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# Thomas More's View Of English Historical Experience In The Controversial Writings

Alistair Graeme Fox

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THOMAS MORE'S VIEW OF ENGLISH HISTORICAL  
EXPERIENCE IN THE CONTROVERSIAL WRITINGS

by

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Submitted in partial fulfillment  
of the requirements for the degree of  
Doctor of Philosophy

Faculty of Graduate Studies  
The University of Western Ontario

London, Ontario

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ABSTRACT

THOMAS MORE'S VIEW OF ENGLISH HISTORICAL  
EXPERIENCE IN THE CONTROVERSIAL WRITINGS

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The University of Western Ontario, 1974

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More's sense of English historical experience has been insufficiently considered by students of his controversial writings. When his scattered historical references are gathered and appraised, they illustrate an interpretation which cannot be explained--in commonly accepted terms--as linear, cyclical, or providentially interventionist, because it is related to a conception of the divine ways markedly distinct from notions informing the common views. More's appeals to English historical experience illustrate his conviction that the tribulatory realities of historical experience not only reflect the consequences of postlapsarian perversity but reflect a divinely creative inducement to humility, faith, and human regenerative effort in cooperation with sustaining grace. His awareness of inevitable temporal imperfections and of historical fluctuations

in men's efforts to respond faithfully to tribulation, calling, and grace invalidated expectations of present perfectibility of men or institutions. Nevertheless, he resisted equally the inclination to spiritualised withdrawal leading to neglect of political and social responsibilities. Instead, he affirmed the value of experience as capable of inducing a response whose very painfulness providentially worked to the good of men of good will by a process illustrated by English history, in all its aspects.

This reading is substantiated by the bringing together and interpretation of More's comments on English law and the law of nature, English kings and parliaments, the experience of the English provincial church, and English learning and literature. The legal comments involve the character of natural law, its relation to aims and procedures of common law, the development of law and its administration, and the jurisprudential aspects of custom and consensus as contrasted with perfectible theories of law. Constitutional considerations include the responsibilities of rulers and subjects with benefits and chastisements attending fulfilment or failure, the structure and evolving privileges of parliament, and the relevance of consensus to the English idea of sovereignty. Comments upon the experience of the church in England show More's sense of the militant state of the church and the realities it has to confront, of its sustaining by the Holy Spirit through the process



of consensus, the relation of English custom to the reception of canon law, the responsibilities of the convocations, the interrelations of church and state, and the problem of Antichrist and heresy. More's evaluation of English language, learning, and literature, in the context of his understanding of men's postlapsarian situation, demonstrates his sense of the power of these gifts to sustain men, and involves his opinions about the merits and later inadequacies of scholasticism, the renovating initiatives of the English Renaissance, efforts to interpret and translate scripture, literary traditions, and patterns in English literary and pedagogical responses to experience. More's own literary practice in the controversies is finally related to these considerations.

## ACKNOWLEDGEMENT

I wish to acknowledge my debt to Professor A.E. Barker, whose wise inducements prevented me from balking at some of the more fearsome obstacles, and whose guidance helped me over them. I wish also to thank Professor P. Auksi for his keen scrutiny of the text and helpful suggestions. My thanks go, too, to Professor A.M. Young for his humane extension of the dialogue to me--to my profit--throughout the writing of this thesis.

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## CHAPTER I

### THE PROBLEM OF MORE'S VIEW OF ENGLISH HISTORY

Thomas More's works of religious controversy show a continuous preoccupation with matters of English history. His recurrent appeals to the procedures and aims of English institutions, the principles of English educational, philosophical, and literary traditions, and the acts of common and noble English people, all suggest that More saw in English history a continuity of response to historical experience which he considered, to a large extent, admirable. Through references to English history, More tried to show how Englishmen had consistently striven to sustain a faithful response to the providential realities of the human situation. The very painfulness of certain of these realities, and the inevitable difficulty Englishmen had found--both in the past and in More's own day--in seeking and achieving a good response to them, illuminated for More the essential character of God's providential operation within human experience. Moreover, the record of the development of English institutions--with their continuous need to adapt within particular circumstances to recurrent social and institutional problems--served for More as a means of understanding the true and false aims of the human endeavour which divine creative purpose was determined to induce. In the context of More's theological and institutional disputes with the reformers, therefore, the recurrent appeal to English historical matters provides a significant medium for the elucidation of essential Morean principles which scholars have attempted to assess through various other approaches to More's writings.

A survey of the history of More studies shows that until very recently his English controversial works have been investigated mainly for evidence that can be drawn from them to support various views of his religious beliefs without reference to the English historical matter in them. Such evidence has been used to support interpretations of the relation between More's early "humanistic" writings and his later career. Critics whose purpose in citing the controversies has been to comment on this relation have read the English works chiefly in the light of their interpretations of Utopia. These efforts produced two early, fundamentally conflicting views concerned with the question of More's consistency. A number of predominantly Protestant historians, descending from Tyndale himself, has argued that in his later career as a polemicist More deserted the enlightened principles which had guided him in the composition of Utopia and retreated into a reactionary and bigoted conservatism. Tyndale, in arguing in The Practice of Prelates that the diplomatic policies of the English clergy had involved England in European wars to the great misery of the populace, made the claim that "This could More tell in his Utopia, before he was the cardinal's sworn secretary, and fallen at his foot to betray the truth, for to get promotion."<sup>1</sup> Tyndale's charge of inconsistency was reiterated by Foxe, and later by Burnet and Froude. The charge of inconsistency embodied in this "Protestant" view of More's later career sprang from a premise that Utopia was a manifesto of the ideals of the reformers in the first two decades of the sixteenth century. This

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<sup>1</sup> Thomas Russell, ed., The Works of the English Reformers: William Tyndale, Robert Barnes, and John Frith (London: E. Palmer, 1837), I, 448.

interpretation found its clearest exposition in Seebohm's assessment of the aims and principles of the so-called Oxford reformers.<sup>2</sup> None of the earlier scholars among those accepting the view of More's inconsistency, with the exception of Burnet, was well acquainted with More's controversial writings; for example, Seebohm did not mention the religious writings in his assessment of More's principles.

In opposition to the claim that More betrayed an early, enlightened idealism, a number of recent biographers and critics has produced a counter-view asserting a consistency between More's early and later beliefs and activities. The energy generated in this attempt to vindicate More led to the first efforts at intensive study of the controversial works. Among these scholars, however, only R.W. Chambers and his associates stressed the importance of More's English preoccupations

<sup>2</sup> See John Foxe, Foxe's Book of Martyrs, ed. and abridged G.A. Williamson (London: Secker and Warburg, 1965), p. 92; G. Burnet, History of the Reformation in England, ed. E. Nares (New York: Appleton and Co., 1843), I, 52, 570-1; J.A. Froude, History of England (London: Dent, 1909), I, 339; Frederic Seebohm, The Oxford Reformers (3rd ed.; London: Longmans, 1911), pp. 355-358. For Marxist and liberal versions of the inconsistency myth, based upon the view that More's early works represent humanistic progressive optimism, see Karl Kautsky, Thomas More and His Utopia (New York: Russell and Russell, 1959), pp. 113-114; Russell A. Ames, Citizen Thomas More and His Utopia (Princeton: Princeton University Press, 1949); and J.H. Hexter, More's Utopia: The Biography of an Idea (Princeton: Princeton University Press, 1952). For an assessment of these views of More, see William W. MacDonald, "Saint Thomas More and the Historians," American Benedictine Review, XXI (1970), 428-429, 435-438.

as an element in his consistency. As a participant in the important project to reissue More's English works in the nineteen-thirties, Chambers stressed More's indisputable authorship of The History of King Richard III and the deep Lancastrian sympathy marking that work. Although Chambers did not elaborate any sense of the relation between the norms of More's History and the controversies in the edition of the thirties, this relation was intimated by him in his subsequent biography and lectures on More. Chambers described, in these studies, More's sense of the complex process whereby men attempt to order their lives within temporal limitations, as expressed in the Dialogue Concerning Heresies. Moreover, he implied a relation between More's sense of this complex process and More's role as a consistent defender of English legal and constitutional principles, and concluded: "An understanding of Thomas More seems to me to be a corollary to an understanding of the history of England during the preceding thousand years."<sup>3</sup>

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<sup>3</sup> R.W. Chambers, Thomas More (London: J. Cape, 1935), p. 389. For Chambers' argument concerning The History of King Richard III, see The English Works of Sir Thomas More, ed. W.E. Campbell and others (London: Eyre and Spottiswoode, 1931), I, 40; for his view of More's legal and constitutional position see The Place of St Thomas More in English Literature and History (1936; first printed New York: Haskell House, 1964), pp. 83, 113; and for his view of More's role in an English literary and historical continuity, see Chambers' prefatory essay in Nicholas Harnpsfield, The Life and Death of St Thomas More, ed. E.V. Hitchcock (London: Oxford University Press for E.E.T.S., 1932). The continuing importance of Chambers' view is asserted by W. MacDonald, "Saint Thomas More and the Historians," ABR, XXI (1970), who asserts: "Chambers shows that Sir Thomas More's whole outlook upon English History was different from that of the great English scholars who wrote about him" (439).



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Because of the significance of More's dispute with the Lutheran reformers in relation to past and present differences of opinion about the church, many other scholars asserting More's consistency were concerned with the controversies chiefly as a source of evidence for More's Latin-church orthodoxy. An effect of such concerns was that principles More saw embodied in English legal, constitutional, ecclesiastical, educational, literary, and social history--principles to which he consistently appeals--were insufficiently appraised. Whether Utopia has been regarded as an irrelevant jeu d'esprit, as by Mackintosh and Bridgett, or as representing More's orthodox view of the best state that reason and the law of nature can attain without revelation, as by Campbell, Reynolds, and Surtz, the English historical interests involved in the controversies, with their strong bearing on Utopia, have not been investigated for themselves and for their importance to More throughout his career.<sup>4</sup>

Although the predominant scholarly approaches--excepting that of Chambers--have overlooked More's English historical interests, these interests do reflect a developing consistency in More. It is a con-

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<sup>4</sup> The two earlier exponents of the jeu d'esprit theory of Utopia as explaining More's consistency are Sir James Mackintosh, The Life of Sir Thomas More (London: Longmans, 1844), p. 61; and T.E. Bridgett, Life and Writings of Sir Thomas More (London: Burns and Oates, 1891), pp. 107, 283. Two more recent exponents are E.M.G. Routh, Sir Thomas More and His Friends, 1477-1535 (Oxford: Oxford University Press, 1934), p. 74; and C.S. Lewis, English Literature in the Sixteenth Century Excluding Drama (Oxford: Oxford University Press, 1954), pp. 169-170. For the orthodox view see W.E. Campbell, Erasmus, Tyndale, and More (London: Eyre and Spottiswoode, 1949), pp. 85, 124; E.E. Reynolds, Saint Thomas More (New York: Doubleday and Co., 1958), p. 88; and E.L. Surtz, The Praise of Wisdom (Chicago: Loyola University Press, 1957), pp. 7-43.

sistency, however, that cannot be adequately understood if it is assumed to depend upon the norms of continental humanism, or even of continental jurisprudence and ecclesiology. While More had a keen interest in continental thought in these respects, his response to it was governed by a specifically English point of view, based on pride in the continuous historical efforts of Englishmen to exercise and sustain the English response to the painful and comforting realities of experience. More's English point of view often verges on a national pride--usually disregarded by critics--as when More castigated scornfully Brixius' attack on the English concerning the naval engagement between the Chordigera and the Regent,<sup>5</sup> or when he boasted against St German that England had as many good men, number for number, as any other Christian nation.<sup>6</sup> It was More's pride in the principles and procedures governing English legal and constitutional activities, in the responsible efforts of the church to influence the English condition, in the aims and methods of education and literature, and in the common-sense realism of the English people in perceiving the difficulty and complexity of human problems in order to face them faithfully, that provided him with much of the substance of his stand against the reformers.

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<sup>5</sup> See L. Bradner and C.A. Lynch, ed., The Latin Epigrams of Thomas More (Chicago: University of Chicago Press, 1953), pp. 199-203. More's sensitivity to national prestige is noted by Brian Byran, Loyalty in the Spirituality of St Thomas More (Nieuwkoop: B. de Graaf, 1972), p. 98.

<sup>6</sup> Thomas More, The Apology of Syr Thomas More, Knight, in The Workes of Sir T. More, Wrytten by Him in the Englysh Tonge, ed. William Rastell (London: Tottel, 1557), p. 870. Hereafter cited as Workes.

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A number of scholars concerned with British history have begun to indicate peculiarly English aspects of More's thought, and their studies show the desirability of further investigation into More's English preoccupations. Significantly, the impetus for the rediscovery of More's relation to the English tradition was provided by the legal and constitutional historians. Mackintosh was able to demonstrate, through an analysis of More's equitable jurisdiction as Chancellor, that the picture which can be drawn of More the English lawyer strongly contrasts with notions both of his supposed repudiation of "humanistic" principles and of his rigid conservative orthodoxy. Moreover, More, for Mackintosh, represented a very fine product of the English legal tradition and especially of the educational tradition which perpetuated and developed it.<sup>7</sup> Mackintosh's early interpretation of the significance of More's legal career has been supported by most legal authorities since, including Holdsworth, who stresses the importance of More's role in the reformation of the Court of Chancery and the development of equity.<sup>8</sup> The implication of these views is that the principles sustaining More's practice as a lawyer were not as reactionary or conservative as those often attributed to him concerning other matters. Most recent studies of the legal and constitutional aspects of More's career and writings have deepened critical awareness of the relation of More to an English tradition. R.J. Schoeck has demonstrated that More represented a humanist-lawyer synthesis traditional in England at least since the time of Chaucer,

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<sup>7</sup> Mackintosh, Life of More, pp. 19-20, 105-106, 120, 137.

<sup>8</sup> Sir W. Holdsworth, A History of English Law (London: Methuen, 1924), V, 222-225.

and has suggested that, contrary to being in conflict with his legal profession, More's humanism functioned integrally in a renovation of law, reflected in his own legal practices.<sup>9</sup> Schoeck's studies have implied further that More's sense of English legal principles determined his conception of the relation between canon and common law. According to Schoeck, More's later controversial efforts were strongly influenced by his sense of clashing jurisdictions--a "universal" jurisdiction in conflict with a specifically English one--and the right relation between the two.<sup>10</sup> To a certain extent, Schoeck's view was anticipated by A.F. Pollard, who in 1902 felt moved to record that a Roman Catholic periodical had denounced as "astounding" his conclusion that

Fisher and More refused to accommodate theirs [i.e., their consciences] to Acts of Parliament, but neither believed conscience to be the supreme tribunal. More admitted that in temporal matters his conscience was bound by the laws of England; in spiritual matters the conscience of all was bound by the will of Christendom; and on that ground both Fisher and he rejected the plea of conscience when urged by heretics condemned to the flames.<sup>11</sup>

The accumulation of subsequent studies has reduced the "astoundingness" of Pollard's statement, because constitutionalists have consistently asserted More's commitment to principles derived from English legal and constitutional history. A.G. Dickens, for example, through stressing More's common-lawyerly principles, has tried to detach More from Fisher in an effort to assess More's role in the English Reformation in terms of the changing

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<sup>9</sup> R.J. Schoeck, "Sir Thomas More, Humanist and Lawyer," UTQ, XXXIV (1964), 1-14.

<sup>10</sup> \_\_\_\_\_, "Common Law and Canon Law," St Thomas More: Action and Contemplation, ed. R.S. Sylvester (New Haven: Yale University Press, 1972), pp. 25-47.

<sup>11</sup> A.F. Pollard, Henry VIII (2nd ed.; London: Longmans, 1905), p. 333.

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function of the state. Dickens goes so far as to claim that "in large measure he [More] accepted the rising claims of the State; he parted only with the utmost reluctance from the path upon which Cromwell strove to hold him."<sup>12</sup> Dickens isolates as the point of departure the sense in More of a Christian unity of faith in spiritual matters described by Pollard. Although Dickens' view of More is by no means indisputable, his suggestion, together with those of Pollard and Schoeck, that More was committed to the character and certain claims of English law, provides implications worthy of further exploration.

The new interest in More's conciliarism among these critics similarly raises further questions concerning his view of history. A statement such as that by Dickens, asserting that More's conciliarism "looked backward to Constance rather than forward to Trent," and that "it seems far from identical with the new papalism of the thirties,"<sup>13</sup> invites further examination of the degree to which More's response reflects a general English response to conciliarism.

The studies of R.W. Chambers clearly imply that More's relations with continuities in English history cannot be separated from the literary aspects of his writings. In his essay, "The Continuity of English Prose from Alfred to More," Chambers identified the quality of the English prose tradition--which More chose as the medium of his polemical effort--with an English civilisation this prose had been developed to express.<sup>14</sup> Implicit

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<sup>12</sup> A.G. Dickens, Thomas Cromwell and the English Reformation (London: English Universities Press, 1929), pp. 63-64.

<sup>13</sup> Ibid., p. 210

<sup>14</sup> Harpsfield, Life of More, ed. Hitchcock, lxx-lxix.

in Chambers' argument is an assertion that the principles governing the development and use of English language reflected the principles governing the English response to historical reality at large, and that there is therefore a close relation between matter and medium. More's detailed exposition in the controversies of the true norms of English usage indicates his sensitivity to this relation.<sup>15</sup> For More, the principles according to which Englishmen used their language were the same as those by which they had responded, and should continue to respond, to the complex and problematic movement of history. It is therefore significant that More chose to persuade the English people through their own language, especially when his arguments depend to a large degree upon illustrations provided by tales of the admirable and reprehensible acts of English judges and juries, kings, parliaments, priests, writers, and common people.

Chambers' attempts to link the principles of More's historical view to his literary activity have been continued, to some extent, in more recent studies; although not predominantly in the context of the controversial works. One significant effort, with reference to Utopia, has been made by A.B. Ferguson. Ferguson's study has indicated the representational aspect of Utopia and the way in which--because it shows the dynamic operation of man's creative intellect--this representational method is tied to a particular view of history. In attempting to assess the Tudor sense of history governing the creation of imaginary commonwealths in the sixteenth century, Ferguson concludes:

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<sup>15</sup> The Complete Works of St. Thomas More, Vol. 8: The Confutation of Tyndale's Answer, ed. R.J. Schoeck and others (New Haven: Yale University Press, 1973), I, 186, 201. All volumes in this edition will hereafter be cited under the title Complete Works.

It is in this literature that one sees the commonwealth, as it were, in action rather than as an ideal to be sought. It is here that the emphasis of the humanists on applied intelligence and the native realism of contemporary Englishmen combine in a powerful working alliance. And it is in the resulting discussion of actuality that the concept of the commonwealth loses some of the rigidity that marks its more formal definitions.<sup>16</sup>

Ferguson identifies the foundation of the Tudor sense of history as a peculiarly English realism, and a commitment to principles of creativity and applied intelligence. Although Ferguson's statements are limited to Utopia, and although an extensive treatment of Utopia cannot be undertaken in this thesis, it will be demonstrated that the sense of history Ferguson detects in More's imaginary commonwealth was not repudiated by More in the later writings. In another recent study, A.M. Young has asserted the presence of a view of history similar to that Ferguson describes, not only in Utopia, but also in the Dialogue Concerning Heresies. While Ferguson characterises this view in terms of an alliance between realism and applied intelligence, Young characterises it in terms of More's conception of "lively mind", one guided by a relation between reason and faith based upon human effort to work, within the limits of the temporal situation, in response to the Holy Spirit. According to Young:

The meaning of that spirit, or its truth, will, of course, lie in the creative shape of the growth it fosters. But because this process still lies uncompleted, its fruition secreted in the future, the "lively mind" to which More refers cannot expect to discover truth in any exclusive remedy. On the contrary, it must look to the diverse and apparently contradictory elements of life that lead, in some continuous and incorporative fashion, towards the promised but unknown end.<sup>17</sup>

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<sup>16</sup> A.B. Ferguson, "The Tudor Commonwealth," Humanism, Reform and Reformation in England, ed. A.J. Slavin (New York: Wiley and Sons, 1969), p. 210.

<sup>17</sup> A.M. Young, "Thomas More and the Humanist Dialogue," Unpublished Doct. Diss., Toronto 1972, p. 109.

Moreover, the literary form of the Dialogue Concerning Heresies embodies within itself, Young argues, the creative spirit of accommodation which, in More's conception, should work in history at large.<sup>18</sup>

Particular instances of More's use of history for purposes of persuasion confirm this close relation between More's philosophy and his literary methods, and the continuous presence of this relation throughout the controversies. Rainer Pineas, in his study of More's controversial technique, has indicated the importance of historical matter in the polemical works. Pineas, however, considers that More's view of English history was determined by a desire to make a pragmatic, and even manipulated "use" of concluded historical actions, rather than to affirm the principles governing the response of Englishmen to the history of English experience.<sup>19</sup> But More's entire argument in the controversies depends upon his sense of the historical continuity of the English response to the painful reality of recurrent tribulations in experience, as well as to sustaining comforts, and upon his conviction that a similar response needed to be sought in the face of the unprecedented tribulations of his own day. More's polemical argument is not essentially an a priori construction based on some source beyond historical experience for which historical matters are used arbitrarily as decoration. Until this is realised and More's historical view more elaborately described, the real nature of his thought and actions will remain highly problematic.

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<sup>18</sup> Ibid., pp. 147-151.

<sup>19</sup> Rainer Pineas, Thomas More and Tudor Polemics (Bloomington: Indiana University Press, 1968), pp. 214-220.



G.R. Elton's recent deflationary assessment of More's role in the king's service represents the way in which interpretations based on external evidence are liable to appear simply iconoclastic without close consideration of More's jurisprudential, theological, and philosophical opinions.<sup>20</sup> Editorial opinion in the volumes of controversies so far available in the Yale edition of More's complete works also reflects the degree to which the problems of More's view of history remain unsolved.<sup>21</sup> The old view that More became inconsistent when he despaired over the English after 1520 is implied by L.A. Schuster, who sees Utopia as marking the final phase of More's "humanistic period", while "The Four Last Things" is the peripety of More's literary career. It is the hinge on which the More canon swings from an outgoing attitude of affirmation and inclusiveness to one of negation and defence."<sup>22</sup> But R.C. Marius detects in The Con-

<sup>20</sup> G.R. Elton, "Thomas More, Councillor," St Thomas More: Action and Contemplation, ed. R.S. Sylvester, pp. 87-122. Elton considers that More exerted no significant influence and that the record of his activities as councillor, undertreasurer, and chancellor is unimpressive.

<sup>21</sup> This is equally true of the non-controversial works. For example, commenting on Complete Works, Vol. 2: The History of King Richard III, ed. R.S. Sylvester, A.E. Barker, in his review article "Clavis Moreana: The Yale Edition of Thomas More," JEGP, LXV (1965), 319, states: "Appraisal of the peculiar angle of reflection in More's English piece would seem to require fuller appraisal of its peculiar relation, especially in its handling of characters and moralizing of events, not only to its Latin version but to the English chronicle and even Mirror traditions." This comment on the Yale edition of Richard III suggests that More's response to English history and historiography has not been sufficiently assessed even with respect to that early work.

<sup>22</sup> Louis A. Schuster, "Thomas More's Polemical Career, 1523-1533," Complete Works, Vol. 8: The Confutation, III, 1145-1146.

futation a sense in More that "God is personal and active in His creation, that the world and history must mean something important in terms of an eternal and cosmic drama, and that this meaning is open to the minds of all men who have good will and common sense."<sup>23</sup> More's view, that history--even with the tribulations that characterise it--reveals the operation of God's ways, is accessible through study of his treatment of English history. Because the controversies express More's faith that God continuously and presciently works goodness out of human evil--by inducing men to commit themselves freely to dependent faith and cooperation with grace through their experience of his apparently harsh ways--they do not merely express an attitude of negation and defence. While the controversies do convey More's deep sense of tragic human sinfulness and perversity, they also communicate his faith in the unfailing providence whereby God, even while giving men total freedom to perpetrate evil, nevertheless determines that the painful effects of such evil will work together to the best good of all men who can be spiritually awakened by their pain into a faithful response. The controversies communicate even more through the historical matter in them: they indicate the plentiful spiritual and natural aids with which men have always been supplied to aid and sustain them in their pilgrimage through the temporal situation.

Investigation of More's historical philosophy must involve some scrutiny of views of history available to him. Students of Tudor humanistic historiography have usually concluded that Tudor historical writing embodied a synthesis between classical methods and Christian theology. R.S. Sylvester

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<sup>23</sup> R.C. Marius, "Thomas More's View of the Church," Complete Works, 8, III, 1271-1363.

considers that More's History of King Richard III is essentially an exemplum based upon classical models, while F.J. Levy sees More and other Tudor historians as subordinating the classics, the rise and fall of princes as directed by Fortune, and Providence into one grand design. The revival of antiquity as the basis of Tudor historiography is also argued by F. Smith Fussner. Myron Gilmore, in contrast, sees irreconcilable tensions in the supposed humanistic effort to cross the classical exemplum theory of history--depending essentially upon a cyclical philosophy--with the notion asserted by some critics that Christian historiography is marked uniformly by a concept of unique, linear evolution.<sup>24</sup> Whether Tudor historiography is seen in terms of a successful synthesis of a classical cyclical and Christian linear conception of history, or of an uneasy tension between the two, neither explanation is satisfactory because the terms of the dialectic itself are inadequate. According to whichever viewpoints are asserted, cyclical history can be considered as deterministic, as linear history, and linear history can appear as futile and fruitless as its cyclical counterpart if considered to be under the dominance of Antichrist. Linear history can be regarded as the medium whereby the temporal situation becomes perfected to its ideal state, or as the record

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<sup>24</sup> See Sylvester's argument in the introductory matter to Complete Works, Vol. 2; The History of King Richard III, cii-ciii; F.J. Levy, Tudor Historical Thought (San Marino, California: Huntington Library, 1967), p. 77; F. Smith Fussner, Tudor History and the Historians (New York: Basic Books, 1970), pp. 40-43; and Myron P. Gilmore, "Fides et Eruditio: Erasmus and the Study of History," Humanists and Jurists: Six Studies in the Renaissance (Cambridge, Mass.: Harvard University Press, 1963), pp. 107-108.

of a continuously satanic condition--from which men can only be rescued by divine arbitrary intervention--where there can be no real progress. Unless careful discriminations are made concerning possible implications of the dialectic and aspects of experience which it cannot comprehend, the dialectic is inadequate to explain fully the historical philosophy of a major sixteenth-century writer such as More. Some humanists holding optimistic expectations that an ideal prince, an ideal state, and an ideal peace could shortly be instituted did think in terms of an historical philosophy founded upon the fusion of classical and Christian elements; but Erasmus, for one, as Bietenholz has shown, was an early critic of this simple historiographical synthesis. Bietenholz contends:

Erasmus' approach to history cannot be assessed in terms of a conflict between the cyclic and linear conceptions. Although he did at times employ some conventional pattern of successive historical ages, he did this so sparingly that the extent to which he could free himself of the commonplaces of historical thought in his day is all the more noticeable.<sup>25</sup>

According to Bietenholz, Erasmus not only completely ignored the classical cycles, but also became increasingly doubtful about the idea of progress as his expectations of a new golden age began to diminish.<sup>26</sup> The suggestion that Erasmus was able to reach beyond the commonplace views of history of his time reinforces the necessity for caution in identifying More

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<sup>25</sup> Peter Bietenholz, History and Biography in the Works of Erasmus (Geneva: Librairie Droz, 1966), p. 29. See also the review of this book by E.J. Devereux, Renaissance Quarterly, XX (1967), 487-488, for a further assessment of Erasmus' indifference to contemporary cyclical views.

<sup>26</sup> Ibid., pp. 29, 31.

with the simplifications of these commonplace views. Once More's legal, constitutional, ecclesiological, literary, and social principles, as revealed in his treatment of history in the controversies, have been established, it becomes impossible to impute the common views to him. Many of these views were unacceptable to him because of the differences between his sense of the operation of divine providence and the senses asserted by some of his contemporaries. More's thinking was dominated by a consistent and complex view of divine and natural law in relation to the human situation, and the merciful--though often harsh and painful--ways God continuously uses to induce men to work, insofar as it is possible in their condition, towards thinking and acting according to these laws during their temporary worldly existence. This view led More to oppose basically dualistic, Manichaeic, and neo-Platonic views of history, or any not giving due credence to the providential character of the human situation.

While his particular interpretation of the human situation led More into delicate and discreet opposition to some idealistic excesses of humanistic optimism, it led him into open and irreconcilable conflict with the views of history of such as Tyndale, Frith, Fish, and Barnes. The common basis of these views was a "Lutheran" interpretation of Augustine's statements on the will, with consequent notions about God's actions towards the world. In Tyndale's version of the Lutheran-Augustinian view of history, most clearly set forth in The Obedience of a Christian Man, English history is represented almost exclusively as the record of God's vengeance on continuous human corruption. The old Britons,

for example, being warned by Gildas to repent of their wickedness, became hard-hearted, and God, therefore, "sent his plagues and pestilences among them, and sent their enemies in upon them on every side, and destroyed them utterly."<sup>27</sup> Consequent on his acceptance of the Lutheran doctrine of the servile will, Tyndale adopted the Augustinian conception of the historical interventions of God in human affairs. In Tyndale's view, owing to the corruption of men and the inability of the will to ameliorate, this corruption of its own initiative--being unable to do anything but sin--God's actions concerning the world originate externally to it and are totally arbitrary.<sup>28</sup> Not only does God arbitrarily predestine certain men to salvation, but he also punishes wicked men in an equally arbitrary fashion. Given his sense of the unbroken degeneration of English history--

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<sup>27</sup> Thomas Russell, ed., The Works of the English Reformers, I, 181.

<sup>28</sup> For a discussion of the dualisms inherent in the Lutheran-Augustinian version of linear history and divine providence--grace and election against nature and reprobation, or the ideal and transcendental against the material and temporal--in their relation to notions that the linear character of history is bestowed upon it by successive, punctuating manifestations of the divine will, see William Haller, Foxe's Book of Martyrs and the Elect Nation (London: Jonathan Cape, 1963), p. 67; and Ernest Tuveson, Millenium and Utopia (New York: Harper and Row, 1964), pp. 6-7. This conception of providential history as marked by divine interventions is implied to be the only sixteenth-century providential view by C.A. Patrides, The Phoenix and the Ladder: the Rise and Decline of the Christian View of History (Berkeley: University of California Press, 1964), p. 57. Patrides considers the interventionist-providential view was undermined by the restoration of the Greco-Roman cyclical philosophy of the humanists in the sixteenth century. Neither of these alternatives can be imputed to More.

especially church history--and his sense of the inability of the will to remedy the situation, Tyndale attached his hopes to the role and power of the prince as the earthly instrument of the arbitrary divine will. Owing to the fact that the king is "the minister of God, to take vengeance on them that do evil,"<sup>29</sup> Tyndale conceded to the prince an absolute power as arbitrary as that he conceived to be exercised by God himself: "Heads and governors are ordained of God, and are even the gift of God, whether they be good or bad. And whatsoever is done to us by them, that doth God, be it good or bad. If they be evil, why are they evil? Verily, for our wickedness' sake are they evil."<sup>30</sup> Tyndale's view of the prince can be seen as his response to a sense that the world is pervasively evil. The power of the prince, and consequently of the machinery of the state, could be used to coerce men from evil-doing through fear: "Beat one, and the rest will abstain for fear."<sup>31</sup> In terms of the more specific issues in English history, the prince could provide the instrumentality to reform the antichristian tyranny of the English prelates. Through equating every act of a prince with God's will, Tyndale provided a theological justification for Henrician and Cromwellian legal positivism, in contrast to More, who strove in the controversial writings to defend the English church and state against the effects of such positivism.

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<sup>29</sup> Thomas Russell, ed., The Works of the English Reformers, I, 209.

<sup>30</sup> Ibid., p. 228.

<sup>31</sup> Ibid., p. 220.

The dualism inherent in Tyndale's view of history is equally evident in the writings of Frith. In the "Epistle" prefixed to his translation of Luther's De Antichristo, Frith fully expounded his dualistic view of history through his doctrine of contraries. The basic contrary, according to Frith, is the opposition between Christ and Antichrist. The components of the Godhead itself have their respective antichrists: to God the Father, Christ, and to their Spirit are opposed the contraries of the devil, the flesh, and the world.<sup>32</sup> Following Luther and Tyndale, Frith asserted that the church had been under the tyranny of these three antichrists ever since the time when Sylvester received possessions into it.<sup>33</sup> Like Tyndale, Frith also argued, in his Answer to More's Letter, that reformation of this situation "resteth only in the hand of your [i.e., More's] Prince and Parliament."<sup>34</sup> With both Tyndale and Frith, the prince was a type of auxiliary "saviour" who functioned as God's instrument for rescuing elect individuals or an elect society from a situation of anti-christian corruption, and for punishing the wicked.

The Lutheran-Augustinian view of history was closely associated with other views that are resisted in More's writings. Tyndale's view of the prince as saviour became exploited for purposes of the Tudor myth

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<sup>32</sup> John Frith, The Revelation of Antichrist, in The Works of the English Reformers, ed. Russell, III, 464.

<sup>33</sup> Ibid., III, 340-341.

<sup>34</sup> John Frith, Answer to More's Letter, op. cit., III, 416.



as expressed, for example, in the sixteenth-century chronicles. It was also closely associated with notions that a sudden rebirth of the best cultural, religious, and political values could be effected by a return ad fontes. This return to the fount, in its social and political aspects, could be achieved and perpetuated by the institution of a good prince. With exponents of the Tudor myth the salvational function attributed to the Tudor dynasty was closely related to the humanistic notion of the philosopher-king, and the hopes attached to Henry VIII by some humanists, therefore, implicitly paralleled the theological view of the Lutheran reformers that the king was a manifestation of God's sudden intervention to clear away the political as well as the religious corruptions of the past thousand years. With humanists who were less sanguine about accepting the idea that a prince's will represented the divine will, the providential, salvational function imputed to the prince was transferred to the state. Thomas Starkey, for instance, visualised, in A Dialogue Between Thomas Lupset and Reginald Pole, a multiplicity of laws to coerce men into being good. He has Pole suggest that there should even be laws prohibiting the importation of any foreign goods into England capable of luring Englishmen to vain pleasure.<sup>35</sup> To make these laws effective, Starkey hypothesises a state in which government is institutionalised to such a large degree that he believes sinful administrative acts would be impossible.<sup>36</sup> The

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<sup>35</sup> Thomas Starkey, A Dialogue between Thomas Lupset and Reginald Pole, in Tudor Prose, ed. Edmund Creeth (New York: Doubleday and Co., 1969), p. 379.

<sup>36</sup> Ibid., pp. 387-389.

constitutional and legal positions More defends in the controversies show that, while he believed good laws well founded upon a dynamic consensus could restrain the worst public effects of human sinfulness, he had no faith that human nature and the societies organised by men could be perfected, either by the institutional powers of the prince, or of the state. More did not accept the Tudor-myth version of the interventionist-providential view of history, especially when it was conflated with a view of the prince or state founded upon optimistic idealism.

The critical attitude with which More assessed humanistic idealism, whether expressed in optimistic, perfectibilitarian expectations or in transcendentalism, separates him also from the exemplum interpretation of history as manifested, for example, in the writings of Polydore Vergil and, later, Thomas Elyot. While More was always ready to exploit the emblematic and typical aspects of the individuals he treated, he never reduced their individual complexity so as to make it conform to abstract or absolute notions of virtues and vices in the way these writers did. Vergil, in the Anglica Historia, through turning Henry VIII into an exemplum of avarice and Wolsey into an exemplum of pride and arrogance, implies an ideality to be striven for which is always at one remove from historical reality.<sup>37</sup> Behind Vergil's characterisations are notions of an ideal prince and of ideal officials. There is, however, little sense of any instrumentality by which good governors are to be achieved, and the historical situations Vergil depicts are static in a way which contrasts

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<sup>37</sup> Denys Hay, ed., The Anglica Historia of Polydore Vergil, Camden Series, LXXIV (London: Royal Historical Society, 1950), pp. 147, 231.

markedly with a sense in More that history is a dynamic process in which men are continuously battling, in varying degrees, with inevitable human imperfections.

Exemplum history, and other views depending upon abstracting idealism, could support several alternative notions: the ideal could in no degree be realised within actual experience; it could--if one believed it had existed at some time in the past--be restored; or it could be progressively achieved through the evolution of time. All these notions are based upon a belief that the actual contemporary situation is satanically imperfect and is, therefore, one from which men must seek to escape. All of the common views which More resisted incorporated one or more of the idealistic solutions. Proponents of both the Lutheran providential view based on a sense of the world as dominated by Antichrist, and of the humanist exemplum view with its sense--especially in the de casibus tradition--of the world as dominated by the caprices of Fortune, variously held to an optimistic hope that the ideal could be restored or effectuated through the perfection of human institutions, and to an opposing conviction that the ideal could only be sought in an interiorised spiritual existence. The common views which More did not accept all depended upon expectations for the temporal or spiritual future, following upon the repudiation of past or present history. In these views, therefore, there is a negation of any possibility that divine providence has been and is working continuously within the distressing realities of the human situation itself, or that divine wisdom determined these realities should be an inevitable presence in the human situation. More's deep sense, both of the

continuous operation of God's providence and the significance of human difficulties and tribulations as foreseen by it, provided him with a very different historical philosophy. Whereas the optimistic aspect of both Lutheran and humanistic idealism led its proponents in each respective camp to identify their expectations with an assumed sudden "renaissance" of earlier, more perfect values, More's realistic and, to a certain extent, pessimistic view of human nature and history prevented him from accepting that any sudden new departure had occurred. The absence of any marked ad-fontes principle in More's historical philosophy distinguishes his humanism from that of some of his contemporaries, although not as unexpectedly as one might think. W.K. Ferguson's studies on the idea of the Renaissance in historical thought should warn one against assuming that the conception of a sudden rebirth, originating in Italy with Petrarch, Bruni, and other Italian literary and political classicists, was uncritically adopted in Northern Europe as a whole, or in England in particular. To the contrary, the implications of Ferguson's conclusions are that the majority of early-sixteenth-century Englishmen had little conception of a "renaissance" after the Italian manner.<sup>38</sup> Many of the problems concerning More's view of English history have arisen from assumptions, such as that stated by Fussner, that the English Renaissance began "when antiquity was revived and scholasticism rejected."<sup>39</sup> The controversial

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<sup>38</sup> Wallace K. Ferguson, The Renaissance in Historical Thought (Cambridge, Mass.: Riverside Press, 1948), p. 254.

