qualification of Convocation’s divine right to codify law – i.e. that they did not extend to the King’s person – was that Gardiner had the foresight to predict that Henry would not accept any Church law that was contrary to his will or that hindered his *plenitudo potestatis* as King of England. This was no compromise situation; Gardiner was forcefully asserting Convocation’s Divine right to encode binding legislation, but he attempted to mitigate the King’s certain displeasure by pointing out that he had nothing to fear from ecclesiastical canons – they had no jurisdiction over him, anyway.

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<sup>37</sup> *Ibid.*, p. 146.

<sup>38</sup> *Ibid.*, p. 146.

<sup>39</sup> For the meaning and significance of Henry’s ‘imperial’ authority, see W. Ullman, ‘“This Realm of England is an Empire”’, *JEH* 30 (1979), pp. 175-205, *passim*.

<sup>40</sup> Convocation may have extended the scope of Gardiner’s original answer to cover all of the points that the King would want answered, see Lehmborg, *Reformation Parliament*, p. 146.

<sup>41</sup> *Ibid.*, p. 157.

<sup>42</sup> *Ibid.*, pp. 158-9.

Gardiner's wriggling made little impression on Henry, who remarked to the Speaker of the House of Commons, "we think their answer will smally please you, for it seemeth to us very slender."<sup>43</sup> He also informed Convocation that their response to the Commons was not satisfactory concerning his "own particular interest, specially in that point that concerneth laws."<sup>44</sup> It seems that Gardiner, not satisfied with denting the King's pride in Convocation, also opposed the passage of a bill in the Lords which restricted these very powers of Convocation.<sup>45</sup> Archbishop Warham died within weeks of this affair and Michael Kelly surmised that in adopting such an attitude towards the King at this crucial time, Gardiner almost certainly lost himself the succession to St Augustine's throne.<sup>46</sup> In any case, the holding action to preserve the historic liberties of the English Church proved futile and on 16 May 1532, the southern Convocation was pressured into making a full submission to the King.<sup>47</sup>

The Bishop of Winchester, fully aware of the opprobrium with which he was viewed by his monarch, retired to his Episcopal manor at Esher. Gardiner was probably informed of the animosity towards him at Court by his friend, Edward Foxe, who, in an attempt to conceal the real reason for the bishop's absence from London, put about the story that he was suffering from gout.<sup>48</sup> However, despite the attempted deception, Chapuys was in no doubt that Gardiner was unwelcome at Court and that, in addition to opposing openly Henry's will, he was refusing to preach "in favour of the King".<sup>49</sup> In characteristic style, rather than simply riding out his period of disfavour, Gardiner took stock of the situation and wrote a letter to Henry. This letter, when read alongside Gardiner's Answer of the Ordinaries, gives an unparalleled glimpse into the man's thoughts on the relationship between Church and State in 1532. They reveal that at a time when Gardiner was prepared to act as Henry's primary advocate in his divorce, he was still unwilling to forgo the liberties of the Church. Gardiner was fully aware of the severe displeasure that he was bringing upon himself, yet he refused to be swayed from his position. He wrote that Papal authority

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<sup>43</sup> E. Hall, *Hall's Chronicle* (London, 1809), p. 788.

<sup>44</sup> Quoted in Muller, *Gardiner*, p. 47.

<sup>45</sup> See Chapuy's report to Charles V: *Letters & Papers*, V, pt. 1, no. 1013, p. 467. He wrote: "The Chancellor [i.e. Sir Thomas More] and the Bishops oppose him [i.e. the King]. He is very angry, especially with the Chancellor and the Bishop of Winchester, and is determined to carry the matter."

<sup>46</sup> M. Kelly, 'The Submission of the Clergy', *TRHS* 5<sup>th</sup> Ser. 15 (1965), pp. 97-119, at p. 111.

<sup>47</sup> Lehmborg, *Reformation Parliament*, p. 152.

<sup>48</sup> Muller, *Gardiner*, p. 48.

<sup>49</sup> *L&P*, V, pt. 1, no. 1058, p. 479.

was proven by books of “soo gret a numbre of learned men”, including Henry’s own *Assertio Septem Sacramentorum* of 1521 that it could not simply be thrown away by Convocation. In addition, he wrote of the legal autonomy of the clergy in Convocation:

if it be Goddes auctoritie to us allotted, thowe we cannot use it condignly, yet we cannot geve it awaye; and it is noo lesse daungier to the receyvour thenne to the geve...<sup>50</sup>

Gardiner tempered the rather blunt (though elegantly phrased) message by insisting to Henry that he would be “applyable to lerne the truthe” and that, should the King satisfactorily prove his position, “whenne I know that I knewe not, I shal thenne speke theraftre.”<sup>51</sup> Muller pointed out the “manliness, the vigour, the adroitness” of the letter: the bishop may well have known that he owed his position to Henry’s benevolence but he refused to be a sycophant in consequence.<sup>52</sup> Indeed, in a letter to the Duke of Somerset written after Henry’s death, Gardiner described the relationship that he had with the King:

When he gave me the bishoprik of Winchester, he sayd he had often squared with me, but he loved me never the worse; and for a token thereof gave me the bishoprike.<sup>53</sup>

Implicit in such a description is Gardiner’s own contention that he always spoke his mind to Henry, regardless of the possible outcome. Probably the most important consideration at this point is to realise that in Gardiner’s mind, Henry’s divorce from Katherine of Aragon and the doctrine of the Royal Supremacy were separate and distinct issues from each other. Glyn Redworth is, then, correct to point out that, whilst “Gardiner never got very far beyond seeing the divorce as a problem in canon law”, others, with Thomas Cranmer at their head, “were prepared to reconsider the fundamentals of their religion”, and not simply restrict their attention to the divorce question.<sup>54</sup> This alone explains Gardiner’s readiness to act for the King in the

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<sup>50</sup> Muller, *Letters*, p. 49.

<sup>51</sup> *Ibid.*, p. 49.

<sup>52</sup> So Gairdner, ‘Stephen Gardiner’, p. 174.

<sup>53</sup> Muller, *Letters*, no. 121, pp. 286-295, at p. 287.

<sup>54</sup> Redworth, *In Defence*, p. 39. Redworth also writes: “The political axis which would dominate the Court for the rest of Henry’s reign was already becoming apparent. Going far beyond an attachment either to Katherine or Anne Boleyn, courtiers were now having to signal how far they were prepared to go with reform of the Church.” At this stage, Gardiner was not comfortable with advancing an ecclesiastical reform which saw restricting the liberties of the Church as its primary aim.

divorce, but his utter refusal to condone Henry's intended appropriation of powers properly belonging to the Church.

So what changed Gardiner's mind? How did it come about that a man who had shown himself to be cautious over the historic liberties of the Church of which he was now a bishop could swing so violently in the opposite direction so quickly? This is a question to which nobody has yet supplied a sufficient answer. In the absence of any other evidence, most have pointed to the composition of *De vera obedientia* in 1535 as evidence that Gardiner had not changed his opinion, but had conformed to Henry's desires out of a combination of fear and ambition. However, a little-considered passage in William Palmer's satirical and libellous biographical poem on Gardiner may be the sole contemporary authority on the next stage in Gardiner's intellectual development towards the Royal Supremacy.<sup>55</sup> Palmer claimed that Henry sent Hugh Latimer to confer with Gardiner over the Royal Supremacy and that the two men spent some considerable time together in debate over the matter:

Yet for the faver to me he dide bere  
ffor that he wolde I shoulde not waed to far  
he sent to disspute withe me that matter  
wone that is callyde maister Latimere

But so longe together we dyde dispute  
I beynge no devyne but docter of lawe  
that easlye he dyde me cleane there confute  
ffor in devyne matters I was but rawe<sup>56</sup>

Having been defeated by Latimer's superior theological learning, he was then directed by the Privy Council to make public amends for his previous insolence towards the King:

And for to make a trew relatyone  
The counsell inyoynede me this penaunce  
At pollys crosse to make recantatyon  
And that thorowghly on my Alegeaunce.<sup>57</sup>

There is not, sadly, any corroborative evidence for Palmer's contentions, so this episode must stand or fall on Palmer's account alone. Should it be established that

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<sup>55</sup> P. Janelle, 'An unpublished poem on Stephen Gardiner', *BIHR* 6 (1928-9), pp. 12-25, 89-96, 167-174, at p. 20.

<sup>56</sup> *Ibid.*, p. 20.

<sup>57</sup> *Ibid.*, p. 20.

these events did happen, it would very surprising to find that nobody else recorded them, since they must have created a major stir at the time. This lack of independent evidence must count dramatically against the historicity of Palmer's claims. However, it is just as unlikely that Palmer would have narrated such events unless he had good evidence for them, since his readership would have been well aware if the author had been lying to them. Palmer may have made use of history merely as a tool with which to propagate his extreme religious ideas, but it would be difficult to accuse him of manufacturing history simply for that aim.

The possibility that Gardiner was genuinely converted to the Royal Supremacy in such a manner has not been considered in either of the two biographies of Gardiner's life but, as the editor of Palmer's poem, Pierre Janelle, wrote, "that such a change in his religious and intellectual life did in fact take place seems not unlikely."<sup>58</sup> Palmer gave no date for these alleged events; the narrative occurs between Gardiner's dissent over the Answer of the Ordinaries in 1532 and his embassy to France in 1535, but it seems sensible, given the slender evidence available, to tentatively date this interchange between Gardiner and Latimer to sometime during the first few months of 1534. Certainly by Lent of that year, Gardiner felt able to tell William Morris that "the primacy of the bishop of Rome began by the policy of man" and, not long after that, to formally renounce the Papal primacy.<sup>59</sup>

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<sup>58</sup> *Ibid.*, p. 15. Glyn Redworth describes Palmer's poem as "grossly exaggerated and sometimes absurd, yet it has proved remarkably accurate in circumstantial detail": Redworth, *In Defence*, p. 82, n. 44. Michael Riordan and Alec Ryrie also write, "As a historical account of Gardiner's life, this poem is not without value": M. Riordan and A. Ryrie, 'Stephen Gardiner and the making of a Protestant villain', (forthcoming), p. 4.

<sup>59</sup> See below, pp. 41-42; Gardiner took the oath renouncing his obedience to Rome on 10 February 1535. Muller acknowledged that "We have no contemporary record of his activities in the Parliament of 1534", during which anti-Papal measures were passed, but he pointed to Thomas Thirlby's testimony at Gardiner's trial to indicate that the latter had opposed all anti-Papal legislation until it was passed, at which point he acquiesced: Muller, *Gardiner*, p. 55; Cattley (ed.), *Foxe*, VI, p. 190. Should Thirlby have been correct, then it would be difficult to say that Gardiner decisively came over to the Royal Supremacy at that point. However, it is hard to know how reliable a witness Thirlby was for these events (Redworth calls Thirlby's testimony a "vague remembrance": *In Defence*, p. 59). Was Henry's desire for Gardiner to vote in favour of his anti-Papal legislation in the upcoming 1534 parliament the spur for sending Latimer? The answers to this, and many other questions surrounding William Palmer's claims are elusive at the present, and show no signs of becoming any clearer. For the present, Palmer's version of Gardiner's conversion is a useful theory to stand opposite the stock claim of Winchester's timeserving. It is unlikely that there will ever be a satisfactory resolution to this problem, though.

## Chapter 3:

### *The Beginnings of True Obedience*

Stephen Gardiner's conversion to the position described here as Erastian Catholicism cannot have been an easy experience for him – least of all since it seems to have been Hugh Latimer, the renegade Evangelical who had induced such a change of heart from him. Gardiner had been one of the bishops before whom Latimer had confessed “errors of discretion and doctrine” in Convocation only a matter of months before, and now he was lecturing his ecclesiastical superior on the proper understanding of the Royal Supremacy, and that at the behest of the King.<sup>1</sup> Gardiner was in many ways a proud man and had an acute sense of social hierarchy, which was probably a result of his rather humble origins. Being instructed by one whom he now (by virtue of his episcopal consecration) considered an inferior, and a heretic at that, must have been a humiliating experience for him.

Gardiner was known to be combative in debate, and his terrier wit and quick mind were dangerous adversaries. It can be assumed that he did not submit to Latimer's judgement on the Royal Supremacy lightly. William Parker believed that Gardiner was ‘confuted’ by Latimer's superior theological ability and this seems a reasonable explanation for Gardiner's conversion.<sup>2</sup> Though now a bishop, Gardiner's theology was nonetheless ‘raw’, to use Palmer's terminology, and Latimer (for all his sensationalist preaching style) was undoubtedly in possession of a subtle and able mind, well versed in theology. So whilst Gardiner was accustomed to prevailing in legal disputes, it would be some time before he would accrue sufficient acumen in Divinity to defeat so worthy a disputant as Latimer. Palmer went on to maintain that, upon Latimer getting the better of him in debate, Gardiner took the opportunity to study theology in some depth and so to rectify his weakness.<sup>3</sup>

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<sup>1</sup> Muller, *Gardiner*, pp. 52, 349, n. 20. See also A.G. Chester, *Hugh Latimer: Apostle to the English* (New York, 1978), pp. 76-78, 100-101.

<sup>2</sup> P. Janelle (ed.), ‘An unpublished poem on Stephen Gardiner’, *BIHR* 6 (1928-9), pp. 12-25, 89-96, 167-174, at p. 20.

<sup>3</sup> *Ibid.*, p. 20.

If Winchester's behaviour towards Anne Boleyn can be seen as indicative of his general attitude at the time, then it seems that he was doing everything he could to recoup some degree of favour in official circles. He had bought Sir Richard Weston's interest in the Royal Estate at Hanworth in 1530 and he now lavished the entire place on Boleyn, "in an attempt to retrieve his monumental error over the Supplication".<sup>4</sup> It was Gardiner who read out the patent which created Anne 'marquis' and 'marchioness' of Pembroke in her own right on 1 September 1532, and he who (along with the Bishop of London) supported Anne in her coronation procession.<sup>5</sup> But despite Gardiner's efforts to curry favour with the King, he was now deeply mistrusted and when he did appear at official occasions (as tradition dictated) he played largely ceremonial roles. Gardiner was now resolutely on the outside of the Government.

Those who doubt Gardiner's motives during this period in his life are offered the possibility of some justification for their position by the curious Papal indulgence granted to William Benet, the King's ambassador in Rome, on 20 August, 1533. This entitled Benet, the Archdeacon of Dorset, and four other named individuals (Stephen Gardiner, Edward Lee, Archbishop of York, Henry Courtenay, Marquis of Exeter, and William, Lord Sandes) the right to have Mass celebrated for them up to four times during their lives, even should their country be placed under an Apostolic interdict.<sup>6</sup> Opinions vary as to the significance of this document: some, including Muller and Janelle, believe that Gardiner was aware of the indulgence and had actively solicited it because he "had some apprehension that the Papal censures might become effective in England".<sup>7</sup>

This is, however, not the only explanation of events. The only contemporary record of this indulgence lies in the Vatican records, and (apart from his name appearing on the document) there is no evidence that Gardiner was ever aware of its existence.<sup>8</sup> The connection between the various men named in the indulgence may point towards its possible origins and functions. All four were prominent in Henry VIII's Court;

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<sup>4</sup> E.W. Ives, *Anne Boleyn* (Oxford, 1988), pp. 193-194.

<sup>5</sup> *Ibid.*, pp. 198, 223.

<sup>6</sup> See Muller, *Gardiner*, p. 349, n. 15; G. Redworth, *In Defence*, pp. 56-57; *L&P*, VI, App. 6.

<sup>7</sup> Muller, *Gardiner*, p. 349, n. 15; Janelle (ed.), *Obedience in Church and State*, p. xiii.

<sup>8</sup> Here following Redworth, *In Defence*, p. 57.

they were known to the Papacy as religious conservatives, though ones who were busy conforming themselves at least to the letter of Henry's religious settlement. It is possible that William Benet had enticed the indulgence from the Pope on behalf of these Englishmen, but if that was the case then he picked a rather peculiar collection of people to name on it. Though he would almost certainly have been familiar with them all, there is no immediate evidence to suggest that he was a particularly close friend of any of them. There is yet another – speculative – explanation of the events, and one that, to date, has not been given the consideration that it deserves.

The Pope issued the Bull of Excommunication against Henry on 11 July 1533, and he then issued the indulgence to Benet on 20 August, just about the time that Benet was recalled from Rome. It is entirely possible that, upon realising that the diplomatic situation between England and the Papal Court was moving rapidly towards its lowest ebb yet, the Pope himself initiated the moves towards the indulgence, unbeknownst to those named on it. Glyn Redworth introduces the first hints in this direction: "It may have been foisted upon Benet in a crude attempt by Rome to inspire a papalist interest in England."<sup>9</sup> Indeed, whilst the individuals selected make little sense should Benet have chosen them, they begin to have a coherence if we see them as having been selected by the Papacy: so far as Clement VII could determine, they were men who might, given sufficient encouragement, be enticed to rebel against Henry's new *status quo*. An indulgence excepting them from the full implications of Henry's insubordinate and schismatic religious innovations might, in Clement's eyes, have been enough encouragement. There was a second part to the indulgence which may go some way towards confirming this version of events: twelve other nobles were singled out for privileges, and Benet was given leave to name another twelve at his discretion. Could it not be the case that Benet's nominations were the price, at his stipulation, of carrying a potentially treasonous document back to England?<sup>10</sup> It is not known whether the Indulgence was ever public knowledge in England or whether any

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<sup>9</sup> *Ibid.*, p. 57.

<sup>10</sup> However, see the comment in C.D.C Armstrong, review of *In Defence of the Church Catholic: The Life of Stephen Gardiner* (Oxford, 1990), by G. Redworth, in *JEH* 44 (1993), pp. 311-313, at p. 311, that Clement VII granted several similar dispensations to other English ecclesiastics at about the same time. Armstrong assumes that *all* of those named on *all* of the dispensations sought them from Rome themselves. However, bearing the evidence of these extra dispensations in mind, is it not now even more plausible that the papacy alone was behind this wholesale attempt to bribe the conservatives into action against Henry?

consequences arose from it, but there is some evidence for the mistrust with which Gardiner was viewed at Court during his long sojourn in his diocese. It seems that, despite his protestations about his – apparently genuine – conformity (if not conversion) to the Royal Supremacy, Henry VIII still suspected his bishop of Winchester to be a covert supporter of the Papacy.

On 26 April 1535, the King wrote to Cromwell about Gardiner's involvement in procuring the conformity of Syon Abbey, saying that he,

having hard what the Bysshop off Wynchester hath doone in the hous of Syon, although he wold so set the same forth unto us as we myght have occasyon to thynke he hath doone truly as becommyth hym towardys us, yet havynge this fornone spokyn with Morres the Resceyvor ther, we may well perceive him to have ostentyd and bostyd hym to have doone more than in deede he hath...<sup>11</sup>

Though his communication with the King has not been preserved, it seems that Gardiner had been active in advertising his conformity to the Court, and even to Henry himself. His assertions were given little credit by the King, who opined that there was a “coloryd dowblenes ether to be in hym or in Morres, or in both.”<sup>12</sup> Morris' disinclination to give a direct answer to the “dyverse introgates by us to hym mynstryd” only spurred Henry in his attempt to learn the truth.<sup>13</sup> Consequently he delegated Cromwell “studyosly to examine hym, by whome ye shall perceyve dowblenes in the other, in hym, or bothe, the whiche being never so craftily handelyd”.<sup>14</sup> Fortuitously, Cromwell's interrogation of Morris is still extant, along with the answers from the Receiver of Syon, and from them we can tell that Henry's doubts about Gardiner's conformity were unfounded.<sup>15</sup> Morris informed Cromwell that as early as the previous Lent (i.e. 1534), Gardiner had shown him “that the primacy of the bishop of Rome began by the policy of man, and since then clerks have applied Scripture, to make it appear that the primacy had the beginning of God, which he thought could not be truly maintained.”<sup>16</sup> In interrogating Morris, Cromwell's questions were clearly directed at eliciting some evidence of disloyalty in

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<sup>11</sup> H. Ellis (ed.), *Original Letters Illustrative of Church History...* (2<sup>nd</sup> Ser., London, 1827), II, no. CXXI, pp. 85-85; *L&P*, VIII, no. 592, pp. 223-224.

<sup>12</sup> Ellis, *Original Letters*, p. 86.

<sup>13</sup> *Ibid.*, p. 86.

<sup>14</sup> *Ibid.*, p. 86.

<sup>15</sup> *L&P*, no. 592, p. 224.

<sup>16</sup> *Ibid.*, p. 224.

Gardiner and as a consequence, the answers give a fascinating insight into Gardiner's methods of justifying the Royal Supremacy in early 1534.<sup>17</sup>

Morris informed Cromwell that he had asked Gardiner to be more explicit about the true nature of the Papal primacy: he proposed that whether or not it was a human institution, it had been confirmed by a General Council of the Church, "to which the Holy Spirit is assistant" and was therefore a binding doctrine.<sup>18</sup> Gardiner gave him the intriguing answer that,

he thought the Act of Parliament discharged his conscience, and that of all the King's subjects; that a law was made by the Holy Ghost and the Apostles that no Christian man should eat of meat that was suffocate or bloody, but the contrary is now used without offence... Is of opinion that an Act of Parliament for the common wealth of the realm ought rather to be observed within the realm than any General Council. Thinks the Holy Ghost is as present at such an act as ever He was at any General Council.<sup>19</sup>

This was the first indication of the full extent of Gardiner's thought on the Royal Supremacy and it was remarkably developed, even at this relatively early stage. Between late 1532 and early 1534, Gardiner had changed from being a supporter of the Church's historic liberties to a position in which he could describe the Holy Spirit as being as fully present at an English Act of Parliament as at a General Council of the Catholic Church. Not only that, but where there was a conflict between the two, it must be the English legislation that should take precedence within the realm of England. Gardiner's high view of English legislation was startlingly similar to the position of the noted Tudor legal theorist, Christopher St. German who, in 1531, made a series of additions to his already popular tract, *Doctor and Student*.<sup>20</sup> In these additions, St. German confronted what soon became the key question of the Royal Supremacy, upon which its immediate success or failure as a plausible ideology hung:

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<sup>17</sup> The reader ought to be aware that Gardiner's words had been interpreted first by Morris and then by Cromwell before being written down and are thus slightly divorced from their original context. However, they bear every evidence of being a reliable source for Gardiner's opinions at the time.

<sup>18</sup> *L&P*, p. 224.

<sup>19</sup> *Ibid.*, p. 224.

<sup>20</sup> C. St. German, *A Dialogue betwixt a Doctor of Divinity and a Student in the Laws of England, of the Grounds of the said Laws and of Conscience* (London, 1531). The best modern edition is T.F.T. Plucknett & J.L. Barton (eds.), *Doctor and Student* (London, 1974). For an introduction to the thought of St. German, see F. Le Van Baumer, 'Christopher St. German: The Political Philosophy of a Tudor Lawyer', *The American Historical Review* 42 (1937), pp. 631-651.

just what power did Parliament hold concerning spiritual jurisdiction?<sup>21</sup> St. German wrote,

statutes be for ordrynge of temporall thinges and to for se that the kinges subiectes shulde nat be charged, but as the parlyament shulde thinke expedient for the welthe of the realme, and therefore they are to be obserued in lawe and conscience.<sup>22</sup>

Eric Ives characterises the central thesis of the additions to *Doctor and Student* thus:

A statute binds all men because all have assented to it, the Lords directly and the Commons through their representatives. It can, therefore, properly regulate all the actions of the Church which belong to the temporal sphere, prescription or no.<sup>23</sup>

The parallels between this and the view that Gardiner apparently expounded to Morris immediately become clear and it seems possible to contend that Gardiner must have been taking St. German's legal philosophy as the root of his considerations at this point.<sup>24</sup> However, Gardiner's view of the action of the Holy Spirit upon English parliamentary legislation was, to the best of current knowledge, a unique one and not replicated at any other point either in the history of political thought in England, or indeed in the history of the Catholic Church. It was certainly not to be found in St. German's writings, which concentrated on parliament's right to legislate on matters relating to the discipline of the Church. However, perhaps this very fact was the clue to its appearance here: Christopher St. German was a secular lawyer and a political philosopher. He was really only interested in the authority of the Church in so far as it conflicted with the authority of the English State, and thus when Gardiner read his works, he found a doctrine of Parliamentary sovereignty over the Church, but one which lacked any discussion of the consequences on the Church of such a position. As a bishop of the Church and a canon, as well as a civil, lawyer, he would have found St. German's position untenable until the ecclesiological implications of the belief had been thoroughly worked out.

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<sup>21</sup> See the discussion of this text in Ives, *Anne Boleyn*, pp. 184-5.

<sup>22</sup> Plucknett & Barton (eds.), *Doctor and Student*, p. 319.

<sup>23</sup> Ives, *Anne Boleyn*, p. 185;

<sup>24</sup> Unfortunately, no study has been made in English of the relationship between Gardiner and St. German or of the latter's influence on the bishop. Consequently, any conclusions drawn here must be tentative and wait upon future research. However, for a general discussion of the King and the place of a General Council, see F. Le Van Baumer, *The Early Tudor Theory of Kingship* (New York, 1966), pp. 49-56.

It is more than possible that Gardiner approached St. German's philosophy thus: he accepted Parliament's right to legislate where it would and that its Acts were binding on Englishmen. He also believed that General Councils of the Church were guided by the Holy Spirit, and that, by virtue of this fact alone, their determinations were equally binding on Christians. Faced with this dilemma of obedience, what possible means could be found to justify St. German's theory of the primacy of English law upon Englishmen? One possible solution would be to ascribe the same action of the Holy Spirit on English legislation as on General Councils of the Church, thus imbuing it with the same coercive force, and only when seen in this light does Gardiner's extraordinary statement begin to make any real sense within its historical context.<sup>25</sup> That given, without further evidence which would enable one to assess Gardiner's theory, and without recourse to a more precise indication of its ideological roots, one must feel compelled to regard it as rather an idiosyncratic position. One wonders just quite how much thought the bishop expended on it, both before and after his discussion with Morris. Equally as mystifying as its sudden entry into Gardiner's rationale for the Royal Supremacy was its disappearance by the time he wrote *De vera obedientia* – his most carefully crafted defence of the doctrine – in which it did not appear at all.<sup>26</sup>

The incident at Syon was not the last time that Cromwell had reason to mistrust the Bishop of Winchester's judgement about a monastic house. In the summer of 1535, Gardiner and Sir William Fitzwilliam were sent to visit Chertsey Abbey in Hampshire, and which fell within the Diocese of Winchester, and assess its state. It seems that they returned a report of '*omnia bene*' to Cromwell, but that was definitely not what was expected or required of them. On 29 September of the same year, Thomas Legh, a minion of Cromwell's sent a letter to his master which pointedly began,

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<sup>25</sup> Note that Gardiner's interest in the superiority of English legislation over the canons of Councils of the Church predated that of any of his contemporaries. Franklin Le Van Baumer dated developments in this vein to no earlier than 1536, after Pope Paul III had called the Council of Mantua: "The possibility of a general council was no longer remote, and the Henrician apologists had to muster their forces accordingly." *Ibid.*, p. 50.

<sup>26</sup> For brief descriptions of the events described above, see Muller, *Gardiner*, pp. 57-58; Redworth, *In Defence*, p. 64.

Whereas of late the king sent my lord of Winchester and Mr. Treasurer [Fitzwilliam] to see the order of Chertsey Abbey, and they reported all was well, *you will know somewhat more by the "compertes" which I send.*<sup>27</sup>

Legh was notorious for his hatred of the religious orders, and his visitation of Rievaulx in 1533 notably led to the resignation of its abbot.<sup>28</sup> His visitation of the diocese of Worcester in 1535 was just as unpleasant – a visitation from which he made a considerable amount of money and one which occasioned several complaints about his conduct.<sup>29</sup> Indeed, the reader senses Legh's glee in reporting to Cromwell, "At Merton Abbey I dismissed two canons; ten more would have been dismissed, but I would not consent till I knew your pleasure, for then only eight would have been left."<sup>30</sup> Legh's evidence of misdoings at Chertsey centred mostly on alleged incidents of sexual misconduct (*viz.* "incontinentes", "incontinentes et sodomitae", "patientes sodomiticum"), but he also referred to two aspects of spiritual life at the Abbey which he found particularly distasteful. He spoke of an "image of St. Faith" before which a candle was lit "on behalf of sick persons", and reported that it was believed that if the candle was not extinguished until it was "consumed" then the sick person would recover; however, if the candle were to be snuffed then the person would die. He also reported that the monks had a relic "as they say" of the arm bone of St. Blaise, through which wine was administered to the sick.<sup>31</sup> It seems ill advised to question the facts of Legh's report, but what is interesting is that Gardiner and Fitzwilliam had left these supposed 'abuses' unchecked. This fact highlights a fundamentally different mindset between the conservative Bishop of Winchester and the reform-minded Cromwell *protégé*, Legh. To Gardiner at this point, the practical application of such time-honoured ceremonies was probably an unexceptional part of the fabric of daily life for an abbey like Chertsey, but for Legh they were woeful examples of abuse and symptomatic of the wider corruption inherent in the English Church. Despite Gardiner's avowal of the Royal Supremacy, he had not altered his concept of religious devotion one jot.

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<sup>27</sup> *Ibid.*, IX, no. 472, pp. 154-5, at p. 154 (My emphasis).

<sup>28</sup> *Ibid.*, VI, no. 985, p. 425, no. 1513, pp. 612-613

<sup>29</sup> *Ibid.*, IX, no. 497, pp. 161-162, no. 139, p. 39; cf. *DNB*, XI, *sub* 'Legh, Sir Tomas', pp. 861-862 for details of his life and career.

<sup>30</sup> *L&P*, IX, no. 472, p. 154.

<sup>31</sup> *Ibid.*, p. 155.

Stephen Gardiner had good grounds to be rather disappointed that the nature of his conformity was being called into question so frequently, since there was little more that he could be expected to do to prove it. On 10 February 1535, Gardiner attached his signature and seal to his oath renouncing the Pope. He was the first of the bishops to assent to Henry VIII's fiat, and he did so on the very same day as the archbishops of Canterbury and York.<sup>32</sup> The oath declared the human origins of the Papacy and drew attention to the usurpation by which the bishops of Rome came to be seen as the 'supreme bishop' in language deeply resonant of that used in Henry's Proclamation against the Pope issued in the same year.<sup>33</sup> Interestingly, the English bishops swore that they understood the Pope to be no more than a "fellow bishop", which raised an issue of the exact nature of episcopal hierarchy that would become increasingly important as the year drew on.<sup>34</sup>

At no point did the oath against the Pope break new doctrinal grounds: it was very consciously restricted to renouncing the Pope's authority over the English Church and can be seen as the first major result of Parliament's recently defined ability to legislate on spiritual matters. Indeed, the contents of the document cannot have been a surprise to those who were required to assent to it: it included nothing they had not already passed in Convocation in 1531.<sup>35</sup> Nothing, that is, other than the omission of the limiting formula regarding Henry's supremacy over his Church, "*quantum per legem Dei licet*" (i.e. "insofar as the law of God allows").<sup>36</sup> Whether or not Gardiner had had any qualms about accepting the Royal Supremacy without this phrase in 1531, from all available evidence it seems that by 1535, he had accepted that the law of God definitely allowed Henry's mastership of the Church of England.<sup>37</sup>

Once Gardiner, in common with his fellow bishops, had accepted the fact of the Royal Supremacy, it remained to be seen just how it was going to function in practice and, at least initially, this meant testing it. The proposed metropolitanical visitation of 1535

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<sup>32</sup> For Gardiner's oath, see *L&P*, VIII, no. 190, p. 74; Foxe, V, pp. 71-72.

<sup>33</sup> For the latter document, see *Ibid.*, V, pp. 69-71.

<sup>34</sup> *Ibid.*, p. 72.

<sup>35</sup> Muller, *Gardiner*, p. 57.

<sup>36</sup> See above, p. 31.

<sup>37</sup> Muller, *Gardiner*, p. 57.

provided the first real opportunity for such a move.<sup>38</sup> There can be no doubting the extent of opposition to the visitation – several of the bishops threw their whole weight into trying to avert its encroachment into their dioceses.<sup>39</sup> Considerations of expense, inconvenience, and a certain degree of pride were certainly never far from the mind of Stephen Gardiner as he attempted to halt the proceedings: the Diocese of Winchester had been visited by Archbishop Warham less than five years beforehand, reason enough to resent a further one. There is little doubt that his clergy supported him in his efforts against Cranmer, as visitations were expensive, inconvenient, and potentially rather uncomfortable experiences for them too.<sup>40</sup> Gardiner's objections to Cranmer's visitation centred on the archbishop's title of *Totius Angliae Primus* (i.e. Primate of All England), which was given in accordance with the See of Canterbury's legatine status.<sup>41</sup> Gardiner, quite logically, argued that having dispensed with the Pope, it made no sense for Cranmer to keep Papal titles and even go so far as to exercise powers which had no authority save that of the Roman Pontiff's.

A.F. Pollard suggested that Gardiner objected so strenuously to the visitation "in his zeal for the Royal Supremacy", and Glyn Redworth follows in the same line of thought, characterising Winchester's actions as "an attempt to ingratiate himself with the king [which] backfired disastrously."<sup>42</sup> It is, however, more probable that Margaret Bowker has analysed this complex situation correctly when she writes that the conservative bishops who opposed the visitation did so because they had "seized on the metropolitan visitation as a means of forcing the king and his ministers to clarify the position over spiritual jurisdiction, the cornerstone of which was the jurisdiction of Canterbury".<sup>43</sup> In protesting over Cranmer's title, Gardiner and the other conservative bishops, to whom such things mattered enormously, were testing the

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<sup>38</sup> For the details of this event, M. Bowker, 'The Supremacy and the Episcopate: The Struggle for Control, 1534-1540', *HJ* 18 (1975), pp. 227-243, is invaluable.

<sup>39</sup> E.g. the bishops of London, Lincoln, Exeter, Norwich, and Winchester. *Ibid.*, pp. 230-231.

<sup>40</sup> Muller, *Gardiner*, pp. 58-59. A.F. Pollard, *Thomas Cranmer and the English Reformation* (London, 1906), pp. 94-95, wrote, "Personal jealousy embittered the quarrel; probably both Gardiner of Winchester and Stokesley of London considered that they had better claims than Cranmer to sit in Augustine's chair; and they were naturally disposed to resent his [Cranmer's] visitation, because their own sympathies were conservative and the Archbishop's were in favour of change".

<sup>41</sup> See *ODCC*, sub 'Legate', pp. 963-964. Cranmer became a 'Legatus Natus' to the English King upon becoming Archbishop of Canterbury.

<sup>42</sup> Pollard, *Cranmer*, p. 95; Redworth, *In Defence*, p. 63.

<sup>43</sup> Bowker, 'Supremacy and Episcopate', p. 233.

Royal Supremacy. In order to give the doctrine their support, they had to be sure of its full implications for the English Church.

