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978-0-521-87006-1 - Hobbes, Bramhall and the Politics Liberty and Necessity: A Quarrel of the Civil Wars and Interregnum

Nicholas D. Jackson

Excerpt

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INTRODUCTION

Historians may know that sometime in the seventeenth century the English philosopher Thomas Hobbes debated John Bramhall, Bishop of Derry. But where and what did they debate? And why did they debate the issues they did? It is not difficult to find brief descriptions or summaries of their public debate on free-will; this book provides the first comprehensive account not only of that debate, but also of their private quarrel and hostile relations during both the Wars of the Three Kingdoms and Interregnum. Hobbes and Bramhall argued about much more than 'liberty' and 'necessity' (free-will and determinism), and the following account offers a detailed historical explanation of their debating those and other issues. By situating their long and acrimonious, private and public, dispute within its contemporary context we may come to view the whole quarrel as a by-product or collateral intellectual skirmish of those rebellions and wars in the British Isles. We can also come to understand exactly what stakes they were playing for: what would a victory in the dispute mean to themselves, their friends and their audience? Although the clash of arms in their homeland was quite destructive, it was also productive of such contests of wit as the uncivil war of words between Hobbes and Bramhall that began across the Channel.

In the summer of 1645, during the First English Civil War, Hobbes and Bramhall met in Paris, at the lodgings of their mutual acquaintance, the recently retired Cavalier general, the Marquess of Newcastle. Perhaps it was just as they were all finishing dinner that the nobleman sparked a discussion of free-will. The discussion quickly turned into an argument. And shortly after this personal meeting, Hobbes and Bramhall took up the argument by pen. This epistolary quarrel remained a private one until Hobbes's paper was published in London in 1654. This publication immediately incited a battle of books. But while many commentators have described this private and public quarrel as simply one of philosophy and theology, I argue that it was much more than that. In the first place, it is very misleading to refer to their debate on free-will as merely philosophical or theological, for in mid-seventeenth-century England (and Europe) that issue was frequently

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intertwined with politics, that is, matters of concern to governments. From as early as the 1620s, one could, for example, be denounced in parliament as ‘popish’, that is, unpatriotic or treasonous, for subscribing to such doctrine. At least for some Englishmen, to assert the doctrine of free-will was to assert the distinctive doctrine of ‘arminianism’. And arminianism was, in turn, just a half-step from ‘popery’; it was crypto- or quasi-popery.¹ And popery was, of course, the religion of the Habsburgs, Bourbons and other rival continental powers – the religion of the enemy. Conversely, to deny free-will and assert predestination (theological determinism) was, in the eyes of other Englishmen, to betray one’s ‘puritanism’, which was, in its turn, also to betray a seditious and rebellious tendency. As Samuel Brooke, master of Trinity College, Cambridge, remarked in 1630: ‘Predestination is the root of Puritanism . . . and Puritanism the root of all rebellions and disobedient intractableness in parliaments . . . and all schism and sauciness in the country, nay in the Church itself.’² Thus, what many of us in the twenty-first century might regard as merely a theological position could readily be taken for a political one in seventeenth-century England. Secondly, alongside but also intertwined with the quarrel over free-will were several other separate (or separable) disputes about Christianity, law and government. Indeed, Hobbes and Bramhall took up several of the most controversial issues of the day: the nature of sovereignty and law; the government of England; the definition and nature of the church of England; and the nature of and relationship between religious and political authority. It is my contention that their most personal and bitter disagreement concerned the latter: political and religious authority. Hobbes held that all authority in a commonwealth resided in and flowed from the civil sovereign. Thus, even religious (or ‘spiritual’ or ‘ecclesiastical’) authority was wholly derived from and subordinate to that sovereign. Bramhall disagreed. He insisted that there was religious authority *not* derived from the sovereign, but from Christ immediately; that there was ‘divine’ (or ‘spiritual’) authority that did not come from the civil sovereign. This disagreement concerning religious authority was exposed especially clearly in the question of episcopacy.