<sup>39</sup> F. Smith Fussner, Tudor History and the Historians, pp. 40-43.

writings reveal no evidence that More rejected scholasticism to the extent that the continental humanists did in their efforts to return to the fount. Not only did More consider such a return impossible, but he also believed it to be undesirable to the degree that it repudiated a philosophical system of thinking whose divisions and distinctions were invaluable. For More, it was always a question of making the best use of the spoils of the Egyptians while realising that one had travelled to another country.<sup>40</sup> While he recognised the abuses perpetrated by later practitioners of scholastic learning, he never repudiated its right use; he conceived the function of humanism as one of reform and renovation, not of replacement. For More, learning, like every other human activity, represented an effort to respond to the realities of experience. He maintained further that it should provide a beneficial influence on men's responses to experience. Although he demonstrated, in the controversies, that scholastic methods and procedures had derived from a responsible effort to face the multitudinous particularities of experience, More also considered that by the late "middle ages" scholasticism had largely abdicated the effort in favour of speculative transcendentalism. For this reason he supported the humanistic restoration of the liberal sciences to the curriculum as a means of humanising scholasticism and directing it back to its true function of sustaining men's responses to experience. This could be effected by tying scholastic speculation to the realistic

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<sup>40</sup> See Thomas More's "Letter to Oxford," St Thomas More: Selected Letters, ed. E.F. Rogers (New Haven: Yale University Press, 1961), p. 99, for More's discussion of the relation of classical learning to theology and the scholastic tradition indicated above.

Related to the acceleration of speculation and scientific discovery were the new geographical explorations and discoveries, in which More--through his kinship with John Rastell--was keenly interested, both philosophically and personally. In More's view, none of this expansion in knowledge was possible without the degree of order and prosperity provided by the development of English institutions. Frequent references to the contrasting situation in Germany reinforce this belief.

The benefits derived through institutions merely led, however, to the human problems concerning the nature of their use. More had an ironic sense that the "progress" resulting from exploitation of potential in the natural world, while it provided men with additional supports for their temporal journey, correspondingly put upon them greater responsibility to use this knowledge well. In the degree that men's knowledge had expanded, whether concerning the effectuality of modes of social organisation, the use of scientific discoveries, or of the possibilities inherent in greater human freedom, the potential for greater catastrophes in the event such knowledge should be abused had correspondingly increased. It was because of the inevitable possibility--and even likelihood--of abuse that More remained sceptical about the optimistic expectations of others that an increasing perfection could be achieved. His consistent deep sense of the sinful realities of the human condition and the inevitability of abuse led to a concern with the law and law courts, and also prompted him to defend the importance of the church's ameliorative role in corporate national life. While More realised that the church--to the extent it was a human institution--was in many ways as fallible as other institutions, lacking that total,

disorders which it was the business of Tudor sovereigns to prevent."<sup>41</sup> Such studies emphasise the dynamic nature of the fifteenth-century response to problems rather than the supposed novelty of these problems. This is consistent with More's treatment of English history, in which the problems are viewed as recurrent and liable to become progressively worse in the measure that the effort of a determined, realistic response diminishes.<sup>42</sup> More's sense of the difficulty of maintaining a good response, and the rhythmic ebb and flow of English resilience in doing so through past history, prevented him from subscribing to any view of a renaissance as representing a sudden temporal perfecting of the ideal

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<sup>41</sup> See C.L. Kingsford, Prejudice and Promise in Fifteenth-Century England (1925; reprinted London: Frank Cass and Co., 1962), p. 21; and E.F. Jacob, The Fifteenth Century, 1399-1485 (Oxford: Clarendon Press, 1961), v. For a similar argument, see also J.R. Lander, The Wars of the Roses (London: Secker and Warburg, 1965).

<sup>42</sup> For a view, similar to More's, that the English Renaissance was itself the product of a response to an exacerbated state of recurrent problems, occasioned by the metaphysical, theological, and institutional collapse of late medievalism, see A.E. Barker, "An Apology for the Study of Renaissance Poetry," Literary Views, ed. C. Camden (Chicago: University of Chicago Press, 1964), pp. 30-34. Barker has also indicated that the patterns of response to history under discussion are found in their later intensification in the seventeenth century, and are represented particularly clearly in the works of John Milton; see A.E. Barker, Milton and the Puritan Dilemma, 1641-1660 (Toronto: University of Toronto Press, 1942).

wrought by a return to the fount. It also prevented him from accepting either the optimism or the idealism, or the combinations of both, marking most of the common views of history available to him. More, however, had a singular sense of the unflinching continuity of God's providence that safeguarded him from the Manichaean or Gnostic alternatives adopted by many of his contemporaries when contemporary institutional and social collapse made optimism increasingly untenable.

The essential differences between More's view of English history and the alternative views can, to a certain extent, be illuminated by a consideration of his theological and historical sources. One of More's most obvious sources was the patristic tradition of ecclesiology and the exegesis of scriptural history. Significantly, in his use of the Fathers, More showed considerable interest in the dynamic sense of history in such Greeks as Basil, Origen, and Cyprian as well as the varieties of historical views in the Latin Fathers.<sup>43</sup> Considering that More's knowledge of the Fathers derived in some part from the Glossa ordinaria found in the editions of the Bible published by Froben in 1498 and 1502, also containing the commentary of Nicholas of Lyra, the patristic source was by no means exclusive to More, although his interpretation of it may have been.<sup>44</sup> His

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<sup>43</sup> For More's interest in the Greek sense of the unwritten tradition of the church and the dynamic process of consensus, induced by response to changing experience under the guidance of the Holy Spirit, that informs this sense, see, for example, Complete Works, Vol. 8: The Confutation of Tyndale's Answer, I, 153, 368.

<sup>44</sup> More repeatedly testifies to his use of "Lyre, and the ordinary glose, and the interlynyare glose also" in the later editions of the Bible by Froben; for example, in Complete Works, Vol. 8: The Confutation, II, 881.



contemporaries often did not share, however, More's knowledge of the English common-law and parliamentary traditions with their implicit embodiment of responses which More sought, in the controversies, to defend and assert. Chambers has demonstrated that legal treatises such as the "Book of Good Precedents" and the legal "Abridgement" would have been known to More, even if only because they were owned by his father, John More.<sup>45</sup> Frequent citations in the controversial works show More to have been also closely acquainted with the parliamentary Statute Books and Rolls.<sup>46</sup> The record of English historical experience provided by the legal and parliamentary sources, together with their testimony to the English way of dealing with problems, gave More the matter for his view of English history. A related source was the records of the acts and policies of the convocations, with their account of the English response to problems of ecclesiastical sovereignty and jurisdiction, of the relations of the spirituality with the temporality, and of matters of

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<sup>45</sup> R.W. Chambers, The Place of St. Thomas More, pp. 10-11.

<sup>46</sup> See, for example, The Supplication of Soules, Workes, p. 302; Complete Works, Vol. 8: The Confutation, I, 358; and The Apology, Workes, p. 922.

faith.<sup>47</sup> More gives evidence that several further sources provided him with the context for his view of English history; namely, the historiographical traditions of the monastic Latin chronicles and the English chronicles of the City of London, and the tradition of English devotional prose.<sup>48</sup> Embodied in all of More's English sources is a strong common-sense realism and an appreciation of and sensitivity to the multitudinous complexities in English life. It is from this sense of realism that More probably gained his conception of the continuous painful realities besetting the English which had induced them to conduct themselves according to principles by which they could hope to ameliorate, in some degree, the worst social, political, and spiritual effects of such realities.)

More's view of English history ultimately depends upon his larger sense of the human situation itself and the totality of human

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<sup>47</sup> More reveals that he knew the records of the English convocations through William Lyndwood's Provinciale, seu constitutiones Anglie, continens constitutiones archiepiscoporum Cantuarie e Stephano Langton ad Henricum Chicheleium, finished in 1430, in the Dialogue Concerning Heresies, English Works, ed. Campbell, p. 231. More tells that, in order to give the Messenger evidence concerning the Arundel Constitution of 1408, "I set him forth the consitutions provincial, with Linwood thereupon, and turned him to the place in the title, De Magistris." For comments on the significance of Lyndwood's Provinciale, see R.J. Schoeck, "Canon Law on the Eve of the Reformation," Medieval Studies, XXV (1963), 130.

<sup>48</sup> See Complete Works, 8, I, 37, 187.

historical experience in terms of his conception of divine creative purpose and the ways through which God seeks to induce men to fulfill this purpose. Consequently, there is, in the controversies, a continuous preoccupation with Adam and Eve in Paradise before and after their fall and with the biblical history of their fallen descendants. English history, More considered, was both the continuation and the repeated image of the biblical record of fallen history with all that it implied.

To guide the first man and woman in their unfallen state, God instituted the law of nature, intended as an instrument for the development of men within their prime condition. One of the most important features of More's historical thought is his belief that this law of nature continued as the guide to human conduct even in postlapsarian history. He considered the significant difference in situation to lie in the postlapsarian sinful condition of men, whose faithless disobedience in eating the fruit of the tree of knowledge made them thereafter less able to live according to the law of nature. This did not, however, mean that no postlapsarian man could rise above his most damning sinfulness. The perfection of God's wisdom was such that he providentially ensured that men--through inducements offered by the painful effects of their very sinfulness--could regain the spiritual condition requisite for their salvation. Such a recovery, however, could no longer be complete in the temporal world; it could only be completed after the final earthly tribulation of physical death, and even then only after a continuing process of cleansing and purgation to fulfil the requirements of divine justice. Temporal existence is, for More, a pilgrimage in which men must respond to the providential inducements of experience, through their freely willed cooperation with

divine grace, to attain Faith and perform all that that-faith requires, according to the condition of understanding of each individual man. While all acts performed faithfully must be, insofar as is possible, consistent with the principles and conclusions of the law of nature--represented in part for More by the Ten Commandments--no man can ever totally perfect his actions in earthly life. A man can only hope to capture his perverse will to the service of the faith in and sole dependence on God that is essential for salvation, and continually strive, with the aid of all the benefits and supports God has provided, to avoid committing deadly sins, while seeking forgiveness for conscious and unconscious venial sins.

With respect to More's view of particular English history, and especially to his view of specific English institutions, this interpretation of the human situation and condition contains implications of great significance. Because of the infected nature of the human will, with its continual liability to sin venially--if not mortally--More did not believe that either human nature or human institutions were temporally perfectible. To commit oneself to an attempt to create one's heaven on earth represented a despairing effort at circumventing the necessity of undergoing the labour and tribulation required to qualify one for the true heaven. Efforts based on assumptions of perfectibility could only meet inevitable frustration. More conceived the function of human institutions to be quite different. He saw that in English history legal and constitutional institutions had served as instruments to bolster the collective and individual responses of Englishmen to the realities--often woeful--of their postlapsarian experience. If well instituted, sustained, and developed through consensus

responding to mutating circumstances, institutions could guide men's actions into as close a consistency with the law of nature as was possible and also foster the development and good use of the natural gifts God has placed in the temporal world to support men in their pilgrimage. In their capacity as guides to conduct, English institutions had no claim to absolute embodiment of the law of nature, because the degree to which they could reflect principles of natural law depended on the good will of Englishmen, while this degree of good will itself depended upon varying degrees of fallible, natural reason in each man. The English tradition of custom and consensus, More believed, represented the responsible efforts of Englishmen to allow for the realities of their imperfect condition and individual fallibilities... Consensus and custom, in legal and constitutional institutions, guarded against the destructive dangers arising from perverse individual voluntarism, while allowing benefits derived from a dynamic responsiveness to the Holy Spirit to be effectual when faithful men opened themselves to its influence, either through the institutions of the church, or through their personal receptivity to the leadings of grace. For More, the great problem of human institutions was that their very instrumentality made them potentially the tools for antichristian abuse as much as for Christian good use. Given a predominance of bad will, or even of lack of will, a consensus could be satanic and the product of a response to the devilish spirit. While the potential for abuse was great even in institutions based on consensus, More considered it was infinitely greater when institutional power was vested in individuals. He saw that the English throughout their history had been involved in a

struggle primarily to keep the use of their consensus-institutions good and faithful, and, secondarily, to protect these institutions against repeated attacks by absolutist voluntarism through the development of inherent restraints. The questions of sovereignty and kingship were highly problematic for More. He believed the office of king to be essential for the administration of law and order, without which human societies are always likely to degenerate. The king, however, must fulfil his executive responsibilities within the framework of laws eventuated through the common consensus; but because the office of king was consecrated and the relation of the king to his people a kind of sacramental marriage, there was no legitimate way the king could be removed from office against his will. More saw the immense difficulties and responsibilities of this situation as one of the recurrent tribulations of the English in their history as well as the source of many of their benefits.

In spite of the contiguous difficulty Englishmen had encountered in their experience with institutions, More believed their efforts had nevertheless been considerably--though not uniformly or inevitably--productive. The English had managed to sustain a fair degree of distributive as well as retributive justice through institutions. More regarded the complex English laws protecting and regulating property as a considerable achievement, while punitive laws protected the "natural" rights of the nobility and commoners alike. More was particularly sensitive to the way English educational procedures were allowing for an expansion of knowledge concerning the physical world through the revival of the liberal sciences.

Related to the acceleration of speculation and scientific discovery were the new geographical explorations and discoveries, in which More--through his kinship with John Rastell--was keenly interested, both philosophically and personally. In More's view, none of this expansion in knowledge was possible without the degree of order and prosperity provided by the development of English institutions. Frequent references to the contrasting situation in Germany reinforce this belief.

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absolute sight of perfect truth that exists only in heaven, he believed that, because Christ promised the Holy Spirit would be inevitably present to guide the consensus of men gathered together in his name, and because the sacraments offered a certainty of an effectual effusion of grace in the partaker, the church had an essential role in influencing all temporal activity. In English history, More saw that the church in England had often been influential in mitigating the effects of antichristianity, although at times its failure had been lamentable.

More did not only see the English history of the realities of the sinful human condition in the record of the institutional difficulties of Englishmen. He also saw these realities, together with good and bad responses to them, reflected in the writings of English devotional and poetic traditions; similarly, he saw them confronting the efforts of Englishmen to find a good attitude towards the interpretation and propagation of scripture. In both cases, he considered that the best principles of procedure motivating Englishmen had been identical to those motivating them in their institutional efforts to face tribulation and sinfulness; custom and consensus were guides to the English use of language and to the difficulties of scriptural exegesis just as much as they were to the operation of English institutions. Moreover, behind all matters of institutions, policies, and speculation, More detected valuable qualities in large sections of the English people themselves. While he saw that there had consistently been many faithless Englishmen, he also saw that no part of English society had ever lacked a considerable number of good men, and his controversial effort was largely sustained by his sense of the continuous resilience of many Englishmen to recover their good will and determination



to resist negative attitudes among their members. There had not yet been in English history a total submission to Antichrist to match the catastrophe which More considered had occurred in contemporary Germany. England had always hitherto had assets in the simple faith and common-sense realism of many of its common people and the learning, wisdom, and virtue of many men both in the spirituality and temporality. More had sufficient faith in the past and present endeavours of good men in the English orders that he was able to boast that no other European country had more, number for number.

For all the encouragement More gained from his sense of the historical resilience of the English people in maintaining their struggle to resist domination by antichristian attitudes, during the course of his controversial effort he nevertheless had to fight against a fear that the ability of Englishmen to face the tribulatory sixteenth-century situation with continued resilience was weakening and might fail. More's temptation to despair was induced by his intense awareness of the unprecedented magnitude of the new tribulation and his doubts as to whether Englishmen would be able to retain their faith in the face of it. During the fifteen-twenties and -thirties the English people seemed, to More, to be in a spiritual torpor, and he feared they would not be stirred from their sluggishness in time to prevent social, political, and spiritual chaos. Moreover, More feared God's punishment on the people for their faithlessness. As polemical pressures intensified and it became apparent to More that his controversial effort was failing to have any significant influence, his sense of despair deepened. But at the same time More's pessimism intensified, his faith grew because of an enlarging belief that

contemporary tribulation was no different in kind--only in intensity--from the tribulation which has marked all stages of history, and that it was ultimately within divine foresight and therefore significant in terms of the divine creative purpose. Although the fullest expression of More's conception of the providential role of tribulation in historical experience is found in the Tower works, it also constitutes a consistent major theme in the middle and later controversies, acting as a counterbalance against the possibility of despair. More recalled the scriptural maxim: "unto good men all things work unto good,"<sup>49</sup> and asserted that God would not allow men to suffer more than they had the capacity to bear. Even if the new tribulation involved the destruction of all temporal order and painful physical death, no man responding to tribulation with the faith and sole dependence required by God could take any real harm from it, but only good. Moreover, once More had become confident that contemporary events did not, in fact, represent the final apocalyptic tribulation, he was able to assert his belief that, whatever apparent success the power of Antichrist might seem to achieve, providence was still effectually working in every human circumstance; the situation was within God's foresight and calculated according to divine wisdom--even though it was created through the agency of men's freedom of will--to induce sufficient faith in responsive men to enable them to take nothing but good from their experience. God's grace still remained available for all, and the Holy Spirit continued and would

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<sup>49</sup> Romans 8:28; see The English Works of Sir Thomas More, ed. Campbell, Vol. II: Dialogue Concerning Heresies, 151. Hereafter cited as English Works, II.

remain present and assistant in the church until the end of time. More came to see his own polemical experience as an image of the historical experience of Englishmen at large. Both, for More, showed that God requires all men to perform as much as is within their capacity and conscience to do; but that when this performance seems futile, which experience reveals is very often the case, men must re-confess the sole faith in God which they betrayed at their first Fall.

## CHAPTER II

### ENGLISH LAW AND THE LAW OF NATURE

Much of the historical matter found in the controversies consists of More's references to the enactments and procedures of English law. More saw in English law the pattern of response, involving both responsibilities and frustrating difficulties, which typified all other spheres of English endeavour. It was a mirror in which one could read the continuously painful effects in history of fallen human nature and the record of the English historical response to them. Legal history showed also, for More, that English efforts to attain consensus testified to the continuous operation of sustaining providence. Through his examination of English jurisprudence and the history of its enactments, More tried to communicate not only his sense of the human condition relative to the ethical law of nature by which men should live, but also the process whereby they should attempt to frame their individual and collective actions into consistency with the principles of the law of nature. More concluded that the struggle of Englishmen to live according to "natural" principles had produced a jurisprudence whose reliance on custom and consensus reflected a humble recognition of the fallibility of imperfect human reason and the dangerous consequences of voluntarism--whether manifested in wilful assertions assumed by proponents to embody definitive, absolute rationality, or springing from the attempts of perverse individuals to make their own desires effective against the common will. English juridical principles also represented an implicit faith in

the spirit that is induced by consensus founded upon good will. To More, English legal theory manifested implicitly a common confession of weakness which in itself had made possible resilient cooperation with the divine creative purpose. More's sense of the complexity of this process of cooperation and the difficulties caused by human perversity, ever tending towards the obstruction of cooperation, gave him a conception of the relation between English law and the law of nature substantially different from other contemporary views.

More's view of English legal history is characterised by the difficulty he experienced, concerning ideas of nature and grace in relation to the evident imperfections of human laws. He could not accept late medieval and sixteenth-century inclinations to resolve the problem of human law by appeals either to a rationally perfected "natural" law, or to a spiritual law transcending imperfect "natural" law. The first alternative--that grace can perfect nature in the earthly situation--was considered unsatisfactory by More because of his sense that legal institutions and magistrates are as frail as human nature is and always will be in this temporal life:

that justice of right good men is yet sore spotted with sin, for that the frailty of our nature seldom constantly standeth any while together in good works, but that the perseverance is interrupted, often spotted, and besprent with sin. And therefore is it said, Septies in die cadit justus, et resurgit. Seven times in the day falleth the righteous man, and riseth again.<sup>1</sup>

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<sup>1</sup> English Works, II, 293.

The alternative appeal to a spiritual law transcending "natural" law represented, for More, men's attempts to escape from the reality of an earthly situation in which righteous men fall seven times a day and, while they are fallen, are fallen indeed--until they rise again. More's opinion was founded upon his awareness of the way some men had tried to use the idea of a transcendent spiritual law as justification for a "Christian" liberty obviating allegiance to all human laws whatever.<sup>2</sup> More could not accept the idea of a transcendent spiritual law as a solution to the problem of continuing human sinfulness because he believed that men "vndoubtedly thorow theyr owne defeaute fall from the grace wyllyngly, that holpe them whyle they resisted," and that they have ample assistance to sustain continuous efforts to resist sin by confronting earthly temptation in its own terms.<sup>3</sup> For More, the sufficiency of grace to sustain the feeble human will--given a man's willingness to work with it, even when tried by intense tribulations and temptations--was affirmed by Christ:

Whose strengthe in mannes feblenes so worketh with the fre wyll of hym that purposeth to contynue good, that all the deuyls in hell shall neuer be able to put hym in sucbe a rage, that may cary hym towarde horryble dedes one here bredth forwarde agaynst his wyll.<sup>4</sup>

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<sup>2</sup> In the Dialogue, for example, More claims: "And therefore all lawes they set at nought. And they hold that no man is bounden to obey any, but would be at liberty to believe what they list, and do what they list, as they say that God doth with us, not what we deserve, but what himself list" (ibid., pp. 299-300).

<sup>3</sup> Complete Works, Vol. 8: Confutation, I, 452-453.

<sup>4</sup> Ibid., p. 454; cf. 2 Corinthians 12: 9-10.

More's sense of the sufficiency of grace to sustain men in their response to earthly circumstances meant that he believed the problem of imperfect human laws could not be solved by appeals to a transcendent law; such appeals implied a repudiation of men's responsibility to work with grace in a regenerative response to harsh realities in real experience. Concomitantly, he believed the frailty and freedom of the human will meant that human laws were never likely to be temporally perfected. More, consequently, did not assert either that grace perfected nature, or that grace transcended nature; instead, he was concerned with showing how human will could work with grace in order to prevent men from remaining in a state of unbroken degeneration, by helping fallen nature to become as upright as possible in its earthly circumstances.<sup>5</sup>

More's sense of the process of cooperation by which grace aids the efforts of human nature to respond regeneratively to its own feebleness meant that he did not assert segregated or abrogating relations between reason and faith, or natural and divine law: reason and faith sustained

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<sup>5</sup> This view has recently been suggested by R.C. Marius, who asserts: "More knew the condition of man from his daily experience with the laws of the realm, and he recognized how fallible and changeable this will could be. The position into which he was forced by his own assumptions was one of moderation, skepticism, and grudging hope. Man could be good, but most men were not" (Complete Works, 8, I, 1329). See also J.M. Headley's similar conclusions, in Complete Works, Vol. 5: Responsio ad Lutherum, II, 753-754.

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each other,<sup>6</sup> while divine law illuminated the human sense of natural law.<sup>7</sup> Similarly, he did not consider that Christ's new law abrogated the old law: it developed the understanding of the principles of natural law by Christians to a state convenient<sup>R</sup> for their changing circumstances without essentially repudiating the old law.<sup>8</sup> Because of More's sense of the inseparable

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<sup>6</sup> In the Dialogue, More asserts to the Messenger: "How can reason--but if reason be unreasonable--have more disdain to hear the truth of any point of faith than to see the proof of many things natural whereof reason can no more attain to that cause than it can in the article of faith" (English Works, II, 85). More implies that reason and faith support the same ultimate realities.

<sup>7</sup> The Ten Commandments, for example, represented, in More's view, God's mercy in putting the children of Israel in remembrance of "certain conclusions of the law of nature" (ibid., p. 94).

<sup>8</sup> The fact that divine laws themselves provide a developing degree of understanding of natural principles to suit the particular circumstances for which they are ordered was shown by More in his discussion of the development of clerical celibacy. In More's view, the basic issue was that, as the church in his own day had come to understand it, natural reverence to be given to God requires, in its highest expression, chastity in his ministers. Divine illumination of this principle was not completed even in the time of Christ, as is witnessed in Paul's exhortation that bishops must be the husband of only one wife. More explains his sense of why "the special ordinance of God" voiced by Paul gave an instrumental and not absolute understanding of the seminal principle: "sainte Poule in that place, forasmuch as yet at that time except none but young men should have been priests, which he thought not commonly convenient, else could they make no priests then, but such as either were or had been, married, therefore the apostle having in the choice of priests, a special respect to chastity, and willing to go as near to no wife as might be, did ordain, as God had instructed him, that whosoever should be admitted to priesthood, should be the husband of one wife--meaning such as then had, or before had had, no more but one, and that never, had had twain" (ibid., p. 222). The subsequent requirement of celibacy testified, in More's view, to the way God's revelations to his church progressively develop men's understanding of natural principles (ibid., pp. 227-228).



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interrelations between reason and faith and natural and divine law, he gives no evidence in the controversies that he identified the law of nature with reason alone, or divine law with faith alone; consequently, he had no theory of perfectibility based on any assumption that human positive laws could be framed to embody a rationally perfected "natural" law.<sup>9</sup> More considered not only that many of the precepts of natural law depended upon faith as much as did those of the divine law, and that reason was the handmaid, or instrument, to the human sense of both; but also that postlapsarian sinful human nature made the perfect temporal realisation of the law of nature impossible. More's treatment of English legal history, in the controversies, depends upon this complex sense of the interrelations between divine, human, and natural laws, and shows the historical process by which English positive law, within its very real limitations, had attempted to make itself as little inconsistent with natural law as possible, while also trying to mitigate its own imperfections.

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<sup>9</sup> For discussions on More's view of the relations between rational-natural law and fiducial-divine law, see T.E. Bridgett, Life and Writings of Sir Thomas More, p. 260; R.W. Chambers, Thomas More, pp. 128, 135, 263-264; E.E. Reynolds, Saint Thomas More, p. 88; E.L. Surtz, The Praise of Wisdom, pp. 6, 10; Pearl Hogrefe, The Sir Thomas More Circle (Urbana: University of Illinois Press, 1959), pp. 19-21; and Brian Byron, Loyalty in the Spirituality of St Thomas More, pp. 25-30. The theory of a rationally perfectible "natural" law is described by Otto von Gierke, Natural Law and the Theory of Society, trans. and ed. E. Barker (Cambridge: Cambridge University Press, 1958), p. 39.

The difficulties involved in determining More's view of human law in relation to natural and divine law, can be partly illuminated by consideration of traditions upon which he draws. The studies of several critics show the relevance of these traditions. A.P. d'Entreves has demonstrated that the idea of natural law was extremely confused from its inception, containing contradictions that saturate the Corpus Iuris Civilis itself, especially concerning the relations between natural law, civil law, and the law of nations. The cornerstone of the Roman-law conception of the law of nature is shown to be an appeal to a universal reason.<sup>10</sup> Students of More have usually seen him from this Roman-law point of view. D'Entreves, however, shows how the natural-law concept was thoroughly transformed in its adaptation to Christian theology, as expressed in the Decretum Gratiani. The opening statement of Gratian's Decretum affirms: "Mankind is ruled by two laws: Natural Law and Custom. Natural Law is that which is contained in the Scriptures and the Gospel."<sup>11</sup>

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<sup>10</sup> A.P. d'Entreves, Natural Law (London: Hutchinson University Library, 1970), pp. 22-34. R.J. Schoeck's recent studies of More's attitudes towards Roman, canon, and common law have shown that basic contradictions between Roman-law rationalism and the common-law sense of custom continued to create difficulties for sixteenth-century English lawyers and theorists, resulting in a jurisprudential clash between common and canon law in which More was painfully involved; see, for example, R.J. Schoeck, "Common Law and Canon Law", St Thomas More: Action and Contemplation, ed. Sylvester, pp. 25-28, 36-39.

<sup>11</sup> A.P. d'Entreves, Natural Law, p. 37.

The important change is the rejection of the narrow Roman-law association of the law of nature with reason alone by canonists, who thenceforth asserted that the precepts of natural law are confirmed and implemented by revelation. They thus rejected the dichotomy between natural and divine law.<sup>12</sup> More's knowledge and use of the Decretum Gratiani is so obvious in the controversies that it is reasonable to assert his awareness of the early canonist position, especially considering its demonstrably close relation to his own.<sup>13</sup> The relation between More's conception of natural law and canonistic notions must be regarded with care, however, because of the way the canonist theory itself suffered a later rationalisation--or "romanisation"--resulting from the revival of Roman law.<sup>14</sup>

The new romanised concept of the law of nature as an ideal, rational absolute created difficulties for the English in their response to both the civil- and canon-law versions of it; More, consequently, was responding to a tradition of English difficulty with the idea of natural law. As d'Entrèves has argued, "the doctrine of the law of nature was not very successful in England," especially with expositors of English common law, such as Bracton.<sup>15</sup> Even when the concept was drawn upon by English

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<sup>12</sup> Ibid., pp. 37-38.

<sup>13</sup> For an explicit reference by More to the Decretum, see, for example, Complete Works, Vol. 8: The Confutation, II, 593.

<sup>14</sup> See A.P. d'Entrèves, The Medieval Contribution to Political Thought, p. 18.

<sup>15</sup> Ibid., p. 91.

theorists like Fortescue, continental presuppositions that the law of nature could be implemented in positive law through idealistic rationality were modified in favour of English notions that custom and consensus provided better means of bringing natural-law principles into the operation of human positive laws. Such a process of modification can be seen in Fortescue's De Laudibus Legum Anglie, where he contrasts the character of English customary law with that of Roman law and asserts the superiority of the English dominum politicum et regale, arguing that regal government by a good king would indeed be felicitous; but seeing this is seldom likely to occur, a people must ensure that a king is not free to degenerate into a tyrant by asserting their participation in political law.<sup>16</sup> More's view of the relations between the various laws becomes much clearer when it is seen in the context of this English tradition, in which the Roman-

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<sup>16</sup> Sir John Fortescue, De Laudibus Legum Anglie, trans. and ed. S.B. Chrimes (Cambridge: University Press, 1949), pp. 25-27. For studies illuminating Fortescue's difficulties in reconciling the Roman-law conception of natural law with English customary conceptions, see A.J. Carlyle, A History of Medieval Political Theory in the West (London: Blackwood and Sons, 1950), VI, 141-143; A.P. d'Entreves, The Medieval Contribution to Political Thought, p. 91; and E.F. Jacob, Essays in the Conciliar Epoch (Manchester: University Press, 1953), pp. 106-120. More's probable acquaintance with Fortescue's works is suggested by R.J. Schoeck, "Sir Thomas More, Humanist and Lawyer," UTQ, XXXIV (1964), 1-14. Schoeck notes that More, being a student in Fortescue's Inn, would have encountered his influence from the readers and barristers of Lincoln's Inn and, also, that More's father is likely to have known Fortescue because he entered Lincoln's Inn before Fortescue's death (p. 3).

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rational sense of the relations is replaced by a more sceptical English sense based upon a practical assessment of continuous legal and political fallibilities. At the heart of the tension between the Roman and English senses lies a contrasting conception of the character of reason itself. Roman jurisprudence presumes that reason is perfect, universal, and absolute, whereas the jurisprudence of common law implies the instrumentality and dynamic nature of reason. This distinctive English principle is detected by d'Entreves in the Doctor and Student of St German. D'Entreves sees in St German's dialogue a recognition "that the principles of reason are not necessarily universal and abstract, but may be drawn from historical growth."<sup>17</sup> That this can be said of St German's legal theory reinforces the probability that More--to whom St German represented excesses of ineffectual idealism and rational optimism--was even more responsive to the modified English rationalistic sense of the law of nature and the continuous historical effort needed to make English positive laws reflect it in some degree.

More's view of the law of nature in its relations both with divine law and human positive law--essential to an understanding of his conception of English history--provides an important theme for the discussion between the Messenger and "More" over nature, reason, and faith found in the Dialogue of 1528. The discussion centres on the question of God's omnipotence and the implications of it in terms of the worldly

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<sup>17</sup> A.P. d'Entreves, The Medieval Contribution to Political Thought, p. 93.

situation. Significantly, it is the proto-Lutheran Messenger who postulates an absolute, rational order so perfect that God himself cannot act contrary to it:

reason sheweth me that God hath set all things already from the first creation to go forth in a certain order and course, which order and course men call nature, and that hath he of his infinite wisdom done so well and provided that course to go forth in such manner and fashion that it cannot be mended.<sup>18</sup>

More, in reply, argues:

Surely. . . ye go now very far wide. For neither doth reason prove you that God--although it cannot otherwise be but that anything of the making of his goodness must needs be good--hath made therefore everything to be of sovereign perfection; for then must every creature be equal; nor also that the whole work of his creation though it have in itself sufficient and right wonderful perfection, that therefore it is wrought to the uttermost point of sovereign goodness that his almighty majesty could have made it of. For since he wrought it not naturally but willingly, he wrought it not to the uttermost of his power, but with such degrees of goodness as his high pleasure liked to limit. For else were his work of as infinite perfection as himself. And of such infinite equal perfection was there by God brought forth nothing but only the two persons of the Trinity, that is to wit the son and the holy ghost.<sup>19</sup>

Against the rational absolutism of the Messenger, More asserts his sense of the instrumental nature of all things, including reason, the natural order, and the ethical law, designed to guide men in their existence within the natural order. Because of his sense of the instrumentality of creation, More was able to work out the relation of pre- and post-lapsarian man to

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<sup>18</sup> English Works, II, 42.

<sup>19</sup> Ibid.

fit in terms of the divine creative purpose, in a way which avoided segregation of the natural and spiritual orders. In More's conception, the original law of nature, being sufficient for its purpose, did not change after the Fall. He had no theory of a secondary law of nature adapted to the fallen human condition as held by later theorists; a new altered law would constitute an affront to God's justice and impugn the wisdom of divine foresight. To More, the seminal principles of the law of nature were very simple: "at our creation he [God] gave but two precepts or three, by his own, holy mouth to our first parents . . . . twain commanding, generation, and eating; the third forbidding the tree of knowledge."<sup>20</sup> Although these three precepts had to be revealed to Adam and Eve before their faculties could begin to work in order to discover the reason of them, and although the third had to be observed through obedient faith,

as for all that was for them to do beside, the reason which he had planted in their souls gave them sufficient warning, whereof the whole sum stood in effect, in the honour of God and God's friends, with love of each to the other and to their offspring and lineage.<sup>21</sup>

As a consequence of the Fall, however, the ability of men to perceive rationally what was to be done in accordance with the law of nature was impaired by the obscuring impulses of sensuality. Henceforth, this new sensuality

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<sup>20</sup> Ibid., p. 92.

<sup>21</sup> Ibid., p. 92; cf. Mark 12: 29-34.



. . . laboured so busily to cause man to set by delight above good and convenient, that for the resistance thereof it then became to be the spiritual business and occupation of man so to preserve and bring up the body, that it were not suffered to master the soul, and so to rule and bridle sensuality, that it were subject and obedient unto reason, as God willed the woman to be subject and obediencer of man. Wherein God would that we were learned rather to suffer our sensual parties plaine and mourne, than to follow their own hurt and ours too.<sup>22</sup>

With the expulsion of Adam and Eve out of Paradise, the tribulation provided by the war of the senses against reason--together with the painful effects of the sins of covetise, gluttony, sloth, anger, lechery, envy, and pride springing from it--was itself a providential aid to lead men back towards adherence to the essential principles of the law of nature. More believed such pain and tribulation an inevitable aspect of the situation which God in his wisdom had created as a provision enabling and impelling men to live, in some real degree, according to natural law. The necessity of tribulation, however, removed the possibility of earthly perfection.

The remainder of More's narrative and exegesis of biblical history in the Dialogue shows the very relevant relation between his conception of natural law and the law-making efforts of Englishmen throughout English history. He is careful to stress the ample additional assistance given by God to fallen mankind to sustain their struggle against the renegade senses and the devil:

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<sup>22</sup> Ibid., pp. 92-93.

Against whom did reason resist, with good counsel given to the soul, and good spirits, appointed by God, gave their help also, and God assisted with his aid and grace, where he found the person willing to work therewith.<sup>23</sup>

Moreover, because of the impaired nature of postlapsarian human reason and its inability to perceive any longer all that the law of nature required, God renewed men's sense of the law through specific covenants:

And what so were God's pleasure beside (that nature and reason could not plainly show them) God of his goodness by special message gave them undoubted knowledge, as he did to Noah, Lot and Abraham, and divers other, whereof some be since written and comprised in scripture, and of likelihood not all.<sup>24</sup>

More's sense that the revelation in the covenants marks, as in the Old and New Laws, a renewal of human awareness of the law of nature is important, because it reflects upon his sense of a continuity in history marked by the rhythmic degeneration of human responsiveness followed by divinely-assisted renovations. It also shows More's view of the function of divine revealed law as effectuating natural law. The pattern of degeneration following and followed by renovation is evident in More's account of the institution of the Mosaic law:

But so was it after that the world waxing worse, right good and virtuous lineages declined and decayed, and by the lewd conversation of evil people fell by disorder in such a blindness, that albeit some were there always that perceived well their duty, yet were the common people of the children of Israel by custom of sin so darked in their natural knowledge, that they lacked in many things the right perceiving, that reason--had it not been by evil custom corrupted--might verily well have shewed them.

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<sup>23</sup> Ibid., p. 93.

<sup>24</sup> Ibid.

For the remedy whereof, God of his endless mercy, by the law written with his own finger unto Moses in the tables of stone, by the ten commandments put in remembrance again certain conclusions of the law of nature, which their reason, overwhelmed with sensuality, had then forgotten. And to the effect that they should keep his behests the better, he gave them a great heap of the laws and ceremonies more, to keep them in straitly for (from) straying abroad in riot.<sup>25</sup>

The conception of this passage--of the renovation of natural law accompanied by an expansion of positive laws required to sustain men's duty to act in accordance with their re-enlarged sense of natural law--is central to More's view of the historical aims and function of English law. History, for More, showed that postlapsarian men had always had sufficient providential aids for their justification according to natural law. More also saw that at every stage in the movement of history the increasing complexity produced by growth in knowledge and social experience required a corresponding development of human good use of whatever providential aids God provided. In terms of human cooperative responsiveness, this meant an accommodation of positive laws to the particular state of knowledge, at any given time, of the law of nature. Thus, the enlarged sense of natural law, revealed to the Israelites through Moses, involved a correspondingly more demanding adherence to particular provisions. More had a sense of a universal responsibility based on the relatively constant relation of capacity to requirement. He elaborated this sense in the Treatise upon the Passion, where he described how God's justice requires less of pagans:

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<sup>25</sup> Ibid., pp. 93-94.

all thoughte the people of the Jewes to whom the law was giuen, were bounden to the beliefe or more then this [i.e., that God is, and will reward those who seek him], & the learned men of the Jewes, to the beliefe of more then the comon people, and we Christen people, & those that are the priestes and learned among vs, be ratabli bounden to the beliefe of moe things then were the Jewes . . . yet vnto the Páynims and Gentils, to whom the law was not gyuen, nor neuer had heard of Christ, it was sufficient for their saluation to belieue those two pointes onelye . . . that is to wit, that there is one God, and that he wyl reward them that seke him.<sup>26</sup>

But with the even more effectual renewal of natural law represented by Christ's law of the New Testament--in which God's grace is made more effectually available because of the effect on men of the sacraments--men, because they can "wyth mych lesse dyfficultye myche more resyste the fleshe, and mych more folow the spyryte," are bound dutifully "to folowe, not the fleshe whom we may nōw by the plentuous grace of god so well and easily resyste," but "the spyryte of god, and by that spyryt to mortifye the dedes and wurkes of the fleshe / whyche yf we do we shall lyue."<sup>27</sup>

In terms of the relation between the principles of natural law and particular positive laws required in their support, the historical increase in responsibility meant that a Christian nation like England was faced continuously with the difficult task of developing and sustaining laws sufficient for the fulfilment of its calling. Just as it had been necessary for the Jews to have "a great heap" of laws in addition to the conclusions of the law of nature, a Christian society must have positive laws recognising the continuous reality of human perversity and reflecting a common faithful determination to order society according to natural principles.