Thomas Cranmer accused Gardiner of endeavouring to “not so much tender the King’s cause as his own, in complaining of the visitation”, but in Gardiner’s robust appraisal of the situation, it was evident that he had a deep concern for the implications of Cranmer’s authority.<sup>44</sup> Cranmer’s defensive protest that he “doubts not that the bishops of England would gladly have had the archbishop’s authority and title taken away, that they might have been equal together” did not do justice to Gardiner’s proposals for a restructuring of the English episcopate.<sup>45</sup> Indeed, as Bowker suggests, “Ultimately it was from the protest of Longland and some of his fellow bishops [about the visitation] that the vicegerency was born and with it a new basis for episcopal authority”.<sup>46</sup> In fact, the suggestion for a Vicegerent in Spirituals can be found first in the pages of Gardiner’s papers. In a letter to Cranmer on the eve of the visitation, Winchester wrote:

No archbishop can exercise his authority without implying that he is a legate of the See of Rome. It would be better for the King to give like authority to some other, by special commission, that it may be known certainly to come from his grace.<sup>47</sup>

Gardiner was here suggesting a radical alteration in the hierarchy of the Church towards a model not previously found in the Western Church. Gardiner may have believed that the Royal Supremacy was best guided by a strong College of Bishops, all with equal jurisdiction and autonomy within their own dioceses, probably with the See of Canterbury retaining a position of *primus inter pares* (i.e. ‘first-among-equals’). The fact that the Vicegerency in Spirituals was created in precisely the way that Gardiner suggested only a short while after he wrote his letter to Cranmer suggests that the development was in no small way initiated by the acute mind of the Bishop of Winchester and his desire to find an intellectually satisfying, yet orthodox, method of ordering the Church after its jurisdictional separation from Rome. All of Gardiner’s suggestions and criticisms of the Royal Supremacy during this period were indicative of a mind that was still coming to terms with the full implications of the

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<sup>44</sup> *L&P*, VIII, no. 704, pp. 263-264, no. 705, pp. 264-265.

<sup>45</sup> *Ibid.*, p. 263.

<sup>46</sup> Bowker, ‘Supremacy and Episcopate’, p. 231.

<sup>47</sup> *L&P*, VIII, no. 705, p. 264.

enforcement of the Royal Supremacy. Unfortunately, in the highly sensitive and charged atmosphere of the Henrician Court, his endless deliberation merely appeared to be prevarication. Something more was to be demanded of the bishop before he could regain his place at the centre of Court life: he would be required to write a public defence of the Royal Supremacy.

## Chapter 4:

### *The See of Rome*

It is a fact often noted that the Henrician propaganda machine was sustained by polemics written by the conservative wing of the Church.<sup>1</sup> In his classic treatment of the “full-scale propaganda campaign” under the organisation of Thomas Cromwell, G.R. Elton claims that to qualify for inclusion in the canon of ‘official’ polemic, a work must of necessity be a published book:

The campaign consisted of *publishing* books and pamphlets, not just of writing them; unless a manuscript bears directly on a published work or clearly formed an early stage of intended publication, it cannot be used to describe the government’s organisation of their appeal to the world to believe in the justice of their proceedings.<sup>2</sup>

In this case, Gardiner’s early attempt to put into writing his support for Henry’s religious proceedings cannot be counted among this collection. He wrote the untitled tract, which has become known as *Si sedes illa* after its first few words, in the week between 19 September and 26 September 1535 and it remained in manuscript until it was belatedly published last century.<sup>3</sup> Theories abound as to why it was never published at the time; Pierre Janelle posited, “it may have been meant, at one time, to disseminate copies of *Si sedes illa*, in its English garb, among the popular classes, according to Protestant practice, but this does not seem ever to have been done.”<sup>4</sup> Perhaps the most immediately obvious reason is because Gardiner’s contemporaneous work, the lauded *De vera obedientia*, was completed and published to great acclaim at the same time, and it was considered superfluous to circulate the two tracts at the same time. That said, to discount *Si sedes illa* from the corpus of ‘official’

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<sup>1</sup> See, for example, P. O’Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), p. 14. O’Grady suggests that this was because the King mistrusted the conformity of his conservative bishops and required an indelible statement – in print – to the effect that they supported his claim to the Royal Ecclesiastical Supremacy.

<sup>2</sup> G.R. Elton, *Policy and Police: The Enforcement of the Reformation in the Age of Thomas Cromwell* (Cambridge, 1972), p. 172. See Chapter 4, ‘Propaganda’, for a discussion of Cromwell’s organisation of this practice. Elton’s emphasis.

<sup>3</sup> For the dating, see Muller, *Letters*, pp. 68-69. For the text of the treatise, see Janelle (ed.), *Obedience in Church and State*, pp. 22-65. Although it is now accepted that, whilst *Si sedes illa* and *De vera obedientia* were written at the same time, the latter tract was completed first. However, since *Si sedes illa* has remained the more minor of the two, and neatly introduces some of the concerns in the more systematic *De vera obedientia*, it will be considered first in this thesis.

<sup>4</sup> Janelle (ed.), *Obedience in Church and State*, p. xxiii. The tract was originally written in Latin, but was translated into English by a contemporary hand. See *ibid.*, p. xxii.

propaganda merely because it remained in manuscript makes little sense. Gardiner wrote to Cromwell on 26 September 1535, saying,

I sende unto youe by this berer myn answer to the brief, *according to your letters*; which answer, if I might have had with me this night, I had entended to have polyted and clensted it, as I have alreedy doon my oration...<sup>5</sup>

The very clear implication of Gardiner's words was that Cromwell had commissioned him to write a paper refuting the Papal brief to Francis I of France, this brief claiming to have deprived Henry VIII of his kingdom. Surely a commission from the King's Principal Secretary to write a piece of polemic for the Government must constitute an invitation to write 'official' propaganda.

Whether or not Gardiner's finished work can be called 'official' or not, it was certainly an accurate summary of the opinions at Court at the time of its composition. *Si sedes illa* had a double target: to refute the Papal deprivation of Henry VIII and to discredit posthumously John Fisher, former Bishop of Rochester, and newly created Cardinal. This last purpose in writing has earned Gardiner's work the dubious accolade of attracting interest – all of it negative. The modern view of Fisher is as a benevolent humanist, as a man who made a principled stand for a cause he believed in (*viz.* protecting the otherwise defenceless Queen Katherine from Henry's intended divorce) and as a man who ultimately went to the block for his attachment to the doctrine of the Papacy.<sup>6</sup> Henry VIII by no means shared this view of a saintly and scholarly man; to the King, Fisher was a traitor and a symbol of Papal interference in his Royal prerogative, and to make matters worse, the Pope had created him a Cardinal for his insubordination. In terms of political propaganda, as Pierre Janelle has surmised, "It was necessary to parry the blow, if not to counter-attack, and Gardiner was selected for the purpose", and it is now claimed that his efforts did him no credit.<sup>7</sup>

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<sup>5</sup> Muller (ed.), *Letters*, no. 51, pp. 67-68 (my italics).

<sup>6</sup> See, for instance, R. Rex, *The Theology of John Fisher* (Cambridge, 1991), *passim*; B. Bradshaw & E. Duffy (eds.), *Humanism, Reform and the Reformation: The Career of Bishop John Fisher* (Cambridge, 1989), *passim*.

<sup>7</sup> Janelle (ed.), *Obedience in Church and State*, p. xxi. Janelle characterised *Si sedes illa* as a "vile, hypocritical attack upon his old chancellor", p. xvii.

Muller suggested that composing *Si sedes illa* “may not have been an altogether pleasant task” for Gardiner.<sup>8</sup> One may be sure that whatever else it was, it was a test for Gardiner: Henry and Cromwell were finally giving him the opportunity to redeem himself from the fiasco over the Answer of the Clergy.<sup>9</sup> The reader may cautiously agree with Glyn Redworth in his supposition that “Gardiner could have wasted much ink with a character-assassination of the bishop-cardinal. Rather, Gardiner chose to highlight the pope’s errors of fact”, and however unattractive some commentators find this piece, they may rest assured that it could have been much worse.<sup>10</sup>

The tract began with a denunciation of the See of Rome, which had not “shewed in hir acts and deds (so ferre as we can remembre) anye apparence of holyness”, and consequently its attacks on the ‘integrity’, ‘good name’, and ‘fame’ of Henry VIII were worthless.<sup>11</sup> Gardiner continued, rather mixing his metaphors, accusing the Roman See of inconstancy – being that “which hath no seatt in any stedfastness of trothe, butt beyng buyldyd vppon the sande, is mouyng now here now ther as the wynde bloeth.”<sup>12</sup> Not only was it fickle in its interpretation of ‘trothe’, but it also turned the whole concept of Christian truth on its head; it

geuyth contrarye names to euery thing, so thatt it make for hir purpose callith the good men euyll men, and the euyll good... for (she saith,) for god; for the catholike religion, for iustice, for the trothe, the most holye man dyed, as though it war for god, to contrary his prince beyng the vicar of god, for the catholike religion, nott to geve suche obedience as thatt same religion requiryth, and asthough it war for Justice to break the lawes lawfully promulgate, and finally asthough it war for the troth, to repugne agaynst the troth.<sup>13</sup>

The long defence of Fisher’s execution can ultimately be condensed into Gardiner’s single sentence: “And wher as Rochester hath so ferre offendyd in all the [above] premises that by the lawes he ought to die.”<sup>14</sup> As Muller commented, “he had the lawyer’s consolation that that Fisher had been found guilty according to law”.<sup>15</sup>

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<sup>8</sup> Muller, *Gardiner*, p. 60.

<sup>9</sup> See above, p. 33.

<sup>10</sup> Redworth, *In Defence*, p. 70.

<sup>11</sup> Janelle (ed.), *Obedience in Church and State*, p. 23.

<sup>12</sup> *Ibid.*, p. 25.

<sup>13</sup> *Ibid.*, p. 31.

<sup>14</sup> *Ibid.*, p. 31.

<sup>15</sup> Muller, *Gardiner*, p. 60.

In a relatively short and pithy work, perhaps the most successful, if least creditable, rhetorical technique that Gardiner employed was to make the dead Cardinal Fisher speak through his pages.<sup>16</sup> Rochester was posthumously made to address the Roman Pontiff,

I haue bestowed my felicitie in tyme past in the defense of the, and thow to the contrary hast abusyd my miserye, to thy own pleasure, for thow didest lode me with that odious title of a cardinall, att such tyme, as nott only the prison, but my offensis also, had taken all honor from me...<sup>17</sup>

Such a reading of the circumstances of Fisher's death would certainly have been congenial to Henry VIII, who famously said that he would send Fisher's head to Rome to collect his Cardinal's hat. It was evidently not a fair representation of how Fisher "might" have addressed his Holy Father and consequently Gardiner left himself open to accusations of bad faith. However, in composing this treatise, he was exercising the arts of a government apologist and a polemical author and the overall effect of this section was dramatic and memorable – which was surely its author's primary intention.

Stephen Gardiner's interpretation of his fellow bishop's death cast an interesting light on his understanding of the crime of treason. He wrote, "The churche is heylyd, and nott woundyd, by the deth of a trayter", which appears to equate a traitor's death, through which the State rids itself of a malignant subject, with the death of a heretic, by which one might legitimately say that the Church is 'heylyd'.<sup>18</sup> It is apparent that even at this early stage, Gardiner believed that Church and State were self-evidently united and even indivisible (at least so far as the Church within England was concerned) and that the death of a traitor had precisely the same effect as the death of a heretic.<sup>19</sup>

Gardiner was determined to prove that despite the separation from the Church of Rome there had been no schism from the Catholic and Apostolic order of the Universal Church, but merely a reformation (in the true sense of the word) in one part

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<sup>16</sup> Janelle (ed.), *Obedience in Church and State*, pp. 47, 49.

<sup>17</sup> *Ibid.*, p. 47.

<sup>18</sup> *Ibid.*, p. 31.

<sup>19</sup> It is interesting to note that, the burning of Friar Forest aside, all of the Catholic martyrs during the reigns of Henry VIII and Edward VI were executed for the crime of treason rather than the sin of heresy. For the circumstances of Forest's death, see P. Marshall, 'Papist as Heretic: The Burning of John Forest, 1538', *HJ* 41 (1998), pp. 351-374.

of that Church. In writing *Si sedes illa*, Stephen Gardiner was given the opportunity to air two of his known concerns: the apostasy of the Church of Rome and the essential Catholicity of the Church of England. In a strong polemical passage, he wrote,

And so they [i.e. the See of Rome] cast to ovr tethe heresy, they obiecte schismes, thei cast the separation from the vniuersall church... it is no lesse honestye to be blamyd, of euyll men, then to bee praisyd of good men, I pray god further vs in thatt christian relligion, which he [the Pope] callith heresy, by which name suche gentiles, and godless men, as these bee, haue euer misnamyd the profession of christe, God hath disseueryd from vs thatt see, which of long tyme dyd troble vs, the whiche schisme I beseech his goodness it may continue for euer...<sup>20</sup>

Winchester used the very English device of irony to convey his disdain for the Papacy, frequently referring to it as “this holy see”, but the reader is given some indication that the tapestry of belief lying behind this invective is firmly Catholic.<sup>21</sup>

In a passage on the nature of the Church and its office, Gardiner wrote,

as for any separation from the vniuersall church, we know none, ne euer meanyd any suche, butt wee knowlegynng Christe, the first begotten amonge many brothern, desire to be receuyd in to that noombre, by his grace, and to be fed norishyd and conteyned within the vniuersall church, withowte the whiche ther is no remission of synnes...<sup>22</sup>

This unnecessary inclusion bears the hallmarks of an afterthought, and perhaps Gardiner included it to advertise his own doctrinal orthodoxy. That given, one should not assume that Gardiner wanted to be seen as a benign commentator on the faults of the See of Rome; he warned that, though Rome believed that the Lutherans have exhausted criticism of that See,

Ther bee [more] forsoth, there bee, many thyngs more, And thatt affrike full of poyson, and baren of all goodness (I mean the see of Rome) bringyth fowrth all ways soom nue monstres, which maye geue sufficient argument to speke euyll...<sup>23</sup>

Though Gardiner left it unsaid, it might be thought that these “nue monstres” were those errors of judgement such as the Papal Brief to Francis I and not (as one might otherwise assume from the preceding reference to Lutheranism) doctrinal errors.<sup>24</sup> He

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<sup>20</sup> Janelle (ed.), *Obedience in Church and State*, pp. 35, 37.

<sup>21</sup> See, for example, *ibid.*, p. 37.

<sup>22</sup> *Ibid.*, p. 37. Such an emphasis on the Church’s ability to forgive the sins of the penitent would be anathema to those of Reformed opinions and it goes some way to demonstrate that Gardiner was not attempting to “fudge” the issue in some compromise with the Protestants.

<sup>23</sup> *Ibid.*, p. 37.

<sup>24</sup> For the text of the Brief to the French King, see Janelle (ed.), *Obedience in Church and State*, pp. 12-19.

continued, illustrating that “other lye” which was clearly uppermost in his mind at this point, the arrogant Roman assumption that Henry had ‘torn’ his realm “from the obedience of the Roman church to which it is tributary”.<sup>25</sup> Gardiner condescended to allow certain incontrovertible historical facts:

we denye nott, butt thatt the Realme of Englonde, hath gyven many thyngs to the Roman churche, it hath gyven annates, which neuer werre due, it hath gyven many yerly prestations, nott necessarye, it hath gyven the price of many lawes, whiche haue byn solde, and thatt onadvisydly, it hath giuen honor nott due, and finally it hath giuen suche and so many thyngs, thatt it now repentith the gifte of them...<sup>26</sup>

However, he was quick to put the best possible gloss on them and to discredit the pretensions of the Roman See at the same time:

now att the last, by the benignite of god, who hath gyven vs a better Jugement, wee are losyd, and made free, butt to call the realme tributary... as though it knolegyd the Roman churche, for its patrone, or as though it shulde sarue hir as a clyent, it is no light calumniation, the whiche as it towchith unworthily the state of the hole Realme, so it makyth manifest the craftye subiltie of those men...<sup>27</sup>

He sneered at the reliability of the “cronicles” in the Papal library, from which the Curia had attempted to prove England “tributary”, and challenged them to establish first the historicity of the Donation of Constantine before asserting their right to England.<sup>28</sup> He proclaimed that “this holy see, by hyr temerite, hath made all historyes suspect”, and implied that, although “in this cause [i.e. the Roman charges] ther is nothyng that standith”, the English application of history remained above reproof.<sup>29</sup>

Even at this early stage in a career as a polemicist which was to earn Gardiner a pan-European reputation as a dangerous and clever adversary, he displayed an enormous capacity for pointed accusations and strong rhetoric, but he saved his most able repartee for the conclusion of this determined work. He began the crucial passage by comparing the See of Rome to a whore who was acting “filthely” and who had become “verye shamefully degenerate from thatt olde holyness whiche was then lyvely in hir”.<sup>30</sup> This dramatic characterisation of the Roman Church as a prostitute was carried through, and Gardiner testified that “she hath openly exposid hir self to

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<sup>25</sup> *Ibid.*, p. 15.

<sup>26</sup> *Ibid.*, p. 39.

<sup>27</sup> *Ibid.*, p. 39.

<sup>28</sup> *Ibid.*, pp. 39, 41.

<sup>29</sup> *Ibid.*, pp. 43, 45. For an interesting example of history being used against Gardiner, see R. Pineas, ‘William Turner’s Use of Ecclesiastical History and his Controversy with Stephen Gardiner’, *Renaissance Quarterly* 33 (1980), pp. 599-608.

<sup>30</sup> Janelle (ed.), *Obedience in Church and State*, p. 63.

the getting of money and abandoned hir self to lyes".<sup>31</sup> All this was a far cry from the apostolic protestation from Rome, "*non enim quaero quae vestra sunt sed vos*" ("for I seek not what is yours but you").<sup>32</sup> He called the Pope's Brief to Francis I, "the last pagent of this tragicall comedie", which had built the drama to which he alluded to its highest point.<sup>33</sup> Although a long passage, it is worth quoting in full:

Of what importance the Judgment of this see, other of [Saint] Paulus, shuld be, it is easely perceuyd of these causes and antecedents, for if he bee an heretike which hath allwayes louyd and wurshippyd the religion of Christe and defendyd it save from heresie If he be a schismatike which hath allwayes desired and procured to his power, a full consent of the true doctrine in the churche of Christe, If he that studyeth to kepe his maieste ontowchid, and providith the traitor to bee punisshid for thintent, his maieste shuld not bee diminished haue hurte thatt feynyd maieste of the see of Rome (if thatt maieste, which is none, may be hurtyd) And finally if he which doth these things depriuith himself of his realme, wee shall haue only this to allege for vs, though paulus with his venerable brethren in thatt holye see haue juged truely, yett wee may say they juged onadvisydly in a nother man his matter, now seen thatt all is full of open lyes, no darke feynyngs, manifest excesse of words, and ferre wide from the gravite of any Jugements.<sup>34</sup>

Quite how Pope Paul had judged "truely" is a mystery to the modern reader and one wonders in what sense Gardiner used the word – it is a peculiar usage in an otherwise highly crafted passage. The reader gains the sense that these words would be at their strongest when delivered orally, and indeed one is struck here with Gardiner's full capabilities as an advocate at the Bar and understands just why he was chosen for the task of refuting the Papal Brief. The Bishop of Winchester was evidently at his literary best when writing this conclusion, and this elegant style lasted right to the memorable end of the piece, in which he seemed to forget his major purpose in writing – to condemn the dead Fisher as a traitor – and instead he gave the reader an inkling of his real motivations:

wee beyng grownded vppon the stedfast rock, fear nott the woords of the wyckyd, he thatt firmly tristyth in the help of the hyghest god, he shall delyuer vs from the snares of the hunters and from thatt sharpe worde, his truth shalbee a buclar to vs, the which trothe I pray he will cause may be knowen of all men. so thatt they may hate and deteste payntyng Jugglyng, and crafte. and thatt they may know paul, from paul, and put a difference betwen thatt pretendyd vicar of Christe, and Christ him self, so thatt wee, all embrasyng the syncere doctrine of Christ, may also expresse the same, in words, wrytyngs, maners, and doings, thatt wee may all be taken followers of paule, not papisticall, butt evangelicall, and that wee may so appere in the sight of god, which grawnteth vs to be made his soonnes by Jhesus Christe, and makith vs by the profession of his name in baptisme, to bee concluded and conteyned in the vniuersall churche of Christ and to glorye in the same to whom be honor for euer.<sup>35</sup>

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<sup>31</sup> *Ibid.*, p. 63.

<sup>32</sup> 2 Cor. 12:14, from the Vulgate (English translation from RSV).

<sup>33</sup> Janelle (ed.), *Obedience in Church and State*, p. 63.

<sup>34</sup> *Ibid.*, pp. 63, 65.

<sup>35</sup> *Ibid.*, p. 65.

The reader might think that the use of the interesting phrase “payntyng Jugglyng, and crafte” was a radical Protestant interpretation of Gardiner’s more moderate Latin, but he would be wrong. In fact it is a faithful rendering of the original “*fucos prestigia et artes*”.<sup>36</sup> The strong overtones of magic twinned with duplicity meant that words such as these were readily taken into the Protestant vocabulary to denigrate Catholic institutions like the Mass, but at the time Gardiner wrote *Si sedes illa*, they were merely a very forceful criticism. The canon of Protestant vocabulary was by no means been fixed in England by 1535 and the modern reader must take care not to interpret Gardiner’s words in the light of later, more extreme, and systematic usage. Irreligion had, of course, been castigated in such terms throughout the medieval period; what was new in Gardiner’s usage was to associate irreligion and apostasy with the See of Rome.

*Si sedes illa* may be considered a very successful piece of Tudor polemic – it was forceful, dramatic and pithy, yet it remained substantially unused by the Government, at least to the best of modern knowledge. If it was a test of Gardiner’s conformity there can be no doubt but that he must have passed it. Chapuys recorded that until the Bishop of Winchester had been consulted about the Papal Brief to Francis I, the Court was in a state of some turmoil, and nobody knew quite how to respond.<sup>37</sup> Gardiner’s capable answer must have been a relief for those at Court, even if few people outside it were ever to read the document. In a sense, simply restoring confidence to a worried Court was an important outcome from *Si sedes illa*, and must have gone a long way towards Gardiner’s rehabilitation in England. However, by the time the tract was nearing completion, Winchester had already completed, “polyted and clensed” his “oration”, which was none other than his most celebrated work, *De vera obedientia*, the work of polemic above all others that “developed an ideological context for the Supremacy which was intellectually viable”.<sup>38</sup>

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<sup>36</sup> See below for Gardiner’s supposed use of Protestant vocabulary in *De vera obedientia*, pp. 60-61; Janelle (ed.), *Obedience in Church and State*, p. 68.

<sup>37</sup> *L&P*, IX, no. 594, p. 198. See Redworth, *In Defence*, pp. 68-69 for a discussion of these events. Redworth includes details in his account which the present author has not been able to verify.

<sup>38</sup> L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), p. 69.

## Chapter 5:

### *True Obedience At Last*

Some scholars, for whom Winchester's conversion to the Royal Supremacy was little more than timeserving and in no way sincere, are sceptical as to whether Gardiner could have undergone such a significant change of heart, such a notable perversion of his dearly held Catholic faith, quite so suddenly. They are disposed to find that the expansive justifications for his actions at the beginning of *De vera obedientia* ring hollow and propose that Gardiner's Erastian rhetoric was a mask for an unaltered papal Catholicism. Depending on their predilections, they either see this state of affairs as a duplicitous attempt to shirk the consequences of an illegal faith, or as the only means possible of remaining a notional Catholic and staying alive. Pierre Janelle was symptomatic of a school when he wrote, "there is good reason to doubt the sincerity of some at least of Gardiner's assertions".<sup>1</sup> Popular opinion of *De vera obedientia* has been routinely negative and few are prepared to believe that Gardiner was being frank in his opinions in writing it.

Such an accusation is not original, and was promulgated by William Palmer in 1547.<sup>2</sup> Palmer put into Gardiner's mouth the following words in a mock address to the Pope:

Now to blynde the kinge was my next pretence  
that after my wayes I might hym lede  
I made a boke namymde [*sic*] true obedience  
where in I provyde the kyng the supreme hed

Of ynglonde and Irelonde next under Christe  
but truly father yt was not in my harte  
ffor if the kyng the trouthe had ye wiste  
I had lost my hedde for pleyng that part...<sup>3</sup>

John Bale, the "foul-mouthed" Protestant, who was probably the original translator of *De vera obedientia*, addressed Gardiner in his marginalia offering the opinion that "by your double sayenges you are a double traitor and a very wethercocke"!<sup>4</sup> According to John Foxe, Gardiner was "a Lutheran, in his book 'De vera obedientia' ", but whilst

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<sup>1</sup> Janelle (ed.), *Obedience in Church and State*, p. xiv.

<sup>2</sup> *Idem*, 'An unpublished poem on Stephen Gardiner', *BIHR* 6 (1928-9), pp. 12-25, 89-96, 167-174, at p. 14.

<sup>3</sup> *Ibid.*, p. 22.

<sup>4</sup> *Idem*, *Obedience in Church and State*, p. 87.

accusing Gardiner of Lutheran doctrines, Foxe really suspected that Gardiner was a crypto-Papist throughout the 1530s, and that he eventually showed his true colours in the Marian revival.<sup>5</sup>

In his sympathetic portrayal of Gardiner written at the turn of the twentieth century, James Gairdner reacted against these unnecessarily cynical readings of *De vera obedientia*, writing that Gardiner must have “really felt” that his Erastian doctrine was justified.<sup>6</sup> This revolution in modern scholarship heralded a new appreciation of the work that was not so negative in tone. A.G. Dickens wrote in 1964 that one must come to the conclusion that “in 1535 Gardiner accepted the whole royalist position and really believed what he wrote.”<sup>7</sup> Lucy Wooding seems to accept Gardiner’s opinions at their face value, and instead ponders that “it is hard to tell how much of a shift in Catholic opinion was involved here.”<sup>8</sup> It is Wooding’s model that is most instructive for a revitalised awareness of Gardiner’s political and ecclesiastical theory: there is no external evidence to prove that the Bishop of Winchester was being disingenuous at this point in his life – indeed, he was the model of conformism – and consequently it is totally unsatisfactory to intrude an unverified presumption of hypocrisy into a reading of this text.<sup>9</sup> Rather than quibble about whether Gardiner meant what he wrote, it is now more appropriate to study the political and theological significance of his words.

Sceptics routinely point out that Gardiner’s occasionally overblown rhetoric in *De vera obedientia* detracts from an overall sense of sincerity. The bishop’s prose style has been the *locus* of a small degree of study and it has been alleged that, in a technique most obvious in this work, he frequently adopted evangelical terminology

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<sup>5</sup> Cattley (ed.), *Foxe*, V, p. 75, marginalia.

<sup>6</sup> J. Gairdner, ‘Stephen Gardiner’, in *Typical English Churchmen* (Series 2, Church Historical Society, vol. 78, London, 1909), pp. 167-190, at p. 176.

<sup>7</sup> A.G. Dickens, *The English Reformation* (London, 1964), p. 174.

<sup>8</sup> L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), p. 68. Glyn Redworth writes something similar: “In the early sixteenth century, it was hard to say how far one could alter traditional beliefs or practices before a breach with what was deemed Catholic was effected” Redworth, *In Defence*, p. 48. This point is unfairly criticised by C.D.C. Armstrong, review of *In Defence of the Church Catholic: The Life of Stephen Gardiner* (Oxford, 1990), by G. Redworth, in *JEH* 44 (1993), pp. 311-313, at p. 311. Contrary to Armstrong’s opinion, this is a very significant point, and one which has not been fully appreciated yet.

<sup>9</sup> For example, Gardiner had been actively preaching adherence to the Royal Supremacy, see Muller, *Letters*, no. 41, pp. 66-67.

to make his work more appealing to the Protestant faction both at home and abroad.<sup>10</sup>

Pierre Janelle commented,

The whole of *De vera obedientia* is sprinkled with expressions which are meant to deceive; they grant much in appearance, and in fact grant nothing at all.<sup>11</sup>

The reticence of modern scholarship about Gardiner's vocabulary means that, for the first time in over seventy years, this chapter will engage not only with the content of *De vera obedientia*, but also with the means of expression that Gardiner employed. Janelle did not believe that in aping allegedly Lutheran terminology, Gardiner was showing his true theological outlook. Quite the contrary. He believed that Winchester was playing to a threefold audience: the King, the English establishment – both civil and ecclesiastical, and domestic and foreign theologians – who, one assumes, were intended to be Protestant. Indeed, he wrote,

The clever way in which Gardiner adapted himself to his various audiences, is the best possible proof that his utterances are not to be taken at their face value. There can be no question of sincerity in his over-skillful imitation of Protestant phraseology.<sup>12</sup>

Janelle was firm in his belief that Stephen Gardiner was writing in bad faith in some attempt to lure Protestants, both foreign and domestic, into some sort of agreement with him. However, as seen above with *Si sedes illa*, Gardiner was happy to write unashamedly anti-Papal work which was crushing in its condemnation of the See of Rome, but which also located the emerging Church of England firmly within the bounds of Catholic orthodoxy. Against Janelle, there is an alternative and far less radical explanation for the tenor of Gardiner's work, and it is one that fits far more neatly with his lifelong concerns of doctrinal Catholicism twinned with civil conformity. It is quite plausible that Gardiner was employing that most Henrician of polemical techniques – literary ambiguity – when he composed *De vera obedientia*. Two observations stem from this hypothesis: first, that the inferences in Gardiner's use of language were not as extreme as Janelle imagined them to be; and secondly that he was not primarily writing to lure *others* to his position, but to locate *himself*

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<sup>10</sup> P. O'Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), p. 58.

<sup>11</sup> Janelle (ed.), *Obedience in Church and State*, p. liv.

<sup>12</sup> *Ibid.*, p. liv.

within the bounds of a religious settlement that was itself becoming ambiguous in its character.<sup>13</sup>

The first of Gardiner's supposed "concessions" to Lutheran doctrine was that he maintained that the King should approach the Divine "by faythe (which is the only meane to com to God...)"<sup>14</sup> Janelle conceded that "the words are in one sense perfectly orthodox", but was nonetheless convinced that "they suggest justification by faith alone". The late medieval Catholic understanding of the operation of faith and works was a good deal more complex than Janelle was prepared to allow here, and Gardiner's statement that one must *approach* God through faith was indeed perfectly orthodox. In common with contemporary Catholicism, Gardiner believed that the faith was expression of one's intellectual assent to the doctrines of the Church which, when conjoined with prevenient grace effected good works.<sup>15</sup> This whole tapestry was required for justification and nowhere did Gardiner maintain that faith *alone* is necessary for salvation. Indeed, such a belief was a lifelong anathema to him.<sup>16</sup>

Janelle developed his belief that Gardiner was using Lutheran concepts, and attempted to establish a semantic link between Winchester and the premier Lutheran in England at the time, William Tyndale. He proposed that Gardiner 'borrowed' the words "*obedientia vera, quae est hominis proprie christiani*" from the title of William Tyndale's seminal English Lutheran work, the *Obedience of a Christian Man* (1528).<sup>17</sup> If Gardiner's use of the phrase could be shown to be particularly remarkable in its context, then Janelle's point might be given some credence, but since Gardiner was writing a tract specifically on the duty of a Christian subject to obey his monarch, it is perhaps not surprising that there might be slight linguistic similarities to other works written in the same field. To make any more of the matter than that would be to read inferences into Gardiner's work that were simply not there. Janelle only produced this one phrase which, he claimed, suggested a textual link

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<sup>13</sup> So Muller, *Gardiner*, p. 62: "it could not have been with any great strain upon his conscience that, having accepted the royal supremacy, he found arguments in its favour. *Indeed, the book may well have been written quite as much to clarify his own opinions as to retain the good will of the King.*" (My emphasis).

<sup>14</sup> Janelle (ed.), *Obedience in Church and State*, p. 97.

<sup>15</sup> *ODCC*, sub 'Grace', pp. 697-698, and authorities cited there.

<sup>16</sup> *Ibid.*; cf. Muller, *Gardiner*, pp. 130-132 for a discussion of Gardiner's beliefs in relation to justification by faith; also see below, Chapter 8.

<sup>17</sup> Janelle (ed.), *Obedience in Church and State*, p. liv.

between Gardiner and Tyndale. Even should it be established that the *Obedience of the Christian Man* was a significant source for Gardiner, that fact by itself would not be sufficient to prove Janelle's point that Gardiner was deliberately echoing Lutheran language to wantonly encourage the Protestant factions at home or abroad.

From the most prominent English Lutheran, Janelle moved on to suggest that Gardiner was toying with the ideas of Martin Luther himself in his discussion of 'Gospel liberty'. Janelle's reading of the text allowed two interpretations of this key belief: either that Gardiner believed the gospel truth he lauded signified the rejection of the papacy and 'restoration' of a Royal Supremacy over the Church, or that the bishop was (disingenuously) appearing to promote the development of Lutheran beliefs and practices in England.<sup>18</sup> Janelle seemed genuinely shocked to report that Gardiner accused some clergy of "adulteries and worse crimes". He moaned, "Turner, Bale and Bucer were to speak no worse".<sup>19</sup> Janelle missed the point that Gardiner was ultimately a realist for whom a genuinely motivated *reform* of the Church – especially in matters of discipline – was a central preoccupation. Where he indicated abuses in the Church, he was not attacking the institution, but the unsatisfactory elements within it. Erasmus was to speak no better.

Included with Janelle's list of 'Protestant' ephemera that he found in *De vera obedientia*, one finds the suggestion that Gardiner "negligently flings into the discussion a few words from Scripture which Protestants had made their own, when he states that papal jurisdiction is 'according to the traditions of men'." Whilst the previous objections to Janelle's interpretation of this book have mostly been a question of emphasis and nuance, this last contention was nothing but a perverse and wilful misrepresentation of one of the central principles of this book and of Gardiner's entire political creed at that time. Janelle believed that "in using such words, or expressing the 'advowtry' of priests, Gardiner was merely playing a part, and one distasteful to himself".<sup>20</sup> However, as has been seen above, the canon of Protestant phraseology was hardly concrete and the boundary between the language of a Christian Humanist with a reforming bent and an Evangelically-minded Protestant

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<sup>18</sup> *Ibid.*, p. liv.

<sup>19</sup> *Ibid.*, p. lv.