¹ ‘To the extent that Popery was seen as synonymous with Arminianism this was because the teachings on predestination by the Council of Trent were so similar.’ Nicholas Tyacke, *Aspects of English Protestantism, c. 1530–1700* (Manchester and New York: Manchester University Press, 2001), 227. The fourth canon established in the sixth session of that council declared that the will of a created agent, operated on by divine grace, may resist that grace if the agent so chooses. Robert Sleigh, Jr, Vere Chappell and Michael Della Rocca, ‘Determinism and Human Freedom’ in *The Cambridge History of Seventeenth-Century Philosophy*, eds. Daniel Garber and Michael Ayers (Cambridge: Cambridge University Press, 1998, 2 vols.), II, 1203.

² As quoted in Nicholas Tyacke, *Anti-Calvinists: The Rise of English Arminianism, c. 1590–1640* (Oxford: Oxford University Press, 1987), 57.

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Modern observers of their stubborn disagreement over episcopacy may wonder why it exercised them so much. What did it matter whether episcopacy were by divine right (*jure divino*) or not? If it were not by divine right, if it were merely by *human* right – a human contrivance or institution – then it could, like all things human, be altered or abolished as men thought fit.³ On the other hand, if episcopacy – the order of bishops in England, Wales, Scotland and Ireland – were by *divine* right, it could not be altered or abolished.⁴ In the latter case, only God himself could rescind it: those who would alter or abolish it would be defying God. Thus, by asserting episcopacy *jure divino*, Bramhall was effectively preserving that order to which he belonged. On the other hand, by denying episcopacy to rest on such authority Hobbes was rendering it vulnerable to abolition. By implication he was hazarding the privileged status of Bramhall, the bishop of Derry. Hobbes was trying to persuade his contemporaries – not least sovereigns like the Stuart princes – that if they were to dispense with episcopacy they would not be defying God's will. They would only be dispensing with a certain human arrangement that had become inconvenient. Abolishing episcopacy would be tantamount to repealing a tax that had become unpopular or impractical.

Yet Hobbes insisted in more than one of his published writings that he was opposed only to episcopacy *jure divino*; that is, that he had never had any qualms with episcopacy, so long as it was by the civil sovereign's authority (*jure civili*). For example, in the dedication of *Problemata Physica* (1662), an epistle addressed to King Charles II, Hobbes claimed that in *Leviathan* (1651) he had written 'nihil . . . contra episcopatum' ('nothing . . . against episcopacy').⁵ However much one would like to credit this claim, there is no denying that Hobbes wrote a letter to the third earl of Devonshire in the summer of 1641 in which he expressly condoned the replacement of an episcopal by a quasi-presbyterian church organisation of lay commissioners.⁶

³ As Bramhall stated in an answer to a book by the presbyterian Richard Baxter: 'Against divine right there is no prescription, but against human right men may lawfully challenge their ancient liberties and immunities by prescription.' 'For whatsoever is constituted by human right may be repealed by human right.' *Vindication of Episcopal Clergy*, BW, III, 548, 551. On another occasion, when writing against the English Roman catholic, John Sergeant, Bramhall made the same point: 'human institutions may be changed by human authority'. *Schism Guarded*, BW, II, 386. Hobbes once expressed concern about the troublesome consequences of regarding a divine command as merely *jus humanum*. Hobbes to Mr Glen, 6/16 Apr. 1636, *Corr.*, I, 30.

⁴ As Hobbes's older contemporary and sometime associate John Selden observed: 'The Church runs to *jus divinum*, lest if they should acknowledge [that] what they have, they held by positive [merely human] law, it might be as well taken from them as it was given them.' *The Table Talk of John Selden*, ed. Frederick Pollock (London: Quaritch, 1927), 61.

⁵ *Problemata Physica*, OL, IV, 302; trans. as 'Seven Philosophical Problems' (1682), EW, VII, 5.

⁶ This letter is quoted and discussed in chapter 3.