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<sup>26</sup> Workes (1557), p. 1288.

<sup>27</sup> Complete Works, Vol. 8: The Confutation, II, 756.

More considered, however, that, while positive laws must be consistent with the law of nature, they could never completely embody or replace it because of the reality of human sinfulness. If the law of nature could ever be completely recovered in this world, there would be need for very few laws. In the Responsio ad Lutherum, More reflects that such is never likely to be the case, when he rejects Lutheran's assertion of evangelical liberty:

As if even the best magistrates could manage either that the whole Christian people would want to live in common or that the wicked would not want to steal or that any preaching of the faith could procure that no one anywhere would be wicked.<sup>28</sup>

More further asserts that, even if all ownership and goods capable of tempting men into theft were abolished, human perversity would still necessitate laws:

even if we could live in common with far fewer laws, we still could not live altogether without laws. For the obligation to work would have to be prescribed for certain classes, and laws would be needed to restrain crimes which would run riot even in that kind of life.<sup>29</sup>

Positive laws, therefore, can be consistent with natural law in both their retributive and distributive aspects. The necessity for retributively consistent positive laws is shown in More's assessment of provisions to deal with larceny: "If the law of the gospel does not permit stealing, surely the human law which punishes stealing is not useless."<sup>30</sup> Similarly,

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<sup>28</sup> Complete Works, Vol. 5: Responsio ad Lutherum, I, 275.

<sup>29</sup> Ibid., p. 277.

<sup>30</sup> Ibid., p. 275.

More considered all men to be bound by natural law to the defence of the helpless and innocent. Fulfilment of this responsibility required not only the retributive power of the law, but also the defensive power of a nation's military capacity:

nature, reason, and God's behest, bindeth, first the prince to the safeguard of his people with the peril of himself; as he taught Moses to know himself bounden to kill the Egyptian in the defence of [the] Hebrew, and after he bindeth every man to the help and defence of his good and harmless neighbour against the malice and cruelty of the wrongdoer. For as the holy scripture-saith, unicuique dedit deus curam de proximo suo, God hath given every man charge of his neighbour to keep him from harm of body and soul as much as may lie in his power.<sup>31</sup>

Nevertheless, More considered the distributive function of positive law to be equally important in the fulfilment of human responsibility. God had left a considerable area of human activity to be guided and developed according to human creative inventiveness. This creativity must, of course, be consistent with natural law in reflecting divine justice as far as possible. More believed the laws distributing and regulating property to be an example of those laws whose equitable provisions depended upon human initiative; consequently, judgements concerning such matters, rely on the development of human laws in order to be rendered justly:

For the law of the gospel does not apportion possessions, nor does reason alone prescribe the forms of determining property, unless reason is attended by an agreement, and this a public agreement in the common form of mutual commerce, which agreement, either taking root in usage or expressed in writing, is public law.<sup>32</sup>

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<sup>31</sup> English Works, II, 308.

<sup>32</sup> Complete Works, Vol. 5: Responsio ad Lutherum, I, 277.

More's conviction that natural justice is more likely to be achieved through forms originating in consensus is central to his view of English legal history because it illuminates his sense of the extreme difficulty attending the fulfilment of the responsibility required by God from individuals and a nation as a whole. For More, the fallen condition of humanity made it a painful reality that absolute justice in positive laws could never be achieved on earth, because, as he asserts in the Dialogue,

. . . that justice of right good men is yet sore spotted with sin, for that the frailty of our nature seldom constantly standeth any while together in good works, but that the perseverance is interrupted, often spotted, and besprent with sin. And therefore is it said, "Septies in die cadit justus, et resurgit. Seven times in the day falleth the righteous man, and riseth again.<sup>33</sup>

All positive-law institutions, therefore, must operate according to principles that recognise this reality. Any attitudes or procedures denying or ignoring the consistent character of the human condition could only produce more harm than good, either by allowing evil to become rampant through ineffectuality, or by wilfully and positively--if ignorantly--perpetrating evil. More believed the idealism of the Lutherans and others, whether expressed in advocating a relaxation of the laws, or a transference of the function of laws to an absolutist ruler, would have both potential effects:

if you take away the laws and leave everything free to the magistrates, either they will command nothing and they will forbid nothing, and then magistrates will be useless; or they will rule by the leading of their own nature and imperiously prosecute anything they please and then the people will in no way be freer, but, by reason of a condition of servitude,

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<sup>33</sup> English Works, II, 293.

worse, when they will have to obey, not fixed and definite laws, but indefinite whims changing from day to day.<sup>34</sup>

As much as laws have to face the reality of sinfulness in the people they constrain, they must face the equal possibility of sinfulness in the men who are designated to administer them; appropriate provisions must be made to safeguard or mitigate administrative abuse. More's personal difficulty, in the controversies, was to communicate his sense of the need to admit first the painful realities caused by human sinfulness and then formulate a response to them answering the requirements providentially presented in the difficulties themselves. His problem was to persuade Englishmen that neither the Lutheran conviction that no temporal positive goodness could be attained in human social affairs, nor the Pelagian confidence that everything could be achieved, provided an adequate response to the human situation, because both views negated the divine purpose, the first by impugning God's providence, and the second by repudiating the dependence upon him God requires from his creatures. Moreover, the record of English legal history showed that, even though English legal institutions had been beset with constant problems, they had nevertheless sustained a considerable degree of natural justice. More opposed both the Lutheran and Pelagian views as representing mistaken assumptions about the ability of men to act according to the law of nature, and about the operation of God's

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<sup>34</sup> Complete Works, Vol. 5: Responsio, I, 277. More's thought in this passage is very close to Fortescue's argument that the English dominium politicum et regale avoids the dangers of regal government by the king as absolute ruler. See De Laudibus Legum Anglie, ed. Chrimes, pp. 25-27.



grace:

Luther saith plainly that no man, though he have the help of God's grace thereto, is able to keep and observe the commandments of God. Which blasphemous words seem to signify that both Saint John the Baptist and our blessed Lady also were sinners, and, over all this, that God were not able by the aid and help of His grace to make a man keep his commandments, and keep him out of sin, though he would. All the old fathers that wrote against Pelagian [Pelagius], which held opinion that man is of nature, or at the leastwise with the general influence of grace, able and sufficient to do good and meritorious works without help of any special grace toward every good deed itself, misliked and condemned his doctrine, for that it minished the necessity of man's recourse unto all men's deeds for utterly nought, though grace wrought with them, be double and treble more enemies to grace than they. For where they said we might do good sometime without it, ye say we can at no time do no good with it.<sup>35</sup>

For More, all good human laws had to depend upon an attitude somewhere between those of Luther and Pelagius. Laws and their administration must spring from a faith, such as More's, that "his [God's] assistance is always at hand, if we be willing to work therewith, as the light is present with the sun, if we list not wilfully to shut our eyen and wink."<sup>36</sup> Laws must also, however, spring from a realisation that

likewise as he [Christ] restored vs not straight wayes to heauen, because his high wisdom wyſt it was not for God conuenient, so restored he vs not to the state of innocēcy, because hys high wisdom well wist it was for oure selfe not best.<sup>37</sup>

More believed that God's assistance would never be withheld from men in the development of good laws, providing they were prepared to cooperate

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<sup>35</sup> English Works, II, 294.

<sup>36</sup> Ibid., p. 300.

<sup>37</sup> A Treatise upon the Passion, Workes, p. 1289.

freely with grace. Nevertheless, in such circumstances, the laws which God helped men to make would only be instruments of a good response to the particular state of men's consistent condition; they would not be definitive absolutes: "For in dyerse tymes, dyerse thynges may be conuenient / and dyerse maners of doynge."<sup>38</sup> This important principle in More's sense of history is often expressed in the metaphor of a physician and the medicines he prescribes, as when, in A Dialogue of Comfort Against Tribulation, Anthony stresses to Vincent the need to devise particular remedies for particular circumstances: "cousin, if a cunning physician have a man in hand, he can well discern when and how long some certain medicine is necessary which at another time ministered or at that time overlong continued might put the patient in peril."<sup>39</sup> Because divine wisdom determined man would not be restored to the original state of innocence, all men, More believed, were diseased. Consequently, while God's aid would never be withheld from human efforts to live according to the law of nature, the laws developed as instruments to this purpose would remain imperfect. God's assistance with human cooperation would not render them absolutely perfect, but render their relative imperfection into forms motivating and restraining men's actions in mutating circumstances. The medicine appropriate for certain times and conditions could be very different from notions deriving from absolutist idealism.

English law, in More's view, had historically operated according to a sensible and productive awareness of the problematic realities of the human situation and condition, and had developed procedures which constituted a creative, faithful response to them. More's main effort to communicate

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<sup>38</sup> Complete Works, Vol. 8: The Confutation, II, 923.

<sup>39</sup> John Warrington, ed., Utopia and a Dialogue of Comfort (London: J.M. Dent, 1951), p. 273.

his sense of the relation of human laws to the human situation, in terms of the regenerative effort to live by the law of nature which is induced by experience; came, therefore, in his disputes with Christopher St German over the heresy laws. More's most important arguments can easily become obscured if his position regarding heresy is misunderstood.<sup>40</sup> For More;

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<sup>40</sup> Modern More studies which assess the controversial works have usually been preoccupied with More's attitude towards the punishment of heresy as being the key to the inconsistency debate. Most of these studies, however, have been engrossed with More's conception of the nature of heresy rather than the Morean sense of heresy as merely one aspect of a dynamic human situation requiring a continuous process of response. This has meant that scholars have often viewed More's statements on the heresy laws as depending upon a commitment to Latin-church orthodoxy against what Bridgett describes as unpardonable "... private choice, by an individual, of a doctrine contrary to that held to be revealed by the divinely guided society to which that individual had belonged" (Life and Writings of Sir Thomas More, p. 261). One variation of this view emphasises More's detestation of the vice and not the person as a way of resolving an apparent conflict between More's "modern" view of punishment of crime and his "medieval" support of the stake (Arthur Irving Taft, ed., The Apologue of Syr Thomas More, Knight (London: Oxford University Press for E.E.T.S., 1930; reprinted 1971), lxxxii-lxxxiii); yet another variation implies that More's conviction in the infallibility of Latin-church revelation was such that he believed "If hell is the fate of the heretics, harsh measures against heresy become acts of Christian love" (R.C. Marius, "Thomas More's View of the Church," Complete Works, 8, III, 1345). None of these views allow for More's sense of the regenerative process both frustrated and yet induced by heretical impulses and activities. R.W. Chambers came closer to acknowledging the Morean position when he concluded: "More's hatred of heresy has its root, not in religious bigotry, but in the fear of sedition, tumult and civil war characteristic of Sixteenth-Century statesmen" (Thomas More, p. 282). Chambers, however, did not examine the specific principles of More's view of the human situation insofar as they concerned his arguments about English jurisprudential matters.

the particular heresy laws in dispute were only the occasion for a debate dealing with much larger issues and implications. He emphasised the larger relevance of the disputes by including extended comparisons with parallel attitudes, procedures, and experiences in the English common law. More controverted St German mainly because the latter's proposals for legal reform depended upon an idealism that would make any effectual fulfilment of English responsibility impossible because it misrepresented painful realities of the human situation whose existence any constructive human efforts must admit.

St German's objections to the heresy laws centred around the suit ex officio and its complementary provisions in canon law. By the statute establishing the possibility of an ex-officio procedure, an ordinary could proceed under his own authority to detain and examine suspected heretics without the process of indictment. St German asserted that this procedure violated the fundamental temporal laws of the realm.<sup>41</sup> In addition, he singled out as especially unjust the canon law Ad abolendam, by which a man, unconvicted of heresy, could be put to his purgation and then punished by excommunication if he refused to purge himself.<sup>42</sup> Equally pernicious, in St German's view, were the provisions In fidei fauorem, which allowed perjured witnesses to give evidence, and Statuta quedam, by which bishops could withhold the names of accusers in heresy trials.<sup>43</sup>

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<sup>41</sup> See The Debellation, Workes, pp. 988-999, for a passage, cited by More from Salem and Bizance, setting forth St German's objections; cf. The Apology, Workes, p. 917.

<sup>42</sup> Ibid., p. 907.

<sup>43</sup> Ibid., pp. 910-911.

Ultimately, St German's greatest objection in The Book of Division was that only the clergy could punish heresy, by the provision Ut inquisitionis.<sup>44</sup> This objection is at the heart of his contention that a division existed between the spirituality and the temporality owing to the extent and injustice of clerical jurisdiction. As a remedy for this situation, St German argued that the king and his council should intervene to ensure that no innocent men were punished, but yet that wilful offenders were duly corrected.<sup>45</sup> In effect, as Baumer has observed, St German's proposals constituted a serious attack on the church's participation in English legal affairs, because they attributed unlimited authority to the king in parliament.<sup>46</sup>

More defended the suit ex officio and related provisions not primarily because of a rigidly repressive attitude towards heresy, but because he believed suppression of the ecclesiastical jurisdiction--being based upon disregard for the common lessons of experience educible from English legal history and upon a faithless disbelief that the activity of

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<sup>44</sup> See The Debellation, Workes, pp. 1012-1013. The Latin texts of these particular canon laws are reprinted from the later Corpus Iuris Canonici (1571) in Arthur Irving Taft, ed., The Apology of Syr Thomas More, Knyght (London: Oxford University Press, for E.E.T.S., 1930; reprinted 1971), pp. 329-337.

<sup>45</sup> The Apology, Workes, pp. 917-918.

<sup>46</sup> Franklin Le Van Baumer, "Christopher St German: the Political Philosophy of a Tudor Lawyer," AHR, 42 (1937), 643-647. More opposed this consolidation of power in the temporality because, in his view, the legal-reformist aims it was intended to effectuate were impossible to achieve; More also foresaw the extreme danger of an unbridled monarchical or parliamentary absolutism rampant in the service of a mistaken legal idealism.

the Holy Spirit in the church could have any meaningful influence on temporal life--would exacerbate the destructive effects of "unnatural" felonies. St German's assault on the heresy laws attacked the realistic basis of English common-law procedures as much as the particular laws themselves. In More's opinion, English legal experience had shown the painful necessity for extraordinary procedures in cases of particularly serious or difficult crime, and to counter-balance St German's rationalism, he repeatedly argues that his assertions are proved "by the plainest prooffe that in suche maner thynges anye man can make, that is, to wyt by comon open experience, wherunto thys good man of polycye woulde gyue none care, but in hys aunswere he hath left it quyte out."<sup>47</sup> In More's demonstration, the heresy laws are shown to have displayed the same requisite responsiveness to actuality necessary in the temporal laws. Just as an ordinary can, if circumstances warrant, detain a suspect ex officio and put him to his purgation under Ad abolendam,

by the comon law of this realme, many tymes vpon suspicyon the iudges awarde a writ to enquire of what fame and behaueour the man is in hys countrey, and hymself lyeth sometime still in prieson till the retourne, and if he be returned good, that is to witte, if he be in a maner purged, then is he delyuered, and yet he payeth his fees ere he go. And if he be returned noughte, then vse the iudges to bynde hym for hys good aberynge, and sometime sureties with hym too, such as their discrecion will allow.<sup>48</sup>

And although it is lamentable that in both temporal and spiritual cases guiltless men may be put to penance,

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<sup>47</sup> Debetacion, Workes, p. 991.

<sup>48</sup> The Apology, Workes, p. 908.

yet is ther no remedi but both these must be doone, bothe in the tōne courte and in the tothēr, or elles in stede of one harme (which to him that deserueth it not happeth seldome, and as seldome I am surē in heresies as in theft, and much more seldome too) ye shall haue ten times more harme happen dayly to folke as innocent as they; and of innocentes many made nocentes, to the destruccyon of themself and other too, both in goodes, bodye and soule.<sup>49</sup>

In More's opinion, the necessity of the suit ex officio for the prevention of felony was a relatively simple issue compared with some of the most insoluble problems recurrent in experience. One such problem was the prevention of coercion against witnesses. In rejecting St German's claim that the king and council could provide sufficiently for the indemnity of witnesses without the provision Statuta quedam, More remarked on the difficulty of this problem:

There can no man (ye wote well) also kill another, but wyth the peryll of hys owne lyfe. And yet is there dayly many a man, that standeth for all that in drede, that a nother man wil for euyl wyll and malice destroye hym. And the comen lawes of thys realme so farre forth allow and approve hys drede, for all that hys enemye is vpon losse of hys owne lyfe bounden to the contrarye, that vpon his owne othe they compell the party to be bounden with other suretyes for him in certayne summes of money, that he shal not. And yet the man that fered before, may peradventure be full ferde styll, that hys enemy will as well aduerture the forfayture of hys frendes money, as he before fered that he would aduerture his owne lyfe.<sup>50</sup>

To deal with this reality, More argued, there was no better remedy currently devised or known than the provision for a bishop or judge to withhold the names of accusers in certain cases, even though some few men

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<sup>49</sup> Ibid., p. 908.

<sup>50</sup> The Debellacion, Workes, p. 970.

might be maliciously accused. He added that "lyke wyse as a man shal in the suit ex officio for heresy, not know his accuser: so may it also happen manye times, that no more he shall neyther, when he is at the common law indyghted of felonye."<sup>51</sup> There is even a common-law equivalent for the provision In fidei fauorem, allowing perjured persons as witness in criminal cases (as distinct from civil cases) such as treason and murder which, More argues, must be allowed on account of

. . . the necessitie which the nature of the matter woorketh in the prooffe. For syth euill folke v<sup>e</sup> not to make good folke of their counsel in dooyng of their euill dedes, those that are doone passe vnpunished, and moe lyke be committed a freshe, but if they were receyued for recordes to theyr condemnyng, that were of theyr counsayle and parteners to the dooyng.<sup>52</sup>

When this provision was to be invoked was a matter for a particular judge's learned discretion. Ultimately, More's arguments in defence of particular extraordinary provisions depended upon his principle that all law should recognise the need for exceptions to general rules, without the need for exceptions lessening the normal validity of the general rules. This principle is made clear when More explains the reason for allowing perjured persons as witnesses in certain cases:

Fyrste the cause wherefore a person ones periured is repelled from bearynge wytnesse againe, is because the law presumeth that he setteth not so much by an othe, but that his oth notwithstanding he were lykely enough to lye.

Now syth this presumption is the general let, and therefore the reason of y<sup>e</sup> general law: if the case happen that thys presumption be more than counterpayed with a contrary presumption vpon the tother syde, ther

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<sup>51</sup> Ibid., p. 987.

<sup>52</sup> The Apology, Workes, p. 910.



is the contrary presumption a reason sufficient, to make in that case a contrary law, or a law that shalbe for that case an excepcion oute of the general rule.<sup>53</sup>

To More, both canon and common law reflected a need for flexible and responsive development of the laws to answer requirements of the multifaceted nature of experience and the changing circumstances of history. Such development is not necessarily a perfecting process, but one of adaptation. More found great difficulty in communicating his sense of the need for a multiplicity of responses to suit particular times and occasions, as, for example, when he attempted to explain that trial by jury, although the sanctioned custom of England and the best procedure in most cases, was not the best in all cases:

in al this sai I not that the common order & long continued law of thys realme, to try the matters bi iuries, and in feloni or treason neuer to procede but vpon endightmentes, is not good, nor yt the contrary way were better. Mary two things I say, that in treason and felony this ordinary lawe of endightmentes is many times fayne to be holpen forth by a nother meane.<sup>54</sup>

Although More did not preclude the possibility that ways could be discovered to make better laws, and "albeit that in place & time conuenient

<sup>53</sup> The Debellation, Workes, p. 997..

<sup>54</sup> Ibid., p. 990. More claims that historical experience has shown circumstances in which it has been necessary to put felons to answer without indictments, "as in treason is vsed in this realme by the laws marshal vpon warre rered, as we sawe by experience in Captaine Quintyn, Captein Genyn, Corbet & Belke. And yet is that law not euyll, though that our owne common lawe be better" (ibid.). The traitors whom More names were captains in the abortive landing by Perkin Warbeck's forces on the Kentish coast. For an account of this episode and details of the above-named captains, see H. Ellis, ed., Hall's Chronicle: Containing the History of England, during the Reign of Henry the Fourth, and the Succeeding Monarchs, to the End of the Reign of Henry the Eighth (London, 1809; reprinted AMS Press Inc., 1965), p. 472.

I wolde giue myne aduyce and counsaile to the chaunge,"<sup>55</sup> he believed that until sufficient consensus was achieved to eventuate new measures, the necessary course was to sustain, abide by, and defend the established laws "if the lawes may be kept and obserued without perill of soule,"<sup>56</sup> while attempting to stop gaps in them when and if the occasion arose.

Against More's assessment of the difficulties of experience, St German opposed as remedies two proposals More believed were impossible:

The tone is, if they [i.e., king and council] prouide that neyther men be proude, nor couetous, nor haue any loue to the world, be suffered to be iudges in any cause of heresy.

The tother is, that the bishoppes shall arrest no man for heresy, till the desyre that the spirytuall men haue to cause men abiure heresies, and to punysh them for heresies, be ceased and gone.<sup>57</sup>

Given his sense of English historical experience, More rejected both aims as unrealistic in the context of a community which never had been, was not, and was never likely to be perfect. More considered St German's arguments to rest upon a premise that the good and the bad were capable of being separated and known among men, and a second premise that some men were capable of being perfectly good. In answer, More exclaimed:

woulde God the worlde were suche as euery man were so good, spirituall, temporall, and all, that neyther part could fine any fawte in other, and all these heresies so cleane gone and forgotten, & all those that are infected wer so cleane tourned and chaunged, that no manne neded eyther abiuration or punyshment. But syth that thys is more easye to wishe, than lykely to looke for: therefore is it wisdomme that spirytuall and temporall both, albeit menne

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<sup>55</sup> The Apology, Workes, p. 891.

<sup>56</sup> Ibid., p. 891.

<sup>57</sup> Ibid., p. 918.

be not all sayntes, yet if their condicions be tolerable, eyther part labour to make himselfe better and charitably somewhat either part beare with other.<sup>58</sup>

Because all men and institutions are blemished to varying degrees by the effects of sin, St German's choice of the clergy as a scapegoat for the existence of contemporary ills represented, for More, a wilful blindness to reality. In More's opinion, however bad the clergy were, the temporality must always be one degree worse.<sup>59</sup> No revolutionary or sudden solution, such as the elimination of the spiritual jurisdiction, was ever likely to prevent the recurrence of painful, tribulatory human experience, because no man can ever serve God as he ought:

And therefore whoso pryve ypon every mannes dede so narrowly, as to spye y<sup>e</sup> faulte and fall at variaunce of great zeale with every man y<sup>t</sup> dothe not to the very pointe and perfeccion, euen all that he should doe, shall waxe within a while at variaunce wyth euerye man & euery man with him.<sup>60</sup>

St German's hope, therefore, that better judges could be found in and better justice administered by the temporality was considered illusory by More. More comments that, if it is hard to find one ideal judge in the clergy, "it would be somewhat a dooe to fynde manye suche in the temporalitie eyther."<sup>61</sup>

<sup>58</sup> Ibid., p. 925.

<sup>59</sup> More had explained this belief earlier in the Dialogue when, quoting Colet, he asserted: "they be the light of the world. And then if the light, saith he, be darked how dark will then the darkness be, that is, to wit, all the world beside, whereof he calleth the clergy only the light" (English Works, II, 217).

<sup>60</sup> The Apology, Werkes, p. 877.

<sup>61</sup> Ibid., p. 918.

The main principle of More's jurisprudence is the need for men to admit the reality of human imperfection and attempt to frame the best kinds of laws possible in the circumstances. Any laws, however, must necessarily remain in some degree imperfect. Against St German, More argued that it is not possible to create any law so absolutely just that an innocent man will never suffer injustice under it. Such suffering is a universal aspect of the situation which God's wisdom has provided to induce and support human spiritual recovery. To reinforce his sense of this universality, More likens the possibility of false indictments under the provision Statuta quedam to the plight of a man who gets caught outside in a shower of rain. A falsely accused man "maye when he is after by other .xii. acquite, goe geatte hym home and be merye that he hath so fayre a day, as a man geatteth him to the fyre & shaketh his hatte after a showre of rain."<sup>62</sup> For More, the natural world reflected the same vicissitude as the human world, and for the same providential reasons. More, however, is careful to add:

And nowe as it often happeth, that a man cometh into a showre by his owne ouersight, though sometime of chaunce and of aduventure: so surely though it hap that a man be accused or endyghted of malice, or of some likelihod which happed him of chaunce and not his fault therin, yet happeth it in comparison very selde.<sup>63</sup>

It is an important Morean principle that men may sometimes find themselves in situations where they must suffer tribulation through no evident culpability on their part. However, when possible, this plight must be

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<sup>62</sup> Ibid., p. 908.

<sup>63</sup> Ibid.

avoided, and in many instances it can be avoided, according to the degree of men's initiative, diligence, and foresight. Consequently, while perfect laws are not possible, it is possible to eventuate laws having a minimum potential for abuse, in the measure that all orders cooperate in the face of a common awareness of great difficulties entailed in jurisprudential affairs. More's conviction is that the laws St German attacks are good laws in the circumstances, and that the latter's proposals are no better than "that againste every wise mannes reason well approved hitherto, euerye man should in thys matter now, eyther truste vnto hys, or els at the leastwise euery man to hys owne, and in stede of a better olde lawe, make a newe much worse."<sup>64</sup> More demonstrated how the statute ratifying the ex-officio procedure, together with other temporal laws, was the product of a century-long response to the mounting problem of Lollardy and had eventuated owing to the pressures of experience. In the reign of Richard II Parliament complained about the increase of heretics with its accompanying dangers of insurrection and violence, but the resulting provision--empowering the chancellor to arrest suspects at the request of the ordinary--was ineffectual, "For the heretikes would comenly be gone before y<sup>e</sup> comission could come, and do as much hurt in a nother place."<sup>65</sup> Consequently, in the reign of Henry IV a provision was passed allowing the ordinaries to arrest and imprison heretics themselves; but this, too, proved insufficient, "For in some places the heretikes waxed so

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<sup>64</sup> The Debellacion, Workes, p. 982.

<sup>65</sup> The Apology, Workes, p. 922.

stronge, and would not be arrested for them."<sup>66</sup> The result of the inadequacy of the provisions in the reigns of Richard II and Henry IV meant that

therefore at laste it came to that poynt, that men longe had looked for. For those heresyces begon by Wicliffe in the time of the noble prince king Richard the ii. and beyng then by some folke maintained, and by many men winked at, and almost by all folke forslouthed, the pevil was so long neglected, that the heretyques were growen vnto such numbre, corage, and boldnes that afterward in the time of the sayed famousse prince kinge Henry the fifth, they conspired among them, not onely the abolicion of the fayth, & spoyling of the spirytualtye, but also the destruction of the king and all hys nobylytye, with a playne subuersion and ouerturning of the state of hys whole realme.<sup>67</sup>

More adds: "And therefore was ther by and by thereupon by y<sup>e</sup> full parlyament, not onely that law confirmed, which lawe thys pacifier here speaketh of . . . but also moe made thereunto."<sup>68</sup> The fact that More's polemical situation necessitated his consideration of the law regarding heresy is quite fortuitous; the real importance of his assessment of the development of the ex-officio provisions is that through it he shows his sense of the pattern of human degenerative impulses and the degree of determination, diligence, and alertness needed for an adequate response to them. If More's situation had led him to assess the history in England of legal provisions against treason, for example, his sense of the degenerative and responsive patterns

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<sup>66</sup> Ibid., p. 923.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

would doubtless have shown itself to be the same.

Just as absolute, perfect laws cannot be created, neither, More shows, can perfect judges be found, for the same reason--that no man can be perfect. More comments on the bad consequences of St German's demand that judges be without personal flaws:

If he meane that the kynges hyghnesse shall suffer none to be iudges in cause of heresy, that hath anye spyce at all, either of pride, or of coetyse, or anye loue at all vnto thys worlde: heretykes maye sytte stille and make mery for a little season, while men walke about and seke for suche iudges.<sup>69</sup>

The most important quality in a judge, More argues, regardless of other limitations, is his conscience. It is only a judge's conscience that allows the operation of any laws, at all, owing to the difficulty of perceiving the truth in many cases. All evidence, both before and during a trial, serves to "induce him [i.e., the judge] in hys conscience so to beleue & trinke, and not that he shalbe certayn and sure that the thyng is so in dede."<sup>70</sup> Moreover, in handing down a decision,

the iudges themself in the iudgeing of a matter of lawe, neuer mene precisely that the law is so. For then if other iudges after reuersed that iudgement, or iudged the same case otherwyse in another tyme betwene other men, the towe iudges or the tother had putte their soules in peryll, dooyng both twayne theyr best to iudge as well, as they coude.<sup>71</sup>

More maintained that St German's proposed transference of the discretionary power of judges to king and council would in no way institutionalise a greater infallibility of justice, because neither the law nor its inter-

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<sup>69</sup> Ibid., p. 918.

<sup>70</sup> The Debetition, Workes, p. 1001.

<sup>71</sup> Ibid., p. 1002.

pretation could ever be totally formulated or absolute in character. St German's demand that the king ensure no man was arrested upon a "lyght suspicion" would serve, in More's opinion, no purpose whatsoever:

sith which is a light suspicyon, and which is an heaue, and which is a light complaynt, and which is a heaue, and which is an open suspicyon, and which but a priuie, and which suspicyon is notable and which is not notable, and whiche witnesses be sufficient and whiche be not sufficient, be thinges that must be wayed by the spiritual iudges, and vpon theyr waying of the matter for light of heaue, must folowe the arrestyng of the party or the leauing of the arreste: we bee come agayne as in a mase to the poynte where we beganne.<sup>72</sup>

In legal matters, as in every other human activity, More shows there is no escape from the reality that all things have their abuse as well as good use, that human imperfections mean many men will perpetrate abuses unless restrained by common agreement, and, further, that even when common agreement has formulated the most effective restraints possible in the circumstances, some evil-willed or negligent men will still commit abuse. More argues that in matters of jurisprudence it is a question of substituting lesser imperfections for greater ones, in many cases. He claims, for example, that, although removal of a judge's discretionary power might limit his partiality, it would, in effect, destroy the office itself: "And than in stede of one harme that may happe, we shall haue an hundred happe in very dede."<sup>73</sup>

In spite of his awareness of human and institutional fallibility,

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<sup>72</sup> The Apology, Workes, p. 919.

<sup>73</sup> The Debellacion, Workes, p. 1003.



More's legal philosophy and his sense of legal activity in English history was not dominated by despair. While he conceded not everything could be done, More asserted that much could be done, and, further, that it was a human responsibility to strive towards whatever could be done; there could be no withdrawal from history and common human experience without peril to one's soul, since God "bindeth every man to the help and defence of his good and harmless neighbour against the malice and cruelty of the wrong-doer."<sup>74</sup> In terms of what was possible to be done, English educational as well as other institutional forms could mitigate the negative effects likely to arise from imperfection and abuse. For example, while More asked "what lawe was there euer made, wherein the iudge could dooe none harme if he would be parciall?"<sup>75</sup> he also took pains to affirm that in England good education had provided men from which judges of a very high quality had normally been chosen:

Now as for y<sup>e</sup> iudges, verely I haue knowen and dooe knowe many of them, and yet knew I neuer none so simple of witte, nor so farre vnlearned, but for any witte or learning that I perceiue in thys man [i.e., the Pacifier, alias St German], the woorst of them wist a gret deale better what perteyned unto theyr parte and their duetie in suche poyntes as these are, than dooeth thys good man here.<sup>76</sup>

The important instrumentality by which judicial positions are filled, with virtuous and competent men is provided by the king's executive power. More

<sup>74</sup> English Works, II, 308.

<sup>75</sup> The Debellacion, Workes, P. 1002.

<sup>76</sup> Ibid., p. 963.

stressed that the power of judicial appointments was one kingly responsibility that had not yet been betrayed by Henry VIII:

the king our soueraine Lorde that now is & long mote be, hath in his time as prudently and as vertuouselye prouyded for thys realme, that it shoulde haue suche prelates and ordinaries as should in learning, wisdom, iustice, and lyding, be meete and conuenient therfore, as any prince hath (nomber for nomber) that hath reyned ouer this realme, I dare boldly say this hundred yere, & should in my mynde kepe my selfe a great waye within my boundes, although I would set an other hundred to it.<sup>77</sup>

For More, the function of education in supporting the goodness in men, and the executive power of the king in placing suitable men into positions where their good will and ability could be influential was an example of a much greater complex of interrelations between all orders and institutions in English society. The corporate nature of these interrelations meant that, while good will and determination could fail in any member of the body, interrelating influences could exercise--within bounds--a restraining effect on abuse and have a sustaining effect for good use. This was why custom and consensus were fundamentally important in More's sense of what could be done; they offered the best way of ensuring that English activities were as consistent with the law of nature as the English condition permitted, through providing checks and balances in restraint of the wilful and destructive perversity in individual men and orders. This complex sense--of interrelating influence and interrelating responsibility

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<sup>77</sup> The Apology, Workes, p. 890. More repeats this claim in The Debellation, asserting: "ye kings gracious highnes hymselfe, whiche hauyng on both sides very good to choose of, hath I dare say ben as circumspecte in chosing of thordinaries, as of the iudges" (Workes, p. 99)...

as the good English way of attempting to fulfil the human responsibility of living by the law of nature--was one which More felt that he must communicate as the basis for a constructive English response against the dangers and temptations of extreme tribulation. More's attempt to convey this sense is seen when, in The Apology, he declares the sum of his controversial effort has been to urge

. . . every manne specialllye laboure to amende hymselfe, and rather accustome hymselfe to lobke vppon hys owne fautes then vppon other mennes, and againste suche as are in either sorte founden open; euill, and noughte, and noyous vnto the common weale, as theues, murderers, and heretikes, and such other wretches, the whole corps of the spirytualtye and temporaltye bothe, eche with other louinglye to accord and agree, and according to the good auncient lawes and commendable vsages, longe continued in thys noble realme, eyther parte endeuour themselfe dyligentlie to repress and keepe vnder those euill and vngracious folke, that lyke sores, scabbes, and cankers trouble and vexe the body, and all of them to cure suche as maye be cured, and for healte of the whole bodye, cutte and cast of the incurable cancred partes therefro, obserued in the doynge euermore such order and fasshyon as maye stande and agree with reason and iustyce, the kings lawes of the realme, the scripture of God, and the lawes of Christes church, euer keeping loue and concord betwene the twoo principall partes the spyrytualtye and temporaltye.<sup>78</sup>

More here affirms the consistency of natural and diuine law, and the need not only for positive law to be consistent with these laws, but also for all actions and procedures of men to be consistent with all three. Furthermore, he implies that custom and consensus are the best means of attaining such consistency.

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<sup>78</sup> Ibid., p. 870.

Although More believed this responsibility to be one of extreme difficulty--as divine wisdom determined it should be--he never failed in his belief that "[God's] assistance is always at hand if we be willing to work therewith."<sup>79</sup> More's great problem, however, was to sustain faith that Englishmen would be as successful in resisting antichristian attitudes as they had been in the past, in spite of recurrent problems. Confronted with the evident reality that Englishmen were currently prepared to abandon the effort of supporting custom and sustaining consensus, More feared the situation would end in unprecedented catastrophe and violence. His feelings of despair grew as he experienced the apparent futility of attempting to persuade minds bent on radical reform that the process of the ways God uses towards men necessitates a situation marked by complexity, difficulty, and the impossibility of institutionalising absolute perfection. When More recorded how St German reproved him for not providing any remedies for the imperfections of the laws at issue, he remarked

Here he complayneth that I devise no remedyes, as though y<sup>e</sup> whole prouision for al thing laye vppon myne hande. I do somewhat for my part, when I pray god to gyue vs al the grace spiritual and temporal both, to kepe wel and obserue such prouisions as God hath geuen good men the grace to make aTredy.<sup>80</sup>

Instead of placing his hopes in a supposedly perfectible future, More ultimately conceded the dependence of all human laws on divine grace; whatever was achieved, although totally dependent on human initiative and good will, would be consistent with that which divine wisdom considered to

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<sup>79</sup> English Works, II, 294.

<sup>80</sup> The Debellacion, Workes, p. 938.

constitutional principles only in terms of More's defence of a "spirit"-- of mercy, freedom, and justice--against attempts by the Henrician administration to suppress this spirit as the force animating the English constitutional machinery, so as to convert that machinery into an instrument of despotism.<sup>9</sup> As true as Chambers' general assertions are, they are capable of more detailed and specific substantiation. The validity of Chambers' thesis has, moreover, been reasserted recently by modern critics, whose views imply that More's constitutional theory needs larger consideration than that accorded it by the views set forth by Dickens and Elton. The old view of the meaning of More's claim for free speech, as presented by Neale, has been modified recently by two scholars, J.S. Roskell and E.B. Fryde.<sup>10</sup> Fryde, building upon and citing the earlier work of Roskell, claims:

it is possible to see More's speech not as an attempt to expand the privileges of the commons but rather as 'something of a rearguard action on the commons' part' to protect their customary rights springing from 'a realization of the fragility of custom and long use in face of the ruthless temper informing this new monarchy of Henry VII's in its attitude to political opponents.'<sup>11</sup>

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<sup>9</sup> R.W. Chambers, The Place of Saint Thomas More in English Literature and History (New York: Haskell House, 1964), pp. 80-83.

<sup>10</sup> See J.S. Roskell; The Commons and Their Speakers in English Parliaments, 1376-1523 (Manchester: Manchester University Press, 1965), p. 51; and E. B. Fryde, "Introduction," in Historical Studies of the English Parliament, II, 22-24.

<sup>11</sup> Historical Studies of the English Parliaments, II, 22.