<sup>20</sup> *Ibid.*, p. lv.

was by no means clear. Gardiner had not held the institution of the Papacy in high regard for quite some time, and rather than “playing a part” in this book, he was confirming his doctrine, no doubt with great self-awareness, of the Church *sans* Pope in print for the first time. The message was by no means new for Gardiner, nor was his language particularly surprising when seen in its proper context.<sup>21</sup>

Gardiner introduced *De vera obedientia* by indicating that the book was the result of a process of internal reflection on “the present state of orders in the church of England”, which were “considered and secretly waied in myself”.<sup>22</sup> He then outlined the state of the English Church before Henry VIII’s reformation of it, confessing that he “sawe that very many thinges, which (whether it were longe of men or of times) haue bene of longe season confusely iombled together somthinges blemished and somthinges decayed and almost turned quite upside downe”.<sup>23</sup> This was strong criticism indeed and, no doubt, was included to create an immediate impact on the reader: it was not what one might expect from a famously traditionalist bishop. Gardiner even implied that he ascribed Henry’s reformation to Divine Providence – it was God who appears to be the active force in eradicating such unsatisfactory customs.<sup>24</sup> Not only were former opinions banished, but they were “by the perfite lyne and plummet of Goddes worde called again layde a newe and restored vnto the auncient foundations of Goddes worke”.<sup>25</sup>

Gardiner admitted that he was not always of such enlightened opinions – how could he not begin this book without such a retraction of his former opinions, which he had openly defended only three years before? However, he did not paint his former self as a wilful obstructor of this divinely motivated reformation of the Church, but as “a very earnest setter furthe and defendour of the lawe and of the letter”, and he wanted his reader to believe where he had previously spoken against the innovations of the

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<sup>21</sup> Gardiner attacked the Papal supremacy in precisely these terms to William Morris early in 1534, and it makes little sense to propose that Gardiner was still deeply attached to the doctrine of Papal overlordship at this point. See above, Chapter 3, p. 41.

<sup>22</sup> Janelle (ed.), *Obedience in Church and State*, p. 69.

<sup>23</sup> *Ibid.*, p. 69.

<sup>24</sup> *Ibid.*, p. 69, an inference picked up in Bonner’s preface to the 1536 Hamburg edition of *De vera obedientia*: Henry VIII was “by the providence of God born to defend the gospel”. See the text in Cattle (ed.), *Foxe*, V, pp. 78-79, at p. 79. For an interesting monograph on the role of providence in the English Reformation, see A. Walsham, *Providence in Early Modern England* (Oxford, 1999).

<sup>25</sup> Janelle (ed.), *Obedience in Church and State*, p. 69.

English Church, it was not for theological reasons, but because of the lawyer's concern for the maintenance of the legal *status quo*.<sup>26</sup> He attempted to mitigate his former opinions by (correctly) stating that "I doubt not but many bothe learned grave and right good men were in the self same or not mucche unlike thought that I was in", and he explained the delay in his change of heart by contrasting his actions to those of St Paul on the road to Damascus: "For I had not the gift that Paule vndoubtedly had who as sone as God had ouer throwne him fell downe and spake the wordes of obedience".<sup>27</sup> However, Gardiner's conversion, once it came, was no less dramatic than St Paul's, "I was astonied whan I knewe the truthe: even as a mannes eies being dilled with darkness are wont to be amased at sodayne brightness whan the light breaketh out."<sup>28</sup> The purpose of this whole passage was to give the reader the impression that, like Paul, Gardiner underwent a single, revolutionary conversion and at once rejected his former opinions in favour of his later enlightened position.<sup>29</sup> Few would have been convinced then, and modern scholarship knows Gardiner's dramatic version of events not to be true. His conversion was difficult and drawn out, and there is little doubt but that he resisted it for some time.<sup>30</sup>

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<sup>26</sup> *Ibid.*, p. 69.

<sup>27</sup> *Ibid.*, p. 71.

<sup>28</sup> *Ibid.*, p. 71.

<sup>29</sup> The reader might note that not even the internal details of *De vera obedientia* support Gardiner's story of a sudden conversion: not once in the book does he point to a single, dramatic event that was the cause of his change of mind. Instead, the book gives the details of a long, intricate, and considered view on the theory of kingship, which implies that his conversion was likewise a drawn out affair, a process of a gradual wearing-down of old values by the application of a series of new concepts. Bonner's Preface again proves interesting: Bonner evidently felt that Gardiner's tardiness in publicly affirming the Royal Supremacy needed some explanation, and he wrote this lengthy justification of Gardiner: "let it [not] move thee, gentle reader! that Winchester did not before now apply to this opinion: for he himself, in this oration, showeth the cause why he did not. And if he had said never a word, yet thou knowest well what a witty part it is for a man to suspend his judgement, and not to be too rash in giving of sentence. It is an old-said saw; 'Mary Magdalen profited us less in her quick belief that Christ was risen, than Thomas that was longer in doubt.' A man might rightly call him Fabius, that with his advised taking of leisure restored the matter. Albeit I speak not this as though Winchester had not bolted out this matter secretly with himself beforehand (for he without doubt tried it long ago); but that running fair and softly, he would first, with his painful study, pluck the matter out of the dark (although the matter of itself was clear enough, but by reason of sundry opinions it was lapped up in darkness), and then did he debate it wittily to and fro; and so, at last, after long and great deliberation had in the matter, because there is no better counsellor than leisure and time, he would resolutely, with his learned and consummate judgement, confirm it. Thou shouldest, gentle reader, esteem his censure and authority to be of more weighty credence, inasmuch as the matter was not rashly, and at all adventures, but with judgement (as thou seest), and with wisdom examined and discussed." Cattle (ed.), *Foxe*, V, p. 79.

<sup>30</sup> See above, pp. 35-37 for the details of Gardiner's conversion to the Royal Supremacy.

The Bishop of Winchester claimed that, having been converted, *De vera obedientia* was to be the record of those events: it was his intention that the book “yelde accompte to the world what it was that changed myne opinion so muche and what caused me now at leyngh to dissent from my selfe and from myne owne former wordes and dedes.”<sup>31</sup> However, it is probably more accurate to see Gardiner penning *De vera obedientia* as part of an attempt to locate himself within the bounds of Henrician orthodoxy: he was reassuring himself as much as trying to convert others. Gardiner claimed that, “seinge I perceave that I have obeyed truly in aknowledgeinge the truth I can not chose but to set furthe somthinge openly touching true obedience”, thus, in a rather clumsy fashion, introducing the central theme of his book.<sup>32</sup> Gardiner’s major premise was that “I thinke that to obeye truly is nothing else but to obey unto the truthe.”<sup>33</sup> But where was this ultimate truth to be found? Rather unsurprisingly, Gardiner identified it with the person of God and spent the first section of the book explaining the full significance of this assertion.

How, when confronted with an injunction to obey God, should one go about discerning just how God wanted to be obeyed? Medieval Christianity had been pondering over just this question for hundreds of years, and Gardiner had also anticipated the question, and was speedy with the answer to it: “God is the truth (as scripture recordeth) wher in he geveth his chief lighte vnto vs”, but he also had a warning for the Church’s medieval theologians, and those who sought to propagate scholastic riddles:

who so euer seketh it [truth] in any other place and goth about to fette it out of mennes puddles and quallmyres and not out of the most pure and cleare fountayne it self they draw and bringe vp now and than I wote not what fowle and myrre geare vneffectual and to no purpose...<sup>34</sup>

The translator was not slow to capitalise on this seemingly uncompromising statement, and added in the margin the comment, “Truthe to be sought only in scriptures”. Gardiner’s comments were undoubtedly meant to be taken as a manifesto for Humanist, bibliocentric Christianity, but were they any more radical than that?

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<sup>31</sup> Janelle (ed.), *Obedience in Church and State*, p. 73.

<sup>32</sup> Note that Gardiner’s explanation here for the composition of *De vera obedientia* was to provide *proof* of his conversion to the Royal Supremacy. This was deeply telling in itself, for Gardiner’s provision of proof was not exactly voluntary: it was required of him by the King.

<sup>33</sup> *Ibid.*, p. 73.

<sup>34</sup> *Ibid.*, p. 73.

Was the Protestant doctrine of *sola scriptura*, with which the evangelicals later loved to taunt Gardiner, evident in his prose? It was not at all clear that it was. Gardiner was a humanist, for whom an attachment to the Bible was perfectly ordinary; he, with others at that time, were reacting against the worst excesses of medieval scholasticism, and, in the early-to-mid 1530s, a biblical creed seemed to them to be most sure way of rekindling an invigorated faith.<sup>35</sup> Indeed, as Paul O’Grady surmises, Catholic polemicists of this period had frequent recourse to the Bible and Gardiner’s choice of topic here “pretty well constrained him to scriptural reference”.<sup>36</sup> Fortunately for Gardiner, the Bible provided some very useful passages on the obedience due to kings, the subject which was to form the major section of *De vera obedientia*.

Gardiner introduced this most important subject by affirming that

God according to his exceeding great and unspeakable goodness towarde mankynde to encrease habundaunce of glorie in vs wherby he might establishe present mater for vs to exercise our selues godly and thankeworthly in substituted men who being put in autoritie as his vicegerents should require obedience which we must doo vnto them with no lesse frute for Goddes sake than we shoulde doo it (what honour so euer it were) immediately vnto God him selfe.  
And in that place he hathe set princes whom as representours of his Image vnto men he wolde haue to be reputed in the supreme and most highe rowme...<sup>37</sup>

He justified these statements with accounts of the place of kings from the Bible. After indulging in the Christian philosophy of kingship in this manner, Gardiner proceeded to one of the strongest sections of *De vera obedientia*: he applied this theory to a practical example, one which every reader would understand and be able to emulate. He postulated that “The maister biddeth the seruaunt doo a thinge and the kinge commaundeth him to do a cleane contrary thinge and bothe at one tyme and in one moment”, thus creating a crisis of conscience.<sup>38</sup> On Gardiner’s model, both men must be obeyed as each was exercising a legitimate control over the actions of the servant. The solution was neither complex nor, in this case, revolutionary: “the servaunt must not obey his maister but the kinge as his superiour mayster as whom bothe the maister

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<sup>35</sup> Also see the comments in O’Grady, *Conforming Catholics*, pp. 56, 158-9, n. 74, 58, where O’Grady comments that Gardiner “shows his facility for forging links between Henry’s self-interest and the preservation of an essentially orthodox theology.” One of Henry’s known concerns was the proper – and regular – use of the Bible.

<sup>36</sup> *Ibid.*, pp. 158-9, n. 74.

<sup>37</sup> Janelle (ed.), *Obedience in Church and State*, pp. 87, 89.

<sup>38</sup> *Ibid.*, p. 89.

and servaunt are bounden to obeye.”<sup>39</sup> Yet there was clearly another layer of obedience for the faithful Christian man in this situation,

we acknowlage that ther is one above bothe the servaunt maister and Kinge even God which is the Kinge of Kinges and Lorde of Lordes of whom al thinges... by whom all thinges and in whom all thinges are: his commaundementes all men ought to obeye principally and afore all thinges bothe seruaunt maister and Kinge: that they may appeare to haue obeide all men for Goddes sake but noman without God nor against God... For it is better to obey God than men.<sup>40</sup>

This was an important inclusion and one that has occasioned some study: did Gardiner add this paragraph because he could foresee the dangers implicit within the Royal Supremacy? Did he know Henry VIII’s character well enough to deduce that as often as not the King would incline towards using suspect theology to support his own ambitions as set forth orthodox doctrine for its own sake? A cynic might assent to both of these propositions, but there really is no evidence either way. When discussing obedience to the Divine Will, it should hardly be surprising when an author discusses obedience to God over all others.<sup>41</sup>

At length, Gardiner came to the heart of this treatise: what were the consequences for true obedience when the King was styled head of the Church as well as the State? Or, more to the point, how should a good Catholic react after the Catholic Church in England had been severed from the Catholic Church outside, and the King – a layman – had taken that place at the head of the Church which had been traditionally reserved for the Pope? Gardiner’s response to the question was simple, but was also radical and a clear departure from previous Western ecclesiological theory.<sup>42</sup> Gardiner saw the King as the fount of all authority within his realm and argued, logically, that there could not be a competing authority in one sphere of life within that realm. Therefore,

shall he [Henry] not beinge called the headde of the realme of Englande be also the headde of the same men when they are named the churche of Englande?... can it be by any possible meanes through the mutacion of the name for all one selfe same man to be in subiection to this headde and not to be in subiection to this headde in all one kinde of subiection...<sup>43</sup>

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<sup>39</sup> *Ibid.*, p. 91.

<sup>40</sup> *Ibid.*, p. 91.

<sup>41</sup> And it is plain from *De vera obedientia* that Gardiner believed that to obey one’s prince was to obey God in a very profound and direct way.

<sup>42</sup> However, he protested that in proclaiming Henry ‘Supreme Head’ on earth of the Church of England, “ther is no newly invented mater wrought”: *ibid.*, pp. 91, 93.

<sup>43</sup> *Ibid.*, pp. 93, 95.

This was Erastian theory at its most condensed and proves against those who doubt it that Gardiner was happy to subjugate the Church of England to the State, or more precisely, to the person of the King.<sup>44</sup>

Indeed, Gardiner's high notion of the obedience due to Kingship was clarified by his demand that there could be no limitation of the Prince's authority. He imagined an adversary complaining that of course obedience was due to the monarch, but that "we must see... that the kinge doo not passe the lemites appoynted him... For it is certayn that obedience is due but how ferre the limits of requiring obedience extend that is the hole question that can be demaunded."<sup>45</sup> Gardiner again came to his polemical best in addressing this problem; one can imagine him declaiming aloud,

What maner of limites are those that ye tel me of seinge the scripture hath non such? but generally speaking of obedience which the subiecte is bounden to doo vnto the prince... it hathe not added so muche as one sillable of excepcion but only hathe preserued the obedience due to God safe and hole that we shoulde not hearken vnto any mannes worde in all the worlde against God... We are commaunded doubtles to obeye In that consisteth our office... we must nedes shewe humbleness of hearte in obeyeng autoritie how grevous so euer it be for goddes sake not questioning nor inquiring what the king... ought or maye commaunde other to doo. And if thei take vpon themeither of their own headde or whan it is offred them more than right or reason is they have a lorde vnto whom they either stande or fall and that shall one daye sitte in iudgement even of them.<sup>46</sup>

So a subject must always have obeyed the legitimate monarch, even when he was commanded to do something unlawful – resistance to the king would never be countenanced by God, who alone would judge each King on his acts (note the Catholic assumption of judgement by works). However, obedience to lawful authority was not simply a one-sided process; the King also had responsibilities. After giving examples of godly princes from the Old Testament, the Bishop of Winchester warned,

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<sup>44</sup> Against this view, Richard Rex attempts to differentiate between Erastianism and the Royal Supremacy, suggesting that "there is a subtle difference between 'Erastianism' – the subordination of the Church to the State as a sort of government department – and the royal supremacy, which left the Church as an independent estate, but vested its headship in the person of the King." R. Rex, *Henry VIII and the English Reformation* (Houndmills and London, 1993), p. 14. Rex's distinction between Erastianism and the Royal Supremacy is an extremely fine one, and it is not clear that it stands up. Just to what extent the Church of England remained an "independent estate" is a moot point; Chapuys remarked to Emperor Charles V in 1532 that "Parliament is discussing the revocation of all synodal and other constitutions made by the English clergy, and the prohibition of holding synods without express license from the King. This is a strange thing. Churchmen will be of less account than shoemakers, who have the power of assembly and making their own statutes": *L&P*, V, pt. 1, no. 1013, p. 467.

<sup>45</sup> Janelle (ed.), *Obedience in Church and State*, p. 99.

<sup>46</sup> *Ibid.*, pp. 99, 101.

Thus were those kinges learned that fully and entierlye applied their office by Goddes autoritie amonge Goddes people. And these thinges will God require at princes handes a great deal more in these dayes: that they should hearken how the prophet exhorted them to laye hande vpon this maner of learning to gouerne the people by and to serve the lorde with feare and trembling: and to cause the people not to be suche as they lust them selues to be but a worthye and an acceptable people vnto the lorde... Therefore Princes must not passe the tyme in slouthfulnes negligence and Idlenes but continually serve the lorde.<sup>47</sup>

Having given some instances of exemplary godly monarchs from the Old Testament, models that would have been included to gratify Henry VIII, Gardiner moved on to introduce a case from more recent history, to further Henry's claim to be head of both Church and State.

It was a well-known fact during the Reformation that Justinian I, Roman Emperor in the East during the sixth-century A.D., had legislated on both secular and ecclesiastical matters, and Gardiner evoked his name to lend credence to Henry VIII's claim of supreme headship over the Church:

who did euer disallowe Justinianes facte that made lawes concerning the glorious Trinitie and the catholike faith of Bishoppes of men of the clergie of heretiques and others suche like? Which lawes he either made in vaine or elles he declared that he had the charge of that parte of the people also...<sup>48</sup>

Pierre Janelle supposed that "it is not a little striking, both in regard to Henry VIII's own claims, and to Gardiner's interpretation of the supreme headship, that the English sovereign should here be linked to the Byzantine absolutist who made himself a pope."<sup>49</sup> But it is not in the least bit surprising. Paul O'Grady very accurately explains why Justinian was such a positive model for Gardiner, and he comments that nowhere in this passage did Gardiner suggest that the King could initiate doctrinal reforms.<sup>50</sup> Indeed, Gardiner's Latin does not even say that Justinian "made" laws, as does the English translation. Rather, he used the word "*aedidit*" ("put forth"), suggesting (as O'Grady observes) that "Gardiner's meaning is Justinian put forth "coercively" those canons already made by churchmen."<sup>51</sup> As O'Grady pointedly

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<sup>47</sup> *Ibid.*, pp. 111, 113.

<sup>48</sup> *Ibid.*, pp. 117, 119. See also *ibid.*, pp. 118-119, n. 1.

<sup>49</sup> *Ibid.*, p. 118, n. 1.

<sup>50</sup> O'Grady, *Conforming Catholics*, p. 59.

<sup>51</sup> *Ibid.*, p. 160, n. 91. Philip Hughes missed this point, and contrasted Henry VIII's maverick changes with Justinian's "solemn acknowledgement and acceptance... of what the Church has, in recent councils, defined". He continued, "Did anyone really believe this blasphemous rubbish?" This comment said profoundly more about Fr. Hughes' prejudices than it did about the intellectual atmosphere at the time: P. Hughes, *The Reformation in England* (3 vols., London, 1950-1954), I, pp. 340, 342.

remarks, “for those bent on doctrinal innovation, Justinian was hardly a promising prototype”, but at this stage Gardiner had clearly not seriously anticipated the possibility of radical doctrinal change; he saw the Supremacy *safeguarding* orthodox Catholic reform, rather than destroying it. It is very interesting to note that in the introduction to *De vera obedientia*, the Bishop of Winchester seemed to imply that the abuses of the medieval Church had *already been expunged*, and that any doctrinal reformation in England had taken place and was concluded. In 1535 it is doubtful that he realistically expected a battle with institutional Protestantism in England.

Gardiner’s optimistic view that the Royal Supremacy was going to be the guarantor of orthodoxy within England meant that he felt free to abandon any supra-national concept of the ‘Church’, at least in any immediate and tangible sense. Gardiner forwent a single, institutionally unified notion of the Christian Church, and instead discussed the Church in terms of its constituent parts:

the church of Englande is not the churche alone but also the churche of Fraunce of Spain and of Rome for the churche is not circumspecte to any place but where so euer it be in all the wide worlde... God hathe sealed vp his owne children vnto him selfe...<sup>52</sup>

He did not tackle the thorny issue of what obligations, if any, these national Churches had towards each other, or to the notion of a common doctrinal unity. This restricted concept of the Church has caused some criticism of Gardiner’s ecclesiology; Paul O’Grady makes the criticism that “particularly in the light of his later profound defence of specific doctrines of Catholicism, ...his ecclesiology was, and would remain, remarkably inadequate.” However, O’Grady concedes that in this passage, Gardiner’s was defining the Church in a strictly legal sense “and we would be mistaken to think that his definition is intended to characterize, much less exhaust, his notion of the universal Church.”<sup>53</sup> Bucer, writing to Philip of Hesse in 1539, complains,

It is to be deplored that this and other raving bishops in England should have... devised means to maintain themselves in their pomp, and thereby to turn their kings from us and pure religion; namely by helping them to remove the Pope, but then putting themselves together with their kings in the place of the Pope.<sup>54</sup>

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<sup>52</sup> Janelle (ed.), *Obedience in Church and State*, p. 115. Note that Gardiner here pointed to impeccable Catholic Churches outside England. He made no mention of the new Protestant Churches in Germany. Was this a deliberate omission or a mere oversight?...

<sup>53</sup> O’Grady, *Conforming Catholics*, p. 59.

<sup>54</sup> Quoted in Janelle (ed.), *Obedience in Church and State*, p. xli. Janelle’s translation.

However, modern comment suggests that even at this early stage, when things were looking so positive for a conservative Royal Supremacy, Gardiner kept one eye on a return to Roman obedience. Richard Rex proposes that “despite the bluntly anti-papal rhetoric of the work, Gardiner perhaps kept his options open for a future reversal of policy by admitting that Peter’s spiritual gifts made him in some sense ‘first’ and even ‘supreme’ among the apostles”.<sup>55</sup> Indeed, Rex plays down Gardiner’s attitude towards the Papacy: Gardiner went further than talk about Peter’s attributes, but even extended his view to the Apostle’s successors:

And therefore if the supremacie of the church of Rome in tymes past with the great consent of the worlde stode in the office of preaching Goddes worde if in advaunceing the cure and charge of Christes name if in the prompte valeauntnes of mynde to defende the truthe and to kepe the faithe of Christe from heresies as it is most playne that in those dayes it did whan the bishops of Rome (yea almost non but they) at the furst beginning of the spring of the church... I wene ther is neuer a christen prince in the worlde but if he saw the bishoppes of Rome contende about that supremacie faithfully that they might godly and zelously passe all other bishoppes (that the church of Christ wher so-euer it is scattered hathe) in godlynes in faithe and religious devotion... they might be worthily called the furst.<sup>56</sup>

Positive though this may look for the Papacy, Gardiner soon qualified this rosy view with the blunt statement, “But this I vtterly denye that God ordayned the bishop of Rome to be the chief as touching any absolute worldly power”.<sup>57</sup> It seems that Gardiner may have been prepared to grant the Pope the honorary place of *primus inter pares* (“first-among-equals”) amongst the bishops, which would be in accord with what he seemed to propose for the Archbishop of Canterbury and the hierarchy of the English Church.<sup>58</sup> Any such suggestion – if indeed his words can be taken to mean this, which is by no means obvious – may not have been too out of keeping with the thought at the time, though such proposals were often kept unspoken for fear of treason. Indeed, in a matter of only a few years, Gardiner would be intimately connected with a plan to reunite England with just such an emasculated form of the Papacy.<sup>59</sup>

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<sup>55</sup> Rex, *English Reformation*, p. 25; Janelle (ed.), *Obedience in Church and State*, p. 141.

<sup>56</sup> *Ibid.*, p. 151. Note the importance of the phrase in brackets at the end of this passage: Gardiner maintained that the Church of Christ, wherever it was to be found, had Episcopal orders. This had clear ramifications for the German churches, which, Gardiner implied, were not part of the ‘Church’ at all. It also suggests that Gardiner was doing anything but playing up the ‘Protestant’ credential of this work.

<sup>57</sup> *Ibid.*, p. 155; Muller, *Gardiner*, p. 63.

<sup>58</sup> See above, pp. 46-49.

<sup>59</sup> See below, pp. 83-85.

Unlike *Si sedes illa*, *De vera obedientia* did not conclude with a rousing and memorable piece of rhetoric, but a rather unfortunate self-justifying digression on why it was lawful for Gardiner to renounce his oath to the Papacy.<sup>60</sup> This disappointing ending, however, did not dent the immediate popularity of the book in official circles – it was completed by 26 September 1535, and at least twelve copies had been printed by 19 November, when Gardiner distributed that number at the French Court.<sup>61</sup> It appears that after his labours over two of the ablest vindications of the Royal Supremacy available to the King, Gardiner finally re-found some of the trust that he craved.

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<sup>60</sup> This choice of ending must have been significant for a man who otherwise had such literary grace. It suggests that, whilst Gardiner was ready to openly declare his support for the Royal Supremacy, he did not want to be accounted a hypocrite. Apart from being congenial to Henry VIII, Gardiner's declaration that his renunciation of the Papacy was legal pre-empted the taunts of inconstancy – taunts that Gardiner, no doubt, would have been extremely sensitive to during that important period for the Royal Supremacy. The self-justifying digression was a useful reminder to the reader that *De vera obedientia* was as much a personal apologetic as an official polemic.

<sup>61</sup> Muller, *Gardiner*, p. 64; Muller, *Letters*, no. 51, pp. 67-68.

Gardiner “appealed to the King’s vanity” by pointing out the incompatibility of proclaiming the Royal Supremacy and the right to self-government in religious matters and at the same time proposing to accept a doctrinal *fait accompli* from (foreign) Protestants.<sup>10</sup> In fact, he even began his address to the King with the uncompromising observation that, should the King accept the Schmalkaldic plan,

thenne shal the Kinges Highness be bounde to the Church of Germanye, and, without ther consent, maye not doo that the Worde of God shal permitte, oonles ther comen consent doth concurre therunto. Wherupon, if this capitulation be lawful and shal bynde, thenne shal the Bishop of Rome drawe it for an argument to his parte, that the Worde of God may be restrayned to a comen assent.<sup>11</sup>

Gardiner suggested that Henry would also be devaluing his own Royal and Imperial authority to enter into a league with mere “dukes and lower degrees”, especially since those German dukes “knowlege thEmperour for ther supreme lord; by reason wherof, the same reasons wherby we prove by Scriptures the Kinges Majestie hed of the Church of England, we prove also thEmperour hed of ther Church”.<sup>12</sup> Consequently, “howe shal we, without derogating the Kinges cause of his prerogative and supremite, covenaut with them in that behaulf; whom we knowe as noo hedes of ther Church, but inferiour membres, as long as they knowledge a superiour”.<sup>13</sup> Whilst the German princes might laud *De vera obedientia* because they found within it the doctrine of *cujus regio eius religio*, i.e. the right of the lawful ruler to determine the religion of his dominion, they had not anticipated that the book’s author would consider the Emperor – *and not them* – to be the rightful overlord of the German principalities.<sup>14</sup>

Gardiner manipulated the King’s ego by asserting that “Me semeth the worde ‘association’ soundith not wel. Ne it were convenient that the Kinges Highnes shuld have any lower place thenne to be chief, principal, and hed of the leage and the rest not to be associate, but adherent and dependaunt therunto, as contraherentes” – terms which would clearly have been insufferable and insulting to the German princes.

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<sup>10</sup> Redworth, *In Defence*, p. 74.

<sup>11</sup> Muller (ed.), *Letters*, no. 53, p. 72.

<sup>12</sup> *Ibid.*, p. 72.

<sup>13</sup> *Ibid.*, p. 72.

<sup>14</sup> See G. Constant (trans. R.E. Scantlebury), *The Reformation in England I: The English Schism, Henry VIII (1509-1547)* (London, 1939), p. 358. Gardiner wrote that the princes should be “subget to thEmperour... [and] that they shulde be ordred by hym” Muller, *Letters*, p. 72. Of course, Gardiner favoured mutually beneficial treatises with the Emperor throughout his career, and this matter gave him the opportunity to expound the Supremacy of Charles V at the expense of the “inferiour members” of the German Church.

intended as the basis of a treaty of union with England.<sup>5</sup> Thomas Cromwell had been vigorously pushing the King to assent to such an alliance, but Henry seemed to have remained unconvinced. Any such treaty would have been a radical departure from the traditional tripartite diplomacy of Europe between the Kings of England and France and the Holy Roman Emperor.<sup>6</sup> When the Schmalkaldic League's propositions reached Henry, he demanded the counsel of Stephen Gardiner – probably as an antidote to the advice he was receiving from the Cranmer-Cromwell axis. Perhaps Henry wanted Gardiner's opinion because he knew that his conservative bishop would not voluntarily upset a long-established diplomatic *status quo*, nor would he have been keen to promote the consolidation of Protestant influence in England – advice which would have been congenial to the King at that time. Whatever the cause, Cromwell was deputed to write to the absent bishop, asking “what your opinion is touching euery parte” of the articles.<sup>7</sup>

True to form, Gardiner could see the inevitable results of any concord with the Schmalkaldic League.<sup>8</sup> He was evidently concerned that the proposals would bind England, both doctrinally and politically, to Lutheran Germany. Indeed, the first of the princes' articles asked,

That the said most noble king will promote and set forth the evangelie of Christe, and the sincere doctrine of the faith, after such sort, as the princes and states of confederate have confessed the same and defended it, according to their apology and purgation made in the diet of Augusta [i.e. the Augsburg Confession]...<sup>9</sup>

Gardiner was surprisingly restrained in his response to this request; he loathed Protestantism in all its incarnations, yet he did not directly mention the maladies of the Augsburg Confession once in his letter to Henry VIII. Rather than concentrate on any doctrinal changes required by union with the Lutherans, any critique of which would clearly be partisan and argumentative, he restricted his comment to the ecclesiological and political problems implicit in the plan. Most importantly,

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<sup>5</sup> See R. McEntegart, *Henry VIII, The League of Schmalkalden and the English Reformation* (Woodbridge, Suffolk, 2002), Chapter 2: ‘Bishop Foxe's embassy’, pp. 26-76 for details of the scheme.

<sup>6</sup> As Redworth comments, “it would lock England into a Protestant orbit”: Redworth, *In Defence*, p. 74.

<sup>7</sup> R.B. Merriman, *Life and Letters of Thomas Cromwell* (2 vols., Oxford, 1902), II, no. 137, pp. 3-4.

For the text of the propositions, see G. Burnet (rev. and ed. N. Pocock), *The History of the Reformation of the Church of England* (7 vols., Oxford, 1865), VI, no 44, pp. 150-154.

<sup>8</sup> The most recent analysis of Gardiner's reaction to the League's propositions is McEntegart, *League of Schmalkalden*, pp. 62-63.

<sup>9</sup> Burnet (ed. Pocock), *History of the Reformation*, p. 150.

## Chapter 6:

### *Contempt*

By publishing *De vera obedientia*, Gardiner had finally convinced Henry VIII (at least to a degree) of his “wisdom and discretion”, and he gradually began to play a part in Court affairs again.<sup>1</sup> He further persuaded the King of his sincerity by pointing out the paradox that, even though the Pope’s authority had been repudiated in England, Papal Bulls were still in effect. Gardiner suggested that “the substance of every bull, so far as it may be granted with the King’s honor, should be excerpted and passed by a grant from the King without any mention of the bishop of Rome.”<sup>2</sup> This approach to reconstituting the authority of the Church of England was typical of Gardiner’s thought: he was keen (along with his King) to keep many Papal decisions in effect, yet he wanted them propagated without any mention of their Pontifical progenitor. This was a far cry from a root-and-branch Protestant revolution, and shows the measure of flexibility and lateral thinking that English Erastian Catholicism could exhibit at that time.

Gardiner’s reward for his travails was to be commissioned as Henry’s ambassador to the Court of Francis I. This was a mixed blessing, since it signified Henry’s re-found trust in Gardiner, but also kept him abroad and far from the centre of political power in England.<sup>3</sup> He departed England at the end of September 1535, but he did not entirely forfeit his influence in important matters by his loss (perhaps to the *chagrin* of Thomas Cromwell and Thomas Cranmer, for whom his absence was, no doubt, a relief).<sup>4</sup> On Christmas Day 1535, the German Protestant princes of the Schmalkaldic League presented a number of formal propositions to Edward Foxe, Bishop of Hereford, Henry’s ambassador to the League, and Gardiner’s old friend, which they

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<sup>1</sup> R. Turpyn (ed. J.G. Nichols), *The Chronicle of Calais, in the Reigns of Henry VII. and Henry VIII. to the year 1540* (Camden Soc., 1<sup>st</sup> Ser., Vol. 35, London, 1846), p. 46; Muller, *Gardiner*, p. 66.

<sup>2</sup> *Ibid.*, p. 65; *L&P*, X, no. 1089, p. 461. This suggestion may be attributed to Gardiner because to the bottom of the document in appended a note in Cromwell’s hand, reading, “My lord of Wynch. The Staple”.

<sup>3</sup> See Redworth, *In Defence*, p. 71.

<sup>4</sup> Muller, *Gardiner*, p. 66. It was rumoured that Gardiner was being kept abroad, since if he were in England, “many things would be brought to pass otherwise [i.e. differently]”: *L&P*, XII, pt. 1, no. 960.

Gardiner was clearly doing everything possible to intimate his loathing of the Reformed doctrine at the bottom of these proposals without mentioning it directly. The effect was powerful but it did not make the Bishop of Winchester look a charitable man. One wonders quite how Cromwell presented Gardiner's damning critique of his most cherished project to the King. However he glossed it, Cromwell's plan was too radical for Henry, and Gardiner had anticipated the King's mindset correctly: the Schmalkaldic League would gain by Henry's membership, but it was by no means clear that Henry could expect reciprocal benefit. The plan was shelved and Gardiner must have been extremely relieved.

Despite this significant conservative victory, not all of Gardiner's advice to Henry was received so well whilst he was the King's ambassador in France. The Pilgrimage of Grace of 1536 posed the single most significant threat to Henry's reign and Gardiner was clearly worried that the sentiments voiced by the rebels might strike a chord with their countrymen at large.<sup>15</sup> Muller characterised the rebels' requests thus:

Prominent among their... demands was that for the restoration of the supremacy of the Pope, although they were willing to see considerable curtailment of Papal authority in England, and were not entirely averse to the King's title of Supreme Head... They desired an autonomous English Church within the larger unity represented by Papal supremacy...<sup>16</sup>

M.H. Dodds and R. Dodds, in the standard textbook on the Pilgrimage of Grace, wrote that the pilgrims "were prepared to agree to his [Henry's] possession of all the substantial power attached to his title of Supreme Head of the Church, if he would lay down the unlimited pretensions which were implied in it."<sup>17</sup> It is possible, too, that Gardiner too had niggling doubts during this period about the 'unlimited pretensions' of the Royal Supremacy, though he never voiced them publicly in those terms. Certainly, his attitude to the uprising may have betrayed the opinion that the form of Royal Supremacy, though probably not the fact of its existence, could, under the right circumstances, be negotiated.

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<sup>15</sup> The most recent treatment of this subject is R.W. Hoyle, *The Pilgrimage of Grace and the Politics of the 1530s* (Oxford, 2001).

<sup>16</sup> Muller, *Gardiner*, p. 68. It is perhaps worth noting that Gardiner and Henry were to be heavily involved in just such a scheme in only a matter of a few years, see below, pp. 83-85.

<sup>17</sup> M.H. Dodds and R. Dodds, *The Pilgrimage of Grace 1536-1537 and the Exeter Conspiracy 1538* (2 vols., Cambridge, 1915), I, p. 374.