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Furthermore, the tenability of Hobbes's implied distinction between episcopacy and episcopacy *jure divino* may be regarded as dubious. What exactly would episcopacy be if divested of its divine-apostolical origin, character and sanction? One might argue that episcopacy without the *jure divino* was just a hierarchical arrangement of the church within the state. Thus, where Hobbes insisted that he only rejected episcopacy *jure divino*, we can understand why at least some of his contemporaries thought him disingenuous. At all events, we should take with a pinch of salt Hobbes's claim that he never wrote against episcopacy. Bramhall, at least, would have found that preposterous. Indeed, for Bramhall, if not also for many of his contemporaries, there was no episcopacy without the *jure divino*. In attacking episcopacy *jure divino* – as merely a remnant of 'popery' in the church of England – Hobbes was, willy-nilly, echoing or reinforcing a puritan equation of episcopacy and popery. Unwittingly or not, Hobbes was associating himself with the adversaries and critics, not the supporters, of the regime of Charles I and Archbishop Laud (and Bramhall).

Bramhall strenuously objected to Hobbes's caesaro-papist maxim that: 'True religion consisteth in obedience to Christ's lieutenants, and in giving God such honour, both in attributes and actions, as they in their several lieutenancies shall ordain.'⁷ Bramhall insisted that by making civil sovereigns Christ's lieutenants Hobbes had effectively perverted the relationship between religion and politics. As Bramhall was to put it, Hobbes had made 'policy to be the building, and religion the hangings, which must be fashioned just according to the proportion of the policy; and not . . . making religion to be the building, and policy the hangings, which must be conformed to religion'.⁸ But to concentrate on Bramhall's metaphor (a metaphor taken, curiously, from the presbyterian Thomas Cartwright) of 'building' and 'hangings', or 'policy' and 'religion' in the abstract, is to risk being distracted from the consequence that to render religion the 'building' instead of the 'hangings' – that is, to give the priority to 'religion' over 'policy' – would be in effect to make bishops (not excluding Bramhall) more powerful, and the civil sovereign to the same degree less powerful. At least for Hobbes, this was the clericalist import of arranging the 'building' and 'hangings' according to Bramhall's prescription. As a bishop, as a religious authority, the priority of 'religion' would logically make Bramhall more important than laymen, whether MPs or the king. As a layman, the king did not, after all, hold the 'keys', the power 'to loose and to bind', that is, to mediate

⁷ This aphorism recalls the formula of the Peace of Augsburg, 1555: *cuius regio, eius religio*. Insofar as this formula is 'erastian' Hobbes may be styled thus. The best recent discussion of Hobbes's erastianism is Jeffrey Collins, *The Allegiance of Hobbes* (Oxford: Oxford University Press, 2005), 11–57.

⁸ *Catching, BW*, iv, 596–7.

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salvation. This is what bothered Hobbes so much: that by Bramhall's doctrine, the churchmen would ultimately be superior at least in this one way – a not inconsiderable way, if eternal life is reckoned infinitely greater than a mere three-score-and-ten.⁹ Hobbes's primary concern in denying episcopacy *jure divino* (as opposed to *jure civili*) was to deprive the clergy of the power of making subjects disobey the civil sovereign. Obedience to the ecclesiastic and disobedience to the civil sovereign would destroy the state: 'it is impossible a commonwealth should stand where any other than the sovereign hath a power of giving greater rewards than life, and of inflicting greater punishments than death'.¹⁰ If bishops had an authority *jure divino*, then a subject would need to be quite concerned about disobeying the bishops: by disobeying the latter he could be disobeying God and, thus, imperiling his salvation. As Hobbes argued most emphatically in *Leviathan*, this fear had often been, and could still be, exploited by clergy to make subjects disobey the civil sovereign. The civil sovereign might be able to command subjects to disobey the ecclesiastic on pain of imprisonment or death, but the ecclesiastic could command subjects to disobey the civil sovereign on pain of damnation. This would give the latter equal or more power over subjects. By denying them their divine right, Hobbes was denying them their power of determining damnation. By impugning the *jus divinum* of the ecclesiastic, Hobbes was attempting to deprive the ecclesiastic of his power to control the behaviour of subjects who would, otherwise, be concerned to obey the ecclesiastic, for fear of damnation. However much Bramhall and other bishops might have disclaimed their vested interest or mercenary motive in maintaining episcopacy *jure divino*, and however much they might have denied their wish to occupy an exalted position within society, Hobbes drew attention to these implications of their doctrine concerning spiritual authority: that they themselves would have an importance that went beyond that of the civil sovereign. By the same token, Bramhall noticed that the implication of Hobbes's rejection of this doctrine rendered the lay philosopher equal to the clergy. As Hobbes clearly thought that he had more 'reason' and 'science' than the clergy, Bramhall perceived that the philosopher was effectively placing himself above them. If Bramhall was 'selfishly' trying to maintain his own power by episcopacy *jure divino*, Hobbes was 'selfishly' trying to obtain

