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Douglas Nobbs

Excerpt

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CHAPTER I

THE ORTHODOX THEORY

THE orthodox theory of church and state was derived from Calvin. It accepted, as he did, the distinction between spiritual and temporal, formulated by Luther to combat the Roman doctrine of ecclesiastical sovereignty, and the principle that society was a unity, the organisation of which was regulated by the supreme power of the state, not only to satisfy material needs but also to further the supernatural ends of man. It believed equally that church and state were institutional forms of this social unity in the relation of body and soul to each other. The state alone was sovereign, but that sovereignty served the purpose of the church as well as political union. These Dutch Calvinists also accepted Calvin's modifications of this doctrine of the Reformation. They recognised that the church, though a function of the Christian state and not an independent society, possessed independent administrative organisation, directed by its own officers, and legally sanctioned as one aspect of the political constitution. It was admitted, too, that the sovereignty of the state was to be exercised according to the provisions of a divine revelation. The supremacy of the state was balanced by the spiritual authority of the church.

The Contra-Remonstrants—the orthodox party which protested against the Great Remonstrance of 1610 presented by the Arminians to the States—rejected the three current theories of church and state. They denied that the church was dependent upon the state, so that its doctrine and organisation was at the mercy of the ruler. They denied that the church was independent of the state in either of the two forms which Roman theory had invented: on the one hand, church and state were not two self-sufficient bodies, and on the other hand, the state was not dependent upon the church. Lastly, the relation of church and state was not one of isolation. The Anabaptist heresy that

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Christianity and politics were incompatible was rejected. The church was not to become a mere sect.

The Contra-Remonstrants believed that only one church—the true church—was to be permitted in the state, and, moreover, that it was to be the public church, supported actively by the ruler. They held that the ruler was the organ of force, and that the church not only had no right to that force, but no use for force. To the church belonged the powers of the spirit, and the grace of God which alone was able to move the hearts of men. The force of the ruler was unable to do more than affect the body, and therefore was alien to the function of the church. The ruler was to be as free as the minister in directing his own office. His judgment was supreme in his own sphere, and he was not bound to obey the decisions of the church. He, too, had a responsibility for the salvation of his subjects, and more directly for the welfare of the church, a responsibility, however, to God alone, which his subjects might not compel him to observe. The church was to be free to establish and regulate its own organisation, to choose its ministers, to hold its meetings and to preserve through its discipline the purity of doctrine and worship determined by itself according to the Bible. The ruler had a share in the appointment of ministers and in the calling of synods, and particularly a general supervision of the church to keep it to the form given by Christ.

The Contra-Remonstrant theory designed to meet these conditions was in reality concerned with three fundamental problems. The first problem was the relation of the Scriptures and the church. The Contra-Remonstrants, with their opponents, proclaimed the sufficiency of revelation in the Bible, and in consequence the necessity for human relations to be regulated in accordance with these supernatural principles. It was admitted, however, that the Scriptures were only the standard, and the decision in any particular dispute had to be made by the church itself. But the decisions of the church were only divinely sanctioned and obligatory to the conscience when in accord with the Scriptures. The church was fallible, and had erred in the past. So that the church was only the judge in spiritual matters in so far as it voiced the Scriptural faith. What was the duty of the ruler if the church erred from that faith? Was he to endorse the

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THREE FUNDAMENTAL PROBLEMS

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action of the church by his political power? Not only did the Contra-Remonstrants answer that the ruler was bound not to confirm such wrong decisions, but also insisted that the ruler was to bring the church back to the right way and to the right decision. His duty was to enforce the true faith of the Scriptures, and to prevent the possibility of false religions or the corruption of the true church. This duty was fulfilled only by accepting the responsibility of judging. But the Contra-Remonstrants also insisted that the ruler was not able to judge doctrinal disputes. His duty extended no further than providing that pure condition of the church by which the church itself was able to judge rightly. The ruler was to enforce this judgment. It was necessary for Contra-Remonstrant theory to secure the true interpretation of the Scriptures by a church which was fallible.