Gardiner sent Henry a letter which seems to have suggested that the King cede to at least some of the rebels' demands (including the Papal supremacy?), perhaps believing that Henry would be receptive to a traditionalist 'solution' to his problems.<sup>18</sup> Gardiner proved much mistaken and by the time he wrote to his King, the most dangerous phase of the uprising had already been suppressed and Henry was left with a letter urging an unnecessary and unpopular course of action. He responded to his ambassador, asserting that "we may not approve that counsel that would have us yield to our subjects", and that he suspected "that either your old opinion is not utterly mortified in you, or else that you have had some advertisement from some persons of that faction that would put you in fear of things to win you again to their naughty opinion."<sup>19</sup> It is not known what response – if any – Gardiner made to the King on the subject of the Royal Supremacy, but one might note that the demands of the Pilgrimage of Grace rebels with regard to the Pope were not too dissimilar from Gardiner's own theory of a potential primacy of honour.<sup>20</sup>

Not so consonant with Gardiner's opinions, however, was the incipient Lutheranism of the *Institution of a Christian Man*, commonly known as the *Bishop's Book*, of 1537. A letter requesting royal approval for the work sufficed for a preface, and appended to the bottom of the letter were the names of those who had served on the special Convocation which had compiled it. Either by mistake or design, Gardiner's name had been included in this list of ecclesiastical dignitaries – even though he had been in France for the duration of the Convocation and knew nothing of the book until Cromwell sent him a copy.<sup>21</sup> Winchester understandably took exception to this misuse of his name, especially since he "dyslyked many thinges in yt" and, on the very night that he received Cromwell's despatch, he wrote to Henry to advertise his displeasure.<sup>22</sup> Gardiner's primary objection was that the *Bishop's Book* had diluted the Catholic faith, since,

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<sup>18</sup> The Letter no longer exists. See Redworth, *In Defence*, pp. 77-78, for an opinion of the contents of Gardiner's letter and his motives for writing.

<sup>19</sup> *L&P*, XII, pt. 1, no. 445; Muller, *Gardiner*, p. 68.

<sup>20</sup> See above, p. 49.

<sup>21</sup> For the events described here, see Muller, *Gardiner*, p. 69. Gardiner's own account of the events is preserved in a letter to Cranmer of 1547, see Muller, *Letters*, no. 125, pp. 350-351.

<sup>22</sup> *Ibid.*, pp. 350, 351.

Yt resembled a common storehouse, where every man layd uppe in store suche ware as he liked, and could tell wheare to fynde to serve his purpose.<sup>23</sup>

He wrote that the book was largely produced as a series of compromises between the conservative Bishop Stokesley of London and Bishop Foxe of Hereford, Gardiner's erstwhile friend, who had developed Lutheran sympathies whilst on embassy to Germany. Gardiner implied that this religious settlement lost both moral force and intellectual coherence because it was merely the result of compromise and bargaining. Whilst Gardiner proved himself open to quite considerable latitude in the practice of the Catholic faith in England, a characteristic humanist trait, and could, over time, assimilate various 'evangelical' concepts into his perception of Catholicism, he could not assent to this latter-day formulation of faith that was simply the result of a process of mutual negotiation and concession. Compromise in religion was still anathema to him.<sup>24</sup> There is certain evidence that King Henry was in some measure of agreement with his Bishop of Winchester, as Muller remarked: "Gardiner's protest was not without weight... although the King had sanctioned the publication of the book he never gave it official approval."<sup>25</sup>

On Gardiner's return from France in September 1538 after three years' absence, he found the progress of reform in England much advanced. Thomas Wriothesley, formerly a member of Gardiner's own household, but now a client of Cromwell's, met the Bishop soon after the latter's arrival in the Country and wrote to Cromwell with a description of the encounter.<sup>26</sup> Wriothesley described an illuminating conversation he had with Thomas Thirlby about Gardiner's opinion on the direction of English religion:

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<sup>23</sup> *Ibid.*, p. 351.

<sup>24</sup> However, G.W. Bernard wrote the curious statement that "What Henry sought was a middle way. Of course, most, if not all, policies can be presented as virtuous because they are moderate contrasted with opposite alternatives which are wicked because they are extreme": G.W. Bernard, 'The Making of Religious Policy, 1533-1546: Henry VIII and the search for the middle way', *HJ* 41 (1998), pp. 321-349 at p. 331. This view might find broad appeal in the modern world, but in the sixteenth century, compromise (as opposed to gradual assimilation) was very often wholly unacceptable, particularly where doctrines of the Church essential to salvation were concerned. Gardiner would, no doubt, have disagreed violently with Bernard's premise.

<sup>25</sup> Muller, *Gardiner*, p. 69. The phenomenon of linguistic ambiguity in Tudor religious treatises has not been satisfactorily studied as yet, and it remains to be established just what role it played in the making of policy during the English Reformation.

<sup>26</sup> *Ibid.*, pp. 76-78; Redworth, *In Defence*, p. 85, for the events described here. Wriothesley's letter to Cromwell is *St. Papers*, VIII, no. DII, pp. 51-52.

I asked him [Thirlby] what newes, and howe my lorde liked our doings here [notably the iconoclasm that was spreading throughout southern England]. He told me that he said he misliked not the doing at Canterbury, but rather seemed to like it, sayeng, that if he had been at home, he wold have given his counsail to the doing therof, and wisshed that the like were doon at Winchestre.<sup>27</sup>

Glyn Redworth is speedy to point out that “the shrine at Winchester had been destroyed, the week before (by amongst others, Thomas Wriothesley), as the bishop must surely have known.”<sup>28</sup> Redworth writes that “there was certainly a need for him to re-establish links with the leading courtiers”, and concludes that Gardiner was ironically using Cromwell’s spies, Thirlby and Wriothesley, to pass messages to the Government, “letting it be known that, if recalled to Henry’s Council, he would not work against the reform of religious abuses.”<sup>29</sup> This was despite the fact that “during the 1540s Winchester championed the cause of images in church”.<sup>30</sup>

Not all of the developments in religion may so legitimately be seen as part of Eamon Duffy’s process of ‘attrition’ – Gardiner felt wholeheartedly able to sanction Cranmer’s injunctions of 5 September 1538.<sup>31</sup> Wriothesley again reported,

And here he [Thirlby] told me howe my lorde had seen the newe injunctions, and in appearance liked them well; noting specially oone point, where it is appointed that the curates shuld advise their parishoners, in confession, to lerne their Believe, and other thinges mentioned, in Englishe, and sayeng uppon the same, “Ha! I see the Kinges Majestie will not yet leave this auricular confession; me think I smell the King in this point.”<sup>32</sup>

Glyn Redworth speculates that Gardiner picked out this point “simply because it reminded him of Henry VIII’s underlying religious conservatism”, which may well have been the case, and concludes, “this reform was also the very type of innovation

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<sup>27</sup> *St. P.*, VIII, p. 51.

<sup>28</sup> Redworth, *In Defence*, p. 85. Redworth points to M. St. C. Byrne (ed.), *The Lisle Letters* (6 vols., London, 1981), V, no. 1230, pp. 224-226 as plausible evidence that Gardiner must have known about the destruction of the shrine at Winchester. For a (brief) description of the iconoclasts’ work at Winchester, see M. Aston, *England’s Iconoclasts* (Oxford, 1988), p. 236. For an essay on iconoclasm during the reign of Henry, see R. Whiting, ‘Abominable Idols: Images and Image-Breaking under Henry VIII’, *JEH* 33 (1982), pp. 30-47, *passim*.

<sup>29</sup> Redworth, *In Defence*, p. 85.

<sup>30</sup> *Ibid.*, p. 85.

<sup>31</sup> E. Duffy, *The Stripping of the Altars: Traditional Religion in England, 1400-1580* (New Haven & London, 1992), p. 449. For the text of the injunctions, see J. Strype, *Ecclesiastical Memorials Relating Chiefly to Religion... and the... Church of England...* (3 vols. in 6, Oxford, 1822), I, pt. 1, ch. 42, pp. 493-499.

<sup>32</sup> *St. P.*, VIII, p. 52.

that he could sincerely endorse, regardless of political disingenuousness.”<sup>33</sup> Redworth continues,

If the new – the use of the vernacular – could be grafted on to the old – confession to a priest – then Gardiner need not fear that the New Learning would destroy the Old, but could hope that it might strengthen it. Gardiner was prepared, even eager, to support reform whenever it would strengthen the traditional faith.<sup>34</sup>

Indeed, as a humanist, the use of the vernacular, if it were a faithful rendition of the old language, held few terrors for Gardiner, and whilst the translation of the Bible could prove troublesome because of potential Protestant intrusions, a vernacular Creed and *Pater Noster* held obvious educational benefits from which English Catholics had little to fear.<sup>35</sup>

By 1539, the Catholic party seemed to have less and less to worry about, since Henry VIII was allowing his latent conservatism to come to the fore. He had shown the Evangelicals considerable favour for the past five years and, as was perpetually his wont, he now engaged in an exercise to swing the pendulum of influence back towards the traditionalists. Perhaps the single event that most encapsulated the spirit of the time was the infamous Act of Six Articles, which was dubbed “Gardiner’s gospel” and which confirmed the Divine institution and absolute necessity of six key Catholic doctrines.<sup>36</sup> Muller attempted to explain the presence of the Act in terms of international policy: despite agreeing not to make any new alliance with Henry VIII, Charles V and Francis I “soon made it clear that they had no wish to break with England”.<sup>37</sup> Though presenting his renewed Catholicism to the world was, no doubt, a priority for Henry, Glyn Redworth’s suggestion that the Act was also intended to

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<sup>33</sup> Redworth, *In Defence*, p. 86. Though there may have been a degree of selective observation here on Gardiner’s part: did he notice the retention of auricular confession at the expense of an English Creed?

<sup>34</sup> *Ibid.*, p. 86.

<sup>35</sup> Note Gardiner’s concern for an accurate translation of certain words when Convocation was discussing a vernacular Bible – see D. Wilkins, *Concilia Magnae Britanniae* (4 vols., London, 1737), III, p. 861.

<sup>36</sup> W. Turner, *The rescuyng of the romishe fox other wyse called the examination of the hunter devised by steuen gardiner. The second course of the hunter at the romishe foxe* (winchester [i.e. Bonn], 1545), sig. Aiii. For a stimulating essay on the problematic origins of the Act, see G. Redworth, ‘A Study in the Formulation of Policy: The Genesis and Evolution of the Act of Six Articles’, *JEH* 37 (1986), pp. 42-67. For an analysis of those who believed that Gardiner was personally responsible for the Act, see Muller, *Gardiner*, pp. 353-354, n. 12.

<sup>37</sup> *Ibid.*, p. 79.

address the rapidly degenerating situation in Calais holds great force.<sup>38</sup> Modern historians feel able to speculate on the development of this controversial Act with a reasonable degree of certainty, and it is now fairly clear that, despite contemporary assertions to the contrary, Gardiner's involvement with its development was negligible. It is apparent that he was not appointed to the original committee that was drawn up to eradicate diversity of religious belief in England, and he only participated in discussions over the Act in Convocation and Parliament, after the Duke of Norfolk had introduced the bill into the House of Lords.<sup>39</sup> A contemporary document in the hand of an unknown temporal peer recorded the events in the Parliament House, and praised Gardiner (along with the other conservative bishops) for being "honest and well-learned men."<sup>40</sup> It went on to say that "we of the temporality have be all of one opinion" and that Henry had proved himself to be "wise, learned, and catholic" in the debate.<sup>41</sup> Gardiner's first official role in the development of the bill before it was passed was as a part of the committee that added the penal element to the otherwise completed statute. Henry established two committees for this purpose – one staunchly Catholic and the other equally as firmly Protestant. From the severity of the punishments prescribed in the final Act, it may be safely assumed that Henry included the conservative bishops' suggestions in the completed Act.<sup>42</sup>

The very severity of the Act, which at once proclaimed the orthodoxy of the King and the Country, also proved to be its eventual undoing: the measures were so brutal they the establishment proved loath to implement them on a wide scale.<sup>43</sup> Immediately after the Act of Six Articles had been passed, four men from Calais were examined in London, including the soldier Ralph Hare. It appears that Gardiner had not been officially commissioned to question the men but was present at their examinations

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<sup>38</sup> Redworth, 'Six Articles', p. 51: "If any one factor deserves to be singled out as finally responsible [for the Act]... then it is the revelation to Henry... of the spread of sacramentarian and other heresies or dissensions in... Calais."

<sup>39</sup> See Redworth, *In Defence*, pp. 95-100 for a fuller description of the events.

<sup>40</sup> *L&P*, XIV, pt. 1, no. 1040, p. 475.

<sup>41</sup> *Ibid.*, p. 475.

<sup>42</sup> A heretic's death was prescribed for anyone who denied transubstantiation – with no recantation allowed, and possible death as a felon awaited those who spoke against the other articles. This was even more hard-line than the medieval heresy laws, which at least allowed a convict the opportunity to recant.

<sup>43</sup> No fewer than five hundred Londoners who had been indicted under the Act were freed by a general pardon in July 1539. The Act was modified in 1544, requiring that twelve (rather than two) men testify against the accused. Muller, *Gardiner*, p. 82.

nonetheless.<sup>44</sup> When the bishop saw Hare's distress at being told the consequences of his heresy, he approached the man and said to him,

Ralph Hare! Ralph Hare! by my troth I pity thee much. For in good faith, I think thee to be a good simple man, and of thyself wouldest mean well enough, but thou hast had shrewd and subtle schoolmasters... It were a pity thou shouldest be burned, for thou art a good fellow... Thou knowest my Lord of Canterbury's Grace here is a good gentle lord, and would be loth thou shouldest be cast away. Tell me, canst thou be content to submit thyself unto him...?<sup>45</sup>

Neither Hare nor the other three indicted men were burned for their heresies, and it appears that, as well as sharing responsibility for the severity of the punishment enjoined by the Act, Gardiner was also responsible for ensuring that the measures were used as sparingly as possible.

The passing of the Act of Six Articles onto the statute books heralded a new period in the Henrician Settlement of Religion. Muller cited the fall and execution of Thomas Cromwell, the repudiation of Anne of Cleves, and the affirmedly Catholic direction that religious policy was taking, as paving the way for a new understanding with Catholic Europe.<sup>46</sup> It is possible that Gardiner half-expected to play a major part in this rehabilitation by being appointed Vice-Gerent in Spirituals, the position which fell vacant upon Cromwell's premature death.<sup>47</sup> Just as he had initially seen the Royal Supremacy as a powerful force for Catholicism in England, so one might expect that Gardiner must have relished the opportunity to be the principal executor of that supremacy, albeit under the King's watchful eye. However, as Redworth puts it, "there were to be no further vicegerents" and any hopes that Gardiner may have harboured in that direction were to be disappointed.<sup>48</sup> Instead, the Bishop of Winchester was appointed to be an extraordinary ambassador to the Emperor on the eve of the Diet of Regensburg.

Gardiner left England for the Continent in mid-November 1540 and his brief was complex, but centred around securing a treaty of mutual cooperation with Charles V.<sup>49</sup>

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<sup>44</sup> Redworth, *In Defence*, p. 101, n. 110.

<sup>45</sup> Quoted in Muller, *Gardiner*, p. 82.

<sup>46</sup> *Ibid.*, p. 95.

<sup>47</sup> Cf. C. Sturge, *Cuthbert Tunstal: Churchman, Scholar, Statesman, Administrator* (London, 1938), p. 218; M. Bowker, 'The Supremacy and the Episcopate: the struggle for control 1534-1540', *HJ* 18 (1975), pp. 227-243, *passim*.

<sup>48</sup> Redworth, *In Defence*, p. 127.

<sup>49</sup> *Ibid.*, p. 136.

The impending Imperial Parliament (or Diet) at Regensburg was fraught with dangers for Henry, since one of its professed aims was to secure religious unity in Germany. Any such agreement would place England in a dangerously isolated position. Redworth comments,

Since the break with Rome, England's security had depended more than ever before upon there being a rigid triangle of conflicting interests on the continent. An England severed from the Roman Church was safe while the Lutheran princes managed to exacerbate the rivalry between Charles and Francis, or while Henry could call up any one of these powers for assistance if threatened by the other two. But if the emperor created a united front in Germany... then England became vulnerable.<sup>50</sup>

On the first Sunday after England's reconciliation to Rome during the reign of Mary, Gardiner preached before the King and Queen, saying,

Master Knyvet and I were sent ambassadors unto the emperor to desire him that he would be a mean between the pope's holiness and the king, to bring the king to the obedience of the See of Rome.<sup>51</sup>

However, this statement, given long after the events it mentions, is probably a case of rather hazy memory or, as Muller speculated, a natural tendency "to picture as the objective of this mission what may have been one of several diplomatic alternatives."<sup>52</sup> Indeed, a *politique* rendering of the events was implied by the King's choice of Sir Henry Knyvet to accompany Gardiner on his mission – Knyvet "lacked all the essential qualities of a diplomat", but his one useful trait to Henry was his Evangelical faith.<sup>53</sup> Now if Henry had decided on a return to Roman obedience as a matter of principle – and had done so before he knew the outcome of the Imperial Diet – it would have been inexplicable that he should have sent a Protestant as an ambassador. The fact that Henry was kept so well informed by his men in Regensburg itself suggests that he wanted to know the intricacies of the Diet before he made any choice about England's religious future.<sup>54</sup>

The reports that the King of England received were certainly very full, but his ambassadors differed as to the significance of the discussions. Gardiner returned sympathetic opinions as to a potential reunion with Rome, whilst "the other

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<sup>50</sup> *Ibid.*, pp. 133-134.

<sup>51</sup> Cattley (ed.), *Foxe*, VI, p. 578; Redworth, *In Defence*, p. 130.

<sup>52</sup> Muller, *Gardiner*, p. 96.

<sup>53</sup> Redworth, *In Defence*, p. 138, referring to the judgement of Knyvet by Marillac, the French ambassador to Henry VIII.

ambassador [Knyvet], his colleague, has done the contrary”.<sup>55</sup> Thus Gardiner was in rather a peculiar position: the most successful defender of the Henrician Royal Supremacy seems to have been encouraging the Head on earth of the Church of England to consider the possibility that his pre-eminence was negotiable, and was outlining some possible advantages of returning to the Roman obedience. Muller laid out the various ways in which Gardiner’s actions can be construed:

It is possible that Gardiner felt the time was ripe for such a reconciliation; it is possible that Henry, having heard from Gardiner, just before the opening of the Diet, that the chances of agreement between Catholics and Protestants were favourable, concluded that reunion with Rome might become a political necessity...<sup>56</sup>

Even if such a reunion was being considered at that time, it would have been nothing like a return to a medieval conception of a unified Church under the headship of a papal monarchy: the Reformation had comprehensively put paid to such ideas. No, at the most, it is conceivable that Henry was only considering reunion on the same terms as the German Protestants – a diluted and, in all probability largely jurisdictionally autonomous, vision for the Church.

Gardiner’s meeting with Cardinal Granvelle, the Emperor’s chief minister, occurred in such a climate, and Granvelle suggested that Charles V would be happy to mediate between Henry and the Pope in the hope of winning England back into the unity symbolised by the Roman Church.<sup>57</sup> This immediately put Henry on his back foot, since he had specifically required Gardiner not to bring up the subject of England’s religious situation for as long as possible, to preclude any premature and binding decision as to the future.<sup>58</sup> Henry sent a reply which – for the one and only time in his reign – suggested that he might be amenable to a suitable project to bring England back into the Papal fold.<sup>59</sup> However, there should be no doubt that these diplomatic manoeuvres were difficult and really rather unsatisfactory to the King; they were

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<sup>54</sup> Henry was so well informed that he was able to correct continental ambassadors as to the events in Regensburg, see *L&P*, XVI, nos. 711, pp. 338-339, 733, pp. 344-336.

<sup>55</sup> *Ibid.*, XVI, no. 968, p. 471.

<sup>56</sup> Muller, *Gardiner*, p. 96.

<sup>57</sup> *Ibid.*, p. 96; Redworth, *In Defence*, p. 144; *L&P*, XVI, no. 548, pp. 260-261.

<sup>58</sup> Redworth, *In Defence*, p. 144. In a section of impressive analysis, Redworth puts the adverse development down to Gardiner’s “bleating”, and the resulting diplomacy as a “débâcle”.

<sup>59</sup> Henry cordially thanked Granvelle for his efforts, but left the matter of the reunion pointedly open. See *L&P*, XVI, no. 676, p. 322. Redworth reports that by May 1541, “Henry went so far as to ask the emperor to arbitrate, and there ensued the preliminary discussion of the terms required in any final settlement with Rome.” Redworth, *In Defence*, pp. 147-148.

grudgingly pursued against his will, and were strictly dependent on a concord being reached between the Emperor and the German Protestants. Gardiner's optimistic reports suggested that such a result was more than probable and they certainly buoyed up this cautious policy of reunion. However, the efforts at Regensburg failed and early modern Europe was ultimately left to the tender mercies of the Council of Trent, and the immediate effect of the breakdown in England was that any question of reunion was shelved.

Gardiner's reaction to these events is difficult to gauge – mostly because his attitude towards Papal reunion at this point is an unknown quantity. He certainly believed that England was a Catholic nation, whether or not it was in union with the Roman Church, as his offers to assist Charles V at Regensburg showed, and this may suggest that the question over reunion was not a burning one for him.<sup>60</sup> Possibly the best guide to Gardiner's true feelings at this time is the document that he wrote immediately after the Imperial Diet, the long-ignored *Contemptum humanae legis*.<sup>61</sup> This piece continued Gardiner's debate, or colloquy, with Martin Bucer, which had begun at the Diet, and it was one of his works which most displayed an "unattractively combative style".<sup>62</sup> The events surrounding the writing of this epistle are reasonably well known, since they sparked a debate between Gardiner and Bucer that ran for many years.<sup>63</sup> As Gardiner later recalled, Bucer expressed "the desire he had to confer with me, [and] I told hym I was glad to speak", and he allowed Bucer to chose the subject, the latter deciding on "the mariage of prestes [which] was very cruelly handled" in England.<sup>64</sup> The discussion eventually concentrated on Saint Paul's assertion that a father may order some of his children not to marry, and Gardiner contended that "ergo, the prince may order sum of hys subjectes not to

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<sup>60</sup> *Ibid.*, p. 144, though one must recognise the dangers of arguing from silence.

<sup>61</sup> This tract languished unpublished until Pierre Janelle included it in his collection of Gardiner's political works: Janelle (ed.), *Obedience in Church and State*, pp. 174-211.

<sup>62</sup> R. Pogson, 'God's Law and Man's: Stephen Gardiner and the problem of loyalty', in C. Cross *et al* (eds.), *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 67-89, at p. 69.

<sup>63</sup> This controversy was examined in P. Janelle, 'La controverse entre Étienne Gardiner et Martin Bucer sur la discipline ecclésiastique (1541-1548)', *Revue des sciences religieuses* 7 (1927), pp. 452-466.

<sup>64</sup> These events were recorded in Gardiner's *The Examination of the Hunter* (c. 1543/1544), but there remains no extant copy of this work. Muller has reconstructed it from William Wroughton's [i.e. Turner's] quotations of it in *The Rescynge of the romishe fox* ("Winchester", 1545) – see Muller, *Letters*, Appendix 2, pp. 480-492, at p. 490.

mary.”<sup>65</sup> Whilst the discussion began orally and in person, it was soon continued in writing, and Gardiner wrote the *Contemptum humanae legis* on the eve of his departure from Regensburg as one of several tractates against Bucer.<sup>66</sup>

The thesis of *Contemptum humanae legis* was laid out in the very title of the work, and the rest of the essay may be seen as an extended analysis of the proposal. Gardiner claimed that “The contempt of human law, made by rightful authority, is to be punished more seriously than some transgression of the divine law”, which at first sight seems a bizarre and curious proposition from a senior ecclesiastic.<sup>67</sup> In substance, this short piece was an advanced contemplation of the real significance of obedience to a prince, and it gave some guidelines concerning the nature of the link between the divine and human law. Indeed, Gardiner did his best to neutralise the potentially subversive title with his opening words:

It were too odious to place on a par things human and divine, and still more to give first place to those which are human. Therefore it must be observed that contempt of human laws implies injury offered to the majesty of God, in so far as he deemed it necessary that man should obey to man; and that every soul ought to be subjected to the higher powers; to such an extent that whoso despiseth a man endowed with power, despiseth not man, but God...<sup>68</sup>

Winchester elaborated on his theme, offering advice to the Godly Prince:

Let not princes allow divine laws to be contemned, but let them not avenge them all too sharply, lest the enemies of the faith should slanderously say, that the Christian religion is not maintained so much by mutual charity, as by the constraint of princes.<sup>69</sup>

And he went on to explain the rationale behind such thinking:

Therefore the prince, while in avenging breaches of the divine law he does not always bare his sword, does not thereby show that he neglects such things, but that he leaves them to the divine vengeance to be punished, unless some crime be of such sort, as tend to the tearing asunder of the body of the church, and to the overthrow of human society.<sup>70</sup>

This was as clear and concise a description of the nature of sin and punishment within a Christian society as one could imagine, and it made certain illuminating

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<sup>65</sup> *Ibid.*, p. 491; 1 Cor. 7.

<sup>66</sup> Janelle, *Obedience in Church and State*, pp. xlix, 211.

<sup>67</sup> *Ibid.*, p. 175.

<sup>68</sup> *Ibid.*, p. 175. N.B., *Contemptum humanae legis* was originally written in Latin, and the passages quoted here follow the modern translation of Pierre Janelle.

<sup>69</sup> *Ibid.*, p. 179.

<sup>70</sup> *Ibid.*, p. 179.

assumptions. First, it placed paramount importance on *community*, and Gardiner again implied that the community of the faithful was the same body of persons that constituted the commonwealth of the State. This sense of a corporate identity was trademark Catholicism, and can easily be contrasted with the Protestant notion of individual liberty, bought by Gospel freedom. Gardiner believed that minor sins ('some transgression of the divine law') should not be punished by the King because they did not have a subversive effect on the whole of society, but only on the perpetrator of the sin. He wrote,

Slothful, sluggish and idle fellows spoil themselves by their laziness; they infringe God's law, yet they do not touch the commonwealth, nor do they disturb it, still less do they cast it into confusion.<sup>71</sup>

This was not to say that the faithful prince should leave all sin unpunished. Far from it. Gardiner was an advocate of serious punishment for those whose offences might affect others: he referred to 1 Cor. 5:5, which demanded that the Church was to deliver the immoral man to Satan, for the destruction of the flesh, so that the spirit might be saved in the day of the Lord.<sup>72</sup> He opined that the prince ought to put to death heretics and murderers, for example, "so as to extinguish them by the sword, lest they should corrupt anything by their touch".<sup>73</sup>

Gardiner gave another hint at the significance of his doctrine of obedience, proclaiming, "disobedience is the greatest and most infamous crime, which carries with it many other faults, and opens the door to all profligacy."<sup>74</sup> It is of paramount importance when reading such material to remember that Gardiner's social conservatism was constantly informed by his legal training; popular disrespect for the King's religious commandments, where those commandments were orthodox, was Gardiner's overwhelming fear, since he realised that dissent merely bred dissent. In his eyes, the Protestants were the root cause of conflict in religious matters and of confusion in the minds of the faithful:

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<sup>71</sup> *Ibid.*, p. 209.

<sup>72</sup> *Ibid.*, p. 179; 1 Cor. 5:5.

<sup>73</sup> Janelle, *Obedience in Church and State*, p. 179. One might compare this with St. Paul's warning about the dangers of an errant few within the Church at 1 Cor. 5:6.

<sup>74</sup> Janelle, *Obedience in Church and State*, p. 181.

...it is you [Bucer and the Protestants] who tread under foot all order, you who trample down the common weal, while you strive by covert ways to impair the authority of princes, and of their edicts...<sup>75</sup>

Gardiner believed that Protestant dogmas “breed nothing but contention, and battles of words without any fruit”, and that Protestant interpretations of the Bible, which were “not being brought forward in their proper place, or not being unfolded sufficiently”, merely served to “beguile the people into the refusal of obedience.”<sup>76</sup> As Peter Matheson recently wrote, “civic disputations brought theology... [out of the university] into the public arena”.<sup>77</sup> These public shows of disunity were not a positive development in Gardiner’s opinion, but simply gave licence for unorthodox views to be perpetuated by cynical and subversive men.

As mentioned above, despite the Bishop of Winchester’s keen identification with the Catholic faith, the notion of a return to the Roman obedience was conspicuous by its absence in *Contemptum humanae legis*, which must imply that the issue cannot have been burdening Gardiner’s mind on his departure from the Diet of Regensburg. Pierre Janelle noticed that “Gardiner’s efforts to effect a reconciliation between England and the Roman See at the Diet of Ratisbon [Regensburg] stand... in seeming contrast with his *Contemptum humanae legis*, which he wrote at the same time.”<sup>78</sup> Even where the opportunity for mentioning the matter of Roman authority presented itself to him, he still forbore from raising it. For example, against Bucer’s contention that the Protestant faith was based on the Word and the Spirit, Gardiner retorted the Spirit must also be sought outside Scripture: one assumes that he meant in the historical traditions of the Catholic Church, though he left it unsaid. The *Contemptum humanae legis* was a private document – a letter – to a foreigner, and must be carefully differentiated from Gardiner’s political, religious, and diplomatic advice to his King.<sup>79</sup> This meant that he could write his true opinion without fear of official castigation and, upon analysis, there is no material difference in doctrine between *Contemptum*

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<sup>75</sup> *Ibid.*, p. 209.

<sup>76</sup> *Ibid.*, pp. 193, 205.

<sup>77</sup> P. Matheson, *The Rhetoric of the Reformation* (Edinburgh, 1998), p. 4.

<sup>78</sup> Janelle, *Obedience in Church and State*, p. lxiv.

<sup>79</sup> Janelle characterised it as having “forcefulness, sincerity, and interest”, and accepted that it was consequently “more likely to embody its author’s genuine views and feelings”. *Ibid.*, pp. lxiv, lxv. Despite this acknowledgement, Janelle still refused to accept the possibility that Gardiner was sincere about rejecting the Papacy.

*humanae legis* and the much-derided *De vera obedientia*.<sup>80</sup> Janelle was correct to point out a marked difference in terminology between the earlier *De vera obedientia*, in which one might say that Gardiner consciously employed ambiguous language, and the later tract, in which “The bishop of Winchester steps out as what he had in fact been all along, the champion of the old religion against Protestant innovations.”<sup>81</sup> The difference may be attributed to two things: first, Gardiner was not writing for a domestic audience, but was continuing an antagonistic debate, situations which usually encourage the adoption of clearer, more precise, and more extreme, terminology. Secondly, by 1541, Gardiner was becoming more aware of the invidious and dangerous character of Protestantism: it saw in *bona fide* Catholic humanism an opportunity to take a considerable licence with the doctrines of the Church – a licence that was in no way intended or sanctioned. By now, Gardiner was clearly becoming concerned, both in his writings and his life, with safeguarding orthodox doctrine, but still determinedly using the Royal Supremacy as the guardian of his faith.

Gardiner’s experiences on his journey back from Regensburg can only have confirmed him in his opinion that concessions to Protestantism, whether perceived or real, only served to dis sever him from the world of international Catholicism. He stopped at Louvain on his homeward journey and was initially well-received there, as Driander recorded, Gardiner approached “with a great rout and bravery, and was there, at a private man’s house called Jeremy’s, most honourably entertained and received; where the faculty of divines, for honour’s sake, presented him wine in the name of the whole university.”<sup>82</sup> However, upon realising that the bishop of Winchester was the very man who had written the *De vera obedientia*, the divines immediately altered their behaviour towards him and “did... repent them for attributing such their honour unto him”.<sup>83</sup> They also entered into a debate with the

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<sup>80</sup> Janelle also commented on this fact: “In respect to Gardiner’s political thought, *Contemptum humanae legis* is strikingly akin to *De vera obedientia*, with the very important difference though, that not a word is here said of the Papacy, and that the prince’s supremacy over the Church is taken for granted.” *Ibid.*, p. lxxv.

<sup>81</sup> *Ibid.*, p. lxxv.

<sup>82</sup> Cattley (ed.), *Foxe*, VI, p. 139. See also the account by Gardiner’s chaplain, William Medowe, *ibid.*, VI, p. 202; Muller, *Gardiner*, pp. 99-100, 358, n. 22.

<sup>83</sup> Muller wrote that “someone remembered” that Gardiner was the author of *De vera obedientia*, but Gustave Constant believed that Gardiner actively disseminated copies to the divines: Muller, *Gardiner*,

English bishop about the primacy of the Pope, throughout which Gardiner “stoutly defended his said oration”.<sup>84</sup> Upon this, the Louvain dons proclaimed Gardiner “an excommunicate person, and a schismatic, to the no little reproach and infamy of the English nation”.<sup>85</sup> Driander recalled that a little after this *débâcle*, Gardiner had decided to say Mass in Saint Peter’s Church in Louvain, but was refused the vestments and plate necessary since he was considered excommunicate. Gardiner was “highly offended” at this treatment, and left Louvain for more accepting company.<sup>86</sup> Incidents such as this must have had a progressively wearing effect on Gardiner; despite protesting his personal orthodoxy, those not familiar with the subtleties of his Erastian Catholicism persisted in identifying him with the ranks of dangerous Protestants or schismatics, and treated him accordingly. After being handled so abruptly, Gardiner was probably – and ironically – glad to leave Catholic Europe for the rather more uncertain religious climate of his home nation, where he was to find an increasing need for adequate defences of Catholic teaching against the home-grown Protestants.

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pp. 99-100; Constant, *Reformation in England*, p. 358. Quoting Driander’s account, Cattley (ed.), *Foxe*, VI, p. 139.

<sup>84</sup> *Ibid.*, VI, p. 139.

<sup>85</sup> *Ibid.*, VI, p. 139.

<sup>86</sup> *Ibid.*, VI, p. 139.

## Chapter 7:

### *Cathedrals and Convocations*

Stephen Gardiner's experience of religion since the break with Rome had been a varied one. He had seen Henry use English Protestants for political gains, and he was aware that the sectarians had taken this as a sign of encouragement, and were constantly living in hope of a fully reformed England on a continental model. He had also, conversely, seen the King impose his natural conservatism and confirm the tenets of traditional Catholicism and, by so doing, frustrate Protestant hopes of godly developments. The mid-to-late 1540s was a time in which Gardiner was forced to mature: no longer could he idly speculate on the theory of Royal Supremacy, intriguing though that theory must initially have been to the legally-minded ecclesiastic. Instead, he was to be increasingly called to put his theory into practice and to *use* the doctrine to defend the Catholic faith and the Church of England against unwanted incursions. The Catholic party within Henry's government was at last on the ascendant, and Gardiner was himself employed as Henry's chief minister, much of his time being taken up with the mundanities of running the country.<sup>1</sup> But, perhaps most importantly of all, the Protestant wing of the English Church was becoming fractious and, above all else during this period, Gardiner set his mind to refuting Evangelical novelties and fallacies.

Not all of Gardiner's energies were consumed in administrative drudgery or combative pamphleteering – he also found time to be involved in a scheme to create a number of new bishoprics in England, using the spoils from the now-dissolved monasteries. By 1539, with the revenue generated by the dissolution of the monasteries in the Royal coffers, Henry was amenable to the idea of establishing new dioceses – it would look good and, at the least, extend his scope for exercising ecclesiastical patronage.<sup>2</sup> Felicity Heal believes that “he was enthusiastically seconded by Stephen Gardiner, who was always concerned to extend the influence of

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<sup>1</sup> Muller (ed.), *Letters*, no. 125, pp. 316-360, at pp. 326, 354; Redworth, *In Defence*, p. 157; Muller, *Gardiner*, p. 101.