⁹ George Downname, Bramhall's episcopal predecessor at Derry, expressed this point in a 1608 sermon: because the custodians of the 'keys' were the brokers of salvation, 'the ministry in dignity doth excel the magistracy'. Quoted in Charles W. A. Prior, *Defining the Jacobean Church: The Politics of Religious Controversy, 1603–1625* (Cambridge: Cambridge University Press, 2005), 14. Hobbes acknowledged eternal life to be greater than three-score-and-ten: 'Now seeing eternal life is a greater reward than the life present' and conceded that only a fool would choose the latter at the expense of the former. *Lev.*, XXXVIII, XLIII, 301, 398.

¹⁰ *Lev.*, XXXVIII, 301.

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some of that power by impugning episcopacy *jure divino* – and asserting the superiority of *his* rationality.

Again and again Hobbes repeated his contention that episcopacy *jure divino*, or any other pretence that allowed some kind of authority independent of the civil sovereign, undermined the civil sovereign's authority, and, thus, the state. But had this happened in the case of Charles I and the pretentious anglican bishops? Had the maintenance of this doctrine by bishops of the church of England undermined the authority of Charles I? Upon even superficial examination, it would be hard to allow Hobbes's claim much merit. For such churchmen as Laud and Bramhall never swerved from loyalty and submission to Charles I. They never defied him or cited episcopacy *jure divino* against him.¹¹ In the 1630s Bramhall had argued vehemently in a session of the court of the Irish high commission that the clergy were very 'useful to the ends of government and the security of princes and states'.¹² Events were to prove that Laud and his episcopal brethren were very good subjects indeed.¹³ In fact, some subjects complained that many Laudian churchmen were, in effect, mere sycophants and irresponsible advocates and propagandists of tyranny.¹⁴ In making the claim that episcopacy *jure divino* and the king's royal supremacy in religion could not stand together, Hobbes was, in

¹¹ Here I mean by 'Laudians' simply those who maintained episcopacy *jure divino*. For a convincing argument that under the early Stuarts the theory of episcopacy *jure divino* was not regarded as a diminution of the civil sovereign's royal supremacy in religious matters, that is, that episcopacy *jure divino* and royal supremacy were considered perfectly compatible, see J. P. Sommerville, 'The Royal Supremacy and Episcopacy "Jure Divino", 1603–1640', *Journal of Ecclesiastical History* 34, 4 (1983): 548–58. On the mutual reinforcement of the doctrines of episcopacy *jure divino* and monarchy *jure divino*, see J. H. M. Salmon, 'Catholic Resistance Theory, Ultramontanist, and the Royalist Response, 1580–1620' in *Cambridge History of Political Thought, 1450–1700*, ed. J. H. Burns, with the assistance of Mark Goldie (Cambridge: Cambridge University Press, 1991), 247. For royal supremacy and the Tudors, see Claire Cross, *The Royal Supremacy in the Elizabethan Church* (London: Allen and Unwin, 1969), 19–114, and 'Churchmen and the Royal Supremacy' in *Church and Society in England: Henry VIII–James I*, eds. Felicity Heal and Rosemary O'Day (Hamden: Archon, 1977), 15–34; R. E. Head, *Royal Supremacy and the Trials of the Bishops, 1558–1725* (London: SPCK, 1962), 1–36, and E. T. Davies, *Episcopacy and the Royal Supremacy in the Church of England in the XVI Century* (Oxford: Clarendon, 1950); for the development of arguments for episcopacy *jure divino* in the late 1580s, starting with John Bridges, see Peter Lake, *Anglicans and Puritans? Presbyterianism and English Conformist Thought from Whitgift to Hooker* (London: Unwin Hyman, 1988), 90–7; for the 1590s, see *ibid.*, 220–5.