The second problem was the distinction between the church as a divine organisation and its human means. Not everything connected with the church was spiritual and determined in the Scriptures, for the church adapted itself to external circumstances and employed secular materials. By what principle was the function of the ministry to be separated from the merely human conditions of its execution? It was not enough to claim that the Scriptures and the Spirit of Christ present in His Church were the principles by which the two aspects of the church were distinguished, for, although this was true of the essential form of the church, neither distinguished the outward and local needs of the church from merely human means. The Scriptures did not determine the times, places and order of worship. How were these necessary conditions left to human discretion to be separated from such matters as finance which were undoubtedly secular? The same problem had another form. If it was necessary to separate spiritual and temporal in a way which destroyed the Roman interpretation of spiritual, upon what grounds were the Contra-Remonstrants to separate the outward organisation of the church from political organisation, and at the same time justify the regulation of the first by the church, and of the second by the state?

The final problem was the one most evident to the Contra-Remonstrants and the one which they undertook to solve. The

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accusation which Uytenbogaert had made against their theory was that it established the collaterality of church and state, and reverted to the papal theory of two societies, each with a supreme power over its members. The Contra-Remonstrants denied that theirs was a theory of collaterality and rejected the Roman system of collaterality as unchristian. If the issue was whether to obey God or the ruler, no sincere Contra-Remonstrant doubted the answer; but few Calvinists wanted the state to regard Calvinism as an anti-social movement which undermined established order and political sovereignty. Willingness to obey God was not to be interpreted as a principle of anarchy, which left problems of political obedience to the individual conscience. Still less did any Contra-Remonstrant desire to revive Catholic ecclesiasticism, and thereby to confuse once more the spiritual and the temporal.

The Contra-Remonstrants denied that the issue in a Christian state was whether to obey God or the ruler; it was whether the ruler who professed the true faith was to obey God or not. The affirmative answer ended the conflict between church and state; the negative answer simply renewed the problem of the relation between the true church and an unchristian ruler. Contra-Remonstrant theory was not a theory of church and state, but of church and ruler, and the problem which it met was very different from the problem of church and state. It was possible to consider church and state as distinct institutions, and the state as the supreme institution. The Christian ruler, however, was a member of the church and subject to its authority. Between the Christian ruler and the church, there was an intimate relation, which served in Contra-Remonstrant theory to set the state within the divine order and therefore in co-operation with the church. The Calvinists hated the consequences of and not the principle of *cujus regio, ejus religio*; for they did believe that the subjects were to accept the religion of their ruler, provided that he was a member of the true church.

The problem of collaterality raised the question of sovereignty, and the way by which the administrative autonomy of the church was to be reconciled with it. In denying the accusation, the Contra-Remonstrants had to deny that their theory limited or undermined political sovereignty. At the same time, they had

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THE LEADING THINKERS

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to prevent any concession to the ruler which threatened ecclesiastical independence. To some extent, their answer rested upon the definition of collaterality; for they defined it as the equality of two powers of the same kind in the same sphere. Therefore they denied that theirs was a collateral system, since they set up two independent powers of totally different kinds and in two different spheres. The authority of the church was in religion and was a spiritual power; the sovereignty of the ruler governed external life by that coercion which was effective only upon the body. So long as each was active in its own sphere and faithfully observed the limits of its own function, there was no collateral authority and no possibility of conflict. The two powers were thus able to work for the same end and to supplement each other's means, without interfering in each other's function and office.

The Contra-Remonstrant theory¹ was developed in four major writings, although there were a large number of mediocre and partisan pamphlets without more than an immediate and passing value. Every instance of political oppression stimulated some new statement of ecclesiastical resentment, designed to win public support against the official policy of the States rather than to clarify the relations of church and state by expounding the principles underlying those relations. The argument of the four major writings was so much above the level of these pamphlets that it was obviously much more sympathetic to the principles of Uytenbogaert than the practice and manifestoes of the Contra-Remonstrant party suggested. The theoretical exposition of the orthodox case was much less uncompromising than the actual opposition to the government.

The first of these writings was the *Waerschouwinghe* of Franciscus Gomarus, the hotheaded and impetuous opponent of Arminius in the Leiden theological faculty. Gomarus had already expressed his own attitude and had acted upon his principles during his opposition to Arminius. But in 1609, Gomarus attacked the argument of a speech of Uytenbogaert before the States, by the publication of the *Waerschouwinghe*. Uytenbogaert

¹ See Rogge, *Johannes Uytenbogaert in zijn gevoelen aangaande de Magt der Overheden in Kerkelijke zaken* (cited as *Jaarboek*), I, 364-374, II, 76-79; and Visser, *Kerk en Staat*, II, ch. xv.