<sup>2</sup> This was a revival of one of Cardinal Wolsey's schemes. See F. Heal, *Of Prelates and Princes* (Cambridge, 1980), p. 116.

the clergy”.<sup>3</sup> Nicholas Heath, Bishop of Worcester, George Day, Bishop of Chichester, and Richard Cox, Archdeacon of Ely, did most of the work towards the new bishoprics, but Gardiner and Cranmer were also privy to the negotiations and contributed to the scheme.<sup>4</sup> It was originally planned that up to fifteen or sixteen new dioceses would be created, each with one of the larger of the former monasteries as its cathedral church and, as Jack Scarisbrick comments,

Since the abbeys being considered for use as cathedrals or colleges included the richest houses in England, such adaptation would have saved for religion a significant proportion of the total wealth of medieval English monasticism.<sup>5</sup>

However, in the event only six new sees were made and each of these cost much less to establish than might have been expected – no doubt this diminution of the scheme was for financial reasons, and the new dioceses’ revenues were considerably smaller than those of the former monasteries.<sup>6</sup> Lehmborg concludes that the foundation of the new cathedrals was the “most positive aspect of the dissolution of the monasteries” – an aspect that no doubt had Gardiner’s full approbation.

The creation of six new episcopal sees, with great churches at their centre, considerably improved the organisational structure of the Church of England. The dissolution of the monasteries, whilst much lamented by Henry’s subjects, had eradicated an anomaly from the composition of the Church: monastic houses had been exempt from the control of the bishop in whose diocese they were located, and so were removed from the ordinary parochial-diocesan structure of the Church. In replacing them with a number of new bishoprics, Henry was creating a uniform institutional structure in which authority and control could be applied in a much more systematic fashion. The new See of Peterborough, which was carved out of the large and unwieldy Diocese of Lincoln, ensured that episcopal control could be more

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<sup>3</sup> *Ibid.*, p. 116.

<sup>4</sup> S.E. Lehmborg, *The Reformation of Cathedrals* (Princeton, 1988), p. 91. It is known that Gardiner was involved in the scheme because the endorsement on one of the government documents states that it came from the Bishop of Winchester, see *L&P*, XIV, ii, no. 429, pp. 151-152. For the complete texts of the various manuscripts, see H. Cole, *King Henry the Eighth’s Scheme of Bishopricks* (London, 1838), *passim*.

<sup>5</sup> J.J. Scarisbrick, ‘Henry VIII and the dissolution of the secular colleges’, in C Cross *et al* (eds.), *Law and Government Under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 51-66, at p. 64; for possible number of new cathedrals, see Lehmborg, *Reformation of Cathedrals*, p. 84.

<sup>6</sup> Scarisbrick, ‘secular colleges’, p. 64. He adds, “one may suppose that the government had always wanted to keep its outlay to a minimum.”

effectively exercised in an area which was previously very distant from its mother church. In addition to streamlining the administrative procedures of the Church – admittedly not one of the more exciting aspects of ecclesial reform – the creation of the six new sees also had educational benefits: it was proposed that, in addition to strengthening the diocesan structure, the creation of the new bishoprics would also result in the improved teaching of Latin and Greek, better maintenance of the highways, and the creation of new almshouses – all developments that would have gladdened the heart of a humanist reformer like Gardiner, and ones which would have merited his attention.

Other developments in this period, though potentially no less positive, were often a struggle against Protestant hijacking. In the 1542, a revision of the 1538 Great Bible was proposed. The Catholics had always been deeply upset by Coverdale's radical tone in his translation of the Bible, and were determined to halt the spread of this potentially dangerous book. The initiative for the revision seems to have come from the King, who gave a banquet at which he underscored his will to "correct the translation of the Bible sent among the people".<sup>7</sup> G.R. Elton has characterised religious policy of this time as a continuing factional struggle between the Protestants, led by Thomas Cranmer, and the Catholics, captained by Stephen Gardiner. He went so far as to say that it "appeared so much to be a confrontation between Gardiner and Cranmer", and that the Archbishop of Canterbury "had to surrender control of the Church (especially of Convocation) to Gardiner."<sup>8</sup> This being so, it was natural that Gardiner would desire any biblical revision to take place within Convocation, where he thought he would have more control over its direction.

There is evidence that the Bishop of Winchester tried to wrest control of the revision from the Archbishop and to take the affair into his own hands. He recalled that after

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<sup>7</sup> See Muller, *Letters*, no. 124, pp. 299-316, at p. 313 for Gardiner's recollection of the events in a letter to Cranmer of 1547; Redworth, *In Defence*, p. 160. It is often suggested that Gardiner manipulated this situation but, as Redworth says, "simply because Stephen Gardiner's doctrinal sentiment was in close harmony with the king's should not mislead us into thinking that the bishop called the theological tune."

<sup>8</sup> G.R. Elton, *Reform and Reformation* (London, 1977), pp 302, 307; Redworth, *In Defence*, p. 158. However, one ought to be equally as careful not to overplay Gardiner's control over Convocation as over the King – the Lower House had always been strongly conservative, and the House of Bishops was now far more Catholic in its orientation since the resignation of Latimer and Shaxton following the Act of Six Articles.

Henry had given the direction that the Great Bible was to be amended, “there was a used a marvellous diligence, and at my cost a Bible devided into quieres in the Convocation Howse, by your Grace’s direction”.<sup>9</sup> Despite Gardiner’s efforts, Cranmer was evidently not convinced that such a systematic emendation was required, and pointedly asked each bishop in turn whether he thought that the Bible could remain as it stood ‘without scandal and error’, only to be told by all but two of them that it could not. Redworth comments that “Gardiner’s tactics had left the archbishop without room for prevarication” and he duly appointed two committees, which were delegated to produce new versions of the two Testaments.<sup>10</sup>

Stephen Gardiner was placed on the New Testament committee and assigned to the Third Gospel, which he had previously translated in 1535, and, at the sixth session of the 1542 Convocation, dealt Cranmer a blow which was calculated to preclude any Protestant innovations in the revised Bible. He delivered a list of ninety-nine Latin words, which, “for their proper and natural meaning and the majesty of the thing expressed thereby”, should either be retained in the Latin or rendered into English as accurately as possible.<sup>11</sup> This was an unusual step and one that has caused some ridicule: J.F. Mozley pointed out that Gardiner’s proposal would lead to the inclusion of some bizarre passages, such as “behold the *ancille* of the Lord” (Lk. 1:38).<sup>12</sup> The extremity of Gardiner’s suggestion is understandable when one comprehends that some of the words on Winchester’s list had been translated in a thoroughgoing Protestant direction in the original Great Bible – Muller pointed to *ecclesia* being rendered as “congregation” and *sacramentum*, as “secret”.<sup>13</sup> He continued, “It could hardly have been expected that the champions of orthodoxy would accept this without challenge.”<sup>14</sup> However, Gardiner was too successful in thwarting Cranmer. The archbishop was particularly resourceful when backed into a corner, and, though it is

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<sup>9</sup> Muller, *Letters*, p. 313.

<sup>10</sup> Redworth, *In Defence*, p. 161.

<sup>11</sup> Using the translation here by J.F. Mozley, *Coverdale and his Bibles* (London, 1955), p. 273. See Redworth, *In Defence*, pp. 162-163, and D. Wilkins, *Concilia Magnae Britanniae...* (4 vols., London, 1737), III, p. 860-862. Mozley pointed out that two of the words (*paganus* and *inculpates*) do not even appear in the Vulgate.

<sup>12</sup> Mozley, *Coverdale*, p. 281.

<sup>13</sup> Muller, *Gardiner*, p. 105. Ellen Macek suggests that “Gardiner’s concern [for retaining Latin words or translating them carefully] may have had several causes, including the philologist’s anxiety over the reproduction of nuances in the translation process and the traditionalist’s solicitude for theological unity and stability”: E. Macek, *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996), p. 5.

not known how, contrived with the King to have the matter taken out of Convocation's hands and given over to the universities.<sup>15</sup> As Redworth surmises, Gardiner had

made it abundantly clear that the conservative bishops intended not to suppress the English Bible but to use the radicals' own weapon of vernacular Scripture to uphold traditional Catholic teaching: merit-theology and an ecclesiastical hierarchy composed of priests and bishops (not 'presbyters' or 'elders') would be found in the new Bible. It was too late for Cranmer to save the Great Bible... but it was not too late to prevent what would be, in the archbishop's opinion, a reactionary translation.<sup>16</sup>

This political wrangling was irrelevant to the vociferous Protestant William Turner, who still took it upon himself to blame the conservative party for a lack of Bible revision in 1542; despite their best efforts, it was the evangelical Archbishop of Canterbury who had halted that particular plan.<sup>17</sup>

Gardiner could not leave Turner's scurrilous accusations unanswered – it was a period in which a *touche* from a polemical opponent could have untold consequences – so undertook to counter-attack. Unfortunately, there is no known surviving copy of Gardiner's response to Turner, which was evidently called *The Examination of the Hunter* and published *circa* 1544, but Muller reconstructed at least some of it from the extensive quotations in Turner's *riposte*, *The Rescuynge of the romishe fox otherwise called the examination of the hunter devised by steuen gardiner* ("Winchester", 1545).<sup>18</sup> Paul O'Grady says of the *Examination* that "it shows a marked advance in the author's theological maturity" and, indeed, Gardiner displayed a certain theological *savoir-faire* that had been lacking somewhat in his previous works, but his theology was still firmly cemented to the Royal Supremacy.<sup>19</sup> He began the tract by stating that Henry's reformation was rooted in Divine Providence, and was manifested by "good polytike lawes", "under the only autoritie of the Kingis Majesti", and castigated Turner for daring to contradict the King on doctrinal matters, accusing him

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<sup>14</sup> *Ibid.*, p. 105.

<sup>15</sup> See Mozley, *Coverdale*, pp. 280-281.

<sup>16</sup> Redworth, *In Defence*, pp. 163-164.

<sup>17</sup> W. Wroughton [pseud. for W. Turner], *The huntyng and fynding out of the Romyshe foxe, which more than seuen years hath bene hyd among the bisshoppes of Englonde...* (Basle, 1543), sig. E. i.

<sup>18</sup> See Muller, *Gardiner*, Appendix 2, no. iv., p. 312 for details of the tracts, and Muller, *Letters*, Appendix 2, pp. 480-492 for the reconstruction. This text has been used here for all quotations from *The Examination of the Hunter*.

<sup>19</sup> P. O'Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), p. 109.

Janelle commented that by the time of the *Contemptum humanae legis* in 1541, "not a word is... said of

of “pryde and arrogancie.”<sup>20</sup> Turner believed that Henry had “bannished the popes name, hys purse, and hys doctrine”, and so instead of berating the King for what he saw as the perseverance of these Papal trappings, he addressed his complaints to the “lordly bisshoppes”, whom he believed were responsible for their retention, despite the severance from Rome. Gardiner retaliated to Turner’s allegations by warning that “the fox... is al redy dryven out” and that Turner was merely making a “tumult and a clamor” and he spent the rest of his treatise defending the preservation of certain Catholic doctrines and practices within the Church of England.

Turner alleged that Henry had driven out the Pope’s name, his financial overlordship, and his doctrine, but Gardiner’s counter-thesis was that “the Kingis Majesti bannished not the bisshop of Rome ether for hys name alone, for hys purse alone, or for hys doctrine alone, but for all to gether. And not for all to gether so as all together were nought, but for all to gether *so far as he misusethe them.*”<sup>21</sup> This was a significant development of language, and it was rather different in tone from Gardiner’s round condemnations of the Pope over the previous ten years and formed the nucleus for Winchester’s ensuing defence of Catholicism. As for the Bishop of Rome’s title, he wrote, “so far as it should signifi a superiorite above all princes and chalgene a dominion in thys realme, so far is the name of the pope bannished.”<sup>22</sup> Uprooting a false superiority was also Gardiner’s explanation for denying the payment of tributes to the Holy See – the Pope’s purse had been “worthely expelled” since he was not “superior nether yit did any thyng for it”, and this argument reached its apex in the discussion over doctrine.<sup>23</sup> On this matter, Gardiner argued,

And as concernyng such doctrine as was under hym [the Pope] taught, it was never under stand of any good man that all that whiche was taught ether by the bisshop of Rome or under hys autorite was hys own doctrine and to be cast away; but only that whiche was worthely to manteyn hys auctorite to be reject with hym; and that whiche was good to be retheyned and kept, not because it was hys, but because it is good.<sup>24</sup>

This could be no plainer: Gardiner’s argument with Roman Catholicism was the supremacy of the Pope: *Catholicism* could be accepted with a clear conscience. He

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the Papacy, and... the Prince’s supremacy over the Church is taken for granted”: Janelle (ed.), *Obedience in Church and State*, p. lxxv.

<sup>20</sup> Muller, *Letters*, pp. 480, 481.

<sup>21</sup> *Ibid.*, p. 481, italics mine.

<sup>22</sup> *Ibid.*, p. 481.

<sup>23</sup> *Ibid.*, p. 481.

concluded by saying that the Pope was expelled from England for his name, his purse, and his doctrine, “*so far as eche of them exceded from the treuthe, whiche only is mynded. All noughty doctrine is expelled with the bisshop of Rome, and not because it was hys, but because it was nought.*”<sup>25</sup>

On a *prima facie* reading, Gardiner’s emphasis on Papal ‘excesses’ seemed to be a radical departure from his previous scathing criticisms of the Pope’s degeneracy, which had caused his doctrine to be “shattered”, “decayed”, and “almost turned quite upside down”.<sup>26</sup> Two thoughts present themselves: first, in terms of literary style this is no doubt the case – Gardiner’s Catholicism was now presented as strident and uncompromising, whereas his earlier self-conscious use of linguistic ambiguity has been commented on above.<sup>27</sup> However, Gardiner would not have felt that these verbal distinctions implied any significant change of doctrine for him. It would be a grave error to believe that he was beginning to soften his attitude towards the papacy at this point – this was simply the zenith of a strand of thought that had been ever-present in Gardiner’s theology. What was presented here was merely a change of emphasis: in 1535 the Church of England needed to be differentiated from the Roman Catholic Church; its anti-papal *raison-d’être* had to be established in the face of continental antagonism, and powerfully so. After ten years, the situation was rather different – the Church was assailed by Protestants bent not on reform, but revolution. In *The Examination of the Hunter*, Gardiner was clearly at pains to demonstrate that the *Ecclesia Anglicana* was nothing but the continuation of the Catholic and Apostolic Church within the realm of England, having corrected the errors and excesses that had been inherent under its Papal constitution. For Gardiner, the doctrines of the Church of England were the proof positive of its visible continuity with Catholic Church of the Apostles and Fathers.

Gardiner’s 1535 *De vera obedientia* has been criticised for its deficient ecclesiology, seemingly equating the ‘Church’ with the Church of England, with little obvious concern for events outside it. Gardiner was clearly aware of this issue by 1541, and,

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<sup>24</sup> *Ibid.*, p. 482.

<sup>25</sup> *Ibid.*, p. 482, italics mine.

<sup>26</sup> From the beginning of *De vera obedientia*: Janelle (ed.), *Obedience in Church and State*, p. 69.

<sup>27</sup> See above, p. 60-61.

after nine years, he began to redress the balance.<sup>28</sup> He located the Tudor Church within an, admittedly loose and ill-defined, confederation of international Catholicism, which precluded any Protestant axis with the German princes: the King

hathe rejected the bisshop of Rome so far as he swarveth from the truthe. And, so far as the truthe will beare, hys Majesti agreeth with all the world; intendency by the expulsion of the bisshop of Rome not to confound the truthe...<sup>29</sup>

Underlying this statement was a tacit acceptance of the ‘canon’ of the fifth-century Vincent of Lerins: *quod ubique, quod semper, quod ab omnibus creditum est* (‘what has been believed everywhere, always, and by all’).<sup>30</sup> This had the advantage of seeing the orthodox Church as the guarantor of a set of doctrines and as an essentially spiritual, rather than an institutional, body, the Roman Catholics, rightly or wrongly, having exclusively claimed the latter for their own.<sup>31</sup> Gardiner believed that the Church of England had, to date, maintained itself within the bounds of Christian orthodoxy. Any changes that had taken place over the last ten years had been a reform of various abuses and had effected no material change in the Church, and Gardiner was keen to let it be known that, following the Act of Six Articles and the King’s Book – the touchstones of English orthodoxy – heresy would not be tolerated in England.

Gardiner found himself at somewhat of a loss when confronted with a Zwinglian approach to Church discipline and ceremonies. When Turner stated that “he wolde have no law but the Gospel in the Chirche”, Stephen Gardiner could only bluster the response that such a proposition “is so far out of reason that I will not reason withe hym in it.”<sup>32</sup> He could not understand the rationale behind such a position, and so merely treated it with a cursory contempt. To illustrate his point, Turner presented a series of commonly used ceremonies which he believed to be “repugnant to the Scripture”, and set out to decimate them.

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<sup>28</sup> O’Grady, *Conforming Catholics*, p. 59; see above, p. 70.

<sup>29</sup> Muller, *Letters*, p. 483.

<sup>30</sup> See ODCC, *sub* ‘Vincentian Canon’, p. 1700; ‘Vincent of Lerins, St’, pp. 1699-1700.

<sup>31</sup> See L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), p. 87.

Wooding points out that this was, in a Reformation context, a Protestant understanding of the Church. One must also remember that doctrinal orthodoxy was only half of the criteria for an ‘apostolic’ Church – the other one, which was a less pressing concern in the 1540s, was the preservation of a valid presbyterate and episcopate.

Turner's first target was the practice of creeping to the cross on Good Friday, which he believed to be 'worshipping' an image.<sup>33</sup> This gave Gardiner the opportunity to demonstrate just how powerful a polemical opponent he could be and he struck at the heart of Turner's simplistic dogma. He fixed on Turner's notion of 'worship' and used semantic argument to destroy any Protestant notion of 'worshipping' the image of the cross. At the root of Gardiner's disagreement with Turner was the latter's deviant understanding of the Biblical command that one must not bow down "to any graven thing"; Gardiner correctly analysed that the inherent weakness of Turner's position was his lack of distinction between 'worship' and 'reverence', and he struck accordingly.<sup>34</sup> Paul O'Grady calls the Protestant position "liturgical ineptitude", and Gardiner followed traditional Catholic teaching by asserting against Turner that "I may not worship the cross in the churche with godly honor, for it is against Goddis commandement; but I may use before it reverent behaviour".<sup>35</sup>

Gardiner had been one of those who supported the rather extreme move to insert a qualification into the Biblical command against idolatry during the formulation of the King's Book, and this addition clearly signalled his approach to the question of the correct use of images in Church. When speaking of images, the *Bishop's Book* unequivocally stated, "Thou shalt not bow down to them, ne worship them", to which was appended in the less radical *King's Book*, "to the intent to do any godly honour and worship unto them".<sup>36</sup> This suffix neatly isolated Gardiner's *modus vivendi* with regards to the use of images, and his assumption provided the basis of his attack against Turner. The Bishop of Winchester implied that any contrary reading of the commandment must lack sophistication, and he illustrated other examples of reverence that his opponent's dictum would also destroy:

For by hys resonyng to declare thys worde 'worship' (whiche he doth right worshipfully), it were 'idolatri' for the servant to make curtesi to hys master, where in he shuld bow hys kne, or the good man to kiss his wife; but to knele and to kiss his superiors hand, were by hym foul and filthy abominatione...<sup>37</sup>

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<sup>32</sup> Muller, *Letters*, p. 484.

<sup>33</sup> *Ibid.*, p. 484

<sup>34</sup> Deut. 5:8-9; C. Hughes, 'Two Sixteenth-Century Northern Protestants: John Bradford and William Turner', *Bulletin of the John Rylands Library of the University of Manchester* 66 (1983), pp. 104-138, at p. 124.

<sup>35</sup> O'Grady, *Conforming Catholics*, p. 110; Muller, *Letters*, p. 484.

<sup>36</sup> C. Lloyd, *Formularies of Faith during the Reign of Henry VIII* (Oxford, 1825), pp. 130, 295; Redworth, *In Defence*, p. 169.

<sup>37</sup> Muller, *Letters.*, p. 484.

Gardiner took it upon himself to counter this invidious and simplistic faith: "Shall I say that wher godly honor is forbidden reverent behaviour is also forbidden, and, by alterynge the signification, juggle and mok with the peple?"<sup>38</sup> Once again proving to his satisfaction that Protestantism was not only incorrect in its assertions, but also tended towards social disorder, and he derided the sly machinations of Protestants: "they delude the simplicitie of the people with the ambiguite of the words, and as very enemies of the cros of Christe they labor to extinct all wayes and meanes whiche mygt set out the glori of the cros".<sup>39</sup>

Turner moved on from images to discuss other relics of 'popery' still in use in England, beginning with the use of holy water (and the sanctification of salt). Protestants denied the apotropaic powers of holy water, and believed that its use encouraged superstition.<sup>40</sup> Gardiner began his parry to Turner's blow not with a scholarly defence of the continued use of holy water, but with the entertaining jibe,

In speaking agaynst holly water, whiche he entendeth to impugne, the mannis malice putrefieth for lak of salt, whiche he cannot abyde to be santified by the invocation of the name of God. Without learnyng he calleth it conjuryng, and without wit he despiceh the good wordes.<sup>41</sup>

Rather than create a defence of contemporary practice, Gardiner went back to Scripture and cited examples of materials being used in much the same way as holy water, which was far more polemically effective against a Protestant who believed in the principle of *sola scriptura*. He claimed,

If thys man had bene by Christe, when he anoynted the blynde mannis eyes with clay, he wold have asked hym whi he made the clay an other god besyde himself; and when the woman was heled of hyr diseas, by touchyng of hys garment, why he made hys garment an other God.<sup>42</sup>

Gardiner's rather clever arguments were wasted on Turner, who simply blocked his ears to Winchester's criticisms, and continued to proclaim the same points all the bolder. In his response to *The Examination of the Hunter*, Turner warned his reader that the 'popish' bishops

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<sup>38</sup> *Ibid.*, p. 485.

<sup>39</sup> *Ibid.*, pp. 484-485.

<sup>40</sup> See *ODCC*, sub 'Sacramentals', p. 1436.

<sup>41</sup> Muller, *Letters*, p. 486.

<sup>42</sup> *Ibid.*, p. 486.

dissemble til they may fynde a better tyme v. yeare ago master gardiner durst not for his eares haue defended holy water... nether durst he say that images might be worshipped... but now whan he hath spied hys tyme holdeth that hally water may be vsed in the chirche for the same endes and purposes that hys father pope hath ordered it for... to dryue deuilles away... and that images may be worshipped...<sup>43</sup>

Oblivious of Turner's future intransigence, Gardiner continued to refute his errors, and moved into an area which he had not, to date, touched on in print: the doctrine of the Eucharist. Turner had rather provocatively stated that in withdrawing the chalice from the laity, the Catholics were committing theft in denying communicants their rightful reception of the cup. Gardiner clearly viewed such inflammatory arguments as seditious, and he accused Turner of 'scolding' "with the hole realme".<sup>44</sup> Once again, he began his rebuttal with an attack on Turner's character:

For your reformation... ther wanteth but on Ulisses with hys mace to knock yow betwene the shulders, as he did Thersites for rayling unseemly against the governours...<sup>45</sup>

Gardiner wrote that "the lay men... reverently absteyn" from the chalice, and have "nothyng taken from them", and, to prove his point, briefly examined the doctrine of the Real Presence. He reminded Turner that, since the laity receive Christ whole in the bread, they lacked nothing that the chalice could offer them: "We deny that the supper hath any halfe at all; then is your resonyng worth an half penny."<sup>46</sup> Paul O'Grady comments that it was the faith of pseudo-Utraquists like Turner which was tainted, rather than the Real Presence theology of the Catholics.<sup>47</sup> For the first time in print, Gardiner showed that he was confident discussing the theological implications of his Eucharistic doctrine, and he engaged Turner in a debate on the efficacy of reception of the body and blood of Christ. He wrote,

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<sup>43</sup> W. Wraghton [pseud. for W. Turner], *The recuyng of the romishe fox other wyse called the examination of the hunter devised by steuen gardiner. The seconde course of the hunter at the romishe fox* (Winchester [i.e. Bonn], 1545), fols. 13r-13v; R. Pineas, 'William Turner and Reformation Politics', *Bibliothèque D'Humanisme et Renaissance: Travaux et Documents* 37 (1975), pp. 193-200, at p. 195.

<sup>44</sup> Muller, *Letters*, p. 486.

<sup>45</sup> *Ibid.*, pp. 486-487. Thersites had spoken up in a meeting of the Greek council outside the walls of Troy, and had insulted Agamemnon, the leader of the Greeks, *Iliad*, II, 212ff. Ulysses retaliated thus: "check your glib tongue, Thersites," said he, "and babble not a word further. Chide not with princes when you have none to back you."... On this he beat him with his staff about the back and shoulders till he dropped and fell a-weeping." (Translation by Samuel Butler), M.J. Adler (ed.), *The Iliad of Homer. The Odyssey*. (Chicago, 1952), p. 12.

<sup>46</sup> Muller, *Letters*, p. 487.

<sup>47</sup> O'Grady, *Conforming Catholics*, p. 110. See also *ODCC*, sub 'Utraquism', p. 1673.



ye make argument that no mannis receiving can profit him self to remission of syn; for, as ye say, ether he receyveth in syn to hys damnation, or out of sin, and then nedeth he no remission of sin, whose synnes be forgyven all redy. And here the man useth sophistri in the worde 'sinnes', only to delude and blynde the simple reder, which he desyreth to be of the unlearned sorte, that hys talk may be wondered at more than reproved.<sup>48</sup>

The Bishop of Winchester's catalogue of Turner's mal-doctrines turned from the reception of the Mass to the observance of Lent, which had been the cause of great antipathy for those of an evangelical bent. Till now, Gardiner's arguments had all relied upon the assumptions of Western Catholicism, but in his defence of Lent, his horizons broadened, and once again he pointed to the example of the Eastern Church. He noted that as ancient a source as Origen testified that Lent had been observed in the East "ever from the beginning", and Paul O'Grady remarks that "here the bishop of Winchester appeals to a Catholic tradition wider and more antique than papalism, rejecting again Turner's identification of Catholicism with popery".<sup>49</sup>

Gardiner perhaps did not use his knowledge of the Eastern Orthodox Churches to the best of his ability in his discussion of the use of Latin in the English liturgy. He correctly informed Turner that in Orthodox churches, "they sing suche Greke as the mother can no skil of unles she chanceth to be learned, nomore than the bisshop of Romis mother can skil of Latin".<sup>50</sup> His line of argument ran that, since the Greeks were as ignorant of their liturgical language as the Romans were of theirs, what need did the English have of comprehending their own services? One might feel that, in his desire to rebut all of Turner's accusations, Gardiner was too hasty to defend the continued use of Latin, and that his arguments consequently lacked force. Turner "alwayes... calleth the Latin tong the popis mother tong", to which Gardiner rather strangely replied that "what so ever the Romanes have don, they do not so now, so litle cause hath he to call the Latin tong the popis mother tong, when in some popis it hath happened, and in a great many cardinalles also, that nether father nor mother, ne they them selves, have kowen any whit of it."<sup>51</sup> Arguing that, in some cases, not even the historical perpetuators of ecclesiastical Latin understood their own language was idiosyncratic, to say the least. However, Gardiner's attachment to Latin was

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<sup>48</sup> Muller, *Letters*, p. 487.

<sup>49</sup> *Ibid.*, p. 487; O'Grady, *Conforming Catholics*, p. 110. However, O'Grady contradicts himself later by criticising Gardiner's "rather lame appeal to the practice of the "Greke Church" to justify orthodoxy", *ibid.*, p. 118.

<sup>50</sup> Muller, *Letters*, p. 488.

explained by his description of it as “the learned tong”: he delighted in the scholar’s understanding of hidden things; to him, Latin was no more a dead language than English, French or Spanish, and he inferred that popular comprehension of the liturgy was neither required nor desired.<sup>52</sup> Gardiner concluded his discussion of language with the slur that Turner was a “proud, arrogant, presumptuous foole” for taking issue with the institutional Church over this matter, and pointed out against Turner’s suggestion to the contrary that not even the Germans had ceased to use Latin in their services.<sup>53</sup>

Perhaps Gardiner had some inkling that he was wasting ink in rebutting Turner’s condemnations of the English Church; to a reformer of such extreme Zwinglian views, Gardiner’s objections and criticisms would be of no consequence at all. Whether accurately or not, he concluded with the polemicist’s conceit of painting his opponent as wilfully intransigent and obstructive:

I will reson no more with thys hunter that wanteth all reson. He rangeth in a licencious liberti, and bresteth in to this Chirche of Englund under colour to hunt the fox, and ranchseth and halloweth at every deare, with a purpose to dryve all godlyness, all semelyness, all religious and devout behaviour out of the parke.<sup>54</sup>

In writing *The Examination of the Hunter*, Stephen Gardiner was not engaging in a scholarly debate over the niceties of Christian doctrine, but was responding to a public slander written on the popular level, and this was reflected in his work. There were very few detailed justifications of Catholic practice here, and, more often than not, Gardiner condescended to reply to Turner emulating the latter’s own witty, irreverent, and popular style. So it is perhaps to be expected that the book ended as it began, by playing to Turner’s metaphor of the hunt. It was a slightly frivolous conclusion, but it was immensely successful at the task its author allotted to it: it was memorable, superior in tone, derogatory of Turner’s abilities, and it breathed that easy confidence of an expert polemicist who knew that he had just won the upper hand in debate. He wrote:

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<sup>51</sup> Muller, *Letters*, pp. 488, 489.

<sup>52</sup> *Ibid.*, p. 487; Ellen Macek has discovered that, unlike many humanists of his day, Stephen Gardiner did not share a passion for the education for the masses, and arguments for the importance of lay comprehension of Church services (as implied in Turner’s criticism) were somewhat distant from him at this point. Macek, *Loyal Opposition*, p. 150.

<sup>53</sup> Muller, *Letters*, p. 488.

<sup>54</sup> *Ibid.*, p. 492.

But now, Master Hunter, your houndes have ron ryot, and, levyng the fox, yerned only at the dere, whiche, in the Kingis Majestes clos ground, with your maskery, is felony, all thoghe ye speake so playnly as it may be acompted day. Thys is your fault, so manifest and apparant as it exceedeth your pour to close or hyde it. Gid gyve yow grace to make a more fruit ful suit to Hys goodness, and to the Kingis Majestie, for your reconciliation to both theyr favoures, then your indiscrete suit in thys hunting hath deserved.<sup>55</sup>

However, not all of Gardiner's adversaries could be brushed off by such means, and he was soon to embroil himself in complex and involved theological controversies with more able English 'heretikes'.

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<sup>55</sup> *Ibid.*, p. 492.

## Chapter 8:

### *Declaring the True Faith*

Having rebuffed Turner with ease, elegance and perhaps a touch of light-heartedness, Gardiner evidently became increasingly worried about the spread of Protestant ideas in England, and his tone rapidly developed a more sombre air. His anxiety was perhaps at its most acute whilst he was the resident ambassador to the court of the Emperor between October 1545 and March 1546, and it was during this period of prolonged absence from England that he started to emerge as a prolific polemical theologian of some merit.

William Paget, whom Gardiner considered his *protégé*, and who had risen through Trinity Hall and the bishop's household to become Principal Secretary to the King, kept the Bishop of Winchester well acquainted with developments in England during this time.<sup>1</sup> Paget reported that, as the Protestants in England became increasingly frustrated with the Fabian approach to reform under Henry VIII, they made substantial use of the cheap and often illegal printing presses in the capital and abroad to slander the defenders of 'popery' and to disseminate their reformed propaganda.<sup>2</sup> As Alec Ryrie and Michael Riordan remind their reader, "to be a sixteenth-century Protestant was to live in a state of constantly deferred and disappointed hope", and this widespread frustration was frequently vented through the medium of scurrilous balladry and theological tracts, inveighing against the hinderers of the Gospel.<sup>3</sup> Gardiner was aware of this worsening problem, and lamented in a letter to Paget,

Howe many bookes and skrolles have been cast abrorde in London within this yere and the offender never founde owte! Soo many prestes serched and put from ther goodes for a tyme, soo openly doon, and the offenders never founde owte!<sup>4</sup>

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<sup>1</sup> It is reasonably clear that Paget did not reciprocate Gardiner's warm feelings towards him; he acted decisively against his former patron during Edward VI's reign. For the two men's relationship at this point, see Redworth, *In Defence*, pp. 227-228.

<sup>2</sup> Indeed, according to Tessa Watt's calculation, as much as 43 percent of 'short-lived' ballads were 'religio-political' in nature, T. Watt, *Cheap Print and Popular Piety, 1550-1640* (Cambridge, 1999), p. 86.

<sup>3</sup> A. Ryrie & M. Riordan, 'Stephen Gardiner and the making of a Protestant villain', forthcoming, p. 5. Ryrie and Riordan cite G. Strauss, 'Success and Failure in the German Reformation', *P&P* 67 (1975), pp. 30-63.

<sup>4</sup> Gardiner to Paget, 5 November, 1545: Muller (ed.), *Letters*, no. 79, pp. 159-163, at pp. 160-161.

In another letter to Paget written on the same embassy, Gardiner admitted to his feelings of political impotence upon being unable to directly influence policy, appearing as a rather nervous man who felt dislocated from the centre of power:

I am very moch troubled with the state of our affayres; for albeit whenne I am in England I canne quiet myself with speking of my mynde; whenne I am called and doing faythefully therin, and attending diligently to be redy too doo as I am commaunded, I trouble not myself with other divises; yet whenne I am appointed to this place, I cannot forbere ne hold my penne styl, but, as my mynde is encombred with the matiers, soo to be buysy in writing and divisynge.<sup>5</sup>

During this period, Gardiner found that confuting Protestant polemic could be a cathartic exercise, and could go some way towards assuaging his deep-seated worries about the state of popular religion in his homeland.<sup>6</sup> He was adamant in his correspondence with Paget that there “can cumme no good ende” from the Protestant books circulating in England. During Henry VIII’s lifetime, “which I trust shal be lenger then myne, I feare not theise fonde malicious folyes”, but, he asked, “whenne those that nowe be yonge shal, with the fraylete of yought, wyne a contempte of religion and conceive an other opinion of God thenne is in dede trewe, what is like to ensue therof?”<sup>7</sup> He proffered this opinion of Protestants:

If I saw that parte more civile, more honest, more reasonable thenne they were wont to be I might thinke the lernyng good for sumwhat in this worlde; for as for the worlde to cumme, I am sure that it is nought, for it is newe and agreeth with noo religion that hath been established by God in the Olde Testament or the Newe Testament.<sup>8</sup>

This utilitarian approach to Protestantism and the ability to separate potential temporal advantages from doctrinal claims clearly owed much to Henry VIII. Only a few lines below, Gardiner recounted to Paget that

I never sawe that the Kinges Highnes of himself had any affection to them, but hath ever wisely wayed and considered the natures of them, and understood them as right as any man coulde describe them. His Highnes, sum tyme of necessite, sum tyme of policie, hath wisely used them, and sumtyme I know hath been enformed and told many gretter thinges of them thenne have followed.<sup>9</sup>

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<sup>5</sup> Gardiner to Paget, 13 November, 1545: Muller, *Letters*, no. 86, pp. 185-190, at p. 185. Perhaps this lends some credence to Cranmer’s suggestion that Gardiner “like nothing, unless I do it myself”, see Cattley (ed.), *Foxe*, VI, p. 45.