### CHAPTER III

#### ENGLISH KINGS AND PARLIAMENTS

English constitutional history, as much as the history of English legal experience, provided More with a means of communicating his sense of the pattern and significance of English history at large. Both showed the same recurrent realities, together with necessary responsibilities devolving upon societies as a consequence of them. Furthermore, More considered the same principles had informed the English historical response to legal and constitutional problems. English experience in matters of government reflected the continual threat of disorder and destructiveness springing from the fallen human condition and the necessity for social and institutional forms capable of supporting human good will to resist the evil effects of this condition. More showed that the need for constitutional forms to sustain natural-law principles, both retributively and distributively, was a divinely instituted responsibility. In terms of specific English acts, policies, and ambitions, English constitutional history indicated not only much of what could be done to procure beneficial government, but also a continuous English recognition of what could not be done--owing to inevitable human fallibility--together with English attempts at mitigating the effects of imperfections. Constitutional history, as with the law, illuminated the developing English way of facing the difficult but providential complexities of the human situation; it enabled More to demonstrate the continuity and relative effectiveness of English principles of custom, consensus, and incorporation in constitutional

affairs. Ultimately, through his appeal to constitutional experience and the history of governmental acts and policies, More was able to convey his view of the benefits of peace, prosperity, and spiritual and physical welfare capable of being achieved by a nation's regenerative effort--induced and supported by God's providence--and also depict his opposing sense of the destructiveness that had marked tragic English failures to respond with sufficient determination and good will to various past inducements.

Recent scholarly opinion concerning More's attitude to English constitutional affairs and his place in them is sharply divided. Much of the disagreement arises from divergent positions in the current debate over a supposed governmental revolution under the Tudors.<sup>1</sup> While nearly all constitutional historians concede the importance of More in Tudor constitutional matters--usually citing his claim for free speech in the Parliament of 1523 and his position as to legislation arising from the king's divorce--few can agree on the nature of his significance. Some scholars, assuming More's constitutional actions were motivated by humanist idealistic enlightenment, have sought to portray him as a radical innovator; for example, J.E. Neale, in his study of the Commons' prerogative of free speech, asserted that it is ". . . probable he originated the claim," while "His successors may all thereafter have repeated it."<sup>2</sup> The conclusions of this

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<sup>1</sup> This debate represents various responses to an initial denial of any sudden revolution in Tudor government by A.F. Pollard, The Evolution of Parliament (London: Longmans & Co., 1920). For contrary viewpoints, see J.H. Hexter, Reappraisals in History (London: Longmans, 1961), pp. 26-44 *et passim*; and G.R. Elton, The Tudor Revolution in Government (Cambridge: Cambridge University Press, 1966).

<sup>2</sup> J.E. Neale, "The Commons' Privilege of Free Speech in Parliament," in Historical Studies of the English Parliament, Vol. II: 1399-1603, ed. E.B. Fryde and Edward Miller (Cambridge: Cambridge University Press, 1970), pp. 158-159.

viewpoint imply that More's desired or actual innovations were intended to make parliament more independent for the purpose of greater effectuality as a remedy for inefficient "medieval" government. J. Russell Major also presents this view: "More's criticism of the European monarchies was that they governed too little, not too much."<sup>3</sup> Major sees More as advocating a monarchy with augmented power and thus agrees--although in terms of another institution--with Neale's view that More was a radical constitutional innovator. In contrast to those who see More as an innovator, another group of historians, consisting of enthusiastic students of the Cromwellian state, has dismissed More as an ultra-conservative whose piety prevented him from giving consent to a revolution in legislative authority which, in practical terms, he knew was inevitable and, indeed, wanted to approve. Thus, A.G. Dickens charges that "in large measure he accepted the rising claims of the state; he parted only with the utmost reluctance from the path upon which Cromwell strove to hold him."<sup>4</sup> Dickens, by assuming that More's assent was prevented only by some adherence to disjunctive universal and national jurisdictions, rather than a sense of an alternative constitutional operation to that of parliamentary absolutism, claims further that "More's case has obvious weaknesses."<sup>5</sup> Similarly, in his examination of Cromwell's

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<sup>3</sup> J. Russell Major, "The Renaissance Monarchy as seen by Erasmus, More, Seyssel, and Machiavelli," in Action and Conviction in Early Modern Europe, ed: T.K. Rabb and J.E. Seigel (Princeton: Princeton University Press, 1969), p. 23.

<sup>4</sup> A.G. Dickens, Thomas Cromwell and the English Reformation (London: English Universities Press, 1959), pp. 63-64.

<sup>5</sup> Ibid., p. 65.



theory of parliamentary voluntaristic legal positivism, G.R. Elton argues that "By simply ignoring them, this view [i.e., Cromwell's] removes all those laws other than human--the law of God, the law of nature--of which both philosophy and jurisprudence were so fond."<sup>6</sup> In assessing More's commitment to these very laws which Cromwell had ignored, Elton--like Dickens--is led to dismiss More's position: "his death demonstrated that in upholding a doctrine which certainly had age to recommend it he was wrong--wrong in law."<sup>7</sup>

In opposition to both those who see More as an advocate of radical innovation and those who see his position as anachronistically reactionary, there is a third group of critics which argues that More's constitutional actions and theory were based upon adherence to a governmental process founded upon principles very different from those of either idealistic humanism or Cromwellian positivism. R.W. Chambers has been the most important proponent of this third view, arguing that More defended traditional English constitutional principles against impending failure of parliament's responsibility resulting from an abdication of its function.<sup>8</sup> Nevertheless, Chambers, like critics holding the two alternative views, did not document his assertions in any detail with the evidence provided by the controversial writings; consequently, he was able to describe More's

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<sup>6</sup> G.R. Elton, "The Political Creed of Thomas Cromwell," in Historical Studies of the English Parliament, Vol. II, Ed Fryde, 213.

<sup>7</sup> Ibid., p. 215.

<sup>8</sup> R.W. Chambers, Thomas More (London: J. Cape, 1935), pp. 243-244.

constitutional principles only in terms of More's defence of a "spirit"<sup>9</sup>-- of mercy, freedom, and justice--against attempts by the Henrician administration to suppress this spirit as the force animating the English constitutional machinery, so as to convert that machinery into an instrument of despotism.<sup>9</sup> As true as Chambers' general assertions are, they are capable of more detailed and specific substantiation. The validity of Chambers' thesis has, moreover, been reasserted recently by modern critics, whose views imply that More's constitutional theory needs larger consideration than that accorded it by the views set forth by Dickens and Elton. The old view of the meaning of More's claim for free speech, as presented by Neale, has been modified recently by two scholars, J.S. Roskell and E.B. Fryde.<sup>10</sup> Fryde, building upon and citing the earlier work of Roskell, claims:

it is possible to see More's speech not as an attempt to expand the privileges of the commons but rather as 'something of a rearguard action on the commons' part' to protect their customary rights springing from 'a realization of the fragility of custom and long use in face of the ruthless temper informing this new monarchy of Henry VII's in its attitude to political opponents.'<sup>11</sup>

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<sup>9</sup> R.W. Chambers, The Place of Saint Thomas More in English Literature and History (New York: Haskell House, 1964), pp. 80-83.

<sup>10</sup> See J.S. Roskell, The Commons and Their Speakers in English Parliaments, 1376-1523 (Manchester: Manchester University Press, 1965), p. 51; and E. B. Fryde, "Introduction," in Historical Studies of the English Parliament, II, 22-24.

<sup>11</sup> Historical Studies of the English Parliaments, II, 22.

The statements of these scholars suggest that More, in his political actions, was not merely rendered helpless by commitment to disjunctive jurisdictions of divine and human law, but that he was concerned to defend a different type of parliamentary operation--depending upon custom, consensus, and free cooperation with the other orders--against the new function into which Cromwell and Henry were attempting to coerce parliament. Fryde's view suggests that Henry supported an expanded power in the Commons, knowing he could manipulate it by intimidation, as a means of subverting the courts.<sup>12</sup> More, therefore, was a defender of the traditional rule of law, depending upon a national consensus rather than a partisan one, and sanctioned by custom. As earlier stated, however, the view of Chambers, Roskell, and Fryde has been largely unsubstantiated and depends mainly upon the external evidence of More's acts and speeches both in parliament and before the king's judges. More's constitutional position is revealed in his view of historical English constitutional experience as recorded in the controversies. More neither supported partisan revolution nor asserted the absoluteness of an external and superior authority as the rule of government; he was concerned that Englishmen should sustain traditional constitutional procedures which inherently recognised and allowed for inevitable human fallibility and yet encouraged a national cooperation in good will capable of producing positive benefits for the realm at large.

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<sup>12</sup> Ibid., p. 23.

More considered that all human efforts to develop institutions of government had been necessitated and induced--according to the wisdom of divine prescience--by the realities of men's fallen condition. Because God did not restore man to the state of innocence, foreseeing that a baser estate was better "to the keeping of hym from synne, and specially from pryde the roote of al synne;"<sup>13</sup> it had been necessary throughout history for men to develop institutional forms to assist their efforts to live by the law of nature, just as it was necessary for the Jews to have "a great heap of the laws and ceremonies more" in addition to the Ten Commandments.<sup>14</sup> For More, this meant there was a continuous impulsion for any nation to fulfill its governmental responsibilities. Any failure to meet these responsibilities adequately would create or aggravate chastising effects which would in turn make further responsive efforts more urgently necessary. More had a deep sense that there was in the nature of things a "natural" principle of behaviour--the law of nature--and that failure to fulfill the requirements of this principle would inevitably be punished in accordance with God's justice.<sup>15</sup> Conversely, behaviour consistent with natural principles would bring its own due reward, often--although not always--

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<sup>13</sup> A Treatise upon the Passion, Workes, p. 1289.

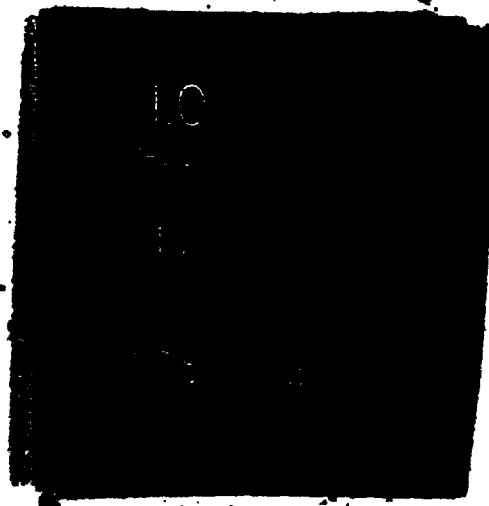
<sup>14</sup> Dialogue, English Works, II, 94.

<sup>15</sup> This is the reason for More's frequent comminations; for example, Workes, pp. 897, 935.

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in men's temporal lives.<sup>16</sup> All constitutional efforts were involved in a nation's struggle to order itself consistently with the law of nature. More perceived, however, that the constitutional process was inevitably difficult and strenuous because divine wisdom had foreseen that the perpetual effort required in a society for the fulfilment of its responsibility would be beneficial when the attitude which it induced was one of good will and cooperation. The very means, by which a nation seeks this goal must themselves depend upon the law of nature; consequently, just as More believed a prince's prime duty was the support of the natural rights of his subjects, he also had an equally clear conception of the due natural reverence owed by subjects to rulers. It is More's sense of these natural principles and the way Englishmen had responsibly sought to frame their constitutional activities into consistency with them that has been inadequately assessed with respect to More's view of English constitutional history. Even less attention has been paid to the tribulatory realities of the human situation More presents as the initial inducement, continuing incentive, and ultimate agent for humility of the constitutional process itself.

The duties of princes, as More conceived them, fall into two main categories according to the two seminal principles of natural law: men's, "honour of God and God's friends," and "love of each to the other, and to their offspring and lineage."<sup>17</sup> Just as the precise relation of many

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<sup>16</sup> For example, in The Supplication, More assures his countrymen that if they persevere in observance of divine, natural and human laws, "ye cannot fayle to flowre & prospere in riches and worldly substance" (Workes, p. 313).

<sup>17</sup> Dialogue, English Works, II, 92; cf. Mark 12:29-31.

specific human positive laws to natural-law principles was difficult to ascertain, human efforts being inevitably--in varying degrees--imperfect, many specific duties of a prince in fulfilment of these two chief principles were a matter of pragmatic responsiveness to calling present in mutating circumstances. Nevertheless, More argued, certain duties were very obvious. The natural honour owed to God by men meant that a prince had a prime obligation to defend and nourish the faith. In the course of rejecting the Lutheran assertions of evangelical liberty and pacifism, More, in the Dialogue, suggests that this responsibility has been specifically conferred on Christian princes by God:

And surely though God be able against all persecution to preserve and increase his faith among people, as he did in the beginning, for all the persecution of the paynims and the Jews, yet is it no reason to look that Christian princes should suffer the Catholic Christian people to be oppressed by Turks or by heretics worse than Turks.<sup>18</sup>

Against Luther, More maintained that it was no more natural to allow the Turks to invade Europe without resistance than it was for any man "against the common nature suffer another man causeless to kill him."<sup>19</sup> The temporal protection of the faith is a good use of a king's executive power which is, potentially, a temporal gift not to be despised. Significantly, More reiterates throughout the controversies his awareness of the part English princes once played in the Crusades, and implies the ironic contrast between

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<sup>18</sup> Ibid., p. 302.

<sup>19</sup> Ibid., p. 308.

past responsiveness and the failure of contemporary princes to meet the growing threat of the Turks, literal and metaphorical.<sup>20</sup> More believed the Crusades were evidence that God's assistance is always at hand to aid princes in their duty to defend the faith:

For when Christian princes did their devoir against miscreants and infidels there be stories and monuments enough that witness the manifest aid and help of God in great victories given to good Christian princes by his almighty hand.<sup>21</sup>

Princes are bound to support the principle that God must be honoured, in more ways than the good exercise of military power. They should show due reverence to God's ministers and support them in all ways within their capability; for example, by the prudent selection of wise and virtuous men as prelates, by the responsible exercise of the regal power of ordinance, and by the defence of the liberty of the church.<sup>22</sup> Confronted by the

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<sup>20</sup> In The Debellation of Salem and Bizance, for example, More records how one of the few proposals of St German he is able to support is the latter's exhortation for England to join in a Crusade to conquer the Holy Land (Workes, p. 1034).

<sup>21</sup> English Works, II, 307.

<sup>22</sup> More was able to praise Henry VIII's efforts at one time or another to fulfil the first two responsibilities, and castigated him for repudiating the third. In The Apology, he asserts that Henry has "in his time as prudently and as vertuousely prouyded for thys realme, that it shoulde haue suche prelates and ordinaries as should in learning, wisdom, iustice, and lyuyng, be meete and conuenient therefore, as any prince hath (nomber for nomber) that hath reyned over this realme" (Workes, p. 890). More also approved Henry's 1529 proclamation, which "forbode any maner englysh bokes prented byionde ye see to be brought into this realme, or any to be solde prented wythin this realme, but yf the name of the prenter and his dwellynge place were set vpon the boke" (Complete Works, Vol. 8: The Confutation, I, 11), as representing a responsible exercise of the king's power of ordinance to create temporary legislation in matters not provided for by statutory legislation. For More's assertion of the liberty of the English church as declared in Magna Carta--"ecclesia Anglicana libera sit, et habeat omnia iura sua integra et libertates suas illaesas"--and the fact that English kings are bound by their ancient coronation oath to support it, see William Roper, The Lyfe of Sir Thomas More, Knighte, ed. E.V. Hitchcock (London: Oxford University Press, 1935), pp. 93-94.



prospect that the current English monarch might be tempted to abandon a prince's duty to protect the temporal honour of Christ's Church and its ministers, More attempted to place this regal responsibility in perspective by citing from scripture how Pharaoh, even in the years of famine, "yet idolator as he was he would neuer suffer for anye neede the possessions of the priestes to be sold, but made prouision for them besyde." More concludes: "And we verelye trust that the good christen princes of the christen realme of England shal neuer fayle of more fauour toward the clergy of Christ, then had that prince Idolater to the priestes of his idols."<sup>23</sup>

In More's view, there was no disjunction between requirements of the first natural-law principle of honour due to God and the second principle of men's care for their neighbours. Princes were bound to use their administrative position and executive power against Turks and heretics in fulfilment of their responsibility both to defend the faith and protect their subjects. More was especially emphatic in affirming this duty of a prince to defend his subjects against temporal harm:

both nature, reason, and God's behest bindeth the prince to the safeguard of his people with the peril of himself, as he taught Moses to know himself bounden to kill the Egyptians in the defence of [the] Hebrew.<sup>24</sup>

Consequently, More approves defensive wars in protection of a people as a natural responsibility of a prince:

<sup>23</sup> The Supplicacion, Workes, p. 303; cf. Genesis 47:22.

<sup>24</sup> English Works, II, 308.

by this reason is not only excusable but also commendable; that common war which every people taketh in defence of their country against enemies that would invade it, since that every man fighteth not for the defence of himself, of a private affection to himself, but of a Christian charity for the safeguard and preservation of all other.<sup>25</sup>

More expresses his view that princes' responsibilities lie in sustaining the principles of natural law most succinctly when he concludes: "they may not upon the peril of their souls, wittingly suffer among the people whom they have in governance any one to take away another's horse."<sup>26</sup>

Ultimately, the prince's function was to be the executive officer in support of a nation's efforts to respond to its developing situation naturally, reasonably, and justly. More's view that a king is the executive officer of the nation involved many difficult complexities because it raised the question of sovereignty and where it resides. Arguing, in the Responsio, against the idea of evangelical liberty, More makes some significant comments on the relation of laws to rulers, and the relation of both to natural principles. While he does admit that magistrates can govern by the leadings of their own nature--if their subjects allow it--he asserts that such regal government is unlikely to be as consistent with principles of justice as government expressing consensus because "hardly any judgement is rendered justly which is not rendered according to some established law."<sup>27</sup>

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<sup>25</sup> Ibid., p. 308.

<sup>26</sup> Ibid.

<sup>27</sup> Complete Works, Vol. 5: Responsio ad Lutherum, I, 277.

Taking as an example the question of property, More explains his sense that human reason--darkened since the Fall--cannot alone achieve as great a degree of consistency with natural principles as that attainable through the historical process of developing custom and consensus:

nor does reason alone prescribe [for example] the forms of determining property, unless reason is attended by an agreement, and this a public agreement in the common form of mutual commerce, which agreement, either taking root in usage or expressed in writing, is public law.<sup>28</sup>

This conception of law as depending upon consensus gave More a sense that the force of custom accompanying consensus, through its historical nature, had the power of capturing a king or magistrate to its service. More did not, therefore, limit sovereignty to either king or subjects alone. He could conceive situations when only regal law or only public law might serve as instruments of government; however, he himself affirmed that the most fruitful way of government was for the king to administer public law expressing consensus--as had historically been the case in England:

if you take away the laws and leave everything free to the magistrates, either they will command nothing and they will forbid nothing, and then magistrates will be useless; or they will rule by the leading of their own nature and imperiously prosecute anything they please, and then the people will in no way be freer, but, by reason of a condition of servitude, worse, when they will have to obey, not fixed and definite laws, but indefinite whims changing from day to day.<sup>29</sup>

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28 Ibid., p. 277.

29 Ibid.

The alternative mode of government preferred by More--consensus administered by a king as executive officer--protects not only subjects from tyranny and servitude, but also protects kings, to some degree, from opprobrium in the eyes of their subjects. This benefit derived from the constituting of the king as a prime instrument of equity in his executive realisation of consensus; nevertheless,

. . . even under the best magistrates . . . although they may enjoin the best laws, . . . the people will oppose and murmur against [them] as suspect, as though they govern everything, not according to what is just and fair ["ex aequo bonoque"], but according to caprice.<sup>30</sup>

More implies that the king needs to retain a discretionary capacity to ensure that the executive realisation of consensus is equitable. Equity deriving from the potential source inherent in the office of a king could be administered personally by the king or through the royal courts. To illuminate the benefits arising from the king's equitable capacity, More cited the action of Henry VIII in pardoning those accused of murdering Richard Hunne in the Bishop of London's prison:

the king's grace being well and sufficiently informed of the truth, and of his blessed disposition not willing that there should in his name any false matter be maintained, gave in commandment to his attorney to confess their pleas to be true without any further trouble. Which thing, in so faithful a prince, is a clear declaration that the matter laid to the chancellor was untrue.<sup>31</sup>

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<sup>30</sup> Ibid., pp. 278-279. More's use of the phrase "ex aequo bonoque" is discussed, in relation to the historical development of equity in its Roman sense of aequitas and its Aristotelian sense of epiēkeia, by J.M. Headly, Complete Works, 5, II, 754-756.

<sup>31</sup> Ibid., p. 239.

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The discretionary power of a king existed as a potential safeguard beyond the discretionary power of a judge and jury. More resisted any proposals which would indirectly threaten this royal power of juridical discretion; for example, when St German, in Salem and Bizance, proposed a new act of parliament to prevent possessions being received into the church, More rejected the proposal on the grounds that, because "suche actes are there alreadye made mo then one, good and sufficient,"<sup>32</sup> St German's new act could only mean that

. . . the kings grace should expresselye be bounden by the act, that if he gaue any licence of mortifying into y<sup>e</sup> church, it should be voyde, except such cases as thys good man lyst to lymyt and gyue him leaue.<sup>33</sup>

More considered that any such weakening of the king as a source of equitable discretion would create a potential situation for greater injustice.

Princes, and the duties devolving upon them, were, in More's view, a necessary consequence of the perversity of postlapsarian men in transgressing the fundamental principles of natural law. While princes, being themselves men, were not means of eliminating all motions and effects of sinfulness, they constituted an instrument--divinely instituted by God--capable of mitigating destructive effects and supporting regenerative efforts. Although the successful operation of this instrument had depended upon many complex interrelations between all the English orders, the

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<sup>32</sup> More's reference is to the series of statutes, extending from Magna Carta to 1391, concerning Mortmain. For an enumeration and description of the contents of these statutes, see John Rastell, An Abridgement of the Statutes (London, 1527), ff. clvi-clvii, under the title "Mortemayn."

<sup>33</sup> The Debellation of Salem and Bizance, Workes, p. 942. More's elliptical expression conveys his awareness of the theory of parliamentary sovereignty implicit in many of St German's propositions.

particular nature of the regal office put upon subjects certain duties which More considered unequivocal. He asserted the natural reverence due to the office, in The Apology, when he asserted:

And of all degrees speciallye for my parte, I haue euer accompted my deuty to forbeare all such maner of vnmanerlye behaiouere towarde those two moste eminent orders, that God hathe here ordayned in earthe, the two greate orders I meane of speciall consecrate persones, the sacred prynces and priestes.<sup>34</sup>

The office of king must be respected because "euerye good Chrysten manne and woman . . . is of dewetye bounden to giue honoure and reuerence vnto that holy sacrament of order," which is effectual in the anointing of a king as it is in the ordaining of a priest.<sup>35</sup> For this reason, More contemptuously exposed as an insult the flattery of Simon Fish towards Henry, "hys prince & souerain lorde--whose maiesty both by the law of god, & the dutye of hys allegiaunce he were highly bounden to reuerence."<sup>36</sup> Apart

<sup>34</sup> Workes, p. 868.

<sup>35</sup> Ibid.; p. 867. More's sense of the significance of consecration as a sacred, open contract between God, king, and subjects has not been sufficiently conceded by previous critics. More held consecration of a king to mark common commitment to the fulfilment of responsibilities devolving upon each of the human participants in the sacramental relation. The contractual nature of this relation shows that More considered the king's authority to be neither absolute by inherited right, nor derived . . . immediately from the people through their representative in Parliament," as asserted by Brian Byron, Loyalty in the Spirituality of St Thomas More (Nieuwkoop: B. de Graaf, 1972), p. 35.

<sup>36</sup> The Supplicacion, Workes, p. 311. In The Confutation, More reminded Tyndale of the sacerdotal aspect of kings, by recalling from scripture how "the holy Prophete Daud, dyd so moche esteeme the holy oyntement with whiche kynge Saule was consecrated, that all be it he was relected agayne of god, and hym selfe receyued and anoynted kynge in his place, and was also persecuted by hym/ he nat onely put the man to dethe that sayd he hadde slayne hym for touchinge of goddes anoynted / but also for all that he spared hym and sayued his lyfe, and beyng his dedely enemye, did hym yet no bodely harme. He repented and for thought that he hadde so moche done to hym, as secretely to cutte his garment" (Complete Works, 8, 11, 595).

from the dignity of the office, subjects are bound to honour and obey princes--in all things where conscience will allow it--because they are a necessary safeguard against anarchy and chaos. Even though a prince can be neither the fount of all a nation's evil nor of all its goodness, the ultimate welfare of any society depends upon the degree to which principles governing its order are observed; these principles require support of authority in all cases when obedience can stand with a man's conscience. Without such obedience, no true state of order can survive against unrestrained, perverse, individualistic voluntarism:

Lyke as a cytye and a realme standeth not so mych by the dygnytye of the rulers, as it standeth by wysdome, good order, true dealyng, and iustyce. But yet as these thynges wold fayle in a cytye and in a realme, yf there were no rulers to se them kepte / ye and the rulers beyng of a ryghte seconde sorte, yet wolde the people by myche worse yf they were all wythout. And the people is therfore bounden to obay them, and not every lewde felow to ieste and rayle vpon them.<sup>37</sup>

More repeatedly affirms, in the controversies, "that there is nothyng earthlye, that so muche kepeth themselfe in quyet, reste, and suretie, as dooeth the due obedyence of the people to the vertuous mynde of the prynce."<sup>38</sup> Unlike Tyndale, however, More did not consider that obedience was totally unconditional, or that men had to obey all commandments of a king, be they good or evil.<sup>39</sup> Arguing from scripture, More explains

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<sup>37</sup> Complete Works, 8, II, 911.

<sup>38</sup> The Supplicacion, Workes, p. 295.

<sup>39</sup> For Tyndale's position, see The Obedience of a Christian Man, in The Works of the English Reformers, ed. Russell, I. Tyndale claims: "Heds and governours are ordained of God, and are even the gift of God, whether they be good or bad. And whatsoever is done to us by them, that doth God, be it good or bad" (p. 228). He asserted earlier in the book that "Hereby seest thou that the king is in this world without law, and may at his lust do right or wrong, and shall give accounts, but to God only" (p. 213).

against Barnes, how Christ ordered the Jews to observe and fulfil the commandments of their governors:

Not meanyng by that generaltie that they sholde obaye any commaundement that by god were forbeden, nor to set goddes law asyde for mennys tradycyons as hym selfe sayed in the xv. of Matthew: but forbedyng them to refuse to fulfyll y<sup>e</sup> commaundement of theyr rulers, wherof there were no mencyon made in scripture, where the commaundement tended to vertue, good maners, or goddes honour.<sup>40</sup>

There is a sharp distinction in More's constitutional thought between responsibility and servility--a distinction he found nearly impossible to communicate to absolutist opponents seeking to equate the king's will with the divine will. The main thrust of More's constitutional argument is that, while the painful realities of the human condition necessitate rulers--whom God has instituted for human welfare--and responsible obedience to their authority, God has also put upon all men the responsibility of acting by the best state of conscience concerning requirements of divine and natural law which they have the capacity to attain. The frequently extreme tension between the two responsibilities was considered by More a recurrent tribulation in English history, yet also a source of fruitfulness. He believed the complex, interrelating responsibilities forced upon men a certain mode of procedure, marked chiefly by discretion and a natural forbearance and sympathy. Public defamation of princes on account of their misdeeds is incapable of producing any positive effect. As More conceived it, the best way of influencing a prince was

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<sup>40</sup> Complete Works, 8, I, 353.



far less spectacular:

if priuate affection towarde theyr owne fantasies, happened in any thyng so far to mystede theyr iudgemente / for helpe of suche happes serue their confessors and counsaylours / & euery man that of good mynde wolde in good maner declare his owne good aduyce towarde his prynce and his countrye, eyther to his owne person or suche other of his counsaile, as by them it may be brought vnto him.<sup>41</sup>

While the king's office and authority must be respected, there were many ways of restraining a prince from reprehensible leadings of his own nature, and of reinforcing virtuous impulses. The king's will could be influenced not only by individual and collective counsel, but also by the affirmation by the various English orders--common, noble, and clerical--of privileges developed through history and sanctioned by custom.

More's conception of harsh realities necessitating rulers, the benefit of government well ordered according to natural principles, and the shared responsibility put upon both princes and subjects by God motivated his appeals to specific aspects of English constitutional history in the controversies. He showed that Englishmen had been historically engaged in a continuous effort to make their constitutional endeavours fruitful, by developing forms and procedures which encouraged fulfilment of the respective responsibilities of kings and subjects while minimising, as far as possible, the probability of abuse on either part. More demonstrated further that, whenever the English had slackened in their fulfilment of responsibilities--by allowing the national consent to become sub-

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<sup>41</sup> Ibid., II, 591.

verted or perverted, or by abdicating the effort to sustain the necessary development of constitutional forms--resulting violence, despotism, and physical and spiritual impoverishment had served as fearsome chastisement.

More asserted the traditional structure and procedures of parliament as examples of the responsible efforts of Englishmen to fulfil duties: on the part of kings to further the best interests of their subjects by seeking counsel, and of subjects to induce their princes to listen to it by judicious conveyance of subsidies to the prince's disposal and assertion of the strength of custom.<sup>42</sup> Part of the reverence owed to rulers by subjects consisted in their duty to ensure, through all the legitimate means at their disposal, that their rulers needed good counsel expressing the common mind of the people. If this responsibility was not met, a nation was likely to suffer the probable chastising consequences of leaving a prince to rule by the leadings of his own nature. The important role More ascribes to parliament does not reflect any belief in a theory

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<sup>42</sup> More's keen awareness of the possible influence on kings of parliament's power of the purse was demonstrated in his own career as an M.P. when, according to Roper, he persuaded the Parliament of 1504 to reduce the subsidy requested by Henry VII. The king's subsequent rage testifies to the effectiveness of this instrument (Roper, The Lyfe of Sir Thomas More, p. 7). The antithetical part More later played in gaining a subsidy for Henry VIII from an unwilling Commons reflects his view of the positive potential influence of this parliamentary power. An account of the way More persuaded the Commons to raise the subsidy requested in 1523 by Wolsey from one shilling to three shillings in the pound, is given by E.E. Reynolds, Saint Thomas More, pp. 139-140.

of parliamentary sovereignty. For More, a parliamentary absolutism would be as partisan and voluntaristic as a regal absolutism, and therefore equally unacceptable. Whenever More raised matters of constitutional history to confute his opponents, it was for the purpose of asserting the continuing necessity for a national cooperation between all orders of English society and their incorporation into the operation of government.

The foundation upon which More considered all English constitutional endeavours to have been built was the process of consent, these endeavours having been most successful in English history when this process had flourished. More tried to illuminate the creative nature of speculative dispute, which he saw as the yeast of this process, when, in The Debellacion, he reproved St German for misconstruing legitimate speculation to make it appear seditious. Against St German, More argued that the seven men he once knew who favoured repossession of clerical lands had voiced their opinions as participants in exploratory speculation rather than as disgruntled revolutionaries:

And now therefore though I neuer founde anye noble man so vnryghteous, or so vnreasonable, as to thinke it ryghte or reasonable, without lawful cause to take away any possessions from the clergie: yet have I founde seven that have thought, if right and reason woulde beare it, they coulde tel how that as for worldly polycy, som of the possessions taken away myght be to the realme profitable. And some one hath thought that it wolde be peradventure profytable to the realme, that the lordes had the landes whose auncestours had mortified them. And peradventure he that so thought, should not have loste a grote by it. And some other hath thoughte yt it wold be more profitable to put it into hospitals of some certeine new fashioned foundation, and therof

neither make priestes the maisters, nor no laye men  
 neither, but some good sad honeste vertuouse wydowes,  
 that wolde be tendable & tender to sicke folke, &  
 that should yearely yeld a compt vnto the ordinary.  
 And some other haue thoughte it better to diuide &  
 cant it among good poore husband men, that should till  
 the ground [with] theyr handes, & take the land for  
 their labour, with diuers other diuises mo, every  
 man after his own mynde. And what harme was ther now  
 in any of al their mindes.<sup>43</sup>

It was this kind of creative dispute, when conducted in a spirit of good will, that More believed was the source of most beneficial acts and policies; and it was precisely this speculative dispute that he saw endangered throughout history--and particularly in his own day--by wilfulness induced in individual men, parties, and orders. Nevertheless, as much as More asserted the importance of free discussion in the process of consent, he did not believe that it would of necessity lead to a good-willed consensus. "For muche people may sometime belieue some one mans lye."<sup>44</sup> Yet the record of English constitutional actions allowed More to claim further:

if there wer muche of theim that so iudge before the  
 prooffe, and fyshe before the nette, and set the carte  
 before the horse . . . , yet is there againste theym  
 muche other people more wyse in that point, and more  
 circumspecte, whyche tyll they see suche an euill tale  
 proued true, wyl eyther of indifferencye keepe them  
 selfe in a staye, and suspende theyr sentence for the  
 season, or els of a good minde rather for the whyle  
 thincke and belieue the contrary.<sup>45</sup>

To More, the English had been engaged in a continuous historical effort to develop constitutional forms capable of preventing--as far as possible--

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<sup>43</sup> Workes, pp. 943-944.

<sup>44</sup> The Apology, Workes, p. 898.

<sup>45</sup> Ibid.

the likelihood that a man's lie would become too hastily effective as the foundation of policy. He tried to make this point against Simon Fish's claim that the king's ability to rule was impeded by the power of the clergy in parliament. More appealed to the composition and structure of parliament to show that complex, interrelating checks and balances had been developed not only as a fortifying influence, but also as an impediment against destructive voluntarism in support of good-willed cooperation. In The Supplication of Souls, More stressed the historical commitment of Englishmen to the pursuit of such cooperation, when he asserted:

at the parliament when that any actes be conceiued,  
the woordes be commonly so cowched, that the bil  
saith it is enacted fyrst by our souerayn lorde  
the kyng, and by the lordes spirituall, & temporall,  
and the comons in thys present parliamente assembled.<sup>46</sup>

The whole parliamentary procedure, in More's view, was calculated to prevent government based on hasty judgement before the proof. More saw only too well the frustration of Henry and his ministers with the impediments provided by this process, and foresaw the dangerous consequences of any self-abandonment on Henry's part to the seductive appeals of those, such as Fish, who were urging him to repudiate the process by suppressing the church's role in it.

In The Supplication of the Beggars, Fish claimed that reform of clerical abuses was impossible because the king could make no laws against them, the clergy being stronger in parliament than the king himself. While

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<sup>46</sup> The Supplication, Workes, p. 296.

aimed at proving Fish wrong, More's rebuttal also illuminates his sense of the way the interacting forces in parliament could produce wholesome policy when the constitutional process was animated with sufficient good will. With respect to the House of Lords, More showed that even if, as Fish claimed, the spiritual lords outnumbered the temporal lords, this would still not create a situation where the strength of the Upper House could enable it to dominate national policy:

For as for the higher house first y<sup>e</sup> kinges own royall parson alone more than counterpayseth the temporall to. And ouer this the spirituall lordes can neuer in number excede the lordes temporall all, but must needes be farre vnderneath them if it please the kinge. For his highnes may call thyther by hys wryt manni mo temporall lordes at hys own pleasure.<sup>47</sup>

Not only does the king's presence balance the power of all the lords, but the spiritual lords are also balanced by the temporal lords. However, just as the lords can influence but not arbitrarily oppose the king, so can the spiritual lords influence but not overrule the temporal lords. For More, this situation, represented the product of English attempts to develop constitutional forms designed to encourage men to achieve consensus and the positive effects, springing from good-willed compromise between diverse interests and purposes, that result from it.

More realised, however, that there was no certain, absolute, or institutionalised way of coercing men into consensus in good will. He argued that recent history showed the perverse resistance of the temporal lords

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<sup>47</sup> Ibid., p. 301.

to the good proposals of the spiritual lords, and the difficulty of inducing any amelioration in the temporal attitudes:

being as they bee, there was neuer yet seene that the spiritual lordes bended them selfe there as a partye against the temporall lordes. But it hath bene seene that the thing which the spiritual lordes haue moued & thought resonable the temporal lordes haue denied & refused: as appereth vpon the mocion made for legitimacion of the children borne before y<sup>e</sup> mariage of their parentes. Wherin albeit that y<sup>e</sup> reformation which the lordes spirituall moued, was a thing y<sup>t</sup> nothing partayned to their owne commoditie, & albeit that they layed also for theyr parte the constitucion and ordynance of the church & y<sup>e</sup> lawes of other christen countries: yet coulde they not obtaine agaynste the lordes temporal y<sup>t</sup> nothing alleged to the contrarie but their own willes.<sup>48</sup>

- This case reflected, for More, an ultimate reality of the human situation: that owing to continuing human perversity, it may often be the case that the best framed ameliorative institutional provisions prove futile if they cease to be animated by consensus in good will among a sufficient number of men. This had been the recurrent difficulty with which the English had had to contend in their constitutional history.

In the House of Commons, More saw duplication of much the same situation. Against Fish's charge that the Lower House was a packed assembly in which all the learned men of the realm were bribed to speak for the clergy, except the king's council, More reminded Englishmen that "neither be all the learned men of the realme knightes or burgeyses in the comen house, and the kinges lerned counsaill is not there at al."<sup>49</sup> More implied

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<sup>48</sup> Ibid., p. 301.

<sup>49</sup> Ibid.

that the Commons were an auditorium for all kinds of civic opinion other than learned; hence the need not only for a learned house but also a special council in addition to the Commons. Moreover, just as a majority in the Upper House could become united in perverse consensus, so, too, could a majority of the members drawn from the lower English orders:

And surely if he [i.e., Fish] had bene in the comen house as some of vs have ben: he should have sene the spiritualltie not gladly spoken for. And we littel dout but that ye remember actes and statutes passed at sondry parlamentes, such & in such wise & some of them so late, as your self may see that either the clergy is not the stronger part in the kinges parliament, or els have no mind to striue.<sup>50</sup>

More conveys a deep sense that no amount of institutionalised checks and balances can ever infallibly protect a positive, creative constitutional operation against the possibility of situations where too many men become united in bad--or indifferent--will and fail in responsibility. Nevertheless, More did insist that English constitutional forms represented a praiseworthy historical effort on the part of Englishmen to resist such undesirable impulses as far as possible. In turn, these forms had assisted Englishmen in sustaining their continuing political efforts, together with the developing force of custom.