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attempted to persuade Oldenbarneveldt to prevent its publication, having obtained some pages of it and realising the controversy which would follow. The appearance of the *Waerschouwinghe* was followed in 1610 by Uytenbogaert's *Tractaet*, which roused the orthodox because its argument destroyed the supremacy of the church in matters of faith and offered a chance of toleration to the Arminian party.

In the same year, two writings were published against the *Tractaet*. In the first, the opinions of the great French Professor at Leiden, Franciscus Junius, were drawn from his work against Rome, the *Ecclesiasti*, published in 1581, and presented as the *Verclaringhe van twee vraghen*, as if he had knowledge of the events likely to occur after his death. The first question was "of the agreement and difference of political and ecclesiastical offices"; the second, "of the right of Magistrates in the visible church". Uytenbogaert refused to reply to this book on the ground that its argument in no way conflicted with his, and, indeed, it has been pointed out¹ that the distinction of church and state was developed least effectively by Junius.

The other writing was the *Nootwendich Vertooch* of Acronius, which was welcomed by Uytenbogaert because it accepted so much of his own principles. Nevertheless, there were fundamental differences which were the very points upon which Uytenbogaert was most insistent. It may be questioned whether Acronius' argument was very consistent. In no other writing was there so much strain in reconciling two divergent lines of argument.

In 1611, Uytenbogaert already knew that Walaeus was busy upon a work dealing with the relation of the ruler and the ministry, but this was not published until 1615. The *De Munere Pastorum* gave to Contra-Remonstrant theory its classic expression, revealing a moderation of tone and a judicious estimate of argument. It acknowledged that Uytenbogaert had not been answered, but instead of a formal refutation, Walaeus set out his own ideas, which were somewhat different. It is worth noting that Apollonius² doubted whether Walaeus represented the purer

¹ Visser, II, 348.

² Apollonius, *Jus Majestatis circa sacra*, I, 12, 17.

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THE REVEALED CONSTITUTION

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stream of Calvinist thought, and turned to the Scottish Calvinists as more orthodox.

Between these four writers there were some differences, arising, in most cases, from a different method of approach; but the essential principles were of the same character, and the ultimate solution was shared by all. Acronius and Walaeus alone attempted a more than partial treatment. The small size of the pamphlets by Gomarus and Junius prevented more than a superficial study, stating but not demonstrating the true theory. In Acronius and Walaeus, demonstration was emphasised particularly, but it tended to become a theological discussion of textual interpretations. Indeed, to these theologians, the true theory was a matter of Scriptural study, and, unlike the later Calvinist controversialists, primarily of the Old Testament.

The conditions which Contra-Remonstrant theory had to satisfy were reconciled largely by the conception of a fixed constitution ordained by God for the government of mankind,¹ and determining the means and methods of making that constitution effective among men of different times and places. This conception was the natural conclusion of the belief in one absolute body of truth, universally valid inasmuch as it expressed the ideal of God for the entire span of time. The object of this constitution was the absolute determination of the earthly means by which the Kingdom of God was to be achieved among men, and the collaboration of the different agencies sanctioned by God. The Calvinist had to discover within the Bible the eternal plan which established the organs and functions necessary for the fulfilment of God's Will, giving the one form proper to church and state, and the one relation between them compatible with the divine purpose controlling both. This conviction of a divine purpose underlying human life and revealed in the Scriptures prescribed the constitution as the divinely ordained arrangement of offices and functions, and, therefore, as the means of harmonising social relations under the sovereignty of God's Will. Not only was it impossible to consider that that constitution sanctioned the antagonism of church and state, but it was also obvious that God's

¹ Rogge, *Jaarboek*, II, 77; Visser, II, 352, 354, 360; *Noot. Vert.* ch. 5, and Junius, Question 1.

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purpose demanded the co-ordination of means for the regulation of society according to His eternal plan.

Within this divine constitution, the spheres of church and state were allotted with precise respect for the Will of God. Individual and social aspects of life were both subject to the rule of law, embodying the one truth, and thereby subordinated to that co-ordinating force by which the means were made to work for the ultimate end. In admitting the supremacy of that law, the state ceased to be a humanly manufactured institution of human life because it was a necessary part of that order for which that law was prescribed. It was, therefore, set by its recognition of that law within a framework of duties and responsibilities which limited its discretion, directed its power and regulated its function.