<sup>6</sup> Muller (ed.), *Letters*, p. 163. The book that Gardiner was writing against was R. Mors [pseud. for H. Brinklow], *The Lamentacion of a Christian against The Citie of London, made by Roderigo Mors* (‘Jericho’, 1542 [i.e. 1545]). However, Gardiner mistakenly believed that George Joye had written it, see Muller, *Letters*, p. 160.

<sup>7</sup> *Ibid.*, p. 161.

<sup>8</sup> *Ibid.*, p. 161.

<sup>9</sup> *Ibid.*, p. 162.

Utility or no, it was Protestant insubordination that Gardiner could not stomach, and as a result he spared no feelings in his round condemnations of Protestant heresy. In the prefatory epistle to the Reader from his *Stephani Winton. Episcopi Angli, ad Martinum Bucerum Epistola...* (Louvain, 1546), Gardiner revealed just why his rhetoric against the reformers was so frequently violent; he believed that

their pride of empty knowledge, and their boasting of learning falsely so called, have made altogether impossible a courteous and temperate controversy with them, such as the nature of the matter handled demands...<sup>10</sup>

When “words of courtesy, earnest adjurations and entreaties”, “conciliatory appeals and friendly approaches” were offered to Protestants, “they do nothing but smile at it in silence”, and even when they appeared to show some reasonableness, they were wont to “suddenly fly off like sportive birds”. Since “they interpret gentleness, mildness, moderation, courteous speech in their opponents as cowardice and lack of confidence in the cause debated”, a polemical opponent must shun such considerations and be blunt in the defence of truth. Gardiner proposed that,

I ought not, out of regard for my reputation, to increase my credit for moderation at the expense of any consideration necessary to the cause. For it is sometimes needful, in order to set a cause in a clear light, to decry the character of an adversary, and to publish the privy duplicities of a man.<sup>11</sup>

Indeed, the language in the preface of this book against Bucer was particularly violent in tone: Gardiner spoke of ‘kicking’ and ‘assailing’ his opponent so that he might cease his lies. Whether or not such aggressive language was merited in this case, Gardiner’s attack on Martin Bucer certainly left his reader in no doubt as to his true feelings about Protestants, whom he described as “the very dregs of humanity”, with Bucer their major ringleader.<sup>12</sup>

Gardiner’s first major full-scale work against Protestant doctrine to appear in England was *A Declaration of svch true articles as George Ioye hath gone about to confute as false* (London, 1546), which was a response to Joye’s *George Ioye confuteth WWinchesters false Articles* ([Antwerp], 1543). It was with the *Declaration* that

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<sup>10</sup> *Ibid.*, no. 97, pp. 205-208, at pp. 206-207. Translation from the Latin into modern English by Muller. The phrase ‘boasting of learning falsely so called’ alludes to 1 Tim. 6:20.

<sup>11</sup> *Ibid.*, pp. 207, 208. Gardiner’s use of the word ‘cause’ is interesting: the cause was no longer the King’s, but Catholicism’s, which was a marked development in Gardiner’s priorities.

<sup>12</sup> *Ibid.*, p. 206.

Gardiner confirmed himself as a theologian of some merit, as well as building on his reputation as a powerful polemical opponent. Muller regarded the *Declaration* as a particularly important book for students of Gardiner's life because it contained so much of biographical interest, more than in any of his other printed works, though Glyn Redworth, Gardiner's only other biographer, pays it scant attention.<sup>13</sup> The *Declaration* was a protracted self-defence against the widespread accusations that Gardiner had mistreated the Protestant John Barnes, who had been put to death at the stake as a heretic in 1540, a charge which Gardiner was evidently very sensitive to, since it elicited such an unprecedented public justification of his actions.<sup>14</sup> It defended the articles on justification that Gardiner had put to Barnes before the latter's death, and simultaneously refuted Joye's twin accusations of theological ineptitude and manifest cruelty towards the burned Protestant.

Hence, whilst the autobiographical details from the *Declaration* are reasonably well known, the theological content of the book has been largely overlooked, and has certainly been denied any systematic examination to date.<sup>15</sup> Ellen Macek characterises Gardiner's participation in the rumbling antagonism over justification as illustrative of his "pragmatic and tenacious response to the exigencies of the reformers' attacks", and he clearly used any ammunition that came to hand to rubbish Protestant dogma, combining "a variety of scriptural, patristic, legal and practical arguments".<sup>16</sup> However, this observation should not serve to denigrate Gardiner's acute theological acumen, since it is clear that, despite his eclectic approach to defending the doctrines of the Faith, Gardiner was firmly located within a continuing tradition of an English theology of justification, and was himself conscious of this history. Lucy Wooding is correct, in the midst of her thesis on Reformation Humanism, to remind her reader that Gardiner, like Fisher and Erasmus, were heavily

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<sup>13</sup> Muller, *Gardiner*, p. 128; Redworth, *In Defence*, p. 227, n. 63, where mention of the book is relegated to just this one footnote.

<sup>14</sup> For an admirable summary of the events surrounding Barnes' execution, see Muller, *Gardiner*, Chapter 13. Alec Ryrie and Michael Riordan believe that "if any single incident brought the legend of Wily Winchester fully to life, this was it", and that the charges against Gardiner were repeated vociferously and regularly, and from a very early date. Ryrie & Riordan, 'Protestant villain', p. 9.

<sup>15</sup> The notable exceptions to this paucity of study are the brief analyses of Gardiner's doctrine of justification in E.A. Macek, *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996), pp. 37ff; L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), pp. 98ff; D.B. Knox, *The Doctrine of Faith in the Reign of Henry VIII* (London, 1961), pp. 222-233; and P. O'Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), pp. 111-115.

<sup>16</sup> Macek, *Loyal Opposition*, p. 39.

influenced by the late medieval neo-Augustinian school, and that their treatises on salvation routinely emphasised the degeneracy of man and the absolute necessity of divine grace for justification.<sup>17</sup>

The *Declaration* opened with a clear delineation of the extent of merit theology which was interesting in itself, since it implied that Gardiner was genuinely sensitive to Protestant criticisms of semi-Pelagianism.<sup>18</sup> Indeed, one of the most intriguing aspects of this book was the degree to which Gardiner managed to achieve a fine balance between the operation of Divine grace and man's capacity to work towards his own justification, seemingly without too much difficulty. Implicit in all of Gardiner's criticisms of Protestant doctrine, and in his maintenance of the Catholic economy of Salvation was his understanding of the nature and role of faith. As Ellen Macek points out, "Traditionalists and reformers alike both recognised the crucial significance of the acceptance of the doctrine of justification by faith alone for the progress of the reformed religion in England."<sup>19</sup> When Gardiner denied the principle that *sola fides iustificat*, he was not demeaning the importance of faith, but stating that his conception of the role of faith compelled him to reject its ability to save by itself. He believed that "the effecte of fayth, is properly, to illuminate thundersstanding", which was twinned in operation with the virtue of charity, which would "warne and kindle mans colde and earthly affection."<sup>20</sup> This concept of the function of faith was impeccably Catholic, and was a whole-hearted attempt to reconcile the teachings of St. Paul and St. James on the nature and office of faith, since it allowed good works to be a secondary, though necessary, aid to salvation. Gardiner believed that faith was the intellectual assent to the doctrines of the Church and, as such, could not possibly have the power to remit sin. That place was taken by charity, which was the fruit of faith. He wrote:

Nowe if the iustification of man implied onely thexpulsion of darknes, frome mannes vnderstanding, theeffect of fayth wolde suffice but seinge, god in iustification, moueth mannes hart, and kindleth loue

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<sup>17</sup> Wooding, *Rethinking Catholicism*, p. 98. This against David Knox, who misinterprets Gardiner's theology to state, "man's efforts, and not God's promise, was at the centre of Gardiner's doctrine of justification." Knox, *Doctrine of Faith*, p. 222.

<sup>18</sup> See ODCC, sub 'Semipelagianism', p. 1481.

<sup>19</sup> Macek, *Loyal Opposition*, p. 37.

<sup>20</sup> Stephen Gardiner, *A Declaration of svch true articles as George Ioye hath gone about to confute as false* (4<sup>o</sup> edn., London, 1546), fol. 62<sup>v</sup>.

in it, whye may not these two vertues, with their two effectes, by goddes workinge, concurre in mannes iustification?<sup>21</sup>

For Gardiner, justification by faith alone was tantamount to a type of Gnosticism, the ascent towards God merely based on knowledge; he could not share the Protestant's appreciation of faith as an all encompassing, spiritual and, essentially, ethereal experience. However, it would be erroneous to go as far as David Knox and say, "it will be seen that Gardiner regarded faith simply as knowledge."<sup>22</sup> The concept of faith did imply more than simple knowledge for Gardiner: most importantly, it included *assent* to the doctrines of the Catholic Church; faith could exist, after all, even when the doctrines were not fully understood.<sup>23</sup> Muller surmised, "this controversy over justification – as old as St. James and St. Paul – sprang from two disparate conceptions of what faith was", it was a point on which Gardiner simply could not agree with the Protestants, and it was at the bottom of every disagreement he had with them over justification.<sup>24</sup>

George Joye had opened his attack on Winchester with the rather predictable accusation that his adversary believed that "workes muste iustifie", but Gardiner was emphatic in response: "I neuer went about to proue that... I neuer wrote so, I neuer preached so, I neuer affyrmed so, ne enterprised to teache Barnes so".<sup>25</sup> As for the proposition that by works one might be remitted of one's sins, he lamented, "I wold not be aferde to vse that speech, yf you and other had not to the world diffamed and sclaundered the word (merite)".<sup>26</sup> In fact, Gardiner was surprisingly vehement in his defence of the power of the Cross; he uncompromisingly stated that the Passion

is onely sufficient sacrifice for the synne of all the worlde, so full and perfyte, as it nedeth not any addicion or supplement... It is the fyrst letter of our crosse rowe. It is the foundation of our faith. Only christ is our mediatur. Christes only passion is our redemption, iustice, and satisfaction... only Christ is our hope, only chryst is our life, only christ is our way, only christ our sauour, holly, thoroughly, perfytly, absolutely, totally, entirly, fully, & herein no tongue can expresse so much as the matter truly conteyneth...<sup>27</sup>

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<sup>21</sup> *Ibid.*, fos. 62<sup>v</sup>-63<sup>r</sup>.

<sup>22</sup> Knox, *Doctrine of Faith*, p. 225.

<sup>23</sup> See Muller, *Letters*, p. 164: "tharticles of our beleef, with knowledge sufficient for direction of our living to Goddes pleasure, maye be comprehended of rude and unlearned wittes..."

<sup>24</sup> Muller, *Gardiner*, p. 131.

<sup>25</sup> Gardiner, *Declaration*, fol. 11<sup>v</sup>.

<sup>26</sup> *Ibid.*, fol. 11<sup>v</sup>.

<sup>27</sup> *Ibid.*, fos. 11<sup>v</sup>-12<sup>r</sup>. Lucy Wooding calls this "an explanation of the significance of faith in Christocentric language characteristic of reformism": Wooding, *Rethinking Catholicism*, p. 98.

This truth, though unexceptional for Catholics, was rendered by Joye and the Protestants with a “frantique understandynge”, which excluded any place for good works proceeding of charity. Having established that he believed in an objective salvation, effected in a once-for-all sacrifice at Calvary, Gardiner immediately moved on to consider how man should react to the Cross. He wrote,

where your doctrine should onlye implie that it is sufficient, to thynke and talke of christes passion, we say it is also necessarie to some, to taste & fele of christes passion, and also to drynke of it, as Christ sayde. *Potestis bibere calicem, quem ego bibiturus sum?* Can ye drynke the cup that I shall drynke? And we with the grace of god doynge the workes of penaunce, taste and feele the passion of christ, and as good men haue called it meritynge and deseruinge, to vse the benefites of christes passion, and by strength thereof to do penaunce for synne, which hath ben called likewise satisfaction... And in this speech, merityng and deseruyng, signifieth the due vsing of the benefite offred.<sup>28</sup>

Gardiner consciously reiterated this ‘vsing’ of the effects of Calvary, having already understood that “The contention [with the Protestants] is not of the preciousnes, validitie and effecte of christes passion, but of the vse of it.”<sup>29</sup> As Wooding writes, “this formulation perpetuated the emphasis on divine grace and human inadequacy whilst maintaining a Catholic understanding of salvation which included the sacraments.”<sup>30</sup> This was Gardiner at his best: he could respond to a valid reforming impetus which demanded a full appreciation of the magnitude of Christ’s sacrifice on Calvary, but without ceding the Catholic economy of Salvation, which included a place for the sacraments and good works born of grace. In showing his interest in the salvific effect of works of penance, Gardiner revealed one of the more interesting facets of his theory of atonement: that he saw Christ’s sacrifice upon the cross as profoundly *exemplary* for man.

There was clearly an element of the Abelardian notion of subjective atonement in Gardiner’s thought at this point, which stated that man could work towards his own atonement by following Christ’s example, through works of charity and penance, and which was effected with the assistance of Divine grace.<sup>31</sup> He believed that by laying

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<sup>28</sup> *Ibid.*, fos. 12<sup>r-v</sup>.

<sup>29</sup> *Ibid.*, fol. 12<sup>f</sup>. Gardiner’s point was not lost on the sixteenth-century Protestant owner of the British Library’s copy of this book, who underlined the word ‘vse’ here.

<sup>30</sup> Wooding, *Rethinking Catholicism*, p. 100. See Gardiner, *Declaration*, fol. 49<sup>f</sup>: Winchester believed that the gifts of grace were communicated to men through participation in God’s work, and especially through receiving the sacraments of baptism and penance.

<sup>31</sup> Peter Abelard (b. 1079, d. 1142/3) believed that Christians, moved to a greater love by the Passion of the Lord, would be more able to participate in their own salvation through emulating (to the best of

exclusive emphasis on the Passion, and by denying the extent of the efficacy of good works, the Protestants had falsely divided Christ into halves:

This haulf of Christ, ye talk of, that he hath suffered for our synne payde oure ransom, satisfied for vs, but the other haulfe, that Chryste suffred for oure example, to worke after hym, that ye can not abyde, ne dygest the preachynge of it.<sup>32</sup>

No doubt again sensitive to the almost inevitable Protestant charge of Pelagianism, Gardiner justified his doctrine of active participation in one's own salvation with an appeal to Christ's words, as recorded in scripture: "Can ye drynke the cup that I shall drynke?"<sup>33</sup> He pre-emptively dismissed any such accusation with the allegation that Protestants had corrupted the time-honoured meanings of such words as 'merit', and had interpreted them falsely,

as though there were ment derogation to the benefite of christes passion by them, where in deade they doo sette forth the excelencie of the same, as by vertue of whiche passion, men in state of grace, purchased by christes mediacion, doo the workes of iustice, and sinners be called to grace to do the workes of penauance, whereby to recover the favour of god, with remission and forgeuenes of their synne.<sup>34</sup>

However, Gardiner showed that scholasticism and humanism were complementary methodologies for him: whilst he was clearly influenced by scholastic theology here, he resolutely refused to follow common scholastic fashions by attempting to rationalise exactly *how* the process of justification was effected by God. He commented, "Nowe how this participation is wrought, and by goddes goodnes deriued to man: herein the worlde is troubled, but the speach with this sense hath no absurdite", and counselled, "seke not for thynges that be aboue thy capacitie, and let goddes secrecies alone", and that "we muste... subdue our vnderstandyng to fayth".<sup>35</sup>

According to Gardiner, this principle should be nowhere more exercised than when discussing the doctrine of predestination, but it was one that Protestants uniformly ignored. Such was the case with Robert Barnes, whom Gardiner had provoked in 1540 to the extent that Barnes attempted to defend the proposition that, theoretically, a man might be "iustified before he heareth and before he believeth, and so

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their ability) Christ's exemplary suffering. See *ODCC*, sub 'Abelard, Peter', pp. 3-4; 'Atonement', pp. 122-124; 'Exemplarism', pp. 585-586.

<sup>32</sup> Gardiner, *Declaration*, fol. 59<sup>v</sup>.

<sup>33</sup> Mt. 20:22.

<sup>34</sup> Gardiner, *Declaration*, fos. 12<sup>v</sup>-13<sup>r</sup>.

<sup>35</sup> *Ibid.*, fos. 24<sup>r</sup>, 25<sup>r</sup>.

confounded he the degrees of goddes workynge in tyme in vs.”<sup>36</sup> It was this emphasis on the ‘degrees’ of God’s ‘workynge in tyme’ that was to form the basis of Gardiner’s assault on the Protestant understanding of predestination. On his analysis, the inherent weakness of the Protestant economy of Salvation was the insistence that the grace of justification was required before the possibility of any good works, thus denying any incremental steps in accomplishing one’s atonement with God. One of the interesting effects of this rejection of good works before justification was that Protestants had to invert the meaning of the petition in the Lord’s Prayer: “forgive us our sins, as we forgive them that sin against us”.<sup>37</sup> Protestants were forced to propose that if a man forgave his neighbour before he himself were forgiven by God, then that man’s act of charity must of necessity be sinful. Gardiner gleefully reaped the maximum polemical capital from such an obviously embarrassing position – he warned his readers,

There is no forward in the new teaching, but al backwarde... in so much as he must lerne to say his Pater Noster backward, and where we sayd, ‘forgive us our debts, as we forgive our debtors,’ so now it is, ‘as thou forgivest our debtes, so I wyll forgive my debtors, and so God must forgive first; and al, I sayd, is turned backwarde.’<sup>38</sup>

The Bishop of Winchester taunted his Protestant opponents by suggesting that unless there were degrees of grace, then one must be glorified upon being called, a position which, he claimed, one of Joye’s fellow martyrs maintained to the stake.<sup>39</sup> Gardiner realised that the Protestants were “puttinge no difference, between iustification in time, and predestination and election that god worketh aboue time”, thus creating ‘confusion’ over the distinctions in both purpose and time between justification and predestination.<sup>40</sup>

Gardiner was quick to point out that language could not possibly adumbrate the mysteries of God’s actions; even the inspired gospels could not fully reveal the workings of God’s will: “we muste acknowledge thimperfytynes of oure speache,

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<sup>36</sup> This snippet of the disputation between Barnes and Gardiner is highly revealing and merits close reading. Gardiner made Barnes a number of propositions until the latter was forced by his own logic to defend Winchester’s intentionally ludicrous statement that if a man cannot do good works without the grace of justification, then one could be justified before ever hearing or responding to the Gospel. See *ibid.*, fos. 16<sup>r</sup>-20<sup>v</sup>.

<sup>37</sup> Lk. 11:4.

<sup>38</sup> From the introductory epistle to the reader, Muller, *Letters*, p. 169.

<sup>39</sup> Gardiner, *Declaration*, fol. 20<sup>v</sup>.

<sup>40</sup> *Ibid.*, fos. 20<sup>v</sup>-21<sup>r</sup>.

wherin the hollye gooft speaketh to imperfit men.”<sup>41</sup> He was especially adamant that it was facile to believe that the construction of human sentences and the use of tenses could adequately illustrate the Divine mystery of predestination: God

worketh continually,... and accordynge to his knowledge, hath before all tyme elected & predestinate, that is to say, before the begynnyng of the worlde, and in tyme hath called, doth call, and shall call, hath iustified, doth iustify, and shal iustify, hath glorified, doth glorify, and shal glorify, his elect and predestinate, in such measure as his pleasure hath appointed.<sup>42</sup>

At this point, Gardiner was using Scripture against the Protestants. Rom. 8:29-30, which Gardiner was paraphrasing here, was one of the crucial texts in shaping the Christian doctrines of election and predestination. St. Paul clearly drew a distinction in order between predestination, calling, justification, and glorification, which model Gardiner closely followed.<sup>43</sup> Despite the fact that St. Paul consistently used the perfect tense when describing God’s actions, Gardiner contended, “the pretertens [i.e. perfect tense; ‘preter~’ from the Latin, ‘*praeter*’, ‘past’, ‘beyond’] rather declareth a perfection in thacte, then the passing over of the time in the acte.”<sup>44</sup> He enunciated the three possible states of predestination that man’s language could comprehend: it must either be “done, vndone, or doynge. For mans understandynge, concludeth it muste be one of those three.”<sup>45</sup> But to those three he added a fourth: “that is to say, or elles ye can not tell, what to say in it, and in that fourte, I wolde yelde vnto you. For that is the verye lesson I wolde lerne you, to say, you could not tell.”<sup>46</sup>

Gardiner understood that some of God’s actions were performed ‘aboue time’, thus enabling him to make some of his most perceptive defences of Catholic doctrine, and some of his most persuasive arguments against the Protestant understanding of God’s intervention in the world. He proposed that “when we speake of God, with distinction of tyme, of anye worke done by god out of time, we speake improperlye”, and criticised the rigid rationalism of the Protestants, which could only comprehend God’s actions as occurring at fixed points in time.<sup>47</sup> Such actions, he conceded, were indeed possible, and he pointed to the Incarnation as an example of just such an act, which

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<sup>41</sup> *Ibid.*, fol. 29<sup>v</sup>.

<sup>42</sup> *Ibid.*, fol. 30<sup>r</sup>.

<sup>43</sup> Joye, however, did not accept this interpretation of the passage. See Knox, *Doctrine of Faith*, p. 231.

<sup>44</sup> Gardiner, *Declaration*, fol. 29<sup>v</sup>.

<sup>45</sup> *Ibid.*, fol. 35<sup>r</sup>.

<sup>46</sup> *Ibid.*, fos. 35<sup>r-v</sup>.

<sup>47</sup> *Ibid.*, fol. 29<sup>v</sup>.

could be so placed within the human concept of time.<sup>48</sup> However, predestination, as “gods high secrecy”, was not constrained to occur within the framework of mortal understanding, and was effected ‘about time’ – a subtle distinction that was lost on both Robert Barnes and George Joye.<sup>49</sup>

Gardiner was convinced that Protestant orthodoxy demanded that predestination must be a past, concluded, event, which inevitably led them towards “the abhominaiton of mere necessite”: the rejection of any meaningful freedom of the human will.<sup>50</sup> This, Gardiner believed, merited an allegation of ‘marring’ “the two principal postes, which god hath ordered to be sette vp in the frame of our saluacion, fre wil, and fre choyse.”<sup>51</sup> He accused the Protestants of ‘misunderstanding’ of predestination on logical and scriptural grounds, and then, falling back on the visible teaching of the Church, he wrote,

But the true teaching of christes church abhorreth necessitie, and yet worshippeth for most certayne truthes, goddes providence, election, and predestinacion, whereby we be taught that god is auctor of all our helth, welth and saluacion...<sup>52</sup>

Gardiner again showed an unexpected degree of humility when expounding his understanding of the cooperation between predestination and free will in man’s salvation. He ordered,

in that belefe we ought to acquite our selfe, and not be ashamed to lerne and confesse ignoraunce in these high misteries, wherein an arrogante proude curiouse wit should clerely be put to silence, and yet neuerthelesse a sombre humble spirite by a deuout serche and consideracion may lerne somewhat, wherewith to repress and subdue the temptacions of carnall reason euer mumuringe to the contrarie.<sup>53</sup>

There was an important didactic quality to Gardiner’s words in evidence here; the advice was equally applicable to the man in the pew as to the Protestant bent on turning from Catholic doctrine. Gardiner was very careful to take heed of his own counsel, and combined deference to the received teaching of the Church with considerable mental perspicacity when illustrating why predestination need not inevitably lead to the bondage of the will:

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<sup>48</sup> *Ibid.*, fol 29<sup>v</sup>.

<sup>49</sup> *Ibid.*, fos. 23<sup>r</sup>, 29<sup>v</sup>.

<sup>50</sup> *Ibid.*, fol 35<sup>v</sup>.

<sup>51</sup> Riordan and Ryrie, ‘Protestant villain’, p. 6; J. Bale, *A mysterie of inyquyte contained within the heretycall genealogye of P. Pantolabus* (Antwerp, 1545), sig. A3<sup>v</sup>; Gardiner, *Declaration*, fol. 35<sup>v</sup>.

<sup>52</sup> *Ibid.*, fos. 40<sup>r-v</sup>.

<sup>53</sup> *Ibid.*, fol. 40<sup>v</sup>.

Goddess knowledge they say is infallible in all things that shall be, and that is moost true, *but the infallibilitie is no kynd of cause, of y<sup>e</sup> thinge thereby so to be caused, to be, but only an assurance that the thinge as it is knowen of god, shall so be.*<sup>54</sup>

He continued,

God is the cause of all causes, and in the creacion of all natures & recreacion of mans nature, by grace, hath ordered things to moue and worke by their immediate special causes, not all necessariye [i.e. proceeding 'necessariye' of predestination], but some with interruption and some casuallie and principallie aboute all, man, by free choise of y<sup>t</sup> is offred hym, by which excellent gyft man differeth from other creatures... And euerye thyng as it is wrought, god knoweth it wrought, knowynge them as done by the inferiour causes, not orderynge them so to be done by his prouidence or infallible knowledge.<sup>55</sup>

It was Gardiner's clarity in distinguishing between God's foreknowledge of events and the occurrence of the events themselves which was most impressive here. His emphasis on 'inferiour causes', which come about through the processes of human interaction, allowed man unfettered freedom over the direction of his life. God, however, was not passive and distant in Gardiner's model: He evidently remained omniscient and he oversaw Creation's progress, but allowed man, through grace, to turn to him, rather than compel his every move.

Gardiner was aware that the Protestants, in this case, could make a strong case for the argument that they had based their doctrine of predestination on the teaching of St. Augustine. He conceded that, when Augustine was "troubled with the pelagians", "in consideration of goddes election, agreeth not throughly with other".<sup>56</sup> However, this was "not w<sup>t</sup> contencion but rather therby to exclude y<sup>e</sup> matter of argument that might serue the Pelagians".<sup>57</sup> Whilst it is true, controversy with the Pelagians forced Augustine to enunciate a much stronger doctrine of predestination than he had previously done, it is plain that the great African saint's final and uncompromising position was a source of some embarrassment for Gardiner. This was not primarily for the immediately obvious reason that the Protestants could cite Augustine to shore up their own predestinarianism, but because "somewhat wyll here be gathered by the waye, that men dissente from men, doctours from doctoures, fathers from fathers", thus leading to the proposition Gardiner feared most:

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<sup>54</sup> *Ibid.*, fol. 41<sup>r</sup>, my emphasis.

<sup>55</sup> *Ibid.*, fos. 41<sup>r-v</sup>.

<sup>56</sup> *Ibid.*, fol. 43<sup>r</sup>, marginalia.

<sup>57</sup> *Ibid.*, fol. 43<sup>r</sup>.

why should we then (sayth your sect) regarde men, doctours, or fathers, but all resorte to the very fountayne of gods worde, and thence fetch pure, sincere, clene, vndefiled water, and not to resorte to mennes puddelles that be myerie, troubled and not clene. If saynt Austen dare disagre from the rest why may not I disagre from him (or you) and from the rest also, and cleaue onely to gods word? Gods worde is the lyfe, and whither shuld we go but thither, and there is playnes.<sup>58</sup>

Such a position presented somewhat of a dilemma for Gardiner, since he had proposed something similar in the *De vera obedientia*, arguing for a return to a biblical faith free from the taint of “mennes puddles and quallmyres”.<sup>59</sup> Yet, eleven years later, he had become the implacable opponent of the men who demanded the principle of *sola scriptura*. Nowhere in the passage from *De vera obedientia* did Gardiner reject the use of the Fathers in formulating doctrine, indeed, they were not mentioned at all. The “puddles and quallmyres” he referred to almost certainly represented *corruptions* of orthodox doctrine – medieval developments which arguably had no legitimation either from Scripture or the Fathers. The development of Winchester’s position between 1535 and 1546 was that, whereas the early Gardiner was optimistic about a reformed but Catholic, bibliocentric but orthodox faith, the Gardiner of the *Declaration* had come to see that the understanding behind the rhetoric which he had, to some degree, shared with those who later became Protestants, had irrevocably moved on from the benevolent humanism which he favoured, to something quite different: an uncompromising insistence on the principle of *sola scriptura*, which explicitly denied the value of extra-scriptural formulae. There was, however, no fundamental shift in Gardiner’s theology involved here.

He bemoaned the fact that “there was neuer heretique but bosted scripture”, which was, “by goddes sufferaunce”, “subiecte to mannes peruersite, and is to good men, *Odor uite ad uitam* [“the fragrance from life to life”], and to euyll men, *Odor mortis ad mortem* [“the fragrance from death to death”].”<sup>60</sup> The Bible, believed Gardiner, was the infallible source of Christian doctrine, which malign men were wont to corrupt and use to their own devices: man’s false pride was the cause of variant understandings of the Word of God rather than any inherent fault in Scripture itself:

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<sup>58</sup> *Ibid.*, fol. 43<sup>v</sup>.

<sup>59</sup> Janelle (ed.), *Obedience in Church and State*, p. 73.

<sup>60</sup> *Ibid.*, fol. 44<sup>v</sup>. Gardiner was quoting St. Paul here: 2 Cor. 2:15-16 (the translation is from the RSV). Many thanks to Robert Hayward for locating this passage.

Scripture is a swete pure flower, whereof spiders gather poyson and bees hony. As thou arte that cryest for scripture, so shalt thou gather of scripture. Go thyther instructed with holsome doctrine, and there thou shalt se it confirmed. Go thither infecte with maliciouse opinions and there thou shalt withe [*sic* 'writhe'] out matter, whether to maynteine them. And so the deuyll dyd when he tempted Christ, thence he fetched his armour wherwith to fight with Christ. And so do all the heretiques to fyght with the church.<sup>61</sup>

The Protestants, of course, would have rejected Gardiner's methodology of approaching the Bible to 'confirm' doctrine, seeing it as symptomatic of Catholicism's hermeneutical infidelity. The Bishop of Winchester, however, was conscious that he stood in a tradition of biblical exegesis and reflection spanning fifteen hundred years, and could call on the continuing witness of the Church to defend his beliefs. Feeling thus secure in his position, he struck at what he saw as one of the paramount weakness of the Protestant creed: its emphasis on the individual's right to interpret Scripture.

Winchester summarised Protestantism's foundational dogma thus: "eche man by hym selfe alone colde vnderstande and expounde scriptures in the true sense", an individualistic position with which he could not concur. In the prefatory epistle to the *Declaration*, he wrote

that albeit thartycles of our beleef, with knowledge sufficient for direction of our living to Goddes pleasure, maye be comprehended of rude and unlearned wittes, yet the discussion of the Scriptures requireth Goddes futher giftes of erudicion and lernynge.<sup>62</sup>

He believed that the "asseueracion" of individual rights of interpretation had visibly led to "prodigiouse and monstruose opinions" which, their proponents claimed, had been garnered from Scripture.<sup>63</sup> This situation was not unprecedented, and Gardiner went back to Scripture for an apt analogy for the proliferation of variant opinions of those who all professed God. He did not have to look very far for a situation in which confusion reigned and the Lord rejected those who displayed an arrogant pride: he noted,

in this tyme when eche man, w<sup>t</sup> a gaye pretence of resortyng to the scriptures, and to the fountayne, without the teaching and instruction of other catholique men, do arrogantlye interprese to buyld them selfe a knowledge to reache to gods secretes, one catholique faythe is deuided into as many sundry

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<sup>61</sup> Gardiner, *Declaration*, fol 44<sup>v</sup>.

<sup>62</sup> Muller, *Letters*, no. 80, p. 164.

<sup>63</sup> Gardiner, *Declaration*, fol. 45<sup>v</sup>.

opinions and persuasions, as was the one tunge at the buyldynge of the towre of Babell, into diuerse languages.<sup>64</sup>

Stephen Gardiner's approach to the Bible was one that recognised that, "although scripture be the foundacion & ground of all truth, yet it is darke and obscure to senses unexercised", which, he believed, should immediately disqualify the uneducated man from expounding it. In his opinion, one of the worst failings of Protestant biblical exegesis was to demote the importance of the Fathers, and he sought to combat it by giving his own interpretation of how the fathers should be used:

so as their consonaunce and agreement together in the matter of doctrine where they agre, may leade vs to consider the more certainly the truth in scripture, and those good men not vpon euerye alteration one from an other to be reiect or contemned of vs as lyers, as men wolde now a dayes haue it...<sup>65</sup>

Gardiner was aware that, where a patristic source differed from Protestant ideology, an allegation of corruption was laid against it, and its authority was rejected. Where two Fathers seemed to differ, the Protestants would 'bear them in hand', so they might

lerne hym selfe alone, whiche is the deuylls persuasion to spercle that is gathered, and where we be a congregacion to make eche man wander from his felowe, and eche man to belue him selfe.<sup>66</sup>

Thus they wanted "al to be alone, alone, alone, mine owne selfe al alone...", singing "the free mannes songe of alone".<sup>67</sup> As for this Protestant individualism, which became dangerous and deviant when pitted against the visible teachings of the Catholic Church, Gardiner had this to say:

eche man presumptuouslye geueth hym selfe alone an vnderstandinge of goddes scriptures, and contempninge that other men deuoute and lerned haue written, trust to their owne sense contrarye to the wyse mannes aduertisement, or rather lustelye so to bost forth for knowledge that they lyke to saye they knowe bwcause they wolde in dede haue it so taken whether it be so or no. And such men, what so euer is sayd to the contrarie of that they ones say they knowe, eyther they make a lyppe at it, or yelde with silence to seme to gyue place to auctorite for the tyme, or yf they dare speake, lay their hande on their brest, and say they spake as theyr conscience serueth them, or tell howe they haue prayed for grace and can not beleue the contrarye, some lyfte vp theyr eyes & wisse that the truth may sprede abrode that hath ben longe hydden. And thus as they wolde haue it, they wyll haue it, & be clerely deefe [*sic* 'deafe'] to any other teachynge.<sup>68</sup>

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<sup>64</sup> *Ibid.*, fol. 45<sup>v</sup>.

<sup>65</sup> *Ibid.*, fos. 45<sup>v</sup>-46<sup>r</sup>.

<sup>66</sup> *Ibid.*, fol. 46<sup>r</sup>.

<sup>67</sup> *Ibid.*, fol. 46<sup>r</sup>. Note the sarcastic reference to the Protestant concept of Gospel liberty, which Gardiner so strongly opposed.

<sup>68</sup> *Ibid.*, fol. 46<sup>v</sup>.