The wise development of checks and balances between the different orders in the composition of parliament did not, in More's view, mark the exhaustion of all that could be done in restraint of perversity in governors. Both within and without parliament, the orders could beneficially influence, in many cases, the actions of other orders by asserting their customary

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<sup>50</sup> Ibid., p. 301.



privileges. It is in this context that More's defence of free speech is significant. More's petition, as Roper reports it, is couched in terms which imply More's belief that one of parliament's main functions is to allow dispute to be carried on at such length as is sufficient to allow men to avoid believing "some one mans lye" or judging "before the prooffe."<sup>51</sup>

Although More's words are framed to embody great tact, his point is clear:

yeat, most victorious Prince, sith among so many wise men neyther is every man wise alike, nor among so many men, like well witted, every man like well spoken, And it often happeneth that, likewise as much folly is vttered with painted polished speache, so many, boystyous and rude in language, see deepe indeed, and giue right substanciall counsell . . . .<sup>52</sup>

Free speech, as More conceived it, was a custom that not only allowed men's opinions to be freely voiced, but also made possible the exposure of malicious or false intent uttered under a disguise of reasonableness or rhetorical eloquence. More defended free speech not to translate more power to the Commons, but to preserve its effectiveness as a restraint against tyranny. Furthermore, More's claim for free speech should not be separated from the other incident involving his role as speaker that occurred in the Parliament of 1523. Wolsey, in order to expedite the grant of a subsidy, not only attended the Commons' session in person, but also demanded a direct reply to his request from the members. Roper's account leaves little doubt that the Cardinal knew he was infringing upon a prerogative of the House invested with the strength of custom, and was irritated rather than

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<sup>51</sup> The Apology, Workes, p. 898.

<sup>52</sup> Roper, Lyfe of Sir Thomas More, pp. 14-15.

surprised when the members gave no answer.<sup>53</sup> More's reply, as speaker, to Wolsey shows that the constitutional operation he defended by his actions in the 1523 Parliament was the same as he asserted throughout the controversies. In Roper's words, More, "by manye probable argumentes" proved "that for them to make answer was it neyther expedient nor agreable with the auncient libertie of the house."<sup>54</sup> More was too discreet in the situation of the fifteen thirties to elaborate openly and at length such delicate questions of prerogative and sovereignty, yet there are, nevertheless, instances in the controversies in which he attempts to make the same points concerning similar issues. The most striking occasion is when, in The Supplicacion, he confutes Fish's view of the reign of King John. Against

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<sup>53</sup> 'Maisters,' quoth the Cardinall, 'vnles it be the maner of your house, as of likelihood it is, by the mouth of your speaker, whom you haue chosen for trusty and wise, as indeed he is, in such cases to vtter your mindes, here is without doubte a mervailous obstinate silens' (ibid., p. 18).

<sup>54</sup> Ibid., p. 19. More's sensitivity throughout his career to the strength of custom in traditional procedures as an instrument against subversion or intimidation was manifested early in his writings by the way he recorded, in The History of King Richard III, the silence of the people of London that greeted Buckingham's oration at the Guildhall, and how "when the Mayer saw thys he wyth other partiners of that counsaile, drew aboute the duke and sayed that the people had not ben accustomed there to be spoken vnto but by the recorder, which is the mouth of the citie" (Complete Works, Vol. II: The History of King Richard III, ed. R.S. Sylvester, 75).

Fish's claim that the elevation of Stephen Langton to the archbishopric of Canterbury represented the treason of the English clergy at that time and the unlawful usurpation by the Pope of the king's royal power, More argued that the election of the archbishop was a customary privilege of the convocation, ratified by the consent of the whole realm:

neither was that Stephen euer traytpur agaynst ye kyng as farre as euer we haue heard: nor the pope none otherwise made him archbissop than he made al other at that time: but the same Stephen was well and canonically chosen archbisshop of Caunterbury by the couent of the monkes at Christes church in Caunterbury, to whom as the king well knew and denyed it not, the eleccion of the archebishop at that time belonged.<sup>55</sup>

The action of the clergy, therefore, in rejecting the king's attempt to force his own candidate upon them, represented a responsible assertion of a consented privilege on their part to resist a royal attempt at subverting the ability of the English church to participate in the larger process of national cooperation and consent. More makes it clear that the determination of the clergy frustrated John's voluntaristic impulse to follow the unreasonable leadings of his own nature:

Nor the kyng resisted not his eleccion because of anye treason that was layd agaynst him [i.e., Langton], but was discontented therwith, & after that his eleccion was passed and confirmed by the pope: he wou]d not of long season suffer him to enioye, the byshopricke because himself had recommended another vnto the monkes, whom they relected, & preferred Stephen.<sup>56</sup>

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<sup>55</sup> The Supplicacion, Workes, p. 296. The historical role and experience of the English convocations are discussed extensively below, Chapter IV.

<sup>56</sup> Ibid., p. 296. More, being a truthful historian, takes pains to convince readers of the reality of his evidence: "that thys is as we tel you . . . ye shal nowe perceiue, not only by diuers cronicles, but also by diuers monumentes yet remaynyng, as well of the eleccion and confirmation of the sayd archbisshope, as of the long sute and proces that after folowed therevpon" (p. 296).

More's appeal to this historical episode, just as much as his actions in the 1523 Parliament, reveals his conviction that customary privileges expressing cooperative interrelations between the orders provided a good means of sustaining natural principles and restraining unnatural impulses. In More's view, Fish, St German, Frith, Tyndale, and others were urging--wittingly or unwittingly--proposals that would destroy incorporative national consensus, and those regenerative effects which it was capable of achieving, by imputing supreme sovereignty to one or other of the members of the national body at the expense of the others.

Certain periods in English constitutional history, especially the early half of the fifteenth century, allowed More to demonstrate his sense of the patterns that dominate all human history, in terms of constitutional responsibilities, endeavours, and frustrations. Whereas More indicated the fallibility and frequent perversity of princes by allusions to such examples as the attempted despotism of King John and the avarice of Henry VII, in failing to ensure that money ostensibly requisitioned for restitutions was ever paid,<sup>57</sup> he showed the equally serious limitations of parliament by tracing its activities in the period between Richard II and

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<sup>57</sup> In answer to St German's claim that Henry VII's order of restitution was a precedent for forcing the clergy to forego trentals, obits, and other ecclesiastical dues so that laymen could pay their debts; More, after ironically invoking prayer for Henry's soul ("whyche our Lorde perdon"), elliptically insinuates that the order was intended simply as propaganda: "By lykelyhoode ther is nothing owing to him [i.e., St German] thereof. For if there were, then were it lykely that he could tell [i.e., how Henry VII's will was performed]. For he could tel then that al the wyll were not perfourmed" (The Debellacion, Workes, p. 951).

Henry VI. More's aim was to demonstrate that parliament, as much as a prince, was a potential tool for Antichrist, and that the English parliament had always been involved in an internal struggle against its own evil-willed members to ensure that it did not become such an instrument.<sup>58</sup> He showed further that, without the strong leadership and cooperation of the king, parliament of itself had not been able to meet adequately the needs of England's governance. Past failures of responsibility in English kings and parliaments had led to their own near self-destruction.

Simon Fish's attack on clerical possessions and the ecclesiastical jurisdiction led More to meditate on the fact that recurrent anti-clerical legislation reflected the way parliament's consensus was under continual threat of subversion and abuse. Bills introduced against clerical possessions had often been merely a front for attacks on the beneficial influence of the church on temporal affairs. Commenting on Fish's anti-clerical proposals, More claims:

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<sup>58</sup> It was More's awareness that secular consensus might not always represent agreement in good will that made it impossible for him to accept the concept of parliamentary sovereignty implied in many of St German's proposed reforms. For a study of the development of St German's theory, see Franklin Le Van Baumer, "Christopher St German: The Political Philosophy of a Tudor Lawyer," *AHR*, XLII (1937), 631-651. St German's theory was fully implicit even in his early works; for example, in Doctor and Student, St German not only implied parliamentary sovereignty, but made an unprecedented assertion of parliamentary infallibility: "it cannot be thought that a Statute that is made by Authority of the whole Realm, as well of the King and of the Lords Spiritual and Temporal, as of all the Commons, will recite a thing against the Truth" (Doctor and Student: or Dialogues Between a Doctor of Divinity and a Student in the Laws of England (London: E. Nutt & R. Gossing, 1721), p. 342.

thys is now no new thing, nor the first time that heretiques haue bene in hand with the matter. For first was ther in the .xi. yere of king Henry ye fourth, one John Badby burned for heresy. And forthwith therupon was there at the next parlaiment holden the same yere, a bill put in, declaring how much temporall lande was in the church, which rekenyng the maker therof gessed at by the number of knightes fees, of which he had went he had made a verry iuste account. And in thys byll was it diuised to take their possessions out again.<sup>59</sup>

Such malicious intent, however, was perceived and resisted, owing to the diligence and vigilance of good-willed men in parliament:

Howbeit by y<sup>t</sup> bill it appered well vnto them which well vnderstode the matter, y<sup>t</sup> the maker of y<sup>e</sup> bill neither wist what land there was, nor how many knightes fees there was in the church, nor well what thing a knightes fee is: but y<sup>e</sup> byll deuised of rancour & euill wyll by some suche as fauoured badby that was burned, & would haue his heresies faine go forward. And so y<sup>e</sup> byll such as it was, such was it esteemed and sette aside for nought.<sup>60</sup>

This action alone was not enough to halt the progress of malicious intent. More proceeds to show that the seditious, having been frustrated in parliament during the first year of Henry V's reign, revealed their true colours by taking openly to arms. Owing to a quick response, the rebels were overthrown by Henry V and his nobles:

Whereupon forthwith at the parliament holden the same yere, likewise as that roial prince his vertuose nobles & hys good christen communes deuised good lawes agaynste heretyques: so dyd some of such as fauoured them, eftsones put in the byll agaynst y<sup>e</sup> spiritualtie. Which eftsones considered for such as it was & cunning of such malicious purpose as it came: was againe reiected, & set aside for nought.<sup>61</sup>

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<sup>59</sup> The Supplicacion, Workes, p. 302.

<sup>60</sup> Ibid., p. 302.

<sup>61</sup> Ibid.

The rhythmic pattern in parliamentary history is the same that More discerned in all human experience: a recurrent threat of potential degeneration, inducing and resisted by a responsive effort to act according to natural principles and faith. More emphasises his sense of recurrent actual and potential tribulatory realities by describing two further efforts of bad-willed men to capture the Commons as an instrument to their purpose; the bill was renewed after a new insurrection was suppressed at Abingdon, and again, later, after the burning of another heretic.<sup>62</sup> All these attempts were successfully resisted, but More makes clear the continuous diligence needed to fulfil parliament's responsibility to resist subversion of its consent.

Throughout the controversies, More asserts the praiseworthiness of the united spirit and actions of the English in the reign of Henry V; for More, this period highlighted the inadequacies of other reigns, both before and after.<sup>63</sup> In the fifth year of the reign of Richard II, More describes how parliament complained about the spread of heresy "Wherof y<sup>e</sup> realme feared as the statute expresseth, that therof would at length grow some great commocion and peryll."<sup>64</sup> By recording this complaint of parliament, More implies the irresponsibility of Richard II in failing to provide the strength of leadership required in defence of his subjects. Because

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<sup>62</sup> Ibid., p. 302.

<sup>63</sup> The polemical situation forced More to treat this reign predominantly in terms of his response to heresy; had circumstances allowed him to elaborate his view of its response to other realities of experience, his conclusions would undoubtedly have revealed the same principles in action.

<sup>64</sup> The Apology, Workes, p. 922.

of the inadequate initiatives of both Richard II and Henry IV, parliament, during these two reigns, was unable to procure sufficient provisions against the threat of insurrection, so that open rebellion broke out in the reign of Henry V. The previous attempts of parliament to achieve an adequate response only became effectuated when its efforts were complemented "by the policy of that noble prince [i.e., Henry V] and his counsayl."<sup>65</sup>

For More, this was significant in constitutional history because it demonstrated the necessity of cooperation between king and subjects as the only adequate means for the fulfilment of responsibilities. Furthermore, it demonstrated how positive benefits for a nation had been achieved through

that good christen zeale of ye prince, ye nobles, & the commons, toward the mayntenance of the fayth, and their high wisdom in prouiding for the conseruacion of the peace, rest, and suertye of the realme.<sup>66</sup>

More's general view of patterns in the reigns of Richard II, Henry IV, Henry V was only one means by which he sought to demonstrate the need for a good constitutional cooperation founded upon consensus. He also examined several specific statutes as historical examples of positive constitutional achievements attained through this process. To refute Simon Fish's claim that the clergy should be deprived of their lands because they broke the Statute of Mortmain in receiving them, More analysed the Statute to show it was a good provision, motivated by only good intent and devoid

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<sup>65</sup> Ibid., p. 922

<sup>66</sup> Ibid.



of the malicious intent which Fish imputed to it:

if he consider well what remedie the statutes provide and for whom: he shall find that the makers of the statute not so much fered the great high poynt that pricketh him now lest the whole temporall landes should come into ye church, as they did the losse of theyr wardes, and their vnlikelyhod of eschetes, and some other commodities that they lacked, when their landes wer aliened Into the church: and yet not into the church onely but also into any mortmayn.<sup>67</sup>

As a remedy for public fear that lands would be lost into mortmain, the Statute, More asserts, provided that the king or any other lord who stood to lose by the alienation must be sued for his license and good will before any purchase was made. More considered that this provision reflected a reasonable and responsible intent on the part of the king and parliament to prevent unjust abuse, while still allowing just, good use of mortifying based on consent; the clergy could still lawfully receive lands with the consent of the king and lords.<sup>68</sup> Moreover, the initial intent was never, in any case, to discriminate between the orders:

this statute is not made onelye for the aduantage of the temporall lordes against ye cleargie, but it is made indifferentlye agaynst all mortmayn: which is aswel temporall folke as spirituall, and for the benefite aswel of spiritual monne as temporall. For aswell shal a bishop or an abbote haue the aduantage of that statute if his tenaunte alyene hys landes into any mortmayn, as shal an Earle or a Duke.<sup>69</sup>

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<sup>67</sup> The Supplication, Workes, p. 333. More could be referring to one or all of a number of statutes which embody developing legislation concerning mortmain. The provision against the injustices More describes first appeared in the 1217 revision of Magna Carta, but was subsequently elaborated several times to admit exemptions and redefine penalties. John Rastell, in his An Abridgment of the Statutes--which appeared the year before The Supplication of Souls--cites Magna Carta, c. 33, c. 36; 27 Edward III, c. 3; and 15 Richard II, c. 5. These statutes, therefore, are those most likely to have been at the heart of the contemporary anticlerical debate.

<sup>68</sup> Ibid., p. 334.

<sup>69</sup> Ibid., p. 333.

The Statute of Mortmain, for More, represented an admirable cooperative attempt between the orders to frame a provision designed to sustain as much justice as possible in a very complex situation of property regulation. Fish's failure to perceive the complexities--or unwillingness to admit them--merely illustrated for More the way that narrow views of the multitudinous aspects of reality produce negating distortions. More believed that the Mortmain statutes marked an admirable attempt of government to come to terms with very difficult problems; contrary to being partisan, they were an illustration of the kind of beneficial provision that could be achieved through the non-partisan cooperation encouraged by the instrument of parliament. Similarly, More asserted that the Statute of Praemunire of 1353 was also a provision developed for the restraint of clerical abuse, while in no way intended to impair the church's ability to further its beneficial activities in England. To confirm his claim that the English clergy had assented to the Statute and participated in its operation, More asserted the facts of the Hunne case. In the course of the affair, one Doctor Allen had been fined £500 under a praemunire. Fish charged that the clergy had subverted the effectiveness of this statutory provision by rewarding Allen with ten times the amount in benefices. More, in accusing Fish of lying, showed that the Statute was based on a broader consent than Fish allowed:

For it is well known that doctour Aleine was in the premunire pursued only by spirituall men, and had much lesse fauour & much more rygour shewed him therein by the greatest of the clergy, then by any temporal men.<sup>70</sup>

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<sup>70</sup> Ibid., p. 297.

More's comments on the Statutes of Mortmain and Praemunire show that he considered each to embody realistic and positive responses to the complexities of actual experience. Neither, by allowing for good use as well as restraining abuse, was marked by the vindictive partisanship that More feared was invading the English constitutional process.

More's immediate aim in appealing to examples of the good function of English constitutional machinery was to persuade Englishmen that they must achieve a similar degree of determination and good-willed cooperation in order to resist growing physical and spiritual peril. In The Supplication, More expressed to his countrymen yet again his confidence that, if they sustained the right relations between themselves, and between themselves and the king, with "obseruyng his [i.e., Christ's] lawes wyth good and godly woorkes and obedience of your most gracious king and gouvernour," they would not fail "to flowre & prospere in richesse and worldly substance."<sup>71</sup> On the other hand, he reiterated the terrible chaos in Germany<sup>72</sup> and contemporary warfare among princes in Europe as examples of the destructiveness that attends failure of constitutional responsibility:

since that the ambition of Christian rulers, desiring each other's dominion, have set them at war & deadly discension among themselves, whereby while each hath aspired to the enhancing of his own, they have little forced what came of the common corps of Christendom, God, for the revenging of their inordinate appetites, hath withdrawn his help and shewed that he careth as little, suffering, while each of them laboureth to eat up other, the Turk to prosper and so far forth to proceed, that if their blind affectiōns look not therto the sooner, he shall not fail (which our Lord forbid) within short process to swallow them all.<sup>73</sup>

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<sup>71</sup> Ibid., p. 313.

<sup>72</sup> See, for example, English Works, II, 273-275; cf. The Supplication, Workes, p. 312.

<sup>73</sup> Dialogue, English Works, II, 307.

The fear of impending catastrophe expressed by More illuminates the problem which threatened to bring him into despair. While More could demonstrate the nature of constitutional responsibility on the parts of both king and subjects, show how English constitutional forms had been developed in an historical effort to meet this responsibility, and trace the benefits and disasters resulting from actual English constitutional successes and failures, he nevertheless was faced with the problem of how to account for the threatened contemporary constitutional breakdown; while he could see how it was happening, his greatest task was to explain why. Whereas past English history testified to continuous English resilience in resisting recurrent impulses towards degeneration, Englishmen, in the contemporary situation, seemed to More to have given over all determination to strive against the attacks of antichristianity. Many of More's observations on constitutional history were intended to remind both Henry VIII and the current parliament of their responsibilities. Repeated reminders to Henry that he had written the Assertio Septem Sacramentorum were also an attempt to induce Henry to abide in his earlier good intentions,<sup>74</sup> while More's demonstrations of the structure of parliament and the good use of its customs was aimed at reminding it how Henry could be restrained from

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<sup>74</sup> For example, in The Supplication, More recalls "his graces most famouse & most graciouse boke, y<sup>e</sup> his highnes as a prince of excellent erudition, vertue, and deuotion toward y<sup>e</sup> catholyke faythe of christ, made of thassercion of y<sup>e</sup> sacramentes against the furiose boke of Marthin Luther. Thys godly deede done by hys highnes, with thacceptacion of hys godly well deserued title of defendoure of y<sup>e</sup> faith giuen hys grace by the see apostolique, this calleth thys beggars proctour [i.e., Fish] the kinges one and onely faulte" (Workes, pp. 310-311). The attempt at instruction by praise is obvious.

governing by the leadings of his own nature. More's sense that his efforts were futile, because of the consensus in evil or indifferent will of many Englishmen, was verified after his death by the total capitulation of parliament to Henrician voluntarism represented in the 1539 Act of Proclamations, giving the king power to make proclamations having the force of statute.<sup>75</sup> The fear that, in contrast to past English successes in containing Antichrist, such a large degree of evil had been loosed in the contemporary constitutional situation that it could no longer be contained, induced More to seek the significance of such an apparent catastrophe in terms of divine providential purpose. As will be shown, he came to see this constitutional breakdown as an aspect of the general tribulation being experienced in contemporary English history which was itself only a more intense manifestation of the tribulations that had marked all English history; and although it was entirely the product of human freely willed irresponsibility, nevertheless, being within God's foresight, it could be the providential inducement for regenerate goodness to be brought out of evil with the aid of God's grace. This providential benefit would, however, be solely dependent on the responsiveness of Englishmen in fulfilling the calling offered them in their self-wrought tribulation.

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<sup>75</sup> For a description of this statute and its implications, see F.W. Maitland, The Constitutional History of England (Cambridge: Cambridge University Press, 1968), p. 253.

CHAPTER IV  
THE HISTORICAL EXPERIENCE OF  
THE ENGLISH PROVINCIAL CHURCH

The experience of the English province of the church greatly influenced More's polemical arguments in the controversies because the province's experience, in an even more intensified way, showed the same historical patterns he was able to demonstrate in English legal and constitutional experience. The English province had been engaged in a response to the same tribulatory experiential realities marking the human situation and, moreover, had developed methods of procedure based on custom and consensus parallel to those developed in law and government. More tried to show that the function of the church had been and would continue to be vitally important in guiding and sustaining the English response to experience, owing to the particularly effectual way the Holy Spirit was able to operate within the church because of the profession of faith of its members. His conception of the nature of the Holy Spirit's guidance in English circumstances led him to demonstrate how this guidance put upon the English province manifold responsibilities which had historically influenced its relations both with the universal body of Christendom and the English secular state. To More, the peculiar difficulties seen in the historical experience of the English province sprang largely from its dual loyalties to God and the state. Its loyalty to God meant that the church could not allow itself to become a mere instrument of the national secular

government; yet its duty to support temporal authority meant that it was inevitably and immediately involved in national political, juridical, and social affairs. The English province was thus engaged historically in dealing with English circumstances in the context of faith and the guidance of the Holy Spirit. More showed this activity to have been frequently painful. The development of close interrelations with the secular state had, nevertheless, facilitated the province's efforts to fulfil its function; national consent had ratified juridical and constitutional functions whereby the English province, while retaining the integrity required in it by ultimate responsibility to Christ and Christian principles, was able to participate in the process of civil government and have an ameliorative influence on English polity. More tried to demonstrate that recurrent periods of willingness by the English spiritual and temporal orders to seek responsible measures through good-willed cooperation had provided means for the leadings of the Holy Spirit to be felt in the English response to the difficulties of the human situation. Not only did the activities of the convocations and parliament interact, but the best legislation of both sides showed a common practicality and reasonableness in dealing with the complexities of reality so as to nurture good use and restrain abuse. The good acts and policies of the convocations illuminated for More, therefore, the instrumental character of the measures the Holy Spirit influences men to make. More also emphasised the equal importance of its charitable and spiritual functions throughout English history. He was concerned to demonstrate that the church had always been a potential force to mitigate impoverishment and disease--whether physical or spiritual--

and that the English province had been recurrently successful in this respect.

Despite More's ability to show that in response to essentially tribulatory circumstances the church's activity in England had contributed many benefits, the one reality of ecclesiastical history which loomed largest in his view was the historical recurrence of heresy. Of all tribulatory realities, heresy, for More, was the most painful because it represented final despair in face of the human situation. The attacks of heresy confronting the church throughout its history represented, in More's view, the attempts of Antichrist to tempt men into repeating the sin of Adam and Eve--loss of faith in God and his purpose. The historical resurgence of heresy manifested the power of Antichrist. Moreover, the unprecedented magnitude of heresy in the contemporary situation tempted More himself to give over--for a time--to apocalyptic expectations. Nevertheless, even when his sense of the tragic contemporary experience of the English province was at its most intense--owing to his awareness that heretical antichristianity and voluntaristic secular antichristianity were threatening to form an unprecedented alliance in England--More did not ultimately lose his sense that the experience and response of the church in England reflected the providential character of the human situation even more than the experience and responses of the secular institutions.

The basis of More's view of the historical function of the church in England was his view of the recurrent tribulatory situation which it had always had to face. He believed that the circumstances with which the



province had to deal illuminated the suffering, militant situation of the church on earth. To More, the history of the English province confirmed that

our Lord in this his mystical body of his church, carried his members some sick, some whole, and all sickly. Nor they be not for every sin clean cast off from the body . . . For till their stubborn hearts so show them incurable, that body beareth them yet about sick and naughty and cay cold as they be, to prove whether the warmth of grace going through this whole mystical body of Christ's church might get yet and keep some life in them.<sup>1</sup>

The sickly state of the church militant meant that its movement through time was marked largely by suffering. More believed that this tribulatory state represented God's providential way of transforming the church militant on earth into the church triumphant in heaven, for even though the earthly church militant is "as scabbed as ever was Job," the assistance of Christ is continuously available to sustain the positive responses of its members to experience: "her loving spouse leaveth her not, but continually goeth about by many manner medicines, some bitter, some sweet, some easy, some grievous, some pleasant, some painful, to cure her."<sup>2</sup> The problem More saw in English ecclesiastical history was the difficulty for the church to sustain faith that the grievous and painful medicines embodied in English circumstances were as much a part of God's providence as the sweet and easy.

More drew upon his sense of this historical situation of the church and its bearing upon the contemporary experience of the English

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<sup>1</sup> Dialogue, English Works, II, 143.

<sup>2</sup> Ibid.

province when he engaged in dispute with Simon Fish over clerical possessions.<sup>3</sup> Fish's basic theme in A Supplication For the Beggars was that the church owned one third of the realm besides other wealth it took in the form of alms and fees, so that "whate tongue is abill to tell that euer there was eny comon welth so sore oppressed sins the worlde first began?"<sup>4</sup> To More, Fish's attack was the product of despair in the face of painful aspects of the human situation which it had always been a prime function of the church to alleviate, in any possible degree. Consequently, More believed that Fish's supplication to Henry VIII--urging him to strip the clergy of their possessions and power--rested upon illusory hopes because the situation distressing Fish was no new thing and would have been much worse if the English clergy had not been engaged in a continuous historical effort to alleviate it. Against Fish's claim that "yn auncient time bifore the coming yn of these rauinous wolues . . . then there were but fewe theues . . . [and] also at that tyme but fewe pore people,"<sup>5</sup> More has the souls in purgatory assert that there had always been considerable

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<sup>3</sup> The defence of church possessions was a task More had to assume again, in The Debellation, in reply to a renewed attack by St German. For St German's objections and proposals, see Salem and Bizance: A Dialogue Betwixte Two Englishe Men (London: T. Berthelet, 1533), ff. xvi-xix; for More's response, see Debellation; Workes, pp. 942-944. More's comments on English history in The Supplication of Soules are discussed in the context of the contemporary problem of poor relief, by Arthur B. Ferguson, The Articulate Citizen and the English Renaissance (Durham, North Carolina: Duke University Press, 1965), pp. 219-220.

<sup>4</sup> Simon Fish, A Supplicacyon for the Beggars (Antwerp: Johannes Grapheus (?), 1529), p. [5].

<sup>5</sup> Ibid., pp. [8-9].

numbers of beggars in England:

we suppose if the sorye syghtes that menne haue seene, had left as great impression styll remaynyng in theyr heartes, as the sight maketh of the present sorowe that they see, menne should thinke & say y<sup>t</sup> they haue in dayes passed seen as many sicke beggars as they see now.<sup>6</sup>

More makes his soules declare further that "as for other sicknes, thei rain not God be thanked, but after such rate as they haue done in times passed."<sup>7</sup>

Not only is the existence of sickness, sorrow, pain, and poverty a recurrent tribulation in English history, but, More shows, biblical history testifies to the fact this situation has existed all through human history itself:

For of trouth there were pore people and beggars, ydle people, and theeues too, good plentye both then [i.e., in the time of the Apostles] and alwaye before; synce almost as longe as Moyes floude & yet peradventure seuen yere afore y<sup>t</sup> to.<sup>8</sup>

By isolating the English clergy as a scapegoat for the continuing existence of this reality, Fish, in More's eyes, was impugning God's providential purpose through a response to the human situation animated by insufficient faith. More considered Fish's charge--that ultimate responsibility for the existence of beggars lay with the clergy--to be tragically mistaken: "as though the clergy by theyr substance made men blinde & lame."<sup>9</sup> To More, the painful aspects of earthly life expressed the wisdom of divine

<sup>6</sup> The Supplicacion of Soules, Workes, p. 292.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid., p. 311.

<sup>9</sup> Ibid., p. 300.

foresight in providing men with safeguards against the sinful pride responsible for man's first fall, for

such is the goodnes of god, that for all he seeth vs thus neglygent, and sluggishly slepyng vppon the soft pillowe of our iniquitie, he styreth vs other whiles, he floggeth vs, and shaketh vs, and by tribulacion laboureth to awake vs.<sup>10</sup>

The church's prime calling, therefore, was to sustain men's regenerative response to this human situation through fortifying their spiritual and physical welfare--just as every man is exhorted by natural law and God's command to keep his neighbour from harm of body and soul.<sup>11</sup> More's argument to Fish was that tribulations would intensify if the church was deprived--through secular infidelity, indifference, and evil will--of its ability to fulfil its responsibilities in this respect; no matter how inadequate the church's efforts might seem to have been, in the absence of them the painful effects of recurrent famine, poverty, and disease would grow much worse. More, referring to the recent severe famine in which "ye poore householders, haue these deare yeres made right harde shift for corne," claims that, if the clergy and all charitable men had not been so plentiful with their alms, "yet had they [i.e., the poor and sick] in the last two deare yeres dyed vp of likelihood almost euerichone."<sup>12</sup> If the church were stripped of its possessions, More argued, the poor and sick would be much

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<sup>10</sup> A Treatise upon the Passion, Workes, p. 1366.

<sup>11</sup> Dialogue, English Works, II, 308.

<sup>12</sup> The Supplication, Workes, p. 293.

worse off; the temporality would not willingly be as charitable as the clergy. More remarks ironically that Fish has no remedies for the beggars, only plans to destroy the only existing remedies there are; it is only the clergy who provide hospitals for the sick and distribute alms to the poor,<sup>13</sup> just as they have always done since the time of the Apostles.<sup>14</sup>

The church's efforts were always likely to appear imperfect not only because of great difficulties in the situation which had always faced it, but also because--being a body composed of men--it shared, in certain respects, the weaknesses of humanity itself. More was always careful to stress that the church is composed of good and bad alike:

it is the comon knowen chyrche of all crysten people, not gone out nor caste oute. Thys hole body bothe of good and badde is the catholyke chyrche of Cryste, whyche is in thys worlde very sikely, & hath many sore membres / as hath sometyme the naturall body of a man, and some sore astonyed, and for a tyme colde and dede / whyche yet catcheth hete and lyfe agayne, yf it be not precyded and cut of from the body.<sup>15</sup>

Just as he considered the church, in terms of its acts and policies, to be engaged in a dynamic process of response to the calling presented to it in the circumstances of the human condition, More believed that a similar process was taking place within the body of the church "militant" itself:

<sup>13</sup> Ibid., p. 301; cf. p. 291.

<sup>14</sup> Ibid., p. 300. More remarks that if Fish looks in the Bible, "there he may se that the apostels and the deacons which wer then the clergy, had all together in ther own handes, & distributed to every man as them self thought good."

<sup>15</sup> Complete Works, Vol. 8: The Confutation, I, 308.

that company y<sup>t</sup> shalbe gloryouse, shall yet not be gloryouse here in this world / but shall be bere in this world gracouse, that they may in a nother worlde be gloryouse. And yet not at euey tyme gracouse in this world neyther / but some tyme fall frowardely or neglygently from grace, and so stande longe in suche vngracouse state / and yet thorow goddes calling on them, tourne agayne wyllyngly by grace vnto grace / and so passe at the laste thorowe grace into glory.<sup>16</sup>

In The Dialogue, More--comparing his opponents' view of predestination with the common view--insists that the necessity for all men on earth to be engaged in attaining saving faith through their response to experience means that one must be careful to think of the church militant and not the church triumphant when contemplating church issues:

And first where they say that there be none therein, but they that be predestinate to be saved, if the question were of the church triumphant in heaven, then said they well. But we speak of the church of Christ militant here on earth . . . .<sup>17</sup>

While the church is "militant" on earth, its endeavours must be framed according to realisation that "this field of Christ beareth for the while good corn and cockle, till it shall at the day of doom be purified, and all the bad cast out, and only the good remain."<sup>18</sup> More's conception of the nature of the earthly church meant that he saw the historical activity of the English province in a perspective greatly different from the perspectives of his polemical opponents. The church was not and could not be a perfect,

<sup>16</sup> Ibid., II, 957.

<sup>17</sup> Dialogue, English Works, II, 136.

<sup>18</sup> Ibid., p. 142.

unblemished congregation that ecclesiastical idealism assumed it to be.<sup>19</sup> Neither could one hope to see only spotless priests as the church's ministers. Because of these realities, the church's endeavours would always be in a precarious state, suffering ebbs as well as surges in degrees of determination and resilience. In answer to St German's complaint that priests in the English clergy covet bodily ease and worldly wealth, More argued that there had always been some bad men in the clergy, and some of those worse than any laymen:

For whan was it otherwyse? not euen in Christes own dayes. For Judas yt was one of hys owne apostles, was not onely worse then the comen sorte of all those yt loued their bellies & their ease amonge Crystes disciples wer they men or women, but worse also then ye very worst in al ye world beside.<sup>20</sup>

Besides showing the inevitability of imperfections in the clergy, More also showed the recurrent diseases of heresy and violence in the body of the church militant. He demonstrated that there had been a long history of violent opposition to the church on the part of those frustrated by its apparent failure to attain perfection in its response to reality. In More's view, these heretical attitudes had always sprung from men who, in the presence of apparently tragic circumstances of the human situation, lacked faith:

But surelye so hath it euer hitherto proued, that neuer was ther any that shewed himself an enemy to ye church, but though he couered it neuer so close for ye while, yet at ye last alway he proued himself

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<sup>19</sup> See, for example, Robert Barnes' definition of the spotless church, quoted by More in The Confutation (Complete Works, 8, II, 837-838).

<sup>20</sup> The Apology, Workes, p. 877.

in som part of his workes so very an enimi to ye  
catholike faith of Christ that men might well  
perceiue y<sup>t</sup> his malice toward the clergy grew first  
& sprang of infidelitie & lack of right belief.<sup>21</sup>

Human nature and the human situation being such as he conceived them to  
be, More showed

. . . that forthwith upon the death of Christ in  
the beginning of the church many sects and heresies  
began (as well appeareth by the Apocalypse of saint  
John the evangelist, and the epistles of the apostle  
Paul) and after, almost continually, divers heresies  
sprang in divers places (as we plainly see by the  
story of the church, by the books of saint Hierome,  
saint Augustine, saint Eusebie, saint Basile, saint  
Ambrose, saint Gregory Nazianzenus, saint Chrysostome,  
and many other doctors of the church).<sup>22</sup>

His sense of the historical recurrence of faithless attitudes based upon  
mistaken views of the human situation led More to cite repeatedly the  
struggle of the church against the Donatists, the Pelagians, the Celestians,  
and others.<sup>23</sup> To More, the recurrent pattern of these attacks illuminated  
the continuing experience of the English province. Recent English history,  
as much as African history, showed what had continuously been true: that  
antichristian attitudes lead to violence, and that there will always  
exist men ready to be leaders of it. Commenting on the Lollard uprising  
in the fifteenth century, More concluded:

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<sup>21</sup> The Supplicacion, Workes, p. 314.

<sup>22</sup> Dialogue, English Works, II, 302.

<sup>23</sup> See, for example, Complete Works, 8, II, 731, 955,  
963-964; and English Works, II, 294, 303-304.



there can neuer lack some nedye rauenous landed men, that  
shal be redy to be captaines in al such rebellions: as  
was the lord Cobham called Oldcastell sometime a capitayne  
of heretykes in Englande in the daies of king Henry the fift. 24

The character of the harsh experiential realities facing the church and the mutating human imperfections of its members and ministers, therefore, meant that the church had always been engaged in an activity confronted by extreme difficulties; instituted by Christ to sustain men's response to an apparently harsh earthly situation, it had the responsibility of pursuing this function within the terms of its own internal condition and of external attack by Antichrist.

More's view that the church militant had to deal with recurrent tribulatory--as well as pleasant--realities informed his conception of the responsibilities of the English provincial church and the ways it had historically sought to fulfil them. In The Apology, More, declaring "the whole summe" of his earlier controversial writings, touches upon certain of these responsibilities and related necessary modes of procedure when he affirms:

I woulde wishe . . . euery manne speciallye labourē to amende hymselfe . . . and agaynste suche as are in either sorte founden open, euyl, and noughte, and noyous vnto the common weale, as theues, murderers, and heretikes, and such other wretches, the whole corps of the spiritualtye and temporaltye bothe, eche with other louinglye to accord and agree, and according to the good auncient lawes and commendable vsages, longe continued in thys noble realme, eyther parte endeuour theymselve dyligentlie to repressse and keepe vnder those euyl and vngracious folke, that lyke sores, scabbes, and cankers trouble and vexe the body, and of all theym to cure suche as maye be cured . . . obserued [sic] in the doyngge euermore suche order and fasshyon as maye stande and agree with reason and iustyce, the kings lawes of the realme, the scripture of God; and the lawes of Christes church . . . 25

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24 The Supplicacion, Workes, p. 305.

25 Workes, p. 870.

More clearly believed that church and state shared the same responsibilities, had a duty to achieve consensus--maintaining respect for the rights and loyalties of each other--and were faced with the need to proceed in such a manner as to satisfy the requirements of a multiplicity of complementary allegiances. His statement affirming the need for both church and state to proceed, in consensus, "according to the good auncient lawes and commendable vsages, longe continued in thys noble realme" implies further that, whatever More thought about the constitutional problems of the church as an institution,<sup>26</sup> he believed the English province had the responsibility,

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<sup>26</sup> In The Confutation, More explicitly states that he has avoided the theoretical problems of the church universal as an institution: "For I wyste very well that the chyrche beyng proued thys comon knowen catholyke congregacyon of all chrysten nacyons, abydyng to gyther in one fayth, neyther fallen of nor cut of: there myghte be peradventure made a secunde questyon after yt, whyther ouer all that catholyke chyrche the pope muste nedes be hed and chyefe gouernour or chyefe spyrytuall shepherde / or ellys that y<sup>e</sup> wnyon of fayth standyng among them all, euery prouynce myghte haue theyr owne chyefe spyrytuall gouernour ouer it selfe . . . . And then, yf the pöpe were or no pope / but as I say prouynceyall patryarches, archbysshopes, or metropolytanes, or by what name so euer the thyng were called: what authoryte & what power eyther he or they sholde haue among the people, these thynges well I wyste wolde rayse among many men many mo questions then one" (Complete Works, 8, II, 577). More similarly refuses, in response to St German's assertions, to enter into dogmatic or definitive statements concerning the authority of general councils: "Of what strengthe the general counsayles be, and whether wee may in any of them by lawful order gathered togider, put any diffidence or mistrust, and if we may then in what maner thinges and in what maner wise they bynd, and whom and how long: I shall not nede for thys matter to dispute with thys good man" (The Debellacion, Workes, p. 1027). For critical discussions on More's view of the problems, see T.E. Bridgett, Life and Writings of Sir Thomas More, pp. 346-348; E.E. Reynolds, Saint Thomas More, pp. 123-129; G.R. Elton, Policy and Police (Cambridge: University Press, 1972), pp. 417-419; Denys Hay, "A Note on More and the General Council," Moreana, IV (1967), 249-251; R.C. Marius, "Thomas More's View of the Church," Complete Works, 8, III, 1299, 1309-1310; and J.M. Headley, "Introduction," Complete Works, Vol. 5: Responsio ad Lutherum, II, 743-771 et passim.

and hence the freedom, to deal with English experience in terms of English circumstances as well as in terms of universal Christian principles. This preoccupation involved the English convocations in the process of developing belief in the church--especially in terms of the province's particular interpretation of beliefs in the English context. More conceived the participation of the provincial churches in the universal consent of Christendom was one of contribution and cooperation, not of coerced subordination; the individual churches contributed independently to the consent by framing responsible actions within their own developing circumstances and thereby enlarged and informed the degree of understanding embodied in the universal agreement of the church. More appealed to this freedom of national participation in order to refute St German's charge that the English clergy transgressed against the universal law decreeing the length of the Lenten fast. In reply, More argued that through custom the original bond to observe a long fast had long since been discharged. The length of fast was a matter to be determined by the initiative and custom of each individual country:

For as for fasting, the custom of the country may either to the bond or to the discharge and interpretation of the lawes made therefore, the custome I sai may do much, as saint Austine sheweth in mo places then one.<sup>27</sup>

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<sup>27</sup> The Apology, Workes, p. 895; cf. p. 892, where More argues that the authority of universal church laws derives from the fact that "they be and long haue ben thorowe the whole corps of Christendome bothe temporaltye and spiritualtye, by longe vsage and custome ratified, agreed, and confirmed." This point is discussed by Thomas Lathbury, A History of the Convocation of the Church of England (London: J. Parker, 1848), who notes that William Lyndwood's Provincials embody such constitutions as were ratified in England up to 1443 by the provincial synods (p. 92). This subject is treated more extensively by Arthur Ogle, The Canon Law in Medieval England (1912; New York, Burt Franklin Reprints, 1971). Ogle, following Stubbs, states that the English province was free to accept or reject the canon law of Rome (p. 10), the collections of canons serving as manuals, but not as codes of statutes for the church courts (p. 22). For further comments on the historical role of the provincial synods, see E.W. Kemp, Counsel and Consent: Aspects of the Government of the Church as Exemplified in the History of the English Provincial Synods (London: S.P.C.K., 1961), pp. 60-61, 145-150.