¹² Vesey, AH, xx. Similarly, Bramhall was to observe in a writing of the early 1650s that one of the ends of 'ecclesiastical discipline' was 'to preserve public peace and tranquility, to retain subjects in due obedience'. *Just Vindication*, BW, I, 190.

¹³ For Laud's complete adherence to the king's supremacy in religious matters, see Jeffrey Collins, 'The Restoration Bishops and the Royal Supremacy', *Church History* 68, 3 (1999): 550–5.

¹⁴ Similarly, as Tyacke has observed: '[D]uring the Personal Rule absolutism and Arminianism [associated with Laudians] became closely identified in the popular mind.' *Aspects of English Protestantism*, 151.

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fact, echoing puritans. In a sermon published in 1609, the puritan (congregationalist) Henry Jacob had attacked episcopacy thus: 'Wherein they [the bishops] greatly prejudice your imperial crown: so they offer no mean indignity and injury to the temporal state, by intercepting and seizing upon the magistracy . . . usurping upon the supremacy of the civil magistrate, in whose power only it resteth to enact and ordain laws ecclesiastical.'¹⁵ Hobbes was employing the stratagem of papists as well as puritans: 'Opponents of the established Church found it a useful polemical ploy to allege that [Royal] Supremacy and divine right episcopacy were incompatible. Both Catholics and extreme Protestants made this allegation.'¹⁶ Bramhall might at any time have pointed out that in subverting episcopacy *jure divino* Hobbes was effectively supporting the papists; in slandering episcopacy *jure divino* as 'popish' Hobbes was, ironically, validating their position:

They take their aim much amiss who look upon Episcopacy as a branch of Popery, or a device of the Bishop of Rome to advance his own greatness. Whereas the contrary is most certain, that the Pope is the greatest impugner of Bishops, and the Papacy itself sprung from the unjust usurpation of their just rights. Let it be once admitted, that Bishops are by Divine right, and instantly all his dispensations, and reservations, and exemptions, and indulgences, and his conclave of Cardinals, and the whole Court of Rome, shrink to nothing.¹⁷

Was Hobbes aware of the polemical company he was keeping with seditious papists and puritans? Bramhall, at least, seems to have detected the affinity. As I will argue, most fully in chapters 2 and 3, by not arguing in favour of the controversial doctrines and discipline of Charles's bishops in the *Elements of Law* (1640) and *De Cive* (1642), Hobbes conspicuously failed to support Charles himself.

Whether Hobbes was aware of the fact or not, in his quarrel with Bramhall he associated himself with critics and enemies of the king's government. He did this by his positions on two key (and related) questions: episcopacy and free-will. By impugning episcopacy *jure divino* and by arguing that such episcopacy subverted royal supremacy, Hobbes was echoing 'disaffected' members of the Long Parliament, some of whom were aiming at the abolition

¹⁵ Quoted in Prior, *Defining the Jacobean Church*, 136.

¹⁶ Sommerville, 'Royal Supremacy and Episcopacy', 556. Further, as Sommerville shrewdly observes: 'Puritans used the allegation that the Royal Supremacy was incompatible with *jure divino* episcopacy not only to tar the bishops with the brush of sedition, but also to exculpate themselves from the charge that in attacking the bishops they were indirectly attacking the king.'

¹⁷ *Just Vindication*, BW, I, 189. Making the point succinctly in a slightly later writing, Bramhall asserted: 'Episcopal rights and Papal claims are inconsistent.' *Vindication of Episcopal Clergy*, BW, III, 529; see also *Serpent-Salve*, BW, III, 492; *Replication to the Bishop of Chalcedon*, BW, II, 69. The papacy had rejected the doctrine of episcopacy *jure divino* as subversive at the Council of Trent.