This was pointed criticism indeed, and the bitterness of Gardiner's parody was apparent as he mocked his enemies' self-assurance. He contrasted his own orthodoxy, which was born of humility, with the confident arrogance of his Protestant adversaries:

I protest openlye and take god to record that I neuer yet durst be so bolde, to gather anye sense of y<sup>e</sup> scripture, but such as I had redde gathered all redy in good aucthors, whose spirite I durst better truste, then myne owne. I knowlege and confesse myne owne pouertie therein. I knowe none opinion of myne owne fyndyng in scripture, and what so euer gyfte other haue, scripture is to me ouer darke, to vnderstand it alone, without the teaching of other, suche as haue lefte their labours therin, in writing behind them.<sup>69</sup>

Gardiner wished that Joye and others of his ilk would show the same "feare of error" and moderate their rhetoric somewhat. Instead, it was clear that the Church would be brought back to the age-old problem of strained partisanship. Gardiner accused Joye thus:

you wyll haue this broughte agayne of the primatiue church, that our hearers and readers of our bokes shal say I beleue Ioye, and I beleue Wynchester. *Ego Cephe, Ego Pauli*, but yet to auoyde some parte of that inconuenience, men haue deuised to say, nowe I beleue not Luther, nor Melancton, nor Buwcer, nor Swinglius, nor Ioye, nor Turner. And call them (for the tyme) knaues... but I believe... goddes holy wordes whiche can not lye as men so.<sup>70</sup>

However, Gardiner was quick to point out that God's word itself was not at stake in the dispute; rather it was "the sense of goddes holy worde" over which Gardiner took issue with the Protestants. Again, the Bishop of Winchester thought that the best way to make his point was to ridicule his opponent and, indeed, this tactic proved to be a very shrewd polemical move:

Mary you maister Ioye, I praye you pardonne me, for yf god hath so made you of his secrete counsel, that ye can tell what Chryste thoughte (as ye haue before arrogantlye affirmed) ye may speake for so much more aucthoryte, then anye other.<sup>71</sup>

Gardiner's *Declaration* mixed mockery, polemical and combative theology, and a healthy dose of popular appeal, and in consequence became one of the bishop's more successful and memorable books. He showed himself to be quick to jump to the defence of the faith which he evidently cared so much for, and equally quick to attack those who impugned that faith. However, the conclusion of the *Declaration* brought

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<sup>69</sup> *Ibid.*, fos. 46<sup>v</sup>-47<sup>r</sup>.

<sup>70</sup> *Ibid.*, fos. 83<sup>v</sup>-84<sup>r</sup>. Notice the pun on the Protestant claim to be returning the Church to its primitive state.

<sup>71</sup> *Ibid.*, fol. 84<sup>r</sup>.

forth a different, and more edifying emphasis: after about a hundred folios of invective, accusation and counter-accusation, Gardiner ended the work with a well-placed plea that Joye return to the Catholic fold. One should not assume that, after the heat of the literary struggle with Joye, Gardiner was softening to show a more conciliatory approach to his bitter opponent; as has been seen over and over, the Bishop of Winchester was a man who understood better than almost any other the means to concoct a successful argument. Joye had accused him of being a lawyer, and whilst jurisprudence does not feature heavily on the pages of the *Declaration*, Gardiner's undoubted skills as an advocate indelibly *shaped* the work. The conclusion read almost like a summing-up in front of a jury; Gardiner tactically employed a change of tone at the crucial point in his argument in an attempt to appear to be the voice of reason, a trustworthy man who could demonstrate that, whatever had gone before, he was really above the vagaries of a heated debate.

However, even during this softening of tone, Gardiner made sure that his readers knew that, whilst one could be generous to the man, Joye's doctrines were unacceptable; he wrote,

I pray god, send you a better mynd, truly instructed with his doctrine, and grace to turne to him, from the vayne glory of the worlde, wherin ye reigne, and with the tyrannye of your tongue, persecute other mens name and fame, most cruelly, with a counterfet forged sworde, of authorite, vnder pretense of gods worde... All suche armour of witte, lernynge and vnderstanding, as god hath gyuen to you, to help, to maintayne the seemly state of Christen religion, to thincrease of goddess honour, loue, quiet and tranquillite, amonges vs: ye conuert all, to the confusion of it, and handle the matter so, as though god had nede of your lyes...<sup>72</sup>

Gardiner was undoubtedly thinking of himself, amongst others, when he accused Joye of 'persecuting' men's good names. He showed here a side of his character that has been insufficiently acknowledged by modern scholarship – his sensitivity to the criticism of others. He pleaded in defence of himself:

How so euer ye diffame me of crueltie, I knowe it is not my faulte, and yet I am a sinner, and haue many other faultes.<sup>73</sup>

Similarly, in a defensive yet frank frame of mind, he wrote to Paget that

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<sup>72</sup> *Ibid.*, fol. 95<sup>v</sup>.

<sup>73</sup> *Ibid.*, fol. 96<sup>r</sup>.

although I goo not aboute to prove myself a saincte, for I have made noo such outward visage of hypocrise, yet it shal appere I am not utterly a devel. And if I be a devyl, I am not of that kind of develles that he [Joye] notith me of, and such other as have pleasour to have me so spoken of.<sup>74</sup>

Joye revelled in painting Gardiner as an arch-persecutor, the man who had delighted in sending Barnes to the stake, who was the architect of English anti-Protestant policy, and who took a perverse pleasure in keeping godly men in exile from their home country, to which charge Gardiner was emphatic in response: in attributing the Catholic direction of religious policy to Gardiner, Joye was doing offence to the King, who was the real draughtsman of English legislation, and if Winchester really ‘delyted’ in the punishment of Protestants, “I coulde not wisshe you a more miserable state then thus, to here you rore and crye out like beastes, and by excesse of malice, to speake ye wote not what...”<sup>75</sup> He then, in a very brief passage, summed up his attitude towards heretics and heresy, proclaiming that Joye “shulde by iustice haue dyed”, but the appearance of this seemingly draconian wish belied Gardiner’s ultimately benevolent desire that heretics should not be allowed to be the architects their own damnation.<sup>76</sup> As he wrote in the introductory epistle to the reader, Gardiner strove not against Joye, “who overturneth himself”, but he only wrote against him to preserve others from falling into error with him.<sup>77</sup> By keeping himself excommunicate from the Church in propagating his heresy, Joye ventured only to “sette your selfe in prison of an encombred conscience, and dye dayly, yet liuyng, in prosecuting your mischeuouse enterprise,” there being only one remedy for the salvation of his soul: unconditional repentance. He wrote,

But retourne you vnto god, retourne to be a good christen man, and an englysshe man. For what so euer our faulty workes haue ben, they nothing [serue] to the iustificacion of your doctrine. Let vs all praye together, for mercye, mercye, mercye, nowe most necessarye vnto vs.<sup>78</sup>

Stephen Gardiner ended his tract against Joye by espousing a concern which would become particularly important to him over the course of the next few months and years, and it was indeed one that would dominate his next book, the *Detection of the Devils Sophistrie*: he showed a real concern that the disagreements between Catholics and Protestants had made “y<sup>e</sup> reuerent feare” of God’s majesty “almost extincte

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<sup>74</sup> Muller, *Letters*, p. 163.

<sup>75</sup> Gardiner, *Declaration*, fos. 96<sup>r-v</sup>, 97<sup>r</sup>.

<sup>76</sup> *Ibid.*, fol. 97<sup>r</sup>.

<sup>77</sup> Muller, *Letters*, p. 164. For an interesting excerpt on Winchester’s views on his duty to propagate the orthodox faith, see Gardiner, *Declaration*, fol. 96<sup>r</sup>.

<sup>78</sup> *Ibid.*, fos. 97<sup>r-v</sup>.

amonges manye.”<sup>79</sup> His concluding remarks do seem to indicate a peaceable side to Gardiner’s character that has been largely overlooked. Modern scholarship is often so consumed with seeing him either as a politician, or a diplomat, or a persecutor, or a polemicist, that it is, perhaps, salutary to be reminded of this simple yet powerful ideal:

Unhappy be we, in whose time learninge shulde be mynystred, to such effectes. God graunt vs to knowe him, truely and according to his will, so to worshyp and honour him, in bodye and soule together, as all contencions, debates, malice and hatred, clearely extirpate & pulled out, we maye liue here like christen men, with christen men, and englyshe men with englyshe men...<sup>80</sup>

This quiet end to a book otherwise notable for its combative approach to any variance of opinions was a marked alteration from Gardiner’s previous offerings, which were usually marked by powerful and rousing rhetoric. Gardiner may have been attempting to assert his spiritual credentials in the face of growing criticism of his lordly lifestyle and his purely secular skills as an advocate. The closing words of the *Declaration* were those of a Latin prayer, reinforcing this image of Gardiner the Bishop, and perhaps this little vignette showed Gardiner’s major concerns at their best: he was a nationalist in politics, a moderate and humble Catholic in religion, and, insomuch as any Tudor man could be described as such, a peaceful man by nature. Each of these qualities, however, would prove to be sorely strained and set against each other within the next few years, as Protestantism continued its inexorable progress in England.

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<sup>79</sup> S. Gardiner, *A Detection of the Devils Sophistrie, wherwith he robbeth the vnlearned people, of the true byleef, in the moost blessed Sacrament of the aulter* (8<sup>o</sup> edn., London, 1546); Gardiner, *Declaration*, fol. 97<sup>v</sup>.

<sup>80</sup> *Ibid.*, fol. 97<sup>v</sup>.

## Chapter 9:

### *Detecting the Devil's Sophistry*

Several themes had been developing in Gardiner's thought through the mid-1540s as he recognised that the unthinkable was happening before his very eyes: Protestantism was, albeit slowly, becoming a visible force in England. He had shown that he was becoming ever more uneasy about any sort of private judgement in spiritual matters, and he was now deeply worried about the widespread lack of reverence that was being shown towards God.

His *Detection of the Devils Sophistrie*, published in 1546, took up such matters where the *Declaration* left off, and in it, Gardiner considered the all-important doctrine of the Mass.<sup>1</sup> Paul O'Grady comments that Gardiner was "one of the first Catholic theologians to have detected the drift toward spiritualism in the new doctrines", and the *Detection* was an attempt to stem the flow towards the formularies of Geneva and Zurich.<sup>2</sup> Gardiner had been linking adherence to Protestantism with a lack of education for some time by this point, writing that it was "symple folk" and the "vnlearned" who fell prey to the machinations of Protestant leaders, and the *Detection* represents the apex of this trend.<sup>3</sup> Whether this was a polemical conceit, intended to belittle and embarrass his opponents, or whether Gardiner genuinely believed this is unknown: he was capable of either. Rather than denigrate the intellect of his primary adversaries, however, he usually depicted them in the *Detection* as wilful and deliberate heretics, who meant only to draw good Christian men away from the True Faith. In addition, he believed that such men were doing the work of the Devil himself. In the *Declaration*, Gardiner had written to Joye: "Your learning cannot be good that preach so like the devil", and it was this understanding of the Devil's intimate connection with the spread of Protestantism which provided the backbone of the *Detection*.<sup>4</sup>

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<sup>1</sup> S. Gardiner, *A Detection of the Devils Sophistrie, wherwith he robbeth the vnlearned people, of the true byleaf, in the most blessed Sacrament of the alter* (8<sup>o</sup>, London, 1546).

<sup>2</sup> P. O'Grady, *Henry VIII and the Conforming Catholics* (Collegeville, Minnesota, 1990), p. 175, n. 65.

<sup>3</sup> S. Gardiner, *A Declaration of svch true articles as George Ioye hath gone about to confute as false* (4<sup>o</sup> edn., London, 1546), fol. 88<sup>v</sup>, as an example.

<sup>4</sup> Quoted in Muller, *Gardiner*, p. 132.

Unlike the *Declaration*, this book was not a refutation of any one person's opinions or writings, and in this instance, Gardiner wrote specifically for a popular audience, which allowed the work a strong didactic quality, similar in style to some of the more persuasive passages against Joye.<sup>5</sup> Much of the *Detection* reads like a sermon, and Gardiner had evidently added a degree of pastoral insight to his proven oratorical and literary abilities in its composition. The introductory letter to the reader set the tone for the remainder of the book: Gardiner began by outlining the theological scene by imploring his reader to consider "how ful of iniquite this tyme is, in whiche, the highe mysterie of our religion is so openly assaulted", and immediately demanded that an inquisitive mind be set aside whilst receiving the doctrines of the Church.<sup>6</sup> Rather than set himself up as the sole arbiter of orthodox doctrine, which, Gardiner believed, Protestantism demanded of the individual, the reader was to humble himself and to receive the Faith as it was taught him. He wrote:

reade when thou readest with fauour, to that truthe, whiche the consent of Christes church, hath from the beginnyng commended vnto vs, and reuerentlye at theyr handes receyue the true vnderstandynge of scriptures...<sup>7</sup>

Gardiner's reader was reminded that "God resisteth the presumptuouse and arrogant" and, conversely, "geueth grace to such as be in spirite, meke, and lowly", and any vaunting human pride was, for the bishop of Winchester, "The first chiefe and pryncypall point of deceyte and sophistrye", since it "make euery man thiinke of him selfe, further then is in dede in him."<sup>8</sup> Just as access to the vernacular Bible and the right to interpret it privately were the foundational principles of Protestantism, so for Gardiner they represented its gravest dangers; they encouraged a "false persuasion of lerning", which was "the foundacion & roote" of heresy, "whereupon is buylded and groweth false doctrine in the high misteryes of our religion".<sup>9</sup> Nowhere was this trend more obvious, or more insidious, than in the doctrine of the Sacrament of the Altar.

As befitted his humanist persuasions, Gardiner's first defence of the Catholic understanding of the nature of the Eucharist was rooted in the Bible. Ironically, he

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<sup>5</sup> E.A. Macek, *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996), p. 88.

<sup>6</sup> Gardiner, *Detection*, fos. 2<sup>r</sup>v.

<sup>7</sup> *Ibid.*, fol. 2<sup>v</sup>.

<sup>8</sup> *Ibid.*, fos. 2<sup>v</sup>, 3<sup>r</sup>.

<sup>9</sup> *Ibid.*, fol. 4<sup>v</sup>.

chose the same initial standpoint as Martin Luther's at the Marburg Colloquy of 1529 to defend the existence of the Real Presence.<sup>10</sup> Whereas Luther had chalked the words *Hoc est corpus meum* on the table at his debate with Zwingli, Gardiner fired his opening shot thus:

For what can be more evidently spoken of the presence of Christes natural body and bloud, in the most blessed sacrament of the aulter, then is in those wordes of scripture whiche our Sauioure Christ ones said, and be infallible truth, and styll sayth, in consecration of this most holy Sacrament by the common minister of y<sup>e</sup> church. *This is my body.*<sup>11</sup>

Yet still the Devil persisted in utilising man's "carnall senses" to disprove the Real Presence.<sup>12</sup> Satan pointed out that the eye saw only bread and wine, and that taste confirmed the same opinion, and Gardiner compared this false logic to the creed of the Epicureans, who had believed that their senses could not be deceived.<sup>13</sup> He reminded his reader that if one insisted on interpreting matters of faith by reason, then one must inevitably be led to reject some of the central mysteries of the Christian faith: the Trinity, the Incarnation, the Resurrection, even the very existence of God Himself. But if man's "grosse carnall reasons" were "truly mortified", "they should not so stobernly and arrogantly meddle, in the discussion of the inscrutable mystery in the most blessed sacrament of thaulter."<sup>14</sup> Man must learn to acknowledge "his weaknes, his blindnes, his imbecillitie & his ignoraunce".<sup>15</sup>

Gardiner thoroughly rejected the method of approaching matters of faith through reason; man's imperfections and limitations ensured that even at one's most enlightened, one's senses and intellect would prove futile in comprehending inscrutable mysteries. Faith also rendered reason superfluous: "carnal reason is excluded by certaintie of faith", 'faith' being assent to "the body of our religion, wherein we haue the true knowledge of god".<sup>16</sup> Having thus forewarned his reader how the devil subverted the true belief in the Sacrament of the Altar, Gardiner then went on to explain just what the Church's true doctrine of the Eucharist was. He was not too ashamed to admit that there had been popular abuses of the host in times past

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<sup>10</sup> See B.M.G. Reardon, *Religious Thought in the Reformation* (New York and London, 1995), pp. 100 ff.

<sup>11</sup> Gardiner, *Detection*, fol. 5<sup>r</sup>.

<sup>12</sup> *Ibid.*, fol. 5<sup>v</sup>.

<sup>13</sup> *Ibid.*, fol. 6<sup>r</sup>.

<sup>14</sup> *Ibid.*, fol. 6<sup>v</sup>.

<sup>15</sup> *Ibid.*, fol. 8<sup>r</sup>.

<sup>16</sup> *Ibid.*, fos. 8<sup>r-v</sup>.

by “mans malice or negligence”, but he was adamant that these should not alter the Church’s doctrinal position. Nor was Gardiner embarrassed to declare that orthodox doctrine could seem to be “to the confusion of mans sense and vnderstanding”, believing that “faithful and obedient” men should ‘yield’ to the Church’s teaching, however difficult they might find it.<sup>17</sup> He summarised “the truth in the most blessed Sacrament of thaulter” thus:

The true churche hath taughte plainly, and teacheth that by the omnipotencie of gods worde, the substaunce of bred is conuerted to the substaunce of Christes natural bodye, whiche is there then by his myghty power, not by mutacyon of place, by leauynge of heauen, where he is euer present, but by his infinite power (wherby he can do all) and of a special fauour to wardes vs, worketh continually in his churche, this mysterye and miracle, and in forme of bred and wyne, exhibiteth and presenteth himself, to be eaten & drunken of vs...<sup>18</sup>

He went on:

So as there is in the sacrament of thaulter, none other substaunce, but the substaunce of the body and bloud of our sauour Christ, & yet remaineth the forme and accidents of bread and wyne, not altered by this myracle...<sup>19</sup>

Gardiner did not mention the crucial word ‘transubstantiation’ in the context of these passages, and this defence of Catholic theology harked back to the earlier medieval doctrine of the Real Presence which, though it was happy to acknowledge a total change of the whole substance of the bread and wine into the body and blood of the Lord, did so without the trappings of Aristotelian metaphysics: Gardiner differentiated between the form of the ‘accidents’ of bread and wine, and the reality of the consecrated host, which was nothing else but the “substaunce of Christes natural bodye”.<sup>20</sup> This was another interesting example of how Gardiner, a confirmed humanist, could resort to the precepts of medieval scholasticism to defend a doctrine of the faith as and when it was necessary, seemingly without noticing any contradiction in methodology. Gardiner’s formula presented the doctrine of a transubstantiated Real Presence in a thoroughly accessible manner, yet he retained a clarity and precision of doctrine, and managed a lightness of touch which was relatively unusual in sixteenth-century treatises on the Mass.

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<sup>17</sup> *Ibid.*, fos. 13<sup>r</sup>, 15<sup>r</sup>.

<sup>18</sup> *Ibid.*, fos. 15<sup>r-v</sup>.

<sup>19</sup> *Ibid.*, fol. 15<sup>v</sup>.

<sup>20</sup> One might note that in propagating the doctrine of the Eucharist in these terms, Gardiner was reverting to the high-point of Henrician orthodoxy: the King’s definition of the Mass in the Act of Six Articles. See *ODCC*, *sub* ‘Transubstantiation’, p. 1637.

Gardiner was increasingly aware that the proliferation of heretical opinions about the Mass was starting to have an unsettling effect on many Englishmen:

The deuyl now a dayes, diuulgeth by his wycked mynysters, his lewde tales, of the abuses of the host consecrate, wherby to impugne the faith of the presence, of the bodye of our sauoure Christ.<sup>21</sup>

In particular, he knew that if the Protestants could shake men's faith in the Real Presence, they would have won a major polemical victory over the Catholics. He showed a clear understanding of the methods which were being used at a popular level to 'impugne' this doctrine, and tailored his counter attack accordingly. He knew that Protestants were making huge capital out of a common lack of understanding about the nature of transubstantiation, suggesting,

If it were true that is taught in the sacrament of thaluter [*sic*], by the papists (whiche terme serueth for a token to them to proue y<sup>e</sup> matter nought) such and such inconueniencs, should not to our senses followe.<sup>22</sup>

These 'inconueniencs' were chiefly that, if the Christ's body really became an objective, corporal, presence, how could coloured mould grow on it? Or how could a mouse be allowed to ingest it?<sup>23</sup> Such questions undoubtedly played strongly on the popular imagination and had a dynamic coherence which would prove difficult to refute in an equally convincing manner. Indeed, for once, Gardiner was rather stuck for an answer and he blustered:

Beleue, that a mouse can not deuour god, byleue that god can not corrupt. Beleue that god can not be broken, now after he is ones risen, and beleue also therwith, that Christ, god and man, is naturally presente in the sacrament of thaulter, For so Christe saith. So the church of god teacheth, So we be bound to byleue.<sup>24</sup>

However, amidst these somewhat unsatisfactory demands, the Bishop of Winchester revealed in passing a rather interesting aspect of his own developing insight into the Catholic doctrine of the Mass: he was beginning to display an unusually acute understanding of the importance of the doctrine of the Incarnation for the defence of the Real Presence.

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<sup>21</sup> *Ibid.*, fol. 13<sup>v</sup>.

<sup>22</sup> *Ibid.*, fol. 9<sup>r</sup>.

<sup>23</sup> *Ibid.*, fol. 9<sup>v</sup>.

<sup>24</sup> *Ibid.*, fol. 18<sup>r</sup> (N.B. the foliation is corrupt at this point, the page is really sig. Cii).

To the suggestion that Christ could not possibly take corporal form in the Mass, Gardiner retorted that the same reasoning could be used to cast doubt on the verity of the Incarnation and the Passion, which Paul O’Grady calls “a shrewd thrust which has become a hallmark of Gardiner’s polemics.”<sup>25</sup> O’Grady continues, surmising that Gardiner believed that “the Christian economy of salvation finds its paradigm in the Incarnation: as Christ took flesh, so in the eucharist He is body and blood, soul and divinity”, and that “Gardiner’s perception of how the Incarnation might be utilized to justify the Catholic paraphernalia of worship, his imaginative style, and his insights into his opponents’ inadequacies, made him the most dangerous of the Catholic polemicists.”<sup>26</sup> Perhaps one the most noteworthy aspects of Gardiner’s eucharistic thought was that he believed Christ’s *risen* body was made present at the consecration of the elements, almost certainly drawing here on the special properties of the spiritual body in St. Paul’s theology to defend his claims.<sup>27</sup> Thus Gardiner could assert without fear of scriptural contradiction that the ritual fraction left Christ’s body unbroken and incorrupt, severing only “the fourme of bread, vnder whiche it is conteyned”, implicitly appealing to the Apostle’s words, “What is sown is perishable, what is raised is imperishable.”<sup>28</sup>

Whilst the main drift of the *Detection* was against the new ‘spiritual’ understandings of the Eucharistic Presence, Gardiner was also keen to show that Lutheranism was also profoundly flawed in its Eucharistic *formulae*. Since Lutherans declared that they believed in the Real Presence, Gardiner was forced to take issue with their theology on the more specific grounds of the nature of the Presence. Once again, he relied heavily on Thomist scholasticism, though still refusing to name his doctrine ‘transubstantiation’. Gardiner’s offensive was located in his understanding of the nature of a sacrament. He dismissed the ‘spiritualist’ understanding of the sacrament as a sign, an instrument with a merely didactic quality, pointing one towards an otherwise unobtainable ideal, but stated categorically that a true sacrament consisted

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<sup>25</sup> *Ibid.*, fos. 10<sup>r-v</sup>, he said: “the deuilles disciple wyll reason. God is impassible, Christ suffered: Ergo he was not god. Or thus. God is impassible, Christ was god: Ergo he suffered not”; O’Grady, *Conforming Catholics*, p. 117.

<sup>26</sup> *Ibid.*, pp. 175-176, n. 65.

<sup>27</sup> 1 Cor. 15:35-50.

<sup>28</sup> Gardiner, *Detection*, fol. 17<sup>v</sup>; 1 Cor. 15:42.

of two 'considerations': "one that there is a sacrament, another y<sup>t</sup> it is also the thing it self of y<sup>e</sup> sacrament".<sup>29</sup> So far as the Eucharist was concerned,

there is in y<sup>e</sup> host no substaunce of bread, but only the substaunce of y<sup>e</sup> most precious body & bloud of our sauioir Christ: yet there is (which appere to our bodelye senses) the forme of bread and wyne, vnder whiche, the mist precyouse substaunce, of the body and bloude of our sauioir Christe, is couered, and hidden from our bodily eyes, for our weaknes and infirmitie...<sup>30</sup>

This was in plain contrast to the Lutheran doctrine of the 'consubstantiation' of Christ's natural body with the properties of the bread and wine, those properties remaining after the consecration. Gardiner evidently saw this Lutheran doctrine as a flawed attempt at a *via media* between the unfashionable medieval definitions of the Sacrament and the new Reformed incarnations, which denied any objective, actual presence at all:

But now commeth the deuill, as a mediatur, in an other cote, and vnder pretence to satisfye all vnderstandynges, he wold haue the beleef in the sacrament in one point releaued, & wolde we shuld beleue, the remaynyng, of the substaunce of bread, wherwith to assoyle the arguments of the mouse [ingesting Christ], and yet graunte the substaunce of the body of christ to be there, for the substaunce and foode of christen men...<sup>31</sup>

But Gardiner wrote that in proposing such a position, the Lutherans had misunderstood that very phrase of which they were so fond: *hoc est corpus meum*.<sup>32</sup> He believed that the substance of the gifts was thoroughly changed "by the myghte of whiche wordes of Christe", negating any continued presence of the substance of bread after the consecration. Indeed, in one of the most persuasive moments of polemic in the *Detection*, Gardiner wrote,

yf we vnderstand so as the breade shulde remayne, then folowe many absurdities, and chiefly that Chryste hath taken the nature of bread, as he toke the nature of man, and so ioyned it to his substaunce. And then as we haue God verely incarnate, for our redemption, so shuld we haue God impanate...<sup>33</sup>

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<sup>29</sup> Gardiner, *Detection*, fol. 22<sup>v</sup>.

<sup>30</sup> *Ibid.*, fol. 23<sup>r</sup>.

<sup>31</sup> *Ibid.*, fol. 27<sup>r</sup>.

<sup>32</sup> He wrote: "...which kind of beleef good christen men, taught by the spirite of god, haue not receyued, for it can not be maynteyned of Christes wordes, who spake playnely, *This is my body*, makyng demonstration of the bread...", *ibid.*, fos. 27<sup>r-v</sup>. Gardiner was correct in saying that consubstantiation had never been accepted by the Church: "This view... was discussed but seldom adopted in the late Middle Ages.", A. Richardson and J. Bowden (eds.), *A New Dictionary of Christian Theology* (London, 1983), sub 'Consubstantiation', pp. 120-121, at p. 121.

<sup>33</sup> Gardiner, *Detection*, fol. 28<sup>r</sup>.

It was with touches like that that Gardiner was at his polemical best. Again, the root of Gardiner's observation was a growing desire to reflect on the importance of the Incarnation in his appreciation of the Mass.

Central to Gardiner's teaching on the Eucharist was his insistence that the Church was the guarantor of orthodox theology, and that its historical witness to the Christian faith must be taken into account when discussing articles of belief. Considering that the Bible was the principle source of revealed doctrine for Gardiner, it is unsurprising, then, that he accused the Protestants of putting a false distinction between the text of Scripture and its true meaning.<sup>34</sup> He put into Satan's mouth the words:

we must vnderstand Chrystes wordes, as he meant them, and therefore (saith the deuyll) beware of the wordes, and take hede of the meaning. Christ (sayth the deuyll) sayd *This is my body*, but take hede (sayth sathan) what Christ ment.<sup>35</sup>

He exclaimed, "O abhominable Sathan, full falsely doest thou meane", and asserted the contrary position: "the very word of god is the true meanyng of scripture".<sup>36</sup> However, he had previously emphasised just how complex the meaning of Scripture was, and was clearly prone to altering his opinion of its clarity as it suited his polemical purpose.<sup>37</sup> Thus, risking an accusation of inconsistency, he went on to explain that

sometyme in scripture, the wordes be so placed and ordered, as the meaning is vttered, and opened with the wordes at ones, and hath such light of the wordes, as they appere both togyther, and without further serche, be streyght conueyed to our vnderstandyng. Sometime agayne the wordes be such, or so vsed and placed, as they bryng not theyr meanyng streyght with them in the same light, but more darkely, and as it were hydden vnder the wordes.<sup>38</sup>

Protestant reasoning that *hoc est corpus meum* could only really mean *hoc significat corpus meum* "may circumuent the vnlearned, and vnstable, and such as be prone to chaunge though it be for the worse but lerned men, se them trifles (such lerned men I

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<sup>34</sup> *Ibid.*, fol. 28<sup>v</sup>.

<sup>35</sup> *Ibid.*, fol. 29<sup>f</sup>. Gardiner had already commented on one of the best examples of this tendency in Protestant thought in his *Declaration* against Joye. He wrote: "For not being contente to allege christes wordes in a sense of your owne imagination, ye vtter it thus. *Christe so sayde, or rather so thought. A straunge speache. Christe shewed him self god, in y<sup>l</sup> he knewe y<sup>e</sup> thoughtes of men, and what do you shewe your self, in that ye take vpon you, without wordes to leade you, to discern the thought of Christ very god and man?"*

Gardiner, *Declaration*, fos. 56<sup>v</sup>-57<sup>f</sup>.

<sup>36</sup> Gardiner, *Detection*, fol. 29<sup>f</sup>.

<sup>37</sup> He wrote, "scripture be the foundation & ground of all truth, yet it is ouer darke and obscure to senses unexercised": Gardiner, *Declaration*, fol. 45<sup>v</sup>.

<sup>38</sup> Gardiner, *Detection*, fos. 29<sup>v</sup>-30<sup>f</sup>.

meane as vse them not for pastime, as some haue done) & good men, can not be so shaken or moued w<sup>t</sup> them.”<sup>39</sup> Such a ‘good man’ could not err as the Protestants were wont to do because they had access to the library of patristic commentary on the Bible, which laid the precedent for any acceptable reading of Scripture. As Ellen Macek comments, “For the traditionalists, the Fathers act as interpreters and preservers of scriptural truth, but they also attest to apostolic customs and traditions surrounding the Sacrament.”<sup>40</sup> She continues,

For the reformers, the testimony of Scripture was paramount, supported only secondarily by patristic testimony and reason itself. For the traditionalists, patristic testimony interpreted scripture and was an essential ingredient in the amplification and clarification of the customary belief and practice of the Church. If an understanding of the Fathers was not at all clear, there was yet the ultimate source of authoritative teaching – the continuous witness of the Church under the direction of the Spirit.<sup>41</sup>

Thus Gardiner was representative of his co-religionists when he wrote, “I thinke it mucche better... to expound vnto you, the scriptures, & omytynge myne owne speache to lay before you, such exposition, and opening of the holy, and incontaminat mysteries of Christ, as other haue left written”.<sup>42</sup>

Stephen Gardiner was not exceptional as a Catholic author in using patristic testimony to lend weight to his arguments; it was the stock-in-trade of any sixteenth-century controversialist. What was significant, however, were the particular Fathers he used to defend his Catholic exposition of the Mass, and his justifications for choosing them. He first cited Saint John Damascene, prefacing his lengthy quotation with the explanation that

This Ihon Damoscene, was a greate clerke, and one of the greke church and wrote in greke so as they nede not to be offended, that loue not y<sup>e</sup> latyn tongue.<sup>43</sup>

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<sup>39</sup> *Ibid.*, fos. 33<sup>r</sup>, 33<sup>v</sup>.

<sup>40</sup> Macek, *Loyal Opposition*, p. 75.

<sup>41</sup> *Ibid.*, p. 80.

<sup>42</sup> Gardiner, *Detection*, fol. 34<sup>v</sup>. Much of the *Detection* was taken up with extensive quotations from patristic sources. This was a sign of things to come. As Paul O’Grady writes, “These lengthy and pedantic digressions will become an increasing feature of Reformation polemics”. O’Grady, *Conforming Catholics*, p. 176, n. 65. The apex of this trend in Gardiner’s work was his *Confutatio Cavillationum...* (Louvain, 1552), which he published under the pseudonym of Marcus Antonius Constantius. See Macek, *Loyal Opposition*, p. 91. Thomas Cranmer taunted Gardiner’s 1551 tract, the *Explication and assertion* with “how few authors you have alleged”. T. Cranmer, *An Answer unto a Crafty and Sophistical Cavillation...* (London, 1551). See the modern edition in J.E. Cox (ed.), *Writings and Disputations of Thomas Cranmer... Relative to the Sacrament of the Lord’s Supper* (Parker Society, Cambridge, 1844), p. 9.

<sup>43</sup> Gardiner, *Detection*, fol. 35<sup>r</sup>. Gardiner reminded his reader again that Damascene originally wrote in Greek on fol. 64<sup>v</sup>. He was almost apologetic in writing that the quotation “shal not greatly augmente

Yet again, Gardiner's first recourse was to the example of the Eastern Church, which, he evidently believed, had preserved itself in orthodoxy even after the schism of 1054. This reoccurring tendency in Gardiner's work has been commented on too little. It may have simply been a polemical convenience, intended to take the wind out of his opponents' sails, or it may be further evidence that, as the English schism persisted, Gardiner was ever more consciously looking to the Eastern, autocephalous Churches which were not in communion with the Roman See as an indicator that the papacy was a dispensable institution, or even as a model for a reinvigorated English orthodoxy.

Gardiner's next allegation was that the devil, not content with proposing illegitimate interpretations of Scripture's meaning against its very words, contrived to alter men's understanding of the Bible little by little, achieving an intellectual revolution in a series of seemingly minor concessions, "From thinges evidently true, by lyttle chaunginges to thinges evidently fals".<sup>44</sup> Gardiner's example of this trend was characteristically concerned with the mode of Christ's presence in the Eucharist. He paraphrased Protestant opinion thus:

Heauen and earth haue a kind of contradiction, Christ is in heauen, where saint Steuen sawe hym, Ergo he is not in earth, in the sacramente of the aulter. Christe ascended into heauen. Ergo he tarieth not here. He syttethe on the right hand of the father, Ergo he is not in the sacrament of thaulter.<sup>45</sup>

Gardiner was aware that such seemingly sensible arguments could carry much sway on a popular level, appearing to be "notable contradictions and insoluble sophismes", but he was at pains to remind his reader that merely because something was "a repugnanze and impossibilitie to mans carnall capacitie", did not mean that it was impossible for God.<sup>46</sup> Again, the problem came down to man's false pride in knowledge, and in subjecting faith to a test of reason. Gardiner considered it a suitable occasion "to admonish men by the wordes of the prophet, *Nisi credideritis*,

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the boke", but he then immediately showed a rare instance of concern over education by continuing, "bycause some children learne greake in this time, it may serue them for a lesson werwith to occupy their tender wittes, and conferme them againste the malice of the deuyll", *ibid.*, fol. 36<sup>v</sup>.

<sup>44</sup> *Ibid.*, fol. 65<sup>v</sup>.