In More's view, the body of universal canon laws was binding in the sense of being ratified through national customary usage which, in turn, represented the agreement achieved under the guidance of the Holy Spirit in a provincial church's response to experience. More, believing that "his [God's] assistance is always at hand, if we be willing to work therewith, as the light is present with the sun, if we list not wilfully to shut our eyen and wink,"<sup>28</sup> considered that the Holy Spirit is assistant in the determinations of provincial councils as it is in general councils, where "the spyryt of god inclyneth euery good man to declare hys mynde, and inclyneth the congregacion to consente and agree vppon that that shall be the beste, eyther precysely the beste, or the beste at the leste wyse for the season."<sup>29</sup> More again affirmed the unfailing assistance of the Holy Spirit in any assembly of men gathered in God's name to counter St German's assertion that provisions devised by the English convocations should have far less binding authority than they did because the English clergy did not derive all their power from God and, also, because many of the clergy were not without faults. In answer, More affirmed:

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<sup>28</sup> English Works, II, 300.

<sup>29</sup> Complete Works, 8, II, 922-923; cf. English Works, II, 122, where More cites Christ's promise to his followers "that this Comforter, this Holy Ghost, the Spirit of truth, should be sent to abide with them for ever." For other instances when More cited John 14-16, see Germain Marc'hadour, The Bible in the Works of St Thomas More (Nieuwkoop: B. de Graaf, 1969), II, 185-192. Another scriptural text More often cited to support his view was Matthew 18:20; for example, in the Dialogue, More asserts Christ's promise of the Spirit: "Wheresoever be two or three gathered together in my name, there am I with them" (English Works, II, 140). For More's many quotations of this text, see Marc'hadour, op. cit., II, 52.

I nothinge doute in my mynde, but in that congregacion to Goddes honour graciouslye gathered together, the good assystence of the spiryte of God is accordynge to Christes promyse, as verylye present and assistent, as it was with his blessed Apostles.<sup>30</sup>

The fundamental principle informing More's view of the historical attempts of the English province to fulfil its responsibilities was, however, that the assistance rendered by the Holy Spirit is by nature instrumental and not absolute; "For in dyuerse tymes dyuerse thynges may be conuenient / and dyuerse maners of doynge."<sup>31</sup> The merit of provisions determined by a provincial council depend upon the degree to which consensus has been able to render the provisions consistent with natural-Christian principles. More considered that the degree of consistency attained would be the best for, and in the particular circumstances of the time, depending upon the degree of good will and determination of those gathered together in Christ's name; for although prevenient grace inclines men initially towards making a faithful response, the actual effort and initiative of the response, even if assisted by God's cooperant and subsequent grace--<sup>32</sup> depends upon the free human will itself:

thoughe it be very trew, that wythout goddes helpe and goddes grace preuentynge and foregoynge, no man can beleue: yet yf there were nothyng in the man hym selfe, whereby he myght receyue it yf he wolde

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<sup>30</sup> The Apology, Workes, pp. 892-893.

<sup>31</sup> Complete Works, 8, II, 923.

<sup>32</sup> Ibid., I, 205-206. More adopts the distinctions of six types of grace--gratis data, gratum faciens, preueniens, cooperans, subsequens, and consummans--described by Augustine and, later, Aquinas. See ibid., III, 1540-1541.

wyth grace whych god of hys goodnesse offreth, apply  
 hym selfe towardely to the receyuyng therof . . .  
 our lorde wolde nat (ca) vppon men, and exhort them  
 to beleue, and prayse them that wyll beleue.<sup>33</sup>

Elsewhere, in The Answer to . . . the Supper of the Lord, More further elaborated his sense of the process involved in response to calling, by asserting that "It is not the custome of God by force to make menne good whether thei wyll or not," and that "his calling is no constrainte of necessity."<sup>34</sup> Moreover, God "will not enter into an euil willed heart."<sup>35</sup> What is true for the individual is true for congregations of men, whether assembled in a general council, a provincial convocation, a parish church, or "wheresoever be two or three gathered together in my [i.e., Christ's] name."<sup>36</sup> The course of actions any Christian assembly determines, therefore, both reflect the condition of good will in the gathering, and yet represent-- often in mysterious ways--the best measures, as determined by divine wisdom, appropriate to that condition and the circumstances which the assembly is seeking to confront. This does not mean however, that More considered councils of the English province could not err. In answer to St German's attack on the authority of the convocations, More argued that, because the Holy Spirit was inevitably and effectually assistant in any assembly gathered together in God's name, "men ought with reuerence and without

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<sup>33</sup> Ibid., I, 503-504.

<sup>34</sup> Workes, p. 1075.

<sup>35</sup> Ibid., p. 1054.

<sup>36</sup> English Works, II, 140.

resistance, grudge, or argumentes to receiue them [i.e., ecclesiastical provisions]," even if, in absolute terms, a synod or council may have erred.<sup>37</sup> More's main point is that the undoubted assistance of the Holy Spirit in sustaining the English province's response to historically evolving circumstances conveys a certain authority to measures determined by the consensus of the province, no matter how instrumentally or temporally imperfect those measures might seem to be. He believed this to be particularly true considering the duty of the English province to work within the terms of the total national consensus and never against it.

The necessity for the province to manifest instrumentally the leadings of the Spirit in the context of its own participation in the historical development of English custom and agreement led More to demonstrate that the provincial church was not only involved in relations with the national body as well as the universal body of Christendom, but that its activities were also framed according to procedures based on the same principles as those motivating all other English institutions. More made clear the parallel between the representational aspects of the convocations and parliament when he obtruded upon Tyndale's attention one meaning of the

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<sup>37</sup> The Apology, Workes, p. 893. More adds: "And yf a prouincial counsail erre, ther are wayes to reforme it" (p. 893). A parallel can be drawn here between More's sense of the need to accept provisions determined by the convocations and the need to accept imperfect laws in spite of the fact some innocent men may at some time take some unjustified harm from them. See, for example, Workes, pp. 1031, 1033.

word "church" which the latter had failed to acknowledge:

this worde chyrch besyde all the sygnifycacyons  
that Tyndale hath here shewed vs: doth sygnifye  
that parte of the chyrch that in synodis & counsayles  
do represent the whole chyrch. As when we say that  
there is a law made by the chyrch that heretikes  
shall not be sufferd to preach / lyke wise as a  
parliament representeth y<sup>e</sup> hole realme, & is by the  
comen speche so called to / as when we say yt the  
realme hath made a law . . . . 38

The parallel between ecclesiastical synods and parliament shows that More considered provisions determined by the English province depended upon a consensus attained not among the clergy alone, but among all the members of the church--represented by those assembled in synods and councils. The activity of the provincial church in fulfilment of its responsibilities, therefore, had been dominated, in More's view, by English commitment to principles of custom and consensus, just as the efforts of juridical and political institutions had always been.

In the context of his sense of the church's condition, the circumstances facing it, and its particular responsibilities in the English situation, More was able to show how the historical activity of the English province had been able to influence the condition of England. English ecclesiastical history testified that the church's effectiveness had depended upon cooperation between the spiritual and temporal orders in response to common problems. While the church's ability to have a beneficial influence could never be totally impaired, because of the effectual grace

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38 Complete Works, 8, I, 146.



made available through the sacraments it administered, no matter how completely secular support waned,<sup>39</sup> More showed that in England historical cooperation on the part of the temporality had usually allowed the church a more direct and particular ameliorative role. The value of the church's participation in the body politic had been recognised and ratified by the secular power, which had also sought to support spiritual guidance offered by the church. More showed further, that the English sense of the strength of custom had delineated particular functions, privileges, and interrelations which had been developed to serve as safeguards against recurrent fluctuations in the determination of either the temporality or the spirituality to sustain cooperation between themselves. The English sense of the strength of custom had acted in history to reinforce the role of the church as a member in the corporate national body, just as it had safeguarded the participation of other orders in the developing national consensus.

One of the chief testimonies to historical cooperation between the two orders, in More's view, had been the development of the ecclesiastical jurisdiction. More affirmed that in England the clergy had jurisdiction over many things not by inherent right of their office, but because the temporality had translated certain matters to their charge, by free consent,

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<sup>39</sup> For More's view that the merit of the sacraments cannot be destroyed, see English Works, II, 218.

as being suitable to be dealt with by the church.<sup>40</sup> The willing ratification by princes of this transfer of jurisdiction reflected, for More, the potential of a prince to be an instrument for distributive justice through his power of making wise grants, both to the clergy and the temporality.

He asserted this view against St German's charge that the clergy claimed all their authority to be derived from God:

I answer that they neither pretend nor neuer dyd, al that authoritye to be giuen them immediatly by god, but haue authoritye now to do diuers things bi the graunt of kings & princes, as haue also mani temporal men, & bi those grauntes haue such right in those as temporall men haue by the like grauntes in theirs.<sup>41</sup>

Likewise, against opponents, such as Fish, who claimed the existence of the clerical jurisdiction necessarily destroyed the effectiveness of the temporal one, More emphasised that the temporality had made the clergy co-partners in civil government, the two jurisdictions being complementary and interrelating rather than opposed, as witnessed by common national consent: "the good princes passed haue graunted, and the nobles in their tymes, and the people too, haue by plain parlamentes confirmed them"--i.e., matters transferred under clerical jurisdiction.<sup>42</sup> More asserted further--

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<sup>40</sup> Matters relating to marriages and testaments came under the clerical jurisdiction in this status. See F.W. Maitland, The Constitutional History of England (Cambridge: Cambridge University Press, 1968), p. 11.

<sup>41</sup> The Apology, Workes, p. 892.

<sup>42</sup> The Supplicacion, Workes, p. 296.

against St. German's charge that certain provincial constitutions were causes of division--that no law made by the church in England could be effective without the continuing consent of the English people as a whole. Whereas St. German claimed that a provincial constitution of Robert Winchelsea, Archbishop of Canterbury, concerning the clergy's right to a tithe of felled timber was put into execution against the Statute De silua cedua,<sup>43</sup> More argued that this could never be effectively done in England: "For fyrst I can scantely belyue that vpon the persons bare word, for allegation of the constitucion prouincial, his parishes would let him haue it;" moreover, "if it were taken in deede: neyther shoulde the persone enioye the profite, nor the perishes beare the losse but shoulde at the kynges commen law recouer a ryght large amendes."<sup>44</sup> In More's view, the clerical and lay jurisdictions did not merely coexist; they were capable of contributing positively to a larger degree of equity through the closeness of their interrelations and the need for consensus between them. Cooperation had, indeed, extended both ways, especially concerning the issue of clerical immunity. In The Debellacion, More claims, in answer to St. German, that the clergy have not rigidly maintained their ecclesiastical liberties, but have cooperated--in the degree and manner convenient for the season--to bring priests to answer before temporal judges:

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<sup>43</sup> The statute cited by St. German is 45 Edward III; for St. German's argument, see A Treatise Concernynge the Diuision Betwene the Spirituallie and Temporallie, reprinted as an appendix to A.I. Taft, ed., The Apologye of Syr Thomas More, Knyght (London: Oxford University Press, 1930), p. 233.

<sup>44</sup> The Debellacion, Workes, p. 1018.

diuerse statutes haue there ... ben made,  
concerning the same point. And many priestes  
conuented as they were wont to be before,  
and no busines made by the spirituality therfore  
that I here of, nor I trowe himsele neither.<sup>45</sup>

More was able to demonstrate the practical cooperation between the spiritual and temporal jurisdictions from recent history by citing the facts of the Hunne case. Contrary to proving that the clergy were immune from punishment, the fact that the praemunire sued by Hunne had been quashed showed the respect of the secular judges for the clerical jurisdiction. More also took pains to demonstrate that in the Hunne case the clergy had fully supported the writ of praemunire until the juridical complexities had been settled, the Bishop of London especially forbearing from any interference in the investigation

till it appered clerely to the temporall iudges  
and all that were anye thinge learned in the  
temporall lawe, that hys suite of ye premunire  
was nothing worth in ye kinges law, for as much  
as by plaine statute the matter was out of  
question, that the ple to be holden vpon  
mortuaries, belonge vnto the spirituall court.<sup>46</sup>

The degree of jurisdiction translated to the clergy did not cover only civil matters, but also certain penal matters, particularly heresy.<sup>47</sup> While More in no way supposed that in such matters the clergy could attain absolute justice, he did believe that their juridical efforts would always be at

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<sup>45</sup> Ibid., p. 1017.

<sup>46</sup> The Supplicacion, Workes, p. 298.

<sup>47</sup> For More's account of the English development of the suit ex officio and related provisions, see Workes, pp. 922-923.

least as equitable as those of the temporality and often more so, for "it can be no lie that our saviour saith himself which saith of them that they be the salt of the earth. And if the salt once appalle, the world must needs wax unsavoury."<sup>48</sup>

Apart from the historically ratified translation of certain matters of jurisdiction to the English province, More showed other ways in which Englishmen had sought to sustain cooperation between the clerical and secular orders. He cited many instances when the temporality, unmotivated by an immediate self-interest, had supported the efforts of the clergy to pursue their own spiritual calling. More cited as a measure of this sort the history of the law requiring chastity in priests:

Wherewith whoso findeth fault, blamed not only the clergy but also the temporality, which be and have been all this while partners in the authority of the making and conservation of this law.<sup>49</sup>

Among other examples of temporal support for acts of the convocations cited by More was the statute supporting the church's prohibition of unlicensed preaching:

There is in dede a law made, both by the chyrche and in this realme by the parlyament to, that no man shall be suffred to preache in any dyocyse agaynste the bysshoppes wyll. And I wene that law be not agaynst goddes lawe, nor agaynste reason neyther / excepte eyther goddys lawe or good reason sholde suffer that one man sholde medle

<sup>48</sup> English Works, II, 217.

<sup>49</sup> Ibid., p. 228.

wyth another mannes charge magry his teeth to  
whom ye charge bylongeth.<sup>50</sup>

More used examples of cooperation such as these to illustrate that throughout English history both spirituality and temporality had tried to respond to the same difficult, complex situation by mutually sustaining each other in a common effort to meet shared responsibilities. Cooperation in good will was important in More's view of history, because he considered that the attitude of willingness to seek good measures motivating it made possible the assistance of the Holy Spirit; God's calling is ever present,<sup>51</sup> and "his assistance is always at hand, if we list not wilfully to shut our eyes and wink."<sup>52</sup> Willing cooperation between the temporality and spirituality had made measures determined by their mutual partnership especially fruitful, because their willingness to cooperate represented an admission of the magnitude of the difficulties both orders had to face. The merit of measures eventuated through good-willed consensus, in More's view, lay in their realism--made possible by such an admission of difficulty. He showed that realism equally characterised acts propounded solely by the convocations in their efforts to nurture and preserve the Faith. In convocational matters, as in parliamentary matters, any good provisions must be responsive to the realities, often complex, of a particular situation so as to restrain abuse while allowing and supporting good use. Just as

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<sup>50</sup> Complete Works, 8; I, 358.

<sup>51</sup> Ibid., pp. 520-521.

<sup>52</sup> English Works, II, 300.

More showed that certain parliamentary statutes, such as Mortmain, embodied such necessary discriminations between use and abuse, and so preserved good intent in dealing with a difficult problem, he analysed the Arundel Constitution of 1408 to show that the English provincial constitutions embodied the same admirable qualities. Having been brought into existence in response to the effects on the people of the Wycliffite Bible, this Constitution provided that no one should thenceforth translate scripture into English or any other language without express authority, and that no one should openly or secretly read any unauthorised translation until the translation were approved by the diocesan or a provincial council.<sup>53</sup> In More's view, the reasonableness with which the Constitution had been framed to meet the dangers of the growth of Lollardy, preventing abuse of scripture and preserving faithful use, illuminated the instrumental kind of merit in the good acts which the Holy Spirit assists men in making in response to difficult problems:

I trow that in this law ye see nothing unreasonable. For it neither forbiddeth translations to be read that were already well done of old before Wicklif's days, nor dammeth his because it was new; but because it was nought; nor prohibiteth new to be made; but provideth that they shall not be read if they be miss made, till they be by good examination amended.<sup>54</sup>

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<sup>53</sup> Ibid., p. 231. One of More's avowed sources was William Lyndwood's Provinciale, seu constitutiones Anglie, continens constitutiones archiepiscoporum Cantuarie e Stephano Langton ad Henricium Chicheleium; see Dialogue, ibid.

<sup>54</sup> Ibid., p. 231.

In More's view, the benefits derived from the leadings of the Holy Spirit would be reflected in provisions, such as this one, which marked a faithful effort to meet the real challenges of particular situations; the Holy Spirit aids men to face painful circumstances without despair, not to distort the reality that these circumstances exist.

Apart from evidence of faithful cooperation between the orders, English ecclesiastical history unfortunately, however, revealed to More the distressing reality that good will to sustain fruitful cooperation recurrently ebbs as well as flows. In cases when the failure of responsibility was largely on the side of the temporality, More demonstrated that the clergy could do somewhat to mitigate the situation, through their important constitutional function. Not only did the clergy have a significant representation in the House of Lords itself,<sup>55</sup> but also in their own representative provincial councils: the Convocations of Canterbury and York. Unless the clergy's own nerves and determination failed--which had recurrently happened--history had provided them with constitutional means of influencing governmental policy for the better. In the House of Lords they could initiate reform legislation--such as the bill described by More in which the spiritual lords moved for the legitimation of children born before marriage--<sup>56</sup> even though they had no likelihood of successfully resisting as a party any bill put in by the temporality.<sup>57</sup> In the convocations, however,

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<sup>55</sup> See The Supplication, Workes, p. 301.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid. More remarks that the clergy can never coerce parliament even if they so wished, because the king can create any number of temporal lords to outnumber them at will.



the clergy had always had a positive power of the ecclesiastical purse. The clergy could not be taxed by parliament, but could freely grant benevolences to the king by vote of the Upper and Lower Houses of the convocations. In this capacity, the Convocation of Canterbury, in particular, was complementary to parliament, and met concurrently with it.<sup>58</sup> More was able to boast of the loyalty and responsibility of the convocations' use of this power of the purse. Against St German's charge that the immunity of the English province from forcible taxation by the lay power was a cause of division, More asserted:

I neuer saw the day yet nor he neyther, but that whan any nede of the king & the realme required it, thei haue euer more ben redy to set taxes vpon themself, as liberally and as largely as any man well might with any good reason require.<sup>59</sup>

More was also able to assert against Fish, that the convocations in Henry VIII's reign--at least up until the Reformation Parliament--had always supported the virtuous mind of the king by the use of their freedom to grant benevolences:

And for the ferther profe y<sup>t</sup> the kinges hignes is not so weake & vnable in his own parliament, as this beggers proctour so presumptuously telleth him, his grace wel knoweth & all hys people to, that in their own conuocacions hys grace neuer deuised nor desyred any thing in his life, y<sup>t</sup> euer was denied hym.<sup>60</sup>

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<sup>58</sup> For a discussion of the structure, power, and functions of the English convocations, see Stanford E. Lehmborg, The Reformation Parliament, 1529-1536 (Cambridge: University Press, 1970), pp. 64-66. See also Thomas Lathbury, A History of the Convocation of the Church of England (London: J. Parker, 1848), pp. 118-126.

<sup>59</sup> The Debellacion, Workes, p. 1024.

<sup>60</sup> The Supplicacion, Workes, p. 301.

Although More was possibly able to approve of this degree of cooperation in 1529, he probably did so with a sense of ironic foreboding that the convocations would not have the courage or will to resist Henry VIII in the time approaching when they would need to. More clearly aimed to remind Englishmen of the potential safeguard against voluntarism provided by the juridical and constitutional functions of the English province. His statement asserting the compliance of the clergy with Henry VIII was prepared for and balanced by his account, several pages earlier in The Supplicacion, of the successful, legitimate resistance of the Convocation of Canterbury to the voluntaristic mind of King John concerning the election of the Archbishop of Canterbury.<sup>61</sup> Against Fish's charge that the English clergy had committed treason against the national state in the reign of King John by refusing the king's nominee for the archbishopric of Canterbury, More asserted that the clergy, during this reign, had admirably fulfilled their traditionally sanctioned responsibility to maintain the integrity of the English province.<sup>62</sup> In More's view, Fish had missed the real significance of this historical episode by seeing in it the dominance of the Pope in English affairs. More argued that the election by the Convocation of Canterbury of Stephen Langton as archbishop

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<sup>61</sup> Ibid., p. 296.

<sup>62</sup> More again appealed to the historically sanctioned responsibility of the English province during his trial, by citing Magna Carta: "Quod ecclesia Anglicana libera sit, et habeat omnia iura sua integra et libertates suas illaesas;" see Roper, Life of Sir Thomas More, p. 93.

did not represent the supremacy of the Pope's will over the king's will, for "the pope none otherwise made him archbisshop than he made al other at that time: but the same Stephen was well and canonically chosen archbishop of Caunterbury by the couent of the monkes at Christes church in Caunterburye."<sup>63</sup> Similarly, the payment of Peter's Pence did not mark the enslavement of the English province or the subservience of the king under the Pope, because they were a free gift to the papal see ratified by custom:

nether was the realm tributary by them, nor kynge John neuer graunted them. For they wer payde before the conquest to the apostolike see towarde the mayntenance therof, but onely by way of gratitude and almes.<sup>64</sup>

The independent mind of the Convocation of Canterbury in the reign of King John testified, in More's view, to the successful assertion of customary constitutional privileges in restraint of royal tyranny. More's willingness to recall the historical relations between ecclesiastical and secular government suggests that much of his polemical effort was based on a hope that

<sup>63</sup> The Supplicacion, Workes, p. 296.

<sup>64</sup> Ibid. More disputes other views of the Peter's Pence: "Albeit there be writers that say that peter pence wer graunted by king John for the release of ye interdicion: yet were they payed in dede ere ever king Johns great graundfather was borne, & therof is there profe ynough." More reinforces his defence of the loyalty and responsibility of the English province by making a further claim: "Nowe if he [Fish] say, as in dede some wryters saye, yt king John made England and Ireland tributary to the pope and the sea apostolike, by the graunt of a thousand markes: we dare surely say agayne that it is vntrue, and that all Rome neither can shewe such a graunt nor neuer could & if they could, it were right nought worth. For neuer could any king of England geue away the realme to the pope, or make the land tributary though he would, nor no such moneye is there payde, nor neuer was" (p. 296).

Englishmen could still be persuaded to sustain the shared response to experience, developing in the cooperation between church and state, by giving the clergy due support to fulfil their customary constitutional role.

Even though the English province could lessen the possibility of attempted tyranny by asserting its constitutional role, the effectiveness of this provision was entirely dependent on the degree of will in the clergy. In the course of writing the later controversies, More had to confront the growing reality of a massive failure of will and determination not only in the secular powers, but also in the spirituality. More could foresee that the clergy were allowing themselves to be trampled under the Cromwellian revolution by failing to fulfil their responsibilities in parliament. In refuting Fish's charges that the strength of the spirituality rendered the king powerless in parliament, More ironically remarked on the clergy's failure of will:

we Mittel dout but that ye remember actes and statutes passed at sondry parlamentes, such & in such wise & some of them so late, as your self may see that either the clergy is not the stronger part in the kinges parliament, or els haue no mind to striue.<sup>65</sup>

Far worse was the clergy's abdication of the will to struggle not only in parliament, but even in their own convocations. This slackness of the provincial councils marked a tragic failure of the church's responsibility to safeguard the spiritual welfare of those in its charge. In The Apology,

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<sup>65</sup> Ibid., p. 301.

More laments the disuse of the convocations:

as for my dayes, as farre as I haue heard, nor  
as I suppose a good part of my fathers neither,  
they came neuer together to conuocacion but at  
the request of the king, and at their such  
"assembles concerning spiritual thinges haue  
very little doone.<sup>66</sup>

He believed the clergy's failure to sustain initiative in dealing with  
the spiritual needs of Englishmen in their response to developing events  
was working the very means for the church's chastisement by allowing  
despairing attitudes to become dominant in English policy:

wherefore that they haue been in that great  
necessarie poynt of their duety so negligent,  
whether God suffer to grow to a secret vnperceiued  
cause of diuisyon and grudge agaynst them, God  
whom their suche negligencé hath I feare me sore  
offended, knoweth.<sup>67</sup>

With respect to the personal virtue of the priesthood, the pomp and  
worldliness of prelates in recent English history<sup>68</sup> had already been  
partly responsible for a diminishment of the reverence held by the people  
for the clergy, as had careless choice of those admitted to the priest-

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<sup>66</sup> The Apology, Workes, p. 914. For a discussion of the two  
interrelating authorities--that of the metropolitans and that of the king--  
for assembling councils, prior to 1533, see Thomas Lathbury, A History of  
the Convocation of the Church of England, pp. 110-111.

<sup>67</sup> Ibid., p. 914.

<sup>68</sup> In The Apology, More recalls "the proude and pompous appaile  
that many priestes in yeares not longe paste, were by the pryde and ouer  
sight of some few forced in a maner against their owne wylles to weare"  
(Workes, p. 892).

hood.<sup>69</sup> More feared that the temporality and spirituality were reaping from each other what they had sowed in failing essential aspects of their respective duties.

More's fear at the failure of the English province to sustain adequately its efforts to guide the response of Englishmen so as to safeguard them from despair in the face of tribulatory circumstances was accompanied by an intensified awareness of heresy and its implications in the historical perspective. The pressure of events led him to associate the contemporary attack on the church with the continual efforts of Antichrist to subvert divine purpose ever since the world's creation. The tribulation of growing heresy suffered by the English province tempted More to believe that the power of Antichrist was loose with unprecedented force.

To More, the basic device of Antichrist--and the foundation of all heresy--was the temptation for men to lose faith that the human situation is overseen by God's omniscience and ordered according to his providence. Such loss of faith leads to disobedience in the form of perverted responses to the divine calling embodied in experience. In his Letter . . . Impugning . . . Frith, More illustrated how, to him, contemporary heresies concerning the sacrament of the altar embodied this prime root of all heresy. He infers that Frith's position amounts to a belief "that to make one body to be in two places, doth imply repugnance,

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<sup>69</sup> Dialogue, English Works, II, 219.

and that god can doe, no such thng.<sup>70</sup> In More's view, such assumptions of incompatibility were based on a fundamental failure to concede God's omnipotence, and produced the two antithetical heretical attitudes between which all heresies had historically ranged:

Such blinde reasons of repugnaunce induceth many men into great errour, some ascribing all thng to destyny without any power of mannes free wyll at all, and some gyuing al to mans owne wyll, and no forsyght at all vnto the prouidence of God, and al because the pore blind reason of man cannot se so farre, as to perceiue how goddes prescience and mannes free wyll can stande and agree togyther, but seme to them clerely repugnant.<sup>71</sup>

More returned more than once to his identification of the Pelagian theory of the will and the theory depending upon predestination with tragic failure to make the right associations between God's omniscience and omnipotence, the human situation these two divine qualities have ordered, and the kind of response the human will, according to divine purpose, should be induced to make in response to earthly circumstances; for example, in the Dialogue, he specifically opposed Luther and Pelagius as the two extreme poles of mistaken heretical attitudes:

Luther saith plainly that no man, though he haue the help of God's grace thereto, is able to keep and observe the commandments of God . . . . All the old fathers that wrote against Pelagian, which held opinion that man is of nature, or at the leastwise with the general influence of grace, able and sufficient to do good and meritorious works without help of any special grace toward every good deed itself, misliked

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<sup>70</sup> Workes, p. 839.

<sup>71</sup> Ibid.

and condemned his doctrine, for that it minished the necessity of man's recourse unto God, for calling help of his grace. But ye that hold all men's deeds for utterly nought, though grace wrought with them, be double and treble more enemies to grace than they. For where they said we might do good sometime without it, ye say we can at no time do no good with it.<sup>72</sup>

Behind all such misapprehensions of divine purpose, More saw the power and temptations of the Devil, as he implied to Frith:

And surely if the seming of our owne feble reason may dryue vs ones to think that one man to be at ones in two places is a thyng so harde & so repugnant and therefore so impossible that Godde hymselfe can neuer bryng it about, the deuil wil within a whyle set vs vpon such a trust vnto our own reason, that he will make vs take it for a thing repugnaunt & impossible yt euer one god shoulde bee three persons.<sup>73</sup>

To More, failure of faith, leading to failure of right reason, and resulting in perverse wilfulness was that which constituted heresy.

More's deep sense of the disastrous growth of heresy in the English province led him to consider the history of heresy in the church, in order to place the contemporary outburst in perspective. He demonstrated that, from the very beginning, heresy had always been a recurrent tribulation of the church:

forthwith vpon the death of Christ in the beginning of the church many sects and heresies began (as well appeareth by the Apocalypse of saint John the evangelist, and the epistles of the apostle Poule) and after, almost continually, diuers heresies sprang

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<sup>72</sup> English Works, II, 294.

<sup>73</sup> Letter Impugning Frith, Workes, pp. 839-840.



in divers places (as we plainly see by the story of the church, by the books of saint Hierome, saint Augustine, saint Eusebie, saint Basile, sainte Ambrose, saint Gregory Nazianzenus, saint Chrysostome, and many other doctors of the church).<sup>74</sup>

In More's opinion, the history of heretical wilfulness was inevitably linked with the history of civil violence. Ecclesiastical history demonstrated the universal recurrence of heresy-related violence:

We read that in the time of Saint Austin, the great doctor of the church, the heretics of Africa, called the Donatists, fell to force and violence, robbing, beating, tormenting and killing such as they took of the true Christian flock, as the Lutherans have done in-Almayn.<sup>75</sup>

Outbreaks of violent heresy had been so recurrent that secular authorities had been forced to adopt harsh, repressive measures throughout Europe: ". . . not only in Italy and Almayn, but also in Spain, and in effect in every part of Christendom."<sup>76</sup> In England, the English province had been witness to the recurrence of the same faithless misapprehensions. More considered Wyclif only one in a long succession of men seeking to perpetrate abuse, who had existed before him and would continue to exist after him:

as he [Wyclif] began again the old heresies of those ancient heretics--whom and whose errors the church of Christ had condemned and subdued many divers ages before-- so doth Luther again begin to set up his.<sup>77</sup>

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<sup>74</sup> Dialogue, English Works, II, 302.

<sup>75</sup> Ibid., pp. 303-304.

<sup>76</sup> Ibid., p. 304.

<sup>77</sup> Ibid., p. 230.

More showed that, inevitably, the growth of Lollardy in England had been accompanied by civil insurrection:

in the time of that noble prince of most famous memory, King Henry V . . . the lord Cobham maintained certain heresies, and . . . by the means thereof, the number so grew and increased that, within a while, though himself was fled into Wales; yet they assembled themselves together in a field near unto London in such wise and such number, that the king with his nobles were fain to put harness on their backs for the repression of them, whereupon they were distressed and many put to execution; and after that the lord Cobham taken in Wales and burned in London.<sup>78</sup>

The closeness with which More identified the recurrence of heresy with violence,<sup>79</sup> caused him to fear that the contemporary dissension, being exacerbated by the books of English heretics and reformers of dubious intent, was only the prelude to a disorder in England of catastrophic proportions. In The Supplicacion, More warns that if heretics and other perverse Englishmen are allowed to enforce their wills against the common consent, men will soon see the day when

thei shall gather together at laste; & assemble themselves in plumpes & in great rowtes, and from askyng fall to the taking . . . and vnder pretext of reformation . . . at laste bryng all the realme

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<sup>78</sup> Ibid., p. 304.

<sup>79</sup> For discussions of the relation between violence and heresy in More's thought, see R.W. Chambers, Thomas More, p. 282; and R.C. Marius, "Thomas More's View of the Church," Complete Works, 8, III, 1346-1348.

to ruine; and this not without bocherye & foule  
bloudye handes.<sup>80</sup>

A particularly tragic circumstance for the church, in More's view, was the fact that the heresies capable of producing the disastrous disorder he feared were fostered by men who had been in the clergy itself. In this respect, More saw a typological parallel between heretics emerging from within the church and Judas:

the very cause of this chiefe myschiefe that now  
begynneth to make deuision, that is to wytte the  
execrable heresy . . . did both begynne, and is  
also set forth and auauanced forward by those  
vngracious folke that are such among the spirituality,  
as Judas was amonge the apostles, & this not in this  
realme onely, but in other countreis to.<sup>81</sup>

If the history of English institutional efforts had allowed More to show that, in spite of recurrent lapses, Englishmen had always resiliently and successfully struggled to sustain their efforts against the power of Antichrist according to customary principles manifesting faithfulness, the degree of failure in contemporary efforts almost induced More to believe that Antichrist was finally winning. The rents in the English province

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<sup>80</sup> Workes, p. 313; cf. The Debellation, where More refers to such heresies "as . . . would oppresse y<sup>e</sup> catholike fayth, and prouoke y<sup>e</sup> displeasure of god, and first sow deuision, and afterward reare rebellion in y<sup>e</sup> realm, as they haue done before thys time both here and in other places" (Workes, p. 1026).

<sup>81</sup> The Debellation, Workes, p. 1020. More names, as examples, "frere Luther, and priest Pomerane, Otho the monke, and frere Lambert, frere Huskin, & Swinglius, and here in England Lindall, frere Barnes, George Jay, and some other such."

caused by heresy were being matched by a general decay in the virtue of the people as a whole. More's fears are forcefully expressed in The Apology, where, however, he is nevertheless able to maintain hope that the worst will not yet occur:

And verely in this declination of the worlde, and by this great fall of faith, the olde feruour of charity so beginning to cole: it is to be feared at length, that if it thus go forth and continue, both the spiritualtye from the apostles, and the temporalty. from the other disciples, may fall so farre downe downe downe downe, that as there was than one naught among twelue, so may there in time comming if these heresyges go forwarde, among twelue spirituall or peradventure twentye temporall eyther, be founden at laste in some whole countrey scant anye one good. But that worlde is not I thanke god in Englande yet, nor neuer shall I trust come.<sup>82</sup>

By the time of his last controversial work, The Answer to . . . the Supper of the Lord, More had sunk so close to despair that he declared:

this decay from chastitye by declination into foule and filthy talking, hath begonne a great whyle ago, and is veri farre growen on. But the tyme hath ben euen vntyl now very late, that al be it of fleshly wantonnesse men haue not letted to vse themselfe in woordes bothe lewde and very large: yet of one thyng euer wold euery good man be wel ware that heresyge would he no man suffer to talke at hys table, but woulde both rebuke it and detecte it to, all thoughe the thing touched hys owne brother.<sup>83</sup>

The sense of despair induced in More by his fear of a failure of English responsibility and by the apparent futility of his controversial effort was responsible for a strong apocalyptic theme in the controversies,

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<sup>82</sup> Workes, p. 878.

<sup>83</sup> Workes, p. 1035.

especially the later ones. The magnitude of the real and potential disaster caused him to see a metaphysical significance in events, in terms of the prophecies of the Book of Revelation. The aspects of More's apocalyptic sense were twofold: on one hand he was tempted to believe the general decay of faith was a consequence of the decline of the world nearing its end; on the other he felt that contemporary tribulation was an expression of God's anger for failure of responsibility. Consistently with his view of the harmony between God's foresight and human freedom of will, More believed that decay of faith and charity was both cause and consequence of contemporary chastisement. In the Dialogue, More observes

If the world were not near at an end, and the fervour of devotion so sore cooled that it were almost quenched among Christian people, it could never have comen to pass that so many people should fall to the following of such a beastly sect.<sup>84</sup>

Likewise, in The Confutation, More expresses his fear that events represent the prophesied loosing of Satan, when he remarks that no heretics in previous times had ever dared to attack the sacraments so boldly,

tyll that now in these latter dayes the deuyl hath broke his chaynes, and of all extreme abomynacyon hathe set his poysoned barell a broche / from y<sup>e</sup> dreggy draught wherof god kepe euery good crysten man, and such as hath dronken therof geue them grace to vomyte yt out agayne by tyme.<sup>85</sup>

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<sup>84</sup> English Works, II, 277.

<sup>85</sup> Complete Works, 8, I, 120.