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of episcopacy altogether. Those MPs had also argued that episcopacy *jure divino* was not scripturally sound (only a ‘popish’ rag), and that it was incompatible with the king’s royal supremacy. In charging Bramhall with derogating from the royal supremacy by episcopacy *jure divino*, Hobbes would be echoing one of the charges that parliament had brought against Laud. Among the fourteen articles against that controversial archbishop, the sixth claimed that he had ‘traitorously assumed to himself . . . power . . . to the disinheritance of the Crown, dishonour of his Majesty and derogation of his supreme authority in ecclesiastical matters’.¹⁸ As for free-will, Hobbes’s contemptuous rejection of the idea inevitably associated him with those who had denounced it as ‘arminian’ and ‘popish’ doctrine. In light of this, one way of reading Hobbes’s attack upon Bramhall is as an echo of Prynne’s and Pym’s attacks upon Laud. Thus, from a close study of Hobbes’s quarrel with Bramhall, the philosopher emerges as no friend of the church as it was established under Charles I. And this alone may lead us to wonder whether we should consider Hobbes much of a royalist. Are we to call him a royalist who evinced no support for Charles I’s religious regime? Ought we to call him (or anyone else) a royalist who revealed no sympathy for the ecclesiastical establishment for which (at least partially) the king was to die?¹⁹ As I shall emphasise in subsequent chapters, we can discern the irony that in the case of Charles I, Hobbes failed to follow his own caesaro-papist maxim about conforming to the religion of the sovereign. While the ‘clericalist’ king had favoured arminians, and affirmed episcopacy *jure divino*, Hobbes maintained a thoroughly anti-arminian and anti-episcopacy *jure divino* position. Thus, it would seem that he deviated quite considerably from the religion of his (putative) sovereign.

What Hobbes does not seem to have appreciated was that episcopacy *jure divino* might be good propaganda for both king and bishops. To maintain that bishops derived authority from God – when in fact, they held whatever power they had from the king – would make the bishops appear less the ciphers of an omnipotent, tyrannical king. And this would have the salutary effect of making it *seem* that there was some kind of separation of powers or checks-and-balances: that king-and-bishops did not form a tyrannical monolith – when in fact they did.²⁰ So what if it were maintained that they had a so-called ‘spiritual’ authority not derived from the king? Charles and his bishops had arrived at a convenient arrangement, whereby they supported

¹⁸ *Works of Laud*, III, 406.

¹⁹ To be sure, many besides Hobbes have been classified royalist – many fought alongside the king – who did not support the church establishment of the 1630s. I would argue that the latter rendered their royalism imperfect.

²⁰ That is, when the bishops were very cooperative with the king, as they mostly were under James and Charles.

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his monarchical pretensions and he supported their clericalist pretensions.²¹ The latter, of course, entailed the king's recognition of episcopacy *jure divino*. But as long as the bishops were willing to practise obedience – and not to cite such doctrine for not doing so – it would really cost the king nothing to allow this doctrine. Thus, Hobbes would appear guilty of dangerous pedantry in objecting to a doctrine that cemented the Stuarts' convenient monarchical-episcopal arrangement. Paradoxically, the clergy might maintain the king's power better if they were thought *not* to derive all their power from him. By maintaining their own independent 'spiritual' authority, they were thus able to maintain the king's political authority indirectly. If the *jus divinum* were taken away from the bishops, if it were publicly declared that they had all their authority exclusively from the king (*jure civili*), then there might have been an even greater outcry at the king's boundless tyranny – and a louder objection to the churchmen's self-interested justification of that tyranny. One might also observe that in impugning the *jus divinum* of episcopacy, Hobbes was rendering religious affairs more susceptible to *non-royal* lay control. He might have wished for total *royal* erastianism, but would the destruction of episcopalianism give way, instead, to *parliamentary* erastianism? In the event, it would appear he was aiding and abetting those MPs who were trying to deprive the king of his exclusive control of the church. Should not Hobbes of all people have realised that episcopacy *jure divino* could be good absolutist window-dressing to prevent parliament from meddling in ecclesiastical affairs – the province of the civil sovereign, as supreme authority? Hobbes seems to have underappreciated the fact that the doctrine of episcopacy *jure divino* – and, more broadly, Bramhall's assertion that religion was not simply the will or conscience of the civil sovereign – might also have administered comfort to subjects worried about a recurrence of a Roman catholic monarch like Mary Tudor. This worry would allow one merit to Bramhall's separation of powers in religious governance – and one demerit to Hobbes's caesaro-papism.