<sup>45</sup> *Ibid.*, fol. 65<sup>v</sup>.

<sup>46</sup> *Ibid.*, fol. 65<sup>r</sup>.

*non intelligetis. yf ye beleue not, ye shall not vnderstand.*<sup>47</sup> As he showed in his controversy with Robert Barnes, the relationship between faith and understanding was a complex one for Gardiner.<sup>48</sup> He implied here that faith was a prerequisite to true understanding, yet he also established against Barnes that one must acquire some measure of knowledge of the Christian creed prior to faith.

The structure of the *Detection of the Devils Sophistrie* was not as coherent as Gardiner's other works. He frequently left points only to return to them later, but he was nonetheless completely clear as to his purpose. He defined it thus:

There resteth now to open the deuils sophistrie, in the peruerse, croked & craftie expositions of dyuerse places of scripture, y<sup>e</sup> sainges of holy writers, and of such wordes, as be attribute to singifie [*sic*] and name that moost blessed sacrament vnto vs, wherein hathe ben moche paine taken, & moch craftie imaginacion deuised, to abuse the simple vnlearned wyttes, and vpholde in error, the malicieuse, arrogant and newe fangled iudgementes.<sup>49</sup>

Gardiner was particularly affronted by the Protestant tendency to take an orthodox belief or practice and, with a slight change of emphasis, managing to turn it against its Catholic adherents. The importance that the reformed party attached to the memorial function of the Eucharist was symptomatic of this trend. Winchester was well aware that the memorialists were claiming that Christ's command to perform a re-enactment of the Last Supper as a 'remembraunce' of Him implied a rejection of His Real Presence in the Mass, and that they commonly said, "the sacrament is but a memorye of hym, but a remembraunce of hym."<sup>50</sup> He contradicted them, writing,

And here the deuyll lurketh in a little worde (but)... as though the wordes imported, that the sacramente is but a remembraunce of Christ. In whiche speache if (but) were lefte oute (as the scripture hath it not) the worde (memory or remembraunce) is nothinge repugnaunt to Christes presence in the most blessed sacrament.<sup>51</sup>

Gardiner's rejection of the exclusively memorial purpose of the Eucharist came nowhere close to achieving the dynamism and polemically cohesive arguments of the Protestants. In accepting that the Mass was, in some way, a remembrance of Christ's passion, but putting that belief in its proper place within the panoply of corollary doctrines, Winchester could not hope to match the attractive simplicity of Protestant

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<sup>47</sup> *Ibid.*, fol. 65<sup>r</sup>.

<sup>48</sup> See above, Chapter 8, esp. p. 113, n. 38

<sup>49</sup> Gardiner, *Detection*, fos. 69<sup>v</sup>-70<sup>r</sup>.

<sup>50</sup> *Ibid.*, fol. 70<sup>v</sup>.

<sup>51</sup> *Ibid.*, fol. 70<sup>v</sup>.

Eucharistic theory. However, in even acknowledging the didactic importance of the memorial of the Mass, Gardiner was displaying his benevolent humanism to its best advantage. He wrote:

his presence dothe most effectually styre vp in good mens hartes, such a remembraunce of hole Chryst hys benefytes, and preachynges together, as in thys mooste holye comunyon good men be so comforted, so strenghtened [*sic*], so conformed in Christes doctrine, as thereby shall in theyr manours, theyr hauyours, theyr conuersation and luyunge, shewe and sette forth in them selues, christes deathe with hys resurrection also...<sup>52</sup>

He went on to explain that the Mass was a memorial because

such as receaue thys mooste blessed sacramente worthily, shulde be in their maners and luyunge, theyr loue and charitie, theyr contempt of the worlde and desire to be with god, wherby shuld appere that by receiuing this most precieuse fode, we remember christes death & passion for vs, & practice it effectually, and frutefully in vs. For suche only, celebrate this holy communion, with an effectual remembraunce of him...<sup>53</sup>

Perhaps what is most noticeable about Gardiner's discourse on the benefits of the Mass is the absence of any discussion about the crucial mediaeval doctrine of Sacrifice. So far as Gardiner allowed here, the benefits of the Eucharistic presence were communicated to the individual by his *response* to the miracle. The benefits that Gardiner outlined were spiritual; he spoke of becoming 'strengthened' [*sic*], and 'conformed', but they were also social: one's 'hauyours', 'conuersation', and 'luyunge' would emulate Christ's sacrificial example through the increase of love, charity, and contempt for the world. At no point here did he mention a miraculous satisfaction for the sins of the faithful enacted through a re-presentation of the sacrifice of Calvary – a notable omission at this juncture.<sup>54</sup> He implied that some kind of – undefined – sacrifice was brought about because there was

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<sup>52</sup> *Ibid.*, fol. 72<sup>r</sup>.

<sup>53</sup> *Ibid.*, fol. 73<sup>r</sup>. The reader might note that for Gardiner, the effects of the Sacrament were predicated upon its *reception*. The implication was that mere attendance was not sufficient.

<sup>54</sup> Gardiner did deal with the doctrine of the Eucharistic Sacrifice during the reign of Edward VI, most notably in his St. Peter's Day sermon of 1548, for which see Cattley (ed.), *Foxe*, VI, pp. 87-93, and in *An explication and assertion of the true catholique fayth, touching the sacrament of the aulter...* (Rouen, 1551). See the text in Cox (ed.), *Writings and Disputations*, pp. 344-367. In both cases, Gardiner was very careful to apply a very restricted notion of sacrifice to the Mass. Francis Clark wrote, "Gardiner's defect was... a tendency towards an unduly minimising view of the Mass-sacrifice, and in places he conceded too much to his opponent." F. Clark, *Eucharistic Sacrifice and the Reformation* (Oxford, 1967), p. 137. Whilst he felt able to describe the Mass as a daily sacrifice, he always stressed its commemorative nature and insisted that the Cross provided the only satisfaction for sin. See *ibid.*, p. 238. B.J. Kidd commented that in the St. Peter's Day sermon, Gardiner defined the Mass as a sacrifice ordained for two purposes: to strengthen men in remembrance of the Passion, and to recommend the souls of the faithful departed to God. B.J. Kidd, *The Later Medieval Doctrine of the Eucharistic Sacrifice* (*Church Historical Society* 46, London, 1898), p. 69. Kidd went on to say, "It is

so effectually a memory of Christ's death & teachings declared and taught in y<sup>e</sup> same death, as with the eyes of our faith, we see present the natural body of our saviour Christ, the self same body that suffered.<sup>55</sup>

Thus for Gardiner, the Mass-sacrifice was more than usually bound up with the doctrine of the Real Presence.

For the sacramentarians, any doctrine of the sacrifice of the Mass had to be a falsehood and a corruption because Christ was not corporally present in the Eucharistic elements. They frequently justified their doctrines of 'spiritual' eating with reference to the words of Jn. 6:63: "It is the spirit that gives life, the flesh is of no avail", alleging that by insisting on Christ's Real Presence in the Sacrament, the Catholics had misunderstood Christ's message of salvation. This was a potentially damaging claim, and one that struck at the heart of the Catholic economy of salvation. Huldreich Zwingli took this passage as a party shibboleth for his radical reformation in Switzerland, and its message was taken up with enthusiasm by English sacramentarians throughout the mid-1540s. Thomas Cranmer published it at the end of the preface to his *A defence of the true and catholike doctrine of the sacrament of the body and blood of Christ* (London, 1550), and Gardiner was aware, again, that in a

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interesting to notice in passing, how here, as in his after-controversy with Cranmer, Gardiner goes back to the doctrine of sacrifice as set forth in the Master of the Sentences [i.e. Peter Lombard, c.1100-1160]. It was the way with the old learning in England. Their statements of the Eucharistic Sacrifice were shaped on the earlier mediaeval model... For such men..., scholastic speculation had gone too far." *Ibid.*, pp. 70-71. Thus Gardiner could write, with Lombard, "That which is offered and consecrated of the priest, is called a sacrifice and oblation, because it is a memory and representation of the true sacrifice and holy immolation done in the altar of the cross." And, in his own words, "The daily offering is propitiatory also, but not in that degree of propitiation, as for redemption, regeneration, or remission of deadly sin, which was once purchased, and by force thereof is in the sacraments ministered; but for the increase of God's favour, the mitigation of God's displeasure, provoked by our infirmities, the subduing of temptations, and the perfection of virtue in us." Cox (ed.), *Writings and Disputations*, pp. 358, 360-361. F. Clark drew together the inferences in Gardiner's words thus: "It is evident that in Gardiner's terminology 'an opinion of satisfaction' was equivalent to 'an opinion of new redemption'. That is, he restricted the term 'satisfactory' to what Christ suffered physically on Calvary, whereas other theologians saw that it was unobjectionable to describe the Mass as 'satisfactory', in the sense that it contained and applied the satisfaction made by Christ on the cross. Gardiner himself was quite ready to say that the Mass was propitiatory, but because of his terminology he was reluctant to say that it was satisfactory." Clark, *Eucharistic Sacrifice*, p. 241. Clark's implied criticism of Gardiner's restrictive vocabulary of the Mass-sacrifice did not quite do his theology justice. The Bishop of Winchester was striving to find precise terminology that acknowledged the sacrificial nature of the Mass, that linked it inseparably with the Calvary sacrifice, and yet which recognised that it *communicated* the virtues of the cross without implying the necessity of a new redemption, effected every time a priest celebrated the Mass. It should be noted that Gardiner consistently identified the Sacrifice of the Mass with the reality of the body of Christ on the altar, and nowhere did he ever come close to Thomas Cranmer's doctrine of a "Sacrifice of prayse and thankes geuyng": see F.E. Brightman, *The English Rite* (2 vols., London, 1915), II, p. 707.

<sup>55</sup> Gardiner, *Detection*, fol. 71<sup>r</sup>.

polemical mud-slinging, the *prima facie* plausibility and cohesion of this Protestant tenet might occasion some of the mud to stick, thus obscuring the truth of the Catholic message. As one might expect, Gardiner accepted the words of Scripture, but accused the Protestants of misinterpreting them to their own ends. He wrote:

And so *spiritus viuificat, caro non prodest quicquam*, the spirite gyueth lyfe, and the fleshe profiteth nothing. By which manner of spech the fleshe of our sauour christes moost precious bodym being *caro viuifica*, lyuely flesshe, and whiche hath the holy spirite inseperablye annexed vnto it, it not improued but as it is by goddes hygh power ministered vnder fourme of breade & wyne, is also most holsom & most comfortable vnto such, as receyue it worthily...<sup>56</sup>

In much the same way as *caro vivifica* must be united with the Holy Spirit, so must the teaching of the Holy Catholic Church, and Gardiner reacted angrily to Protestant taunts that Catholics were worshipping God in vain with the commandments of men.<sup>57</sup> He protested that

the true sense wherof, is all oute of thys purpose, and the vfe of thys scrypture, as it is mysvnderstanded, serueth to ouerturne all, for the churche is congregate of men and women, whyche both be comprehended vnder that worde (men), And all the outwarde teachyng in this churche, hath ben by men. All thappostles sent to teache the gospell, were men. Saynt Paule... was... Moyses, leader of y<sup>e</sup> synagoge y<sup>e</sup> figure of our church, was a man. And the prophets were men. So as if god be worshypped in vayne, by teaching of men: ...our fayth is a vayne thyng, which is, ...of hearing, and taught vs by men, men I saye, as ministres to god, wherof god is thauthor...<sup>58</sup>

He went on in a fashion reminiscent of the *De vera obedientia*, written eleven years previously, that his readers should “Obey such as haue the ordre of you, and obedience is preferred al other sacrifices, wher<sup>t</sup> god is worshypped not invaine, but meritoriouslye.”<sup>59</sup> In an interesting aside on his view of the relationship between Scripture and the numerous ‘unwritten verities’ of the Catholic Church, he had this to say:

For if the doctryne be not repugnaunt to the scripture, or the custome such as hyndreth not gods glory, it can not be in vaine that maketh to our edification, & procedeth from authority, which hath power to rule and leade vs...<sup>60</sup>

This put a high value on extra-scriptural traditions, but Gardiner clearly stopped short of allowing them the full weight of immutable, binding revelation.<sup>61</sup> Paramount in his

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<sup>56</sup> *Ibid.*, fol. 75<sup>r</sup>.

<sup>57</sup> *Ibid.*, fol. 142<sup>r</sup>; Mt. 15:9; Mk. 7:7.

<sup>58</sup> Gardiner, *Detection*, fos. 142<sup>r</sup><sup>v</sup>. One might note in passing that Gardiner’s characterisation of the Church was not simply restricted here to the ecclesiastics, but encompassed all of the laity who were in communion with it too.

<sup>59</sup> *Ibid.*, fol. 144<sup>r</sup>.

<sup>60</sup> *Ibid.*, fol. 144<sup>v</sup>.

high opinion of unwritten verities was the authority and necessity of the Church in disseminating Catholic doctrine. The Church was at the same time the guardian and the interpreter of the *bona fide* faith. He wrote,

as Chryst dyd institute the sacrament, so he instituted the churche, to be fedde with the same sacrament, and to haue the ministracion, distribution, & ordre of it, tyll he came. And vnto this daye, we be onely ascertayned by tradition of the church, in the true vnderstandyng of theuangelystes, of our ordre in consecracion of the said sacrament, and the cyrcumstaunce of the pronunciacion of chrystes wordes, wherby the same is wrought.<sup>62</sup>

To add to the confusion, the Devil took to dividing points of doctrine and ceremony and asked of each individually whether or not it was necessary to salvation. Gardiner was aware that the answer would frequently be ‘no’, but taken all together they were as necessary as the various different stitches in a tapestry.<sup>63</sup> A prime example of this tactic was the Protestant insistence on the laity receiving the chalice.<sup>64</sup> Gardiner characterised their ploy thus:

some... requeste... communion vnder both kyndes... In whyche pointe the deuyll goth aboute craftily to seduce the simple, addyng a worldly instigation of enuye, as though the preistes had withdrawen the one parte of y<sup>e</sup> Sacramente, of verry dysdaine to put a difference betwene the state of preistes, and the state of lay men where in dede, the obteyning of communion vnder both kyndes, shulde serue the deuyll onelye, for an introduction, to subuerte y<sup>e</sup> true belefe, in the most blessed sacrament whiche matter only he entendeth, & leueth nothing vntouched to obteyne y<sup>e</sup> same.<sup>65</sup>

He was aware that the practice of the Early Church was to offer the chalice to the laity, but he believed that, whilst the practice itself was not intrinsically evil, the Protestant doctrine which lay behind it was much more subversive.<sup>66</sup> For Gardiner, the doctrine proceeded from an unorthodox approach to the Real Presence: Protestants denied that one received Christ, body and blood, in the Eucharistic elements, and required that everyone be allowed to receive both. Gardiner, on the other hand, had

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<sup>61</sup> It would be unfair to systematically compare Gardiner’s theology with the decrees of the Council of Trent, but it may be interesting to note that the Council’s decree on the canonical Scriptures was written in April 1546, roughly contemporaneous with the publication of Gardiner’s *Detection*. It famously stated that Revelation was handed down through the Church ‘both’ by Scripture ‘and’ tradition. See J. Waterworth (ed. and trans.), *The canons and decrees of the sacred and oecumenical Council of Trent* (London, 1848), pp. 17-21, at p. 18. Gardiner’s *adiaphoristic* approach to Church traditions precluded him coming to such a conclusive position; as he had witnessed in England, situations could arise that would inevitably lead to the lawful rejection of some ecclesiastical traditions.

<sup>62</sup> Gardiner, *Detection*, fol. 147<sup>r</sup>. Gardiner was very clear that “what can it meane but confusion, to wrangle with the church in this matter”, *ibid.*, fol. 147<sup>r</sup>.

<sup>63</sup> *Ibid.*, fol. 148<sup>r</sup>.

<sup>64</sup> This doctrine is usually called ‘*utraquism*’ after the demand to receive the bread and wine in both kinds (*sub utraque specie*). Cf. *ODCC*, *sub* ‘*Utraquism*’.

<sup>65</sup> Gardiner, *Detection*, fos. 139<sup>r-v</sup>.

<sup>66</sup> Gardiner had previously written that the laity “reverently absteyn” from the chalice. See above, p. 101, and Muller, *Letters*, p. 487.

resolved to “stande ferme” in the faith, and declared, “Onely this hath bene, that good christen men beinge certainly perswaded vnder eche kinde of bread and wine, to be conteined hole christ”.<sup>67</sup> It is interesting to wonder whether the Gardiner of the 1530s would have allowed, even encouraged, utraquism as a godly custom of the Early Church, consonant with a biblical understanding of the Mass, which had only fallen out of use through the corruptions of the Roman Church. Certainly by 1546, he had begun to realise that seemingly innocent ceremonial deviations could be a disguise for less benign intentions and was not so willing to consider them. He urged that man should

with humilitie containe him self within the limites of common ordre, which is the beautie and comelye state if euery number assembled...<sup>68</sup>

At the very end of the book, Gardiner reminded his readers that he was not entirely a free agent in theological matters, and he drew their attention back to the fact that everything he had outlined above was taking place within the context of the Royal Supremacy. Again, he intimated that he believed that no further reformation of the Church of England was necessary, and that it simply remained to enforce the Henrician *status quo*:

If requeste, intercession, & desire to all enterlaced, with sharpe punyshmente to some, and mercye plentifullye mynystred to other, can refourme y<sup>t</sup> is amysse, all hath ben assayed and attempted on the kynges maiesties behalfe. As he is a prynce furnyshed with knowledge and power, goddes specyall gyftes and great: so he hath vsed both, for the reformation of his people. The conseruation of true belefe is onely desired, for the mayntenaunce of gods glory...<sup>69</sup>

All this was well enough, but the fact that Gardiner even felt that he had to write a book entitled *A Detection of the Devils Sophistrie, wherwith he robbeth the vnlearned people, of the true byleef, in the most blessed Sacrament of the alter* about popular eucharistic practice in England was testimony to the fact that the Henrician ‘reformation’ was not quite going to plan for Gardiner. In little over a year, Henry VIII was to be dead, the young Edward VI would sit on his father’s throne, the Edward Seymour would be Lord Protector, Gardiner would be excluded from the now enormously powerful Council, and Protestantism would be established by law in England for the first time in the nation’s long history.

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<sup>67</sup> *Ibid.*, fol. 140<sup>r</sup>.

<sup>68</sup> *Ibid.*, fol. 141<sup>r</sup>.

<sup>69</sup> *Ibid.*, fos. 152<sup>v</sup>-155<sup>r</sup>.

## Conclusion:

### *Recovering the Voices of the Silenced*<sup>1</sup>

James Arthur Muller concluded his magisterial biography of Stephen Gardiner by asking “what manner of man” was the Bishop?<sup>2</sup> This was a very apt question, for to be a student of Gardiner’s life is to ask more questions than find ready answers.<sup>3</sup> The reason for writing this thesis was the belief that Stephen Gardiner had been consistently misrepresented throughout history – either wilfully so, or else as the result of prevailing attitudes towards Tudor religion. This belief was allied with a growing awareness that mid-Tudor Catholicism has persistently defied modern attempts to categorise it, and that consequently, men like Gardiner were fundamentally misunderstood. This thesis has offered an explanation of Gardiner’s beliefs during the 1530s and 1540s in terms of Erastian Catholicism. The tag itself is helpful, but what is crucial is the point it makes. Lucy Wooding writes, “The Henrician Reformation was a thing in itself; neither failed Catholicism, nor inadequate Protestantism, but a vigorous movement based on a particular vision.”<sup>4</sup> All too often, this self-evident truth has been forgotten and the religio-political polity of the Henrician era has been compared and contrasted too hastily with the doctrines and practices of a wider Europe.

J.J. Scarisbrick famously wrote, “That Henricianism was merely ‘Catholicism without the pope’ will not do”.<sup>5</sup> More recently, the same view has been proposed from the opposite angle: Alec Ryrie suggests that instead of Catholicism without the Pope, the Henrician settlement was more “like Lutheranism without justification by faith.”<sup>6</sup> The flaw in both of these statements is that they attempt to define the infamous

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<sup>1</sup> The title of this chapter is a quotation from A. Shell, *Catholicism, Controversy and the English Literary Imagination, 1558–1660* (Cambridge, 1999), p. 18.

<sup>2</sup> Muller, *Gardiner*, Chapter 35, pp. 296-304.

<sup>3</sup> Ellen Macek writes that “Stephen Gardiner the man, the diplomat, the bishop, the lawyer, the scholar, and the polemicist was a sixteenth-century enigma who continues to defy easy categorisation.”: E. A. Macek, *The Loyal Opposition: Tudor Traditionalist Polemics, 1538-1558* (Studies in Church History 7, New York, 1996), p. 1.

<sup>4</sup> L.E.C. Wooding, *Rethinking Catholicism in Reformation England* (Oxford, 2000), p. 51.

<sup>5</sup> J.J. Scarisbrick, *Henry VIII* (Berkeley, 1970), p. 399.

<sup>6</sup> A. Ryrie, ‘The Strange Death of Lutheran England’, *JEH* 53 (2002), pp. 64-92, at p. 67. Ryrie writes that the idea was first expressed to him in those terms by Peter Marshall: *ibid.*, p. 67, n. 11. Quite how “Lutheranism without justification by faith” worked is left unexplained by Ryrie.

muddle of English religion *in terms of what happened elsewhere*. In one sense, Scarisbrick was perfectly correct: Henry's settlement of religion was very different in character from the medieval Catholicism he inherited. Henry did not simply remove the Pope as the head of the Church in England and then carry on as before, instead, he initiated a program of reform which has still to be satisfactorily explained.<sup>7</sup> However, to reject out of hand the Catholicity of the Church of England during the remainder of Henry VIII's reign, is to make assumptions about what Catholicism was; assumptions which men like Gardiner would not have accepted. When analysing Henry's Church, one must go back to first principles and ask, "what was Catholicism in the sixteenth century?", "how did it function?", and, "why should it have been exclusively identified with the Roman Church?"

These were the questions that Stephen Gardiner would have asked himself throughout his career: his life was one long practical experiment in the operation of Catholicism. The questions were hard ones, especially since the ground-rules for the experiment were being worked out on the trot, and the answers were as elusive as the questions were problematic. One thing is clear: to judge prematurely that men like Gardiner ceased to be *bona fide* Catholics after the split with Rome is to refuse to engage with them on their own terms – either that or to intrude confessionalised religious politics into historical analysis. After all, how could the Roman Church both be an interested party in the dispute over early modern Catholicism and concurrently maintain the right to be the sole arbiter of that dispute?

Stephen Gardiner saw himself as a Catholic throughout his life – that much is not in dispute. Where this thesis parts company with sceptical views of Gardiner is the point at which they maintain that to continue to consider himself a Catholic, Gardiner must secretly have harboured pro-Papal inclinations which, *de facto*, leads them to the assumption that all his efforts for the Royal Supremacy were duplicitous and self-serving. This was not the only possibility and, as has been implied above, it is a view that is actually rather difficult to reconcile with the facts of Gardiner's career.

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<sup>7</sup> G.W. Bernard's attempt to define it in terms of a proto-Blairite "middle way" is not convincing, though neither was the preceding view that factional politics dictated radical swings in religious policy, either. See G.W. Bernard, 'The Making of Religious Policy, 1533 – 1564: Henry VIII and the Search for the Middle Way', *HJ* 41 (1998), pp. 321-349.

There is a principle that a rule or law must not be judged on its application to a worst-case scenario – after all, hard cases make bad law – and this assertion may be well applied to the problem of the Royal Supremacy. It is argued here that the character of the Royal Supremacy changed in 1547 upon the accession of the boy-King, Edward VI, and that the doctrine, which was the child of an earlier, distinct, period, must not be judged with hindsight by the events of his reign. As far as Gardiner was concerned between the mid-1530s and the early 1540s, the Royal headship of the Church of England was quite a success story.

In *circa* 1534, Stephen Gardiner, amongst others, came to accept that, in principle, the supremacy of the King over the English Church was possible. He applied Scripture to argue that, in fact, it was grounded in God's law, but the reality was that the doctrine essentially rested on the legal principle of the King's right to absolute sovereignty within his realm. Gardiner was a nationalist, and once he had come round to believe that the liberties of the Church had encroached upon the King's *plenitudo potestatis*, it was not difficult to find reasons for their replacement by an Erastian settlement.<sup>8</sup> The important point was that, for Gardiner, Erastianism was twinned inseparably with a doctrinal Catholicism, and, in 1534, he did not anticipate that the Royal Supremacy would be used to bring in Protestantism by statute.

The Edwardian period was particularly important for Gardiner's eventual rejection of his Erastian Catholicism, and his attempts to retain some semblance of political consistency whilst remaining a Catholic remains the most interesting part of his life.<sup>9</sup> It is a part, however, that cannot be understood without tracing Gardiner's intellectual progression through the heady days of the 1530s, when he was palpably excited by the possibilities of a reforming, Bibliocentric settlement of religion in England, and the uneasy years of the 1540s, when he began to realise that Protestantism, though still the religion of a minority, was gaining popularity both at court and in the country at large. By the time of his imprisonment in the Tower of London in 1548, Gardiner had come to realise that submitting the liberty and orthodoxy of the Church to the

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<sup>8</sup> For Gardiner's nationalist temperament, see Janelle (ed.), *Obedience in Church and State*, p. lx, and the sources cited there.

<sup>9</sup> A systematic study of Gardiner's later career has yet to be carried out. Much new evidence has come to light since Muller wrote his biography in 1926 and a new examination of the circumstances in which Gardiner came to reject the Royal Supremacy would be most illuminating.

vagaries of Erastian statute could not result in a steady, consistent doctrine, but was as liable to change as the Prince's will.<sup>10</sup> But in 1535, or 1538, to take just two important dates in his life, there was no inkling of this.<sup>11</sup>

If recovering the reputation of the early Royal Supremacy and its progenitors as not being inimical to Catholicism was the first aim of this thesis, the second was to examine the doctrines which Gardiner taught under the banner of that Royal Supremacy. Whilst the 1530s was the decade dominated by constitutional philosophy in Gardiner's thought, the 1540s were the years in which he became preoccupied with Catholic theology. This thesis has examined Gardiner's own printed works more closely than any monograph before it, and has confirmed the suggestion that, contrary to popular opinion, he, like his master Henry VIII, came to be a *fidei defensor* of some merit. It is not posited that Gardiner was a saintly – or even a particularly holy – man; he left no important devotional works, for instance, but it is claimed that Gardiner used his most impressive talent, his skill as a polemicist, in a genuinely-motivated desire to defend and propagate his faith. His works, especially the *Declaration* and the *Detection*, bear reading.<sup>12</sup> They are extremely rewarding sources for anyone interested in polemical literature or the forms of sixteenth-century religious debate, and they show that Gardiner was one of the unsung literary greats of his time. His prose compared favourably with his arch-rival, Thomas Cranmer's, and where Cranmer's was sombre and redolent with learning and prayerfulness, Gardiner's was saturated with flair, wit and style.

It is submitted that the results of this survey of Gardiner's works justify its execution. Whilst Ellen Macek has endeavoured to describe the literary achievements of the Henrician Catholics in terms of their uniformity and orthodoxy, it has been shown above that Gardiner retained a certain freedom of thought and refused to be restricted

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<sup>10</sup> Rex Pogson asks the question, "Why then did he base his attack on heresy [and, conversely, his defence of Catholicism] on such shifting human sand?": R. Pogson, 'God's law and man's: Stephen Gardiner and the problem of loyalty', in C. Cross, *et al.* (eds.), *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton* (Cambridge, 1988), pp. 67-89, at p. 76. Pogson went on: "The likely answer is that he felt nothing else was immediately available to him."

<sup>11</sup> *De vera obedientia* was first published in 1535 and the Act of Six Articles was passed in 1538.

<sup>12</sup> S. Gardiner, *A Declaration of svch true articles as George Ioye hath gone about to confute as false* (4<sup>o</sup> edn., London, 1546); *idem*, *A Detection of the Devils Sophistrie, wherwith he robbeth the vnlearned people, of the true byleef, in the moost blessed Sacrament of the aulter* (8<sup>o</sup> edn., London, 1546).

by the received Roman Catholic faith.<sup>13</sup> His Eucharistic beliefs in particular, revealed a mind not averse to teasing out nuances within medieval Catholicism, and comfortable with applying the twin methodologies of scholasticism and humanism where each was appropriate.<sup>14</sup> His beliefs were resolutely on the cusp of modernity rather than stuck in medieval norms.

Gardiner's understanding of the operation of justifying grace was also noteworthy, not especially for its novel approach, but rather for its rare clarity of vision and expression. Mindful of Diarmaid MacCulloch's warning that "Any account of mid Tudor traditionalists on justification needs to perceive [John] Fisher's skeleton at the feast", it is apt, at last, to record Gardiner's debt to his former Chancellor and rival.<sup>15</sup> Pierre Janelle recorded that Gardiner never once mentioned Fisher's name in either his letters or his works after 1535, even though "within the space of a few years, he [Gardiner] had become, if anything, his [Fisher's] continuator, in his defence of Catholic dogma and discipline against the Protestants."<sup>16</sup> MacCulloch characterises Fisher's soteriology as "an Augustinian scheme of salvation which would not rock the Church's boat", and this is also, certainly, an accurate description of Gardiner's beliefs.<sup>17</sup> Gardiner could not cite John Fisher in support of his doctrines of the degeneracy of man and the need for grace, as mediated by the Church, nor is there any evidence that he wanted to. Fisher had made himself a pariah by his support of the Papacy to the executioner's block, and to acknowledge him in the 1530s and 1540s was to taint oneself with popishness.<sup>18</sup> So whilst Gardiner was indeed Fisher's heir in several points of Catholic doctrine, Fisher's defence of Papal primacy removed him from the thoughts and writings of Gardiner and his contemporaries.

It is fitting that the three major emphases of this thesis have been the Royal Supremacy, and the doctrines of justification and the Mass, since they formed the core of Gardiner's thought during the period covered by the thesis. The weight placed on

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<sup>13</sup> Macek, *Loyal Opposition*, p. 39: Macek describes the Catholics' polemics in terms of 'conformity'.

<sup>14</sup> See especially above, pp. 136-137 for Gardiner's doctrine of the Eucharistic Sacrifice, and p. 127 for his understanding of Transubstantiation.

<sup>15</sup> D. MacCulloch, review of *The Loyal Opposition: Tudor Traditionalist Polemics, 1535-1558* (Studies in Church History 7, New York, 1996), by E.A. Macek, in *JEH* 49 (1998), pp. 361-362.

<sup>16</sup> Janelle, *Obedience in Church and State*, p. xvii.

<sup>17</sup> MacCulloch, review of *The Loyal Opposition*, pp. 361-362.

<sup>18</sup> A point that Janelle realised: see *Obedience in Church and State*, p. xvii.

these particular views of Gardiner's, however, has meant that some other doctrines have escaped attention here. The concept of purgatory, for example, has not been mentioned, but then neither was it key to Gardiner's thought between 1528 and 1547. MacCulloch suggests that the English Catholics "had the sense virtually never to talk about it", and credits this situation to the success of Protestant ideology.<sup>19</sup> The extent to which English Catholics were able to assimilate various evangelical doctrines has not received sufficient attention in modern scholarship, and MacCulloch's suggestion remains untested. Certainly, as far as Gardiner was concerned, the doctrine never attained prominence in his thought; the reasons for this remain, as yet, undetermined.

Erastian Catholicism has been presented in this thesis as the sum of a belief in the validity of the Erastian subjugation of the Church to Henry VIII's State and an acceptance of Catholic doctrine. The reader should not imagine that Gardiner always accorded equal weight to both of these aspects in his thought, or that there was never any tension between them. That was not the case. However, Gardiner's attitude to change clearly illustrated that the two beliefs were not as antithetical as once thought. Gardiner was living proof that it was possible to be a Catholic and, concurrently, a supporter of Henry's claim to headship on earth of the English Church. His career, which spanned about thirty years, also bore testimony to the stresses and strains that a nationalistic, reforming, Catholic faith brought with it. Perhaps what is most interesting about Stephen Gardiner is not that he succeeded in reconciling an Erastian Royal Supremacy with Catholicism, but that he tried. His *methodology* was brilliant and novel, but, in the end, it proved fundamentally flawed. Gardiner could not have known that Edward VI or Elizabeth I were to accede to the English throne. He was not to know that the Royal Supremacy, a doctrine for which he bore much of the responsibility, was to introduce statutory Protestantism into England, and he was not to know that his actions were to be largely culpable in separating his country from the Catholic faith that he loved.

Gardiner was not an easy man to deal with in the sixteenth century, and he is not an easy man to come to terms with now, so we may well ask, with Muller, what manner of man was he? Stephen Gardiner was one of those people who held an opinion on

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<sup>19</sup> MacCulloch, review of *The Loyal Opposition*, pp. 361-362.

everything, and was not afraid to give it, even when his advice was unsolicited. This made him seem pushy and dogmatic, but, in truth, that would be a rather unfair view of the man. He was certainly difficult, and his superior intelligence and advanced education only compounded this trait. He was a proud man, which was probably the result of his rather humble origins, and he was consequently deeply jealous of his status in society. He was a gifted author and a good theologian, and his talents were both recognised and despised in equal measures by his enemies. He was, above all, a deeply complex man, and it is seldom that others can ever really appreciate a man's hidden complexities. Gardiner has never really been understood, either by his contemporaries, or by modern historians, but I hope that this thesis adds somewhat to a *corpus* of knowledge which makes that understanding a nearer possibility.

Of course, Gardiner ultimately proved to be a failure: it was eventually proven that it was not possible to be a Catholic in any profound sense and remain true to the Church of England after Henry VIII's death. That is why Gardiner's Erastian Catholicism has been condemned as contradictory and flawed. Modern historians know this, even Gardiner knew it at his death in 1555, but he did not know it in 1534, and he cannot be blamed for trying. As James Gairdner wrote,

It has been unfortunate for Gardiner's memory that no positive work of his doing remained to perpetuate his name. All his efforts were bent to stem a revolutionary torrent, which after all had its course. Men of that kind are apt to be looked back upon as if they had lived in vain. The triumphant cause too often covers its opponents with unmerited shame... Noisy controversialists may win a sort of glory even when they have done little for human progress. But a man who in a revolutionary time brings great learning and abilities to the service of his country merely to avert lawlessness and anarchy, leaves no apparent claim to the gratitude to posterity. His life becomes a riddle for historians to elucidate [*sic*].<sup>20</sup>

Having studied Stephen Gardiner for over two years, it is hard not to sympathise with the man who has been remembered so. If this thesis has recovered Gardiner's own, silenced, voice in even a small way, and managed to explain the significance of his thought for the Tudor Church, then it has succeeded in its aim. Otherwise, Gardiner's own motto, *Vana salus hominis* ['for vain is the help of man'], will have proved strangely prophetic.

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<sup>20</sup> J. Gairdner, 'Stephen Gardiner', in *Typical English Churchmen* (Series 2, The Church Historical Society, vol. 78, London, 1909), pp. 167-190, at p. 187.

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