In spite of such statements, however, the apocalyptic expectation in More was always transitory and uncertain. More was hesitant to affirm conclusively that contemporary history did represent the period when the Devil was to be loosed, and more often than not he turns away from this conclusion; for example, he asserts confidently that none of the heretics can claim to have been attested by miracles, and never will be able to

... till the great indignation of God provoked, by our sin and wretchedness, shall suffer the head of all heretics, Antichrist, (of whom these folk be the forewalkers) to come into this wretched world and therein to work such wonders, that the sight thereof shall be able to put right wise men and good men in great doubt of the truth, seeing false Antichrist proving his preaching by miracle . . . .<sup>86</sup>

More, while uncertain whether the world was undergoing its final tribulation or only a tribulation more intense than any experienced before, usually asserts that the heretics are the harbingers of Antichrist and not Antichrist himself. This predominant interpretation is the basis of More's elaborate parody of the heretics in which Luther is seen as "his very foregoar & his baptiste, to make redy his way in the deserte of this wreched world / and Tindale, frere Huskyn, and Swynghius, his very fals prophetes to preache for him."<sup>87</sup> More was convinced, however, that English infidelity could grow so pervasive that God would withdraw his grace from Englishmen, letting them suffer the consequences of their own indifferent will. More

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<sup>86</sup> English Works, II, 323. More is most likely thinking of Christ's prophecy recorded in Matthew 24: 14-28.

<sup>87</sup> Complete Works, 8, I, 271; cf. II, 695.

not only thought chastisement could come in the future; he feared it had already begun. In "The Preface to the Crysten Reader" of The Confutation, More expresses his fear that the famine of 1531-32 is a result of English failure to stem the growing tide of heresies and heretical books:

For syth that our lorde of his especyall prouydence, vseth temporally to punyshe the hole people for the synnys of some parte, to compell the good folke to forbere & abhorre the noughty, whereby they maye brynge them to amendement and auoyd them selfe the contagyon of theyr companye: wysdome were it for vs to perceyue, yt lyke as folke beginne now to delyte in fedyng theyr soules of the venemouse caryn of these poysened heresyas, of whyche maye well be veryfyed the wordes of holy wryt: deth is in the pot / our lorde lykwyse agaynwarde to reuenge yt wythall, begynneth to wythdraw hys gracyouse hande from the frutes of the erth, mynyshynge the fertylte both in corne and catell, and bryngynge all in derth myche more then men can remedy or fully fynde out the cause . . . . And I say that god nowe bygynneth. For I fere me surely that excepte folke begynne to reforme that fawte y<sup>e</sup> soner / god shall not fayle in suche wyse to go forwarde, that we shall well perceyue and felé by thencrease of our greyfe, that all this gere hytherto is but a beginning yet.<sup>88</sup>

It was More's sense that divine providence had been manifested throughout human history through God's tribulatory ways to men, as well as his soft and pleasant, that saved him ultimately from despair. Although More perceived the resilience of the English province--like the resilience of the English as a whole--to be at a near apocalyptic ebb, he nevertheless sustained his belief that God's providence was still operating. One of the scriptural texts that gave More comfort, and which he often cited,<sup>89</sup> was

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<sup>88</sup> Ibid., 8, I, 3. For another expression of More's fear of God's indignation, see The Debellation, Workes, p. 982.

<sup>89</sup> See G. Marc'hadour, The Bible in the Works of St. Thomas More, II, 45-46.

Matthew 16: 20--Christ's promise that the gates of hell should not prevail over his church. In the Dialogue, for example, More claims:

our Saviour promiseth . . . that neither of those two gates--that is to wit, neither paynim tyrant nor christened heretic--should prevail against the church. For though they have destroyed and shall destroy many of the church; yet shall they not be able to destroy the church. But the church shall stand and be by God preserved in despite of all their teeth.<sup>90</sup>

Another of More's key texts--possibly the one he most often quotes--was Matthew 28: 20. In The Confutation, for example, More resists Tyndale's assertion of an unknown church by appealing to this text and combining it with John 14: 26 and 16: 13:

Cryste hath made a promyse, one of the grettest, most solempne, most assuredly made, & therto most frutefull & most necessary that euer he made / that is to wyt that he wolde be wyth hys chyrch of crysten people all dayes vnto the ende of the worlde, and that he wolde sende also ye holy ghoost vnto them that sholde teche them all thyng & lede them in to every treuth.<sup>91</sup>

More's faith in these promises enabled him to discern in the extreme tribulation the English province--and Christendom at large--was suffering God's corrective hand. Early in his controversial effort, in the Dialogue, More reminded his readers that "her [the church's] loving spouse leaveth her not, but continually goeth about by many manner medicines, some bitter,

<sup>90</sup> English Works, II, 141-142.

<sup>91</sup> Complete Works, I, 107-108. For an enumeration of the countless instances More uses these texts, see Marc'hadour, The Bible in the Works of St Thomas More, II, 78-80, 186, 190-192. See also Marc'hadour's comments on the way More often conflates Matthew 28: 20 with John 16: 13 (ibid., IV, 118).



some sweet, some easy, some grievous, some pleasant, some painful, to cure her."<sup>92</sup> Even when, later, More was at his most pessimistic, in The Apology, he was able to reassert this belief:

and surely betwene the true catholyke folke and the false heretykes, it fareth also much lyke as it fared betwene false Judas and Chrystes faithfull apostles. For while they for all Christes calling vpon them to wake and praye, fell first in a slumbre, and after in dead slepe: the traitour neyther slept nor slumbered, but went aboute full busely to betray hys mayster, and bring himselfe to mischief.

But yet when he came wyth hys company, they scaped not all scot free, nor Peter wel awakod out of his slepe was not so slouthfull, but that he coulde cut of one knaues eare, nor al the wretches of them with all their weapens, able to stande agaynst Christes bare worde when he sayd, I am he whome ye seeke, but to grounde they fell forthwyth vpright vpon their backes. Whereby we be sure that neyther heretiques nor deuilles can any thing doe but by goddes speciall sufferance, and that they shal betwene them both, neuer be able to distroy the catholike faith, nor to preuaile against the catholike church, & all the mischief shal be theyre owne at length, in some places here and there for a while, whom vpon mennes amendement he wyll not fayle to serue at the laste, as doeth the tender mother whiche when she hath beaten her childe for hys wantones, wypeth hys yien and kisseth hym, and casteth the rodde in the fyre.<sup>93</sup>

The tribulation afflicting the church, in England, was a means for working a spiritual reawakening in the province accompanied by renewed determination to respond faithfully to experience. More did not doubt that such a renovation of faith would occur, once Englishmen were induced to seek a good response to their harsh circumstances, because of his sense that,

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<sup>92</sup> English Works, II, 143.

<sup>93</sup> Workes, p. 922.

as this realme of Englande hath hadde hytherto God be thanked as good, and as laudable a temporaltye, nomber for nomber, as hath hadde anye other Christen regyon of the quantitye, so hathe it hadde also nomber for nomber compared wyth anye realme Chrystened of no greater quantitie, as good and as commendable a clergie.<sup>94</sup>

More felt sufficiently confident in the good basic qualities of enough

Englishmen to boast of the merit of the English nobility:

I neuer sawe, nor to my remembraunce redde, nor trust in God neuer shall see the neede, that euer any great man whome folke neded to feare, was condempned in this realme for heresy, saue onely syr Hugh ofde castle ones in the time of king Henry the .v. that was than lorde Cobham.<sup>95</sup>

Ultimately, More came to feel that contemporary tribulation was only an intensified manifestation of the tribulations God has allowed the church to suffer throughout history, and that when Englishmen awoke from their spiritual torpor they would recover their resilience to strive regeneratively just as their forbears had always managed to do. Until the Apocalypse itself, the Holy Spirit would not fail to sustain the regenerative efforts of the church to respond to its new, seemingly tragic circumstances in such a way as to allow for a renovation and development of its faith. In A Dialogue of Comfort Against Tribulation, Anthony, enlarging his sense of the situation to embrace Christendom as a whole, voices More's view

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<sup>94</sup> The Apology, Workes, p. 870; cf. The Debellation, Workes, p. 938.

<sup>95</sup> The Debellation, Workes, p. 978.

when he concludes:

nor yet being as bad as we be, I nothing doubt at all but that in conclusion, how base soever Christendom be brought, it shall spring up again till the time be come very near to the day of doom, wherof some tokens as methinketh are not comen yet.<sup>96</sup>

What More considered to be true of the apparently tragic experience of Christendom at large, he believed to be true of the past and present experience of the English province.

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<sup>96</sup> A Dialogue of Comfort Against Tribulation, ed. J. Warrington, pp. 313-314.

## CHAPTER V

### ENGLISH LEARNING AND LITERATURE

Even though More showed that the power of Antichrist had always been a potential and real menace to Englishmen in their institutional efforts, he also showed that Englishmen had two very powerful instruments to assist their resistance to Antichrist: learning and literature. Whereas, in his assessment of English legal, constitutional, and ecclesiastical efforts, he was able to demonstrate the kind of provisions which the Holy Spirit assists men in making through cooperation made possible by consensus in good will, More, in his comments on English educational and literary history, revealed how the human faculties, being the instruments for the influence of the Holy Spirit, can be stimulated into their best function and supported by learning and literature. He showed that the English response to history had resulted in aims, principles, and procedures in learning and literature which sought to buttress the good use of reason and "quicken" the faculties, as a means of assisting Englishmen in their efforts to prevent the consent of reason to sin and to sustain understanding of God's providential purpose. In More's view, English pedagogical and literary procedures had sought to contribute to this process by assisting Englishmen in attainment of a realistic perception of the human situation as the basis for an understanding of the divine purpose embodied in it. Nevertheless, he demonstrated further that the history of English efforts in the educational and literary spheres showed the same historical patterns

he had shown to exist in all other aspects of English life. As with the law, the constitution, and the church, English learning and literature revealed two interrelating historical patterns: a rhythmic fluctuation in responsibility and determination to pursue true aims, and the inevitable presence of abuse along with good use. More saw both these patterns particularly marked in the history of English attempts to respond to scripture, both in terms of exegesis and also in the problem of an English bible. But just as More saw the recurrence of abuse and failure of responsibility in educational and literary matters, his comments on certain English poetic, devotional, and historical writings show that he also saw a history of good efforts to make good use of pedagogical-literary instruments. More's own literary endeavours--both those represented by the controversies themselves and those sustained even while he was in the Tower--suggest that he did not lose faith in the beneficial influence of good literature, in spite of the growing abuse he saw in the contemporary situation. His return, in the Tower, from polemical writings to a more purely "imaginative" mode reflects More's reaffirmed faith in the power of literature to work good effects through its representation of responses to human experience.

More's conception of the role of the faculties and the ability of education and literature to energise them cannot be understood adequately without consideration of his thoughts concerning men immediately after the Fall. More suggests that the key to understanding the postlapsarian human situation, in terms of divine providential purpose, may be meditation on the fact that "as the scripture saith: Homo cum in honore esset, non

intellexit. When man was in honour, his understanding fayled him, he could not knowe hymselfe."<sup>1</sup> The sin of Adam and Eve was that, through "inordinate appetite of knowledge,"<sup>2</sup> they repudiated their duty to love God, by failing to confess their sole dependence upon him, a requirement falling upon all creatures, "sith there is no creature nother hye nor lowe, but as it could not without God be created, no more can it without God be conserued."<sup>3</sup> Adam and Eve's transgression of their prime duty meant not only that they forfeited the supra-natural gifts--immortality, freedom from pain of body and sorrow of mind, and undeceivable hope of coming to heaven--which God had given them conditionally, but also that their unconditional natural gifts of a reasonable soul and "a lyfe good, quyete and restful, with spiritual delite," were vitiated by the rebellion of their senses.<sup>4</sup> More suggests, nevertheless, that if this is so, men have cause to be thankful for the remnant of their gifts;<sup>5</sup> the good use of them, with the assistance of God, can be a means towards the regaining of the supernatural inheritance of immortality men should have come to:

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<sup>1</sup> A Treatise upon the Passion, Workes, p. 1289.

<sup>2</sup> Dialogue, English Works, II, 244.

<sup>3</sup> A Treatise upon the Passion, p. 1285.

<sup>4</sup> Ibid., pp. 1285-1286.

<sup>5</sup> Ibid., p. 1286.

the law trulye hath entred, that synne shoulde abound.  
 But wher sinne hath abounded, ther hath grace also  
 more abounded, that likewise as sinne hath reygned  
 vnto death, so grace should also reigne by iustice  
 vnto everlasting life, thorow Jesus Christ our Lorde.<sup>6</sup>

However, men, even though they have a new chance to attain this state, have to earn it through responding with faith to an earthly situation which-- because it is ordered according to God's wisdom as a safeguard to preserve men from repeating the sin of Adam and Eve--is painful. More suggests that the painfulness of the human situation is a consequence of God's mercy in providing additional inducements so that man should have less chance of failing in his understanding of His purpose:

better was it . . . for hym to haue two enemies,  
 that is to wyt the dyuel and hys owne sensuality  
 both, than for to lacke the tone [i.e., the state  
 of innocence]. For the hauinge of both, is a  
 cause of double fear, & therefore of double diligence,  
 to set his reason to kepe sure watche to resist  
 theym, & for double helpe to cal double so much  
 vpon almighty God for grace. And then wyth hys so doing,  
 he is more able & more sure nowe to subdue them both,  
 than with lesse looking for Gods helpe, he was before  
 the tone: & hath yet also thereby for his double  
 victory against his double enemies thoccaseyon of  
 double rewarde.<sup>7</sup>

This sense of the twofold response which God intends men should be induced to make by the human situation--a response combining effort to use reason against motions and effects of sin with seeking of God's assistance--forms the basis of More's thought concerning English educational and literary

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<sup>6</sup> Ibid., p. 1283.

<sup>7</sup> Ibid., p. 1289.

history as, indeed, it informs his view of every other aspect of English history.<sup>8</sup> He considered that after the fall,

sensuality laboured so busily to cause man to set by delight above good and convenient, that for the resistance thereof it then became to be the spiritual business and occupation of man to preserve and bring up the body, that it were not suffered to master the soul, and so to rule and bridle sensuality, that it were subject and obedient unto reason.<sup>9</sup>

In More's view, this struggle between the temptation to surrender to excesses of sensuality--represented by the seven deadly sins--and the will to resist so as to remain obedient to God's natural and divine laws constituted much of the painfulness which men must undergo in their efforts

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<sup>8</sup> More was never dogmatic or absolute, however, in presenting this view of the Fall and its implications. The interpretation described above is one of two possible views More records as explaining why the whole of mankind was afflicted with original sin and not just Adam and Eve alone. The first view is the Augustinian argument that mankind "is infected in the vicious sinfull stocke" (p. 1281); "in suche a certaine maner as all the sowre crabes that euer come of the crabbe tre, do take theyr sowrenes of the carnell whereof the tree grew" (p. 1282); More adds, however, that even St Augustine was too uncertain of all the implications of his argument to be dogmatic: "he confesseth him self to finde such difficulty, in the mainteyning of Gods iustice to stand wyth his owne opinion of contempnyng infantēs to sensyble payne in hell, that him selfe seemeth to dout . . ." (p. 1287). While More refuses to commit himself dogmatically to either view, allowing both are possible, the suppositions of the second view are found throughout the controversies, especially in the Dialogue, where More elaborates his view of education most fully (English Works, II, 92-93). It may, therefore, legitimately serve--being admitted by More as possible, and even probable--as a datum for illuminating his view of education and literature.

<sup>9</sup> Dialogue, English Works, II, 92-93.



to win heaven, Reason is the main instrument of men's struggle to resist sinfulness, because the condition of a man's will depends upon the assent of reason:

... no manne [is] accounted afore God for an offender in any deadlye actual synne, by any maner motion or suggestyon of the dyuell vnto the sensuall part, as long as the will after the iudgement of reason resisteth and refuseth to consent. But when reason gyueth ouer to sensuallitye, whereby the man whole and entyre fallieth into the consent . . . yet were the full consent . . . full and whole deadly synne.<sup>11</sup>

Men's chief spiritual endeavour, therefore, is to interpret their militant situation, characterised by the painfulness of sin, through the use of their rational faculties assisted by grace, so as to discover divine purpose in experience. The awareness of duties and the reward of eternal life to be gained by faithful fulfilment of them was in itself an instrument for bolstering men's reason for the purpose of inducing them to resist sin; moreover, the very difficulty of resisting sin was a cause for

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10- More saw Christ's journey to the Mount of Olives as a metaphor of the inevitable human temporal experience: "Before we pass quer into the fruitful mount of Olivete & the plentiful village of Gethsemane, we must first passe ouer as I saide, this valley & riuer called Cedron a vale of misery & riuer of heavines, ye water wherof may clene purge & wash away ye foule blacke filthines of our sinnes. But nowe if we to auoyde grief & payne, goe aboute by a contrary way, to make this world which shoulde be a place of payn & penance, to be a place of ease & pastime, & so tourne it into our heuen, both dooe we clerely exclude our selues from the very true felicitie for euer, & drown vs all to late in fruitlesse sorrow & care, & further bring our selues into intollerable & endless wretchednes" (Workes, p. 1352).

11 A Treatise upon the Passion. Workes, p. 1276.

men to call for the assistance of God's grace, which is denied to no man willing to work with it.<sup>12</sup> More conceived the relation between the ability of reason to interpret the significance of the human situation and its ability to resist consent to sin as reciprocal.

Education and learning, in More's opinion, represented another aspect of Englishmen's initiative in seeking to cooperate with grace in the pursuit of men's spiritual business in the postlapsarian situation. Both were means of exercising, "quicken[ing]," and enlarging the potency of natural gifts--the rational faculties--as a way of inducing Englishmen to resist the recurrent danger that their understanding of the divine creative purpose might fail.<sup>13</sup> Far from being only interesting "natural" phenomena, inferior to the supernatural orders of faith and revelation and --if temporally useful--ultimately transcended by them, reason and the liberal

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<sup>12</sup> Complete Works, Vol. 8: The Confutation, I, 456.

<sup>13</sup> Many critics have commented on the vigour of More's defence, in the controversies, of philosophy and the liberal arts in their relation to faith, but few with respect to More's sense that the aims and principles of English learning and literature represent an English response to history. For discussions on More's view of the relations between reason and faith, philosophy and theology, and the classics and scripture, see, for example, R.W. Chambers, Thomas More, p. 253; E.L. Surtz, The Praise of Wisdom, pp. 31-34; Pearl Hogrefe, The Sir Thomas More Circle, p. 84, 142-143; Christopher Hollis, Saint Thomas More (London: Burnes & Oates, 1961), pp. 115-117; W.E. Campbell, Erasmus, Tyndale, and More, pp. 133-135; and R.C. Marius, Complete Works, 8, III, 1276-1278. The only student of More to treat the relation of reason and faith in its historical aspect, in any real degree, is A.M. Young, "Thomas More and the Humanist Dialogue," Unpublished Doct. Diss., University of Toronto, 1972; who argues that More had a sense of a historical process "not revolutionary or exclusive in its nature, but organic and incorporative" (p. 100) which requires "... an incorporating and accomodating spirit capable of including the very diverse truths of reason and faith, knowledge and belief" (p. 106). While this present study reiterates Young's main arguments, it will approach the subject from a different perspective, emphasising More's sense of the recurrent problems in this historical process rather than his expectations of its fruits.

arts, in More's view, represented an essential part of the human contribution to the process which leads to faith and belief. Hence he asserted to the transcendentalist Messenger, in the Dialogue, that reason must wait upon faith as her handmaid, "that as contrary as ye take her, yet of a truth faith goeth never without her."<sup>14</sup> Moreover, the process of developing rational "dispute" is often the means whereby God allows revelation of divine principles to be received.<sup>15</sup> The importance More imputes to education and literature in the controversies springs from his conviction that they are a means of enlarging the capacity and effectuality of reason as an instrument in the attainment of faith. A humanistic education can do this because it assists men to interpret the human situation by providing them with means for realistically apprehending its complexities. More elaborates this view of education most fully in the Dialogue; however, his controversial statement is illuminated if it is approached by way of an earlier major statement, expressed in his Letter to the University of Worcester: In the course of defending a humanistic university education, More asserts the nature of its merits:

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<sup>14</sup> English Works, II, 86.

<sup>15</sup> For example, More suggests: "god doth reuele hys trouthes not alwayes in one manner . . . Sometime he sheweth yt leysourly, suffryng his flokke to comen & dyspute theruppon / and in theyr treatynge of the mater, suffreth them wyth good mynde & scrypture and naturall wisidome, with inuocacyon of his spirituall helpe, to serche and seke for the treuth, and to vary for the whyle in theyr opynyons, tyll that he rewarde theyr vertuouse dyligence wyth ledyng them secretely in to the consent and concorde and bylyef of the treuth by his holy spirite" (Complete Works, 8, 1, 248).

Now as to the question of humanistic education being secular. No one has ever claimed that a man needed Greek and Latin, or indeed any education in order to be saved. Still, this education which he [i.e. a preacher] calls secular does train the soul in virtue. In any event, few will question that humanistic education is the chief, almost the sole reason why men come to Oxford . . . . Moreover, even if men come to Oxford to study theology, they do not start with that discipline. They must first study the laws of human nature and conduct, a thing not useless to theologians. . . . And from whom could they acquire such skill better than from the poets, orators, and historians?<sup>16</sup>

The importance of this apology for a humanistic education is that it reveals More's belief in the power of education to exercise and renovate the condition of the soul, and his view that this benefit is achieved by study of the human situation which the liberal arts and literature effectuate. More's close relation to the universities in real life, shown in the Letter to Oxford, is represented again in the controversies, in the fictitious argument which takes place between More and the Messenger in the Dialogue. The Messenger, an undergraduate anti-intellectualist, while arguing that scripture is God's will declared self-evidently and completely in writing,

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<sup>16</sup> E.F. Rogers, ed., St Thomas More: Selected Letters (New Haven: Yale University Press, 1967), pp. 98-99. Rogers adopts the translation of T.S.K. Scott-Craig. This translation, although it does not distort, is questionable at several points. For example, Scott-Craig translates More's "animam ad virtutem praeparat" as "train the soul in virtue;" he does not, therefore, fully capture More's sense that a liberal education stimulates the soul into the condition which makes subsequent virtuous decisions and acts possible--that education is the means, not the end. Similarly, More's "Noscenda est et rerum humanarum prudentia" is translated as "They must first study the laws of human nature and conduct," which seems too restrictive; "rerum humanarum" in its larger sense of "the human situation" is closer to the real preoccupation of More. For the Latin text, see E.F. Rogers, ed., The Correspondence of Sir Thomas More (Princeton: Princeton University Press, 1947), pp. 115-116; and also the appendix on pp. 210-211 of this thesis.

asserts:

as for reason, what greater enemy can ye find to faith than reason is, which counterpleadeth faith in every point. And would ye then send them twain forth to school together that can never agree together, but be ready to fight together, and either scratch out other's eyes by the way?<sup>17</sup>

More, in his answer, repeats, in a more elaborate form, his statement in the Letter to Oxford that a liberal education prepares the soul for virtue:

Now in the study of scripture, in devising upon the sentence, in considering what ye read, in pondering the purpose of divers comments, in comparing together divers texts that seem contrary and be not, albeit I deny not but that grace and God's especial help is the great thing therein, yet useth he for an instrument man's reason thereto. God helpeth us to eat also but yet not without our mouth. Now as the hand is the more nimble by the use of some feats; and the legs and feet more swift and sure by custom of going and running; and the whole body the more wieldy and lusty by some kind of exercise; so is it no doubt, but that reason is by study, labour, and exercise of logic, philosophy and other liberal arts corroborate and quickened, and that judgment both in them, and also in orators, laws and stories, much riped.<sup>18</sup>

More clearly than in the Letter to Oxford, More, in this passage, reveals that the way the soul is prepared for virtue is by the beneficial influence of study on the faculties: reason is "quickened" and the power to judge "much riped". He goes further to show that imaginative literature has a special capacity for contributing to this process:

And albeit poets be with many men taken but for painted words, yet do they much help the judgment, and make a man among other things well furnished of one special thing, without which a man's learning is half lame.

What is that, quod he?  
Mary, quod I, a good mother wit.<sup>19</sup>

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<sup>17</sup> English Works, II, 84.

<sup>18</sup> Ibid., pp. 86-87.

<sup>19</sup> Ibid., p. 87.

This "good mother wit" and "quickened" power of judgement that is induced in men by learning and literature results, in More's opinion, from a responsible development of the natural gifts of reason, memory, and imagination which remained with men even after the Fall. The enlarged judgement resulting from the exercise of these faculties is, for More, an essential instrument for buttressing the ability of reason and the will to resist the temptations of Antichrist and consent to sin. It also helps prevent failure in men to understand their situation and the duties that are implied in and induced by its realities. More explains at length, especially with respect to literature, aspects of the faculty-process that produces this enlarged power. The Messenger's attack on religious images provided the occasion for More to imply the special influence of poetry. He begins his defence by asserting:

all the words that be either written or spoken be but images representing the things that the writer or speaker conceiveth in his mind: likewise as the figure of the thing framed with imagination, and so conceived in the mind, is but an image representing the very thing itself that a man thinketh of.<sup>20</sup>

Ordinary written or spoken images "be no natural signs or images but only made by consent and agreement of men."<sup>21</sup> In contrast,

images painted, craven, or carved, may be so well wrought, and so near to the quick and to the truth, that they shall naturally, and much more effectually represent the thing than shall the name either spoken or written.<sup>22</sup>

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

<sup>21</sup> Ibid., p. 21. More's assertion that the use of words depends upon custom and consensus shows his consistency in supporting these English principles as an admirable response to history.

<sup>22</sup> Ibid.

More implies that poetic literature seeks to imitate this second kind of imagistic representation of "the quick" and "the truth" of the real world when he concludes: "And surely saving that men cannot do it, else, if it might commodiously be done, there were not in this world so effectual writing as were to express all things in imagery."<sup>23</sup> Literature, then, seeks to imitate the reality of the human situation faithfully in order to interpret its significance accurately; and so, like humanistic studies, sustains faith by bolstering the ability of human judgement, when assisted by the Holy Spirit, to grasp the truth of things.

The implications of More's pedagogical-literary theory in terms of More's view of history are of great importance in the controversies, especially with regard to his sense of the developing beliefs of the church. He believed that the accumulating history of men's efforts to use natural gifts under the guidance of the Holy Spirit meant that there was a potential

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<sup>23</sup> *Ibid.*, p. 22. The remarkable similarity of More's literary theory to that of Philip Sidney, as expressed in An Apology for Poetry, testifies that this view of the ability of representational literature to stimulate the faculties so as to enlarge the judgement has a long continuity in English literary history. Besides describing poetry as "a representing, counterfeiting, or figuring forth--to speak metaphorically, a speaking picture," Sidney reproduces More's conception of the purpose of learning: "This purifying of wit, this enriching of memory, enabling of judgment, and enlarging of conceit, which commonly we call learning, under what name soever it come forth, or to what immediate end soever it be directed, the final end is to lead and draw us to as high a perfection as our degenerate souls, made worse by their clayey lodgings, can be capable of" (Geoffrey Shepherd, ed., An Apology for Poetry (2nd ed.; Manchester University Press, 1973), pp. 101, 104. For an examination of this literary theory in Sidney and its relevance to the English Renaissance as a whole, see A.E. Barker, "An Apology for the Study of Renaissance Poetry," in Literary Views: Critical and Historical Essays, ed. C. Camden (Chicago: University of Chicago Press, 1964), pp. 33-37.

for a developing and enlarging body of knowledge. History showed, however, the difficulty Englishmen had experienced in sustaining the process by which this expansion in knowledge could be accomplished. In More's view, knowledge, whether of divine purpose, or of any other sort, is an historical thing, just as laws, customs, and institutions are historical; men, therefore, should not try to repudiate the continuity of effort whereby they have striven to enlarge their understanding any more than they should repudiate the experience of their forbears in other fields. More saw, nevertheless, that English history was marked by recurrent periods when this sense of the character and purpose of learning and literature had failed. There had always been a temptation to repudiate the experiences of the past in favour of radical new beginnings; or else pedagogical and literary arts had given over the effort required in the perception, interpretation, and representation of the real, earthly human situation in favour of transcendentalism. One of More's major preoccupations in the controversies was to trace these patterns in the history of English educational and literary endeavours, in order to persuade Englishmen not to repudiate the assistance provided by the good use of natural gifts.

More, in his treatment of learning and literature, shows that scholarly and literary instruments, like everything else in the world, are susceptible to abuse as well as good use, and that history shows a rhythmic pattern of degeneration from good use followed by responsive efforts at renewal--some productive and others, destructive. Concerning English intellectual endeavours, More showed that, while the medieval scholastic



system had apparently lost its nerve,<sup>24</sup> nothing could be gained by its total rejection, as advocated by some reformers, in favour of solafideism. Besides recording his appreciation of the great schoolmen,<sup>25</sup> More defended the praiseworthy aspects of scholasticism because of their capacity to deal with the multitudinousness of reality. He understood as well as any of his opponents that an unbridled scholastic method could result in absurdity, casuistry, and arid unreality; yet he also considered that its right use provided the means for a more intelligent effort on the part of men to interpret their experience. On these grounds, More defended scholastic divisions and distinctions as tools for scriptural exegesis against the reformers' rejection of them. In answering More's charges that he had mistranslated certain key words of scripture, Tyndale dismissed the

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<sup>24</sup> For an assessment of the late mediæval collapse, see A.E. Barker, "An Apology for the Study of Renaissance Poetry," Literary Views, ed. Camden, pp. 28-34.

<sup>25</sup> More's sense that the greatest schoolmen had been some of the greatest practitioners of right reason is expressed in his various eulogies of them. He cites with approval the authority of Bonaventura, Aquinas, Nicholas of Lyra, Bernard, Anselm, Bede, Boethius, John Cassian, Walter Hilton, and John Gerson; for example, Complete Works, 8, I, 37, 212, 459; II, 741, 938-939, 988-991. The degree to which More esteemed Aquinas is revealed in The Confutation when he records his indignation that Tyndale rails upon "... that holy doctoure saynt Thomas, a man of that lernyng that the greate excellent wyttes and the most connyng men that the chyrche of eryste hath hadde synnes hys dayes, haue esteemed and called hym the very floure of theology, and a man of that trewe perfyte fayth and cristen lyuyng thereto, that god hath hym selfe testyfyed hys holynesse by many a greate myracle, and made hym honoured here in hys chyrche in erth, as he hath exalted hym to greate glory in heuyn" (Complete Works, 8, II, 713). Of the works of Aquinas, More draws upon the Summa (ibid., I, 205-206), his hymn Adoro te devote (ibid., I, 210), and his Cathena aurea (ibid., II, 685). For an assessment of the importance of scholasticism in the Renaissance, see E.L. Surtz, The Works and Days of John Fisher (Cambridge, Mass.: Harvard University Press, 1967), pp. 155-177.

divisions and distinctions of the schoolmen as "iuglynge termes."<sup>26</sup> In refutation of Tyndale, More sought to show that Tyndale's choice of, for instance, "favour" instead of "grace" simplified to the point of error the understanding of the operation of God's grace which had been attained through the consensus of Christians as it had developed during the history of the church. Drawing upon Augustine and Aquinas, More approved the six types of grace that Tyndale rejected: gratia gratis data, gratia gratum faciens, gratia preueniens, gratia cooperans, gratia subsequens, and gratia consummans. Furthermore, he asserted the way in which such distinctions, being a guard against fallacious reasoning, served as an instrument for the purpose of right reason:

Now syth euery man perceyueth well, that all be it that in god all is one grace, with whyche he preuenteth our good workes, and wyth whyche he helpeth them forth in the progresse, and whyche addeth and maketh more habounde, and wyth whyche he perfyeteth hys creature in glory: yet syth yt in vs and our workes it is dyuersely considered after dyuerse respectys / and of eueryche of those respectys falleth necessity for men in scoles oftentymes to speke / specyally for the reprove of those heretykes that wolde haue no dyuysions nor dystynccyons, wherby the thyng sholde be made open and playne, but wolde blynde and begyle theyr herers wyth darkenesse and confusyon: reason requyreth to gyue euery dyuers respect a dyuers name, amonge them yt must often speke thereof / except that they shoulde in an argument at euery thynde worde repete an hole tale, where one worde agreed vppon may well and suffyciently serue.<sup>27</sup>

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For the relevant passage from Tyndale's An Answer vnto Syr Thomas More, see Complete Works, Vol. 8: The Confutation of Tyndale's Answer, I, 205.

27

Ibid., I, 205-206.

More, however, is careful to stress that such divisions and distinctions can only be legitimately made if they reflect the state of understanding or belief attained through common consensus. This consensus concerning belief depends on the developing agreement attained through history. More is also careful to assert that the exercise of scholastic logic must be carried out decorously in the appropriate forum; it must not be wilfully asserted by those untrained to use it, nor broadcast publicly before the simple or unlearned.<sup>28</sup> To show that divisions and distinctions, like everything else, are susceptible to abuse as well as good use, More attempts to demonstrate Tyndale's inconsistency in first attacking these logical devices and then misusing them himself. More's particular target is Tyndale's distinction between "historical" and "feeling" faith:

And where as his mayster and he many tymes mokke the doctours of the chyrch, for vsyng of trew dystynccyons in thynges where they be requysyte / hym selfe hath here deuysed an euasyon<sup>29</sup> by meane of a dystynccyon made by Melancthon / in whyche destynccyon as in a myste he weneth to walke away.<sup>29</sup>

The distinction between historical and feeling faith was denied by More because, in his opinion, it could not be supported reasonably in the light of the historical experience of the church. Just as he believed Tyndale

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<sup>28</sup> See, for example, The Answer to . . . the Supper of the Lord, where More argues that the exercise of wit and learning over theological problems is legitimate, but that people are bound to accept only points "that we be bounden by certayn and sure reuelacion, to beleue" (Workes, p. 1111). He later adds: "Now thoughe that clerkes may in scooles hold problems vpon euery thing: yet can I not perceyue what profyte there can come, to cal it but a probleme among vnlearned folke, and dispute it out abrode, & bring the people in dout, and make them rather thynke that ther is none than any [i.e., hell]" (Workes, p. 1120).

<sup>29</sup> Complete Works, 8, II, 741.

abused a legitimate rational skill, More saw a long history of the dubious use of intellectual skills. In the Responsio ad Lutherum, for example, More accused Luther of logical casuistry--similar to that he saw in Tyndale--concerning the Lutheran view of an unknown church and, by comparing Luther's definition to the methods of ancient predecessors, suggested a comparable kind of fantasy in each. In More's opinion, Luther argues

as though ready to prove clearly from them [i.e., scriptural texts] that the church militant on earth has not been recognized in this palpable and perceptible church, but in some other multitude of Christians, somehow imperceptible and mathematical--like Platonic Ideas--which is both in some place and in no place, is in the flesh and is out of the flesh, which is wholly involved in sins and yet does not sin at all.<sup>30</sup>

The similarity More implies between ancient and contemporary attitudes towards rational skills reveals his sense of the historical problem facing human speculative endeavours: failure is an ever-present possibility in the event that the difficulties of the human situation overcome the determination of men to seek God's purpose in its realities. In spite of the excellence of many of the principles and procedures developed in the scholastic system, More considered that a catastrophic failure of will in its late medieval inheritors was largely responsible for the contemporary spiritual panic which had produced the responses of the radical reformers--believed by More to be mistaken and despairing. He represents his sense of this situation imaginatively in the preliminary encounter between the

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<sup>30</sup> Complete Works, Vol. 5: Responsio ad Lutherum, I, 17.

young undergraduate Messenger and himself at the outset of the Dialogue. "More" describes how, upon enquiring as to what faculty the student had given his study, he discovers that the latter has studied Latin almost exclusively:

As for other faculties he recked not of. For he told me merrily that Logic he reckoned but babbling, Music to serve for fingers, Arithmetic mete for merchants, Geometry for Masons, Astronomy good for no man, and as for Philosophy, the most vanity of all--and that it and Logic had lost all good divinity with the subtleties of their questions and babbling of their disputations, building all upon reason, which rather giveth blindness than any light.<sup>31</sup>

More's representation shows the Messenger to be in violent reaction against the aridity and rational abuse of scholasticism. The Messenger, in his own way--through More's imagination--is merely repeating the complaint made over a century earlier, by Coluccio Salutati, that the English school of Logic had become too "transcendens."<sup>32</sup> More's subsequent discussion of the humanising and regenerative effects of the liberal arts and poetry represents his attempt to persuade the Messenger that there is an alternative, better way of responding to the failure of English intellectual efforts than the complete repudiation of them for faith alone.<sup>33</sup> Such a repudiation merely meant the replacement of one form of failed transcendentalism by another. Elsewhere, in The Confutation, More showed that the Messenger's extreme

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<sup>31</sup> English Works, II, 11.

<sup>32</sup> Salutati's statement is quoted by E.F. Jacob, The Fifteenth Century, 1399-1485 (Oxford: Clarendon Press, 1961), pp. 676-677.

<sup>33</sup> English Works, II, 84-87.

response to the degeneration of scholasticism was widespread and destructive.<sup>34</sup> Rejection of the traditional scholarly tools used in the interpretation of scripture had created a situation where heresies became more likely because of hasty and uninformed conclusions. In reviewing the growing number of heretical books being distributed in England, More reflects upon the way that contemporary distrust of the old pedagogical methods is being manipulated by the maliciously minded to the harm of

Englishmen:

After the psalter children were wont to go to theyr Donat & theyr Accydence / but now they go straye to scripture. And thereto haue we as a Dona the boke of pathwaye to scripture / and for a Accydence, bycause we sholde be good scolers shortly and be some spedde, we haue the whole summe of scripture in a lytle boke / so that after these bokes well lerned, we be mete for Tyndales pentateukes, and Tyndales testament, and all the tother high heresydes that he, and Iay, and Frith, and frere Barns, teche in all theyr bokes bysyde / of all whyche heresydes the seed is sowed, and pretily sprongen vppe in these lytle bokes before. For the Prymer and Psalter, prayours & all / were translated and made in this maner, by none other but heretykes.<sup>35</sup>

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<sup>34</sup> Complete Works, 8, I, 11. More implied that this was true not least in the universities, where the failure of the old learning to support an adequate datum for the guidance of men's response to experience was particularly harmful because "young scholars be sometimes prone to new fantasties" (Dialogue, English Works, II, 11). Furthermore, More records his experience with a heretic who had sought to exploit the situation. This man "had brought great number of books of Luther, and Wiclif, Husse, and Zwinglius, and such other heretics, and of many one sort diuers books, to be delivered as he could find occasion unto young scholars of the universities such as he thought of youth and lightness of [sic] likely to be soon corrupted" (English Works, II, 281).

<sup>35</sup> Complete Works, 8, I, 11.

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More saw Wyclif as only one in a long succession of men seeking to perpetrate abuse that had existed before him and were continuing to exist after him: "as he [Wyclif] began again the old heresies of those ancient heretics--whom and whose errors the church of Christ had condemned and subdued many divers ages before--so doeth Luther again begin to set up his."<sup>57</sup> He considered it was a tragic failure of English learned and literary efforts that no sound English bible had been provided for more than a century. While he could understand why the effects of the Wyclif and Tyndale translations had alarmed the clergy into temerity over the prospect of an English bible, causing them to fear "that seditious people should do more harm therewith than good and honest folk should take fruit thereby,"<sup>58</sup> More admitted frankly that he could not understand why God in his wisdom had allowed men to remain in the painful situation of not having an English bible:

And surely how it hath happed that in all this whyle God hath either not suffered, or not provided, that any good virtuous man hath had the mind in faithful wise to translate it, and thereupon either the clergy, or at the least wise some one bishop, to approve it--this can I nothing tell.<sup>59</sup>

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<sup>57</sup> Ibid., p. 232.