However, though Bramhall had some reason to object that Hobbes was trying to *transform* the church into a mere branch of government, the latter might have retorted that since the Henrician reformation, the church had been such a branch. On this view, the bishop was the innovator who was trying to turn back the clock, who was trying to *re-separate* church and state. Indeed, in some of Bramhall's discussion of episcopacy there is a certain sense of unreality. He knew as well as anyone that lay patronage was involved in the process that elevated a priest (or pastor) from Oxford or Cambridge to the height of a cathedral throne. For all his talk of apostolic succession, an

²¹ For Charles I's clericalist sensibility, with which, I argue, Hobbes was at such variance, see Michael Young, *Charles I* (New York: St Martin's Press, 1997), 162–3.

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insider like himself understood that to reach episcopal office one had to be favoured by gentry and noblemen; Bramhall's own career clearly illustrated this.²² Hobbes was, in effect, simply observing the fact that the church, or, rather, churchmen, did not inhabit or function in a separate sphere free from the forces that determined the 'secular' or 'temporal' one. But, again, was it politic to draw attention to this plain fact? Was Hobbes the little boy who pointed out what everyone knew, that the emperor was wearing no clothes, that is, that archbishops and bishops had no real power that could not be traced to the favour of laymen, to the king, nobility and gentry? As the late Conrad Russell once noted, it could be argued that the use of bishops to maintain royal, as opposed to parliamentary, control over the church was for Charles their primary function.²³ Thus, during the Personal Rule (1629–40), the king seemed to be attempting, in effect, to extend his royal power by putting more power into the hands of the employees of his church – that is, his own personally selected ecclesiastical governors. As Charles Prior has recently observed: 'bishops were the channels through which the Crown's sovereignty over the Church was exercised'.²⁴ The church would then be his personal administrative instrument. Thus, one could argue that those who protested against episcopacy (by way of anti-*jus divinum* or not) were simply indirectly objecting that the king was augmenting his power – through the church, and most importantly, at the expense of the parliament's (the lay gentry's) power or function.²⁵ In effect, Charles was transferring power from parliament and other non-ecclesiastical institutions (including

²² Bramhall was presented to a good rural living, South Kilvington, by Sir Christopher Wandesford in 1618, for it was the latter, a layman, who possessed the advowson. See chapter 1, 23. And one cannot believe that Bramhall would have become bishop of Derry if not for Wandesford's cousin Sir Thomas Wentworth's preferring him. However, one could argue that Laud's (an apostolic successor's) approval had been necessary for Bramhall's elevation. But one could argue that the king's (a layman's) approval had been equally, or more, necessary. In any case, though, clerical matters were not at all free of lay control.

²³ Conrad Russell, *The Fall of the British Monarchies, 1637–1642* (Oxford: Clarendon, 1991), 252.

²⁴ *Defining the Jacobean Church*, 113.

²⁵ Brief overviews of the legal/constitutional issues and developments concerning king, parliament and church during the period 1530–1640 can be found in Conrad Russell, 'Whose Supremacy? King, Parliament and the Church, 1530–1640', *Ecclesiastical Law Journal* 4, 21 (1997): 700–8, and 'Parliament, the Royal Supremacy and the Church' in *Parliament and the Church, 1529–1960*, eds. J. P. Parry and Stephen Taylor (Edinburgh: Edinburgh University Press, 2000), 27–37. D. Alan Orr has observed: 'That the king was supreme in religious affairs was generally accepted. The institutional mode through which the king exercised his supremacy, convocation or parliament, remained subject to heated debate.' 'Sovereignty, Supremacy and the Origins of the English Civil War', *History* 87, 288 (2002): 479. In this article Orr explores this conflict between king and parliament about control of religious doctrine and discipline. There was conflict between king and house of commons about the governance of the church: did the Act of Supremacy of 1559 provide that the king govern it in regular consultation with parliament (king-in-parliament) or did the Act of Supremacy provide that the king govern the church without such parliamentary consultation? Hobbes