<sup>58</sup> Ibid., p. 243. While More sympathised with this fear, he did not share it: ". . . which fear, I promise you, nothing feareth me . . . . For e]se if the abuse of a good thing should cause the taking away thereof from other that would use it well, Christ should himself never have been born, nor brought his faith into the world; nor God should never have made it neither, if he should, for the loss of those that would be damned wretches, have kept away the occasion of reward from them that would, with help of his grace, endeavour them to deserve it."

<sup>59</sup> Ibid.



educational efforts--in the interpretation of scripture. To More, scripture was the most meaningful literary representation of God's purpose manifested in the earthly situation; it was an image of human reality illuminated by the Holy Spirit, and the record of responses to experience.<sup>38</sup> Men, therefore, needed to use the same attitudes and procedures in their efforts to interpret it as they needed to interpret their continuing, post-scriptural experience. These methods involved the continuous application of human reason, assisted by grace offered through the Holy Spirit, in a historical process to discover the meaning of the experiences recorded in scripture and, consequently, in the human situation that these experiences reflect. Scripture, like history, contained the same challenge and calling for the human reason to gain understanding of God's purpose from it, and for men to respond with attitudes and actions in fulfillment of

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<sup>38</sup> For example, More saw in the episode of Christ's passion when He returned a third time to find the apostles sleeping a metaphor of subsequent human experience: "Here loe whereas Christ returned to hys apostles the thirde time, and found them fast a sleepe, albeit he had so straightly charged them there still to tarye with him, and for the great daunger that was toward, continually to watch and pray, and that in the meane season ye traiterous wretch Judas was so busily bent to betray his owne Lord and maister, that he had no laisoure lefte him so much as to thynke of anye sleeping, in these two sortes of folke, the Traytour I mean and thapostles, in their doynges so farre vnlike, is there not set forth before vs as it were in a myrrour or glasse, a plaine, and therewithal an heaue and horrible resemblance of the course of the worlde, euen from y<sup>e</sup> time hitherto? Why should not Bishops, here behold & see their own slouth & sluggishnes, which wold god like as thei succede into thapostles places, so would in their liues represent vnto vs their vertues, & that with no lesse diligence, than thei be gladd to take vpon them their authoritie, and doe neuerthesse full truely follow their slouthful sluggish sleeping. For euen as slowe and dull are a great meany of them, to set forth vertue amongst the people, and to mayntaine the truth, as christes enemies al that while diligently watche and trauaile to set vp vice and lewdnes, & to destroy the faith" (Workes, p. 1371; the italics are mine).

such duties as that understanding involves. More emphasises his sense that scripture and real experience must be approached through the same methods when he argues that God has left many parts of scripture deliberately dark:

god hath not without oure frute lefte such thynges vnknowne vnto vs, to quykken & exercyse as saynte Austayne sayth some mennys myndes in the studye and deuysynge theruppon / whyche yf all were open and playne, wolde waxe neglygent and dull / and now in the deuysynge theruppon, fynde out good and frutefull thynges.<sup>39</sup>

The effort required in the study of scripture, like the effort and exercise involved in study of the liberal arts and the response to poetry, has a regenerative influence; but just as men's efforts to resist the devil and their own sensuality are extremely difficult, continuous, and require God's help, scripture, too, is difficult; so that men are involved "in pondering the purpose of diuers comments," and "in comparing together diuers texts that seem contrary and be not," using reason as an instrument for attaining faith, with God's assistance.<sup>40</sup> More asserts that both historical experience and scripture are ordered, according to diuine wisdom, to be difficult so as to provide for the spiritual benefit of men:

For it is the perpetual order which our lord hath continued in the governance of godd men from the beginning, that like as our nature first fell by pride to the disobedience of God, with inordinate desire of knowledge like unto God; so hath God ever kept man in humility, straining him with the knowledge of [sic] confession of his ignorance, and binding him to the obedience of belief of certain things whereof his own wit would verily wene the contrary.<sup>41</sup>

<sup>39</sup> Complete Works, 8, I, 331.

<sup>40</sup> English Works, II, 86.

<sup>41</sup> Ibid., p. 112.

Consequently, because of the need for men to strive towards understanding divine purpose and their own situation, scripture was "so devised and indited by the high wisdom of God that it far exceedeth in many places the capacity and perceiving of man."<sup>42</sup> Nevertheless, through the historical process of custom and consensus the human sense of the meaning of scripture has a potential for development and enlargement: "in dyuerse times there may be mo thinges farther and farther reueled, and other the were desclosed at the fyrst."<sup>43</sup> The relevance of this process of developing belief is limited neither to the written or the unwritten word; the exegesis of scripture itself is only part of a larger preoccupation:

Sometyme he [God] sheweth yt [truth] leysourly, suffryng his folkke to comen & dispute theruppon / and in theyr treatynge of the mater, suffreth them wyth good mynde & scripture and naturall wisidome, with inuocacyon of his spirituall helpe, to serche and seke for the treuth, and to vary for the whyle in theyr opynyons, tyll that he rewarde theyr vertuose dyligence wyth ledyng them secretelly in to the consent and concorde and bylyef of the trowth by his holy spirite.<sup>44</sup>

These conceptions of the nature and exegesis of scripture in the historical context bear strongly upon More's attitude towards the problem of an English bible. The developing and historical nature of belief meant, for More, that English efforts to produce a vernacular translation of scrip-

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<sup>42</sup> Ibid., p. 245.

<sup>43</sup> Complete Works, 8, II, 923. For another study which argues the historical nature of More's view of scripture and belief, see A.M. Young, "Thomas More and the Humanist Dialogue," Unpublished Doct. Diss., Toronto, 1972, pp. 100-117. Young asserts: "More seems to offer an historical and evolutionary conception of Christianity, not, as I have said, a radical or revolutionary one" (p. 109).

<sup>44</sup> Complete Works, 8, I, 248.

ture needed to be informed by recognition that a translation must reflect faithfully the condition of understanding attained historically through developing agreement up to its own time. More tried to demonstrate that, in this respect, the true principles of usage of the English language reflected the commitment of and necessity for Englishmen to abide in the common, agreed state of understanding. Moreover, he showed that the history of efforts to provide an English bible revealed mistaken attempts to repudiate this historical process of understanding by disregard for the principles of English usage. More argued that words are the outward sign of developing, consented understanding: they "be no natural signs or images but only made by consent and agreement of men."<sup>45</sup> He therefore took issue with Tyndale over a number of words used by the latter in his translation of the New Testament. One such word was Tyndale's choice of "congregation" instead of "church". In The Confutation, answering Tyndale's defence of this translation, More asserts that "congregation" is an indifferent word which could apply to Turks and Christians alike, whereas "church" signifies a company of Christians only:

And I sayed and yet I saye, that this is trew of y<sup>e</sup> vsuall signyfycacyon of these wordes them selfe in the englyshe tonge, by the comen custome of vs englyshe peple, that eyther now do vse these wordes in our langage, or that haue used byfore oure dayes. And I saye that this comen custome and vsage of speche is the onely thyng, by whyche we knowe the ryght and proper signyfycacyon of any worde.<sup>46</sup>

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<sup>45</sup> English Works, II, 21.

<sup>46</sup> Complete Works, 8, I, 167.

In More's view, the nature of the developing response to experience by Englishmen is expressed in the meaning given to words by custom just as custom manifests the response of Englishmen in other matters. Language, for More, reflects the condition of men's response to the movement of history. This condition of understanding could not be ignored in the way that Tyndale tried to ignore it. Such a disregard implied lack of faith in any creative divine purpose in history. More rebuked Tyndale for other linguistic consequences stemming from the latter's disregard for history. One consequence was a desire in Tyndale to recover a linguistic fontem. In large part, More saw this attempt to go back to the source as motivated by an intention to subvert certain beliefs elaborated historically in the church. An instance was Tyndale's attempt to negate the implications of "charity" by consistently translating the Greek "agape" as "love" on the grounds that "charitas" among the heathen signified an evil love. More rejected Tyndale's ad-fontes logic and asserted the necessity of observing the historical developments of meaning in language. One should not give a word the meaning which it had in its original tongue but the meaning which it had acquired in English:

Now though this laten worde charitas was a worde vsed amonge the hethen ere Cryste cam / & though yt had sygnifyed in laten at that tyme amonge them an euill loue and a noughty: yet this englyshe word charyte neuer sygnifyed amonge vs any other loue then good / not euen in that speche that Tyndale speketh of, that turkes be charytable among them self, & some of them to crysten people to / where yt sygnifyeth yet rather pytye then loue: And therefore Tyndale muste in hys englysshe translacyon take hys englysshe wordes as they sygnifye in englyshe, rather then as the wordes sygnifye in the tonge, out of whyche they were taken in to the englysshe.

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47 Ibid., p. 201.

Not only did More assert that a foreign word must be given its English meaning, but also that it must be given its contemporary English meaning:

And I saye to Tyndale yet ferther, that though thys englysshe worde cheryte had ben englysshe before the byrthe of Cryste, and had then sygnifyed amonge englysshe infydeis an euill wanton loue / ye though it had then amonge them sygnifyed none other loue bût noughty: yet syth it sygnifyeth not that but contrary now in our tyme, and so hath sygnifyed longe before our dayes / Tyndale muste nedys in hys englysshe translacyon vse hys englysshe wordes in such sygnifycacyon as the people vse them in hys owne tyme / and not in such sygnifycacyon as they were used in of olde tyme, which the people haue chaunged and forgotten hundrethes of yerys ere he were borne.<sup>48</sup>

The English language had, for More, developed into an instrument of admirable flexibility in response to the difficulty and complexity of the human situation and Englishmen's understanding of it. He dismissed with indignation the argument that the English language was barbarous:

For as for that our tongue is called barbarous, is but a fantasy; for so is, as every learned man knoweth, every strange language to other. And if they would call it barren of words, there is no doubt but it is plenteous enough to express our minds in anything whereof one man hath used to speak with another.<sup>49</sup>

More considered that the English language was clear testimony that English history since the end of Roman domination had not been marked by continuous degeneration, but had reflected a positive responsibility on the part of Englishmen in attempting to develop a sensitive instrument to assist their

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<sup>48</sup> Ibid., pp. 201-202.

<sup>49</sup> English Works, II, 247.

response to real historical experience.<sup>50</sup> More argues, indeed, that the language had developed a responsiveness superior to that of Latin because of a greater precision of meaning; English has the definite article which removes many ambiguities occurring in Latin:

This artycle the, doth therefore in our englyshe tonge gyue great lyght vnto the sentence / and the greke tonge hath an artycle yt doth the lyke in theyrs / & the lakke of the lyke doth in the latyne tonge leue often tymys the sentence obscure and darke, whych wolde wyth that article yf the latyne langage had yt, appere open and p~~er~~uene.<sup>51</sup>

Furthermore, the word order of English allows for an exactness of meaning unattainable in the older tongue:

where he [Tyndale] translath god was the worde / all be it that in the greke and in the latyne it doeth well inough . . . yet in thys greate mater I wolde rather in our owne tonge haue chaunged and turned the order of the wordes & translate it thus: the word was god / then as Tyndale doth god was the word / lykewyse as I wold in englysshe rather saye Cryste was god, then god was Cryst.<sup>52</sup>

When he came to deal with the historical problem of an English translation of the Bible, More showed that the difficulty lay not in any supposed

<sup>50</sup> For a modern critical argument supporting More's claims for the merit of the English language, and arguing More's own excellent use of it, see R.W. Chambers, "The Continuity of English Prose from Alfred to More and His School," in Nicholas Harpsfield, The Life and Death of Sir Thomas More, ed. E.V. Hitchcock; xlvi-clv.

<sup>51</sup> Complete Works, 8, I, 230-231.

<sup>52</sup> Ibid., pp. 236ff.

inferiority of the common tongue, but in recurrent breakdowns of consensus concerning both agreement as to the principles of English usage and agreement as to the state of historically consented understanding which English words express.

The history of actual efforts at translation showed, in More's view, the same historical pattern as that implicit in every other aspect of English history: early responsible efforts in good will had achieved some preliminary success, but determination to sustain these praiseworthy efforts had waned; this failure had in turn encouraged destructive efforts motivated by frustration and perverse wilfulness; consequently, there had resulted a calling for renewed responsible efforts.<sup>53</sup> More argues repeatedly that good translations of English bibles had been made before Wyclif's days:

myself have seen and can show you bibles fair and old written in English, which have been knowen and seen by the biſhop of the diocese, and left in laymen's hands, and women's too, such as he knew for good and catholic folk that used it with devotion and soberness.<sup>54</sup>

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<sup>53</sup> The historical problem has been briefly noted by E.E. Reynolds, who argues that More's chief objection to the heretical translations was ". . . that in their pride they [the translators] relied too much on their own wits and not enough on the centuries of study and meditation that preceded them" (Saint Thomas More, p. 177).

<sup>54</sup> English Works, II, 232. For a discussion of one possible example of the kind of English bible More has in mind, see F.F. Bruce, The English Bible: A History of Translations (New York: Oxford University Press, 1961), pp. 10-11; and Anna C. Paues, ed., A Fourteenth Century English Biblical Version (Cambridge: Cambridge University Press, 1904). These scholars assume this and other examples of non-Wycliffite English bibles to have been made for the use of the inmates of religious houses.



More shows further, however, that while vernacular translations had provided the opportunity for this good use of scripture, they had also allowed misuse with catastrophic effects. This fact testified to the reality that the more valuable any instrument is, the more powerfully it can be abused. For More, Wyclif's attitude represented merely another historical occurrence of a wilful frame of mind, recurring throughout history, which sought to jeopardise the benefit of positive consensus by asserting dogmatically individualistic determinations:

For ye shall understand that the great arch heretic Wicklif, whereas the whole bible was long before hys days by virtuous and well learned men translated into the English tongue, and by good and godly people with devotion and soberness well and reverently read, took upon him of a malicious purpose to translate it of new. In which translation, he purposely corrupted the holy text, maliciously planting therein such words as might in the readers ears serve to the proof of such heresies as he went about to sow; which he not only set forth with his own translation of the bible, but also with certain prologues and glosses which he made thereupon. And these things he so handled (which was no great mastery) with reasons probable and likely to lay people and unlearned, that he corrupted in his time many folk in this realm.<sup>55</sup>

The case of Wyclif, in More's view, illustrates the enormously destructive potential of learned and literary skills if abused:

by other ill books which he made in latin, being after borne into Boheme, and there taught by John Huss and other, he was the occasion of the utter subversion of that whole realm, both in faith and good living, with the loss also of many a thousand lives.<sup>56</sup>

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55 Ibid., p. 232.

56 Ibid.

More saw Wyclif as only one in a long succession of men seeking to perpetrate abuse that had existed before him and were continuing to exist after him: "as he [Wyclif] began again the old heresies of those ancient heretics--whom and whose errors the church of Christ had condemned and subdued many divers ages before--so doeth Luther again begin to set up his."<sup>57</sup> He considered it was a tragic failure of English learned and literary efforts that no sound English bible had been provided for more than a century. While he could understand why the effects of the Wyclif and Tyndale translations had alarmed the clergy into temerity over the prospect of an English bible, causing them to fear "that seditious people should do more harm therewith than good and honest folk should take fruit thereby,"<sup>58</sup> More admitted frankly that he could not understand why God in his wisdom had allowed men to remain in the painful situation of not having an English bible:

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<sup>57</sup> Ibid., p. 232.

<sup>58</sup> Ibid., p. 243. While More sympathised with this fear, he did not share it: ". . . which fear, I promise you, nothing feareth me . . . . For else if the abuse of a good thing should cause the taking away thereof from other that would use it well, Christ should himself never have been born, nor brought his faith into the world; nor God should never have made it neither, if he should, for the loss of those that would be damned wretches, have kept away the occasion of reward from them that would, with help of his grace, endeavour them to deserve it."

<sup>59</sup> Ibid.

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As always, More was prepared to admit that the significance of many things, in terms of divine providential purpose, lies hidden. This reality does not, however, obviate the need for continuous efforts to seek a right way of response to problems, no matter how extreme they appear.

As well as representing More's sense of recurrent failures in English intellectual efforts to respond adequately to the difficult challenges of the historical situation, the controversies also show that he saw a continuity of praiseworthy efforts. This was particularly true of certain kinds of poetic, devotional, and historical English writings.

All the types of literature which More approves, in the controversies, are marked by characteristics that reflect his own sense of history. They all share a realistic representation of the realities of human experience in a way which suggests that More considered himself in the continuity of the same literary tradition. As far as poetic literature is concerned, More draws upon works which manifest an historical English literary preoccupation with the observation of comic and tragic human perversity and its representation through irony. Predictably, Chaucer provided More with significant material to which he alludes more than once. In the Dialogue, for example, More represents the Messenger as using Chaucer's Prologue to The Pardoner's Tale for his attack on the worship of images. The Messenger argues that God alone should be honoured, "For what reverent honour is there daily done, under the name and opinion of a saint's relic, to some old rotten bone that was haply sometime, as Chaucer saith, a bone of some holy Jew's sheep."<sup>60</sup> The allusion recalls Chaucer's representation of a cleric

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<sup>60</sup> Ibid.; p. 61. More repeats the allusion at p. 155.

who acts as if providential purpose, does not exist in the earthly human situation nor divine justice after it. More exploited the Chaucerian sense of irony again, in The Confutation, to reinforce his own ironic sense of the perversity of his opponents. In order to deflate Tyndale's comparison of the ability of the elect to know true scripture by a spiritual instinct to the ability of eagles to recognise their prey by some mysterious inner instinct, More recalls Chaucer's Parliament of Fowls:

syth that suche a byrd can spye his pray vntaught, whych he could neuer do but by the secreete instyncte of his excellent nature, to farre excedynge all other: yt muste nedys folowe perde that Tyndale and Luther in lyke wyse, and Huyskyn, and Swynghius, and suche other excellent heretykes, beyng in goddes fauour as farre aboue all the catholyke chyrche as an egle the ryche ryall kynge of all byrdes, is aboue a pore peny cheken / must nedes. I say without any lernyng of any man, be taught to knowe the trew scrypture beyng theyr pray, to spoyle and kyll and deuour yt as they lyst, euen by the specyall inspyracyon of god.

But now ye be well good reders by thys reason, that saynte Austayne in respecte of these noble egles that spye this pray without the meane of the chyrch, was but a seely pore cheken. For he confesseth playnely agaynst such hygh egle heretykes, that hym selfe hadde not knowen nor byleued the gospeil but by the catholyke chyrche.<sup>61</sup>

The ironic associatiön in More's mind between Tyndale's description of the elect as eagles and a parodic parliament of fowls led to an allusion to another eagle: that in Chaucer's House of Fame:

But yet is yt a worlde to heare, what a goodly castell Tyndale byeldeth in the ayre on hygh vppon hys egles bakke. For when he hath told vs ones that the egle of hym selfe without any teachynge, spyeth-out his praye /

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<sup>61</sup> Complete Works, 8, II, 723.

then goth he forth goodly wyth an hygh spyrytuall processe,<sup>62</sup>  
 & sayeth, Even so the chyldren of god spye oute, theyr  
father and mother. 62

More's appreciation of the ironic mode in Chaucer reflects his view that poetry has a special ability to enlarge the judgement and furnish men with a good-mother wit by inducing them into an awareness of the human condition. More's own "merry tales" serve the same purpose through the stimulating effect of their ironic humour. Other allusions in the controversies to English folk ballads show that More was sensitive to a long history of English attempts--even among the common people--to grapple with the complexities of experience by sharpening their sense of its realities through the effects of irony.<sup>63</sup>

The devotional works which More strongly recommends--"suche englysshe bookes as most may norysse and encrease deuocyon"<sup>64</sup>--are also

<sup>62</sup> Ibid., p. 724.

<sup>63</sup> For example, in order to reflect upon the futility of Tyndale's casuistry, More claims that the former proceeds "... ferther after the fasshyon of an olde englyssh baled that beginneth, The ferther I go the more behynde" (ibid., II, 647). R.S. Sylvester has a note in the Yale edition of The Confutation on the origins of this ballad, and gives the full text:

The farther I go, the more behynde;  
 The more behynde, the nere my wayes ende;  
 The more I sech, the wors can I fynde;  
 The lyghter leefte, the lother for to wende;  
 The trewer I serve, the ferther out of mynde;  
 Thoo I go lose, yet am I teyd with a lyne:

Is it fortune or infortune this I fynde? (III, 1630).

Another folk ballad More repeatedly cites is that of Robin Hood, Friar Tuck, and Maid Marion with its ironic representation of these characters as being other than they seem; see, for example, English Works, II, 246, 278.

<sup>64</sup> Complete Works, 8, I, 37.

chosen for their ability to enlarge the reader's sense of the significance, in terms of divine purpose, of reality. More's belief that works such as Hilton's Scale of Perfection, Nicholas Love's The Mirroure of the Blessed Lyf of Iesu Christ, and the English translation of the Imitation of Christ--all recommended by him--could powerfully influence the reader's response to experience is suggested by the use he makes of an analogue borrowed from the Ancren Riwe in which God is likened to a mother who allows her child to suffer for a while before wiping away his tears.<sup>65</sup> More uses this analogue repeatedly in the controversies, as, for example, when, in The Apology, he affirmed his belief that contemporary tribulation was within God's providence:

we be sure that neyther heretyques nor deuills can any thing doe but by goddes special sufferance, and that they shal betwene them both, neuer be able to distroy the catholyke faith, nor to preuaile against the catholyke churche, & all the mischief shal be theyr owne at length, though God for our sinne suffer them for a while, whom vpon mennes ammedement he wyll not fayle to serue at the laste, as doeth the tender mother which when she hath beaten her childe for hys wantones, wypeth hys yien and kisseth hym, and casteth the rodde in the fyre.<sup>66</sup>

More's use of this analogue shows that, as well as representing patterns of virtuous living, the writings of the English "mystics" had also sought

<sup>65</sup> More's borrowing from the Ancren Riwe was first noted and analysed by R.W. Chambers, "The Continuity of English Prose," in Harpsfield, Life of More, ed. Hitchcock, c, cxxiv-cxxix.

<sup>66</sup> Workes, p. 922. More also uses the analogue in the Responsio (Complete Works, 5, I, 142) and The Confutation (ibid., 8, II, 608-609).

to convey the providential significance of tribulation in the recurrent realities of the human situation.<sup>67</sup> The devotional works, like English representational poetry, testified to attempts of men in English history to exploit the potential of literature in the service of that which More considered to be the true aim of human intellectual responsibility.

The other type of English literature to which More alludes is represented by the old chronicles.<sup>68</sup> The controversial works reveal More's general familiarity with the native historiographical tradition as it.

<sup>67</sup> This view of the influence of the English mystics on More has recently been argued by Brian Byron, Loyalty in the Spirituality of St Thomas More, who asserts: "It was characteristic of these mystics to speak of contemplation, not as the prerogative of a few select souls, but as the normal development of the Christian life; they were suspicious of extraordinary phenomena because of the danger of illusions; the contemplative must not lose contact with the rest of existence, but should absorb his milieu in his ascent towards God, his sole end. These mystics concentrated on giving simple, practical, common-sense advice concerning the ordinary crises of the soul, such as temptations and illusions, and their remedies" (p. 145).

<sup>68</sup> More appeals to the chronicles on several occasions to support his historical claims; for example, in The Supplicacton, he refers his readers to the chronicles for evidence regarding the conflict between the church and King John over the election of the archbishop of Canterbury: "that thys is as we tel you . . . ye shal nowe perceiue, not only by diuers cronicles, but also by diuers monumentes. . ." (Workes, p. 296). The possibility of a complex relation between the English chronicle tradition and More's historiography has been suggested by A.E. Barker, "Clavis Moreana: The Yale Edition of Thomas More," JEGP, LXV (1965), 319.

survived in the Latin chronicles of St Albans,<sup>69</sup> and a specific allusion made during his dispute with Tyndale over principles of English translation shows his acquaintance with them to be certain. In The Confutation, More claims that only a poor translator would translate something into a word in another language which was not commonly understood in that signification:

As yf percase a man wolde translate a latine cronycle in to englyshe, in whyche were mencyon made of some thyng done in London / yf he founde in that cronycle the aldermen called by the name of senatores, or peradventure seniores: he shold yet in his englyshe translacyon call them not senatours nor elders neyther, syth neyther of those two wordes is in englyshe the name by which the aldermen of London be knowen / but he muste therfore translate senatores and seniores also in to aldermen in his englyshe translacyon. And ferther yf he there founde this worde Senatus Londinensis: he shold not translate yt in to this word senate / but eyther into mayre and aldermen, or percase (yf the circumstance of the mater so lede hym to yet) in to mayre, aldermen, and comen counsaile.<sup>70</sup>

This allusion shows not only that More knew the Latin chronicles, but also that in his mind they were associated with the everyday business of civic

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<sup>69</sup> For example, More must have drawn the details for his accounts of the Lollard legislation in the Parliament of 1410 and the defeat of it (cf. Workes, pp. 302, 885) from John Walsingham's Historia Anglicana, written in the fourteen-twenties. More could not have gained his information from parliamentary records, in this case, because the record of this Lollard legislation was deliberately withdrawn from the Roll of the Parliament of 1410. Until Fabyan's Chronicle, nearly a century later, Walsingham's history contained the only full account of Lollard activity in the 1410 Parliament. For a description of the Historia Anglicana and details of the suppression of the record from the parliamentary rolls, see C.L. Kingsford, English Historical Literature in the Fifteenth Century (Oxford: Clarendon Press, 1913), p. 16.

<sup>70</sup> Complete Works, 8, 1, 187.



and national government. The value More ascribed to the chronicles was probably due to his sense of the fidelity with which they recorded ordinary experience. In this respect, he must have seen them as being involved in the same effort to perceive and record the significance of reality as that of poetic and devotional literature.<sup>71</sup> More was probably also acquainted with the fifteenth-century London City Chronicles, written in English, not only because of his close connection with the City Corporation as lawyer and undersheriff, but also because his son-in-law, William Rastell, published Fabyan's collation of them in 1533: Rastell's interest in the English chronicles through Fabyan would have been shared by More, even possibly encouraged by him. It would be consistent of More to respond to the particularity of detail recorded by these City chronicles and to the sense of experience as complex which is evoked by them. Comparison between chronicle accounts of fifteen-century episodes and More's accounts in the controversies shows, however, that More must have considered further historiographical efforts were needed to elucidate the significance of historical events, in addition to the mere recording of facts.<sup>72</sup> For

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<sup>71</sup> The neglect shown by scholars of More towards the monastic chronicles in Latin as a possible influence on More's historiography is surprising, considering that these chronicles embodied the English historiographical tradition of which More was an immediate descendant. C.L. Kingsford has argued that, during the fifteenth century, "Save at St Albans the old tradition of national historiography was nearly extinct" (English Historical Literature, p. 43).

<sup>72</sup> For a discussion of the London City chronicles in English, see Kingsford, English Historical Literature, pp. 70-111.

example, the account of the Cobham rebellion in the London chronicle for 1413-1418, while marked by a very strong realism and particularity, makes no attempt at voicing any philosophical, theological, or political interpretation of the events it records.<sup>73</sup> More's many recitations of the Cobham rebellion, in contrast, use it as an occasion for demonstrating praiseworthy cooperation between king and subjects in fulfilment of natural duties.<sup>74</sup> More's accounts also demonstrate how the rebellion itself was the product of previous English lassitude and failure in responsibilities which in turn had worked the means for the nation's chastisement.<sup>75</sup> More's

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<sup>73</sup> Kingsford reprints the 1413-1418 account: "And the same yere purposed the forsayde syr John to haue slayn the kyng and his lordes at Eltham, that is to seye the xij day atte nyght. And pt same nyght the mayere of London hadde warnyng therof. And he toke the aldermen and all the wardes of London, and made grete wache that nyght. And pt same nyght the mayne toke john Burgate, carpenter, and many oper of the same sekt and consentyng to the forsayde syr John. And pt same yere the xije day fell vp on pe saterday. And the Moneday next after the Kyng whit his lordes come from Eltham thorowe London vnto Westm. And on the morn after at nyzth the kyng and his lordes toke the feld: for he hadde tydyng pt the forsayde syr John and syr Roger of Acton schulde be in the same feld the wednesday next folowyng wt xxv. M<sup>l</sup>. people for to distroie the Kyng and all his lordes: and the same nyzght the Kynges men toke of hem iijjxx and moo of syr John Oldcastell meyne" (English Historical Literature, p. 293).

<sup>74</sup> See, for example, English Workes, II, 304; cf. The Apology, Workes, p. 923.

<sup>75</sup> The Apology, Workes, pp. 922-923.

own way of philosophically educating universal significance from historical events suggests that he thought the native English historiographical tradition, while it had served a valuable function in recording the realities of English history, needed to be renovated and developed by the application of more fruitful philosophical and literary efforts.<sup>76</sup> In this respect, the renovation which More sensed as necessary to sustain the effectiveness of historical writing was parallel to the renovation he felt the scholastic system must undergo in order to support a revival of responsibility.

More, in his consideration of English learning and literature showed that, while they suffered the same historical problems as other aspects of English history, they nevertheless constituted invaluable instruments when put to good use for assisting men in their earthly spiritual business. Although the proliferation of books believed by More to be maliciously motivated and seditious caused him to fear that the abuse of learning and literature was powerfully rampant in the contemporary situation,<sup>77</sup> he never lost his belief that the good use of these instruments outweighed the misuse.<sup>78</sup> The controversies themselves never completely

<sup>76</sup> The present study can cover only More's contribution to English historiography in terms of his sense of the pattern in intellectual history expressed in the controversies; however, The History of King Richard III marks an obvious earlier attempt by More to accomplish the end of enriching English historiography.

<sup>77</sup> See More's account of the proliferation of heretical books between 1526-1531 in The Confutation (Complete Works, 8, 1, 7-11).

<sup>78</sup> More did, however, come close to losing faith in the good use of learning and literature at the time he wrote The Apology, when he doubted, temporarily, whether scripture should be translated into English after all. (Workes, pp. 849-850).

abandon the use of "literary" effects. For the earlier controversies, More employed elaborate fictional frameworks. The Responsio ad Lutherum, in its final version, pretends to be written by an Englishman, William Ross, who, living in Rome, had been forced to withdraw into the country to avoid a plague in the city. There, a friend gives him Luther's reply to Henry VIII's Assertio to read and, eventually, persuades Ross to attempt a refutation of it as a matter of national pride.<sup>79</sup> The Dialogue represents "More" speaking, at the request of a friend, to an ardent university student whose dissatisfaction with his university education has made him prone to sympathize with heretical arguments.<sup>80</sup> The following controversial work, The Supplication of Soules, draws upon the striking device of having the souls in purgatory put their case against Simon Fish's arguments.<sup>81</sup> The earlier controversies are also filled with "merry tales". In the tales More represents tragically and comically absurd responses to experience, as when he describes "a poore wyfe of the paryshe whyspering wyth her pewfellow" in church, who, upbraided by the parson, "waxed as angry agayne, and sodainly she start vp and cryed out vnto the frere agayne, that al the church rang theron: mari sir I beshrew his hart that bableth most of vs bothe. For I doe but whysper a woord wyth my neyghoure here, and thou hast babled there al thys houre."<sup>82</sup> More also represents admirable, common-sensical responses

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<sup>79</sup> Complete Works, 5, I, 15-31.

<sup>80</sup> English Works, II, 1-12.

<sup>81</sup> Workes, pp. 288, 334-338.

<sup>82</sup> The Debellacion, Workes, p. 948.

in these merry tales; for example, when he describes the maid who, when told by a casuistical tile-layer that she could carry water home in a sieve if she only stopped up all the holes, "laughte and sayde that she coulde yet teache hym a thyng that a man of his craft had more nede to lerne. For she coulde teache hym how he sholde neuer fall, clymed he neuer so hygh, all though men toke away the lader from hym. And when he longed to lerne y<sup>t</sup> poynt to save his nekke wyth / she bode hym do no more but euer se surely to one thyng, that is to wytte, that for any haste he neuer come downe faster then he went vpe."<sup>83</sup> The merry tales of this second class usually show how common-sense realism enables even the simplest of men to achieve immediately positive grounds for praiseworthy responses to experience.<sup>84</sup> Related to the merry tales, is More's use of metaphors and similes throughout the controversies. These, too, imagistically illuminate the relation between attitudes and actions More describes and real experience, and also suggest a certain universality in human experience. Metaphors More recurrently uses, among many others, are those of a play,<sup>85</sup> a ship

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<sup>83</sup> Complete Works, 8, II, 655.

<sup>84</sup> For tales of this type, see English Works, II, 51, 107, 178-179, 300; Complete Works, 8, I, 122, 447; II, 883, 897; Workes, pp. 971, 1135.

<sup>85</sup> Complete Works, 5, I, 497; Complete Works, 8, I, 141; II, 919.

in a storm,<sup>86</sup> a maze,<sup>87</sup> wrestlers,<sup>88</sup> a physician,<sup>89</sup> the relation between master and servant,<sup>90</sup> and corn and cockle.<sup>91</sup> Besides drawing upon these "poetical" procedures, the controversies also depend greatly on More's use of rhetoric.<sup>92</sup>

Although the controversial writings never completely abandon the use of these literary effects, the weight of the polemical argument which More was forced to undertake in 1533 repressed them, to some degree, in

<sup>86</sup> Workes, pp. 322, 1371-1372.

<sup>87</sup> Complete Works, 8, I, 398; II, 809; Workes, p. 919.

<sup>88</sup> Complete Works, 5, I, 219; Complete Works, 8, I, 255; Workes, pp. 854, 1124.

<sup>89</sup> English Works, II, 252; Complete Works, 8, I, 38, 98-99, 105; Workes, p. 1355.

<sup>90</sup> Complete Works, 8, I, 264, 355, 451-452; II, 907, 941.

<sup>91</sup> Complete Works, 5, I, 55, 691; English Works, II, 142-143.

<sup>92</sup> For a detailed treatment of this vast topic, see Rainer Pineas, Thomas More and Tudor Polemics (Bloomington: Indiana University Press, 1968).

the later controversies. The immediacy of the effort into which More's deepening sense of the power of Antichrist impelled him caused him to jettison the fictitious frameworks he had elaborated earlier and engage in exhaustively tight argument. Consequently, the number of merry tales decline drastically in such works as The Apology, The Debellation, and The Answer to the First Part of the Poysoned Booke Whych a Nameless Heretike Hath Named the Supper of the Lord.<sup>93</sup>

More's impulse towards logic alone rather than literary representation was, however, never complete, and only transitory. The books he wrote in the Tower<sup>94</sup> mark a return to his earlier mode. For A Dialogue of Comfort Against Tribulation, More again creates an elaborate fictional framework and includes a great number of merry tales. Just as significantly, More turns in his last works to extended imaginative evocations of historical situations recorded in scripture, as if he had become re-convinced that an imagistic representation of real experiences, past as well as present, could more effectively influence a reader than rational argument alone--just as earlier, in the Dialogue, he had asserted that it did. Indeed, More's final attempts at communicating the significance of the English

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<sup>93</sup> There are, for example, only two tales in The Answer to . . . the Supper of the Lord, as against approximately eight times that number in the Dialogue.

<sup>94</sup> Recent evidence suggests that part of the Treatise upon the Passion--the first half written in English--may have been written before More entered the Tower; More is then presumed to have completed the work in Latin while a prisoner. See L.L. Martz, "Thomas More: The Tower Works," in St Thomas More: Action and Contemplation; ed. R.S. Sylvester, pp. 60-82.

experience at large, and his own experience in particular, suggest an intent on his part to add his own contribution to the history of attempts by Englishmen to record their responses to experience. The experience he did record was a mirror of the experience that, in the controversies, he had shown Englishmen to have undergone throughout history; and the response he recorded was consistent with all those which, through his treatment of English history, he had shown to be admirable.



APPENDIX  
EXCERPT FROM THE LATIN TEXT  
OF MORE'S LETTER TO OXFORD<sup>1</sup>

Ad haec cum palam infamat quoscumque scire quidquam deprehenderit, quod ipse quo minus addiscat, segnitias aut ingenii desperatio prohibet, annon haec invidia est? Denique cum nullum scientiae genus in precio vellet esse, nisi quod ipse scire se falso sibi persuaserit, atque ab ignorantia maiorem sibi laudem arroget quam ab scientia quorundam fert modestia; numnam haec suprema est superbia? Itaque quod ad seculares literas pertinet, quanquam nemo negat saluum esse quemquam sine literis, non illis modo, sed prorsus vllis posse, doctrina tamen, etiam secularis, ut ille vocat, animam ad virtutem praeparat; quae res ut sese habeat, nemo saltem dubitat, literas vnam prope atque vnicam esse rem, propter quam frequentatur Oxonia, quandoquidem rudem illam et illiteratam virtutem quaeuis bona mulier fiberos suos ipsa docere, non pessime posset domi; praeterea non quisquis ad vos venit, protinus ad perdiscendam theologiam venit, oportet sint qui et leges perdiscant.

Noscenda est et rerum humanarum prudentia, res adeo non inutilis theologo ut absque hac sibi fortassis intus non insuauiter possit canere, at certe ad populum inepte sit cantaturus: quae peritia haud scio an alicunde vberius, quam e poetis, oratoribus atque historicis hauriatur. Quin sunt nonnulli, qui cognitionem rerum naturalium, velut viam sibi, qua

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<sup>1</sup> The text is taken from E.F. Rogers, ed., The Correspondence of Sir Thomas More (Princeton: Princeton University Press, 1947), pp. 115-116, II. 116-148.

transcendant in supernarum contemplationem, praestruunt, iterque per philosophiam, et liberales artes, (quas omnes iste saecularis nomine litteraturae damnat) iter faciunt ad theologiam, spoliatis videlicet Aegypti mulieribus in reginae cultum. Quam theologiam (quoniam hanc solam videtur admittere, si vel hanc admittat) non video tamen quo pacto possit attingere, citra linguae peritiam, vel Hebraeae vel Graecae vel Latinae, nisi forte sibi persuasit homo suavis, satis [in] id librorum scriptum esse Brytannice, aut totam prorsus theologiam putat intra septum illarum claudii quaestionum, de quibus tam assidue disputant, in quas pernoscendas, pars exigua fateor linguae Latinae suffecerit.

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<sup>1</sup> All microfilm copies listed are in the series English Books Before 1640 (Ann Arbor, Michigan: University Microfilms), and are cited with the relevant reel number for this series.

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