The members of the state entered into a new capacity demanding willing acceptance of their appointed services to God's community on earth. The ruler, as head of the state, enjoyed the authority and power of a divine agent, and lost all moral, if not legal, claim to command if he contravened the laws of this divine agency. Loyalty to the ruler was loyalty to God so long as the sovereign power followed the divine will. But there was a difference between the duty of the ruler toward the state and toward the church. In civil matters, the architectonic power was granted a considerable discretion by God, and for the use and abuse of that discretion the ruler was responsible to God alone. In relation to the church, the ruler had no discretion, because his actions were defined by the Scriptures. Gomarus¹ had insisted that the ruler's power was always under God's Law, and therefore not unlimited and absolute; neither was his pleasure a fundamental rule, nor his will the law. He insisted, however, that subjects were to obey an oppressive and unjust ruler so long as they did not sin against God. In general, the Contra-Remonstrants were willing to acknowledge that sovereignty in secular matters was not defined so minutely and exactly as was the ruler's part in religion. The Scriptures were not a political code, although therein was the norm by which the end of the state was to be understood and its part in human life allotted.

¹ *Waerschouwinghe*, 14.

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THE SOVEREIGNTY OF GOD

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The Scriptures left no discretion to the church: its organisation, function and administration were narrowly defined. Its offices and institutions were sanctioned and created by God through His Law. Its ministers were the legates of God who stated in terms intelligible to mankind the divine commands. So long as they followed His Will they were endowed with the authority of God Himself, and directly empowered to undertake their function without human authority. It was not possible, therefore, for any human authority to violate this constitution without denying the legitimacy of that authority which it itself possessed and exercised.

The true sovereignty was with God, and under Him and on earth it was vested in this constitution. Neither the state nor the ruler, neither the church nor the ministers, nor even the Holy Community, held the sovereign power, but God in them. The great architectonic function which shaped the means to achieve the end of life, an end appointed by itself, was a supernatural force of which man was the instrument. The constitution embodied God's Will in an impersonal and practical formulary, and was the only means available to men of directing and co-ordinating their lives according to one purposive and final end. Thus, the powers of this world knew their allotted tasks and held to their own functions, in the faith that in obeying the law of God they served the divine end.

The collaterality of church and state ceased where and when this constitutional conception was accepted. It was no longer a question of reconciling the equal status and powers of two institutions within the same social framework, for society was united by the supremacy of the divine constitution. Church and state were no longer rivals for the direction of society, but co-ordinated parts of a whole which transcended both. The state's power was not undermined by the authority of the church, nor the spiritual function of the church corrupted by the action of the state so long as each adhered to the divine ordinance. Independence yielded to interdependence, and the unity of society was produced by the collaboration of two complementary functions working for the same purpose by a power peculiar to each in its own function and without effect in the function of the other. Neither the ministers

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nor the ruler were controlled by the other; nor were they independent of each other. Both were partners in the divine scheme.

Important as was the sanction and form of this constitution, it was still necessary to build up a content which should establish the independent authority of the church in spiritual matters. The conception of a divine order which gave a religious function to the ruler was used by Uytenbogaert, and to meet his argument it was necessary to interpret God's Will as giving to the church adequate powers to govern itself.

The first dictate of the constitution was the differentiation of institutions and specialisation of functions. Without denying the duty of the ruler to foster religion or his sole responsibility in purely political matters, the Contra-Remonstrants were determined to prove the divine responsibility of the ministers for the government of the church and the regulation of religion. It was argued that God had instituted two types of protectors, inspectors and administrators of the church, the one armed with corporal power and the other with spiritual authority. It was concluded that the judgment of each type was distinct and supreme. The rulers of the spiritual realm were the ministers who sat in judgment, even over magistrates.

The differentiation of church and state was formulated in the vigorous antitheses made by Junius¹ and Acronius. First, Junius contrasted the authority in political matters which God had entrusted to men, and the "bare service and simple command" left to them in religious matters. God had never conceded to men the authority and power to determine those by their own judgments. Secondly, he contrasted the secular matter of the state and the sacred matter of the church. Thirdly, he argued that the political office existed to preserve "the civil fellowship of human things", while the clerical office was instituted for "the Holy community of Holy things". The civil office established no more than a sociability of a civil nature, whereas the clerical office created the greatest and wholly just community, holy in itself.

Acronius² was even more emphatic. The government of the church was by the spirit; that of the state by a civil law which only affected the motives of human conduct in so far as it encouraged

¹ Junius, 5-10 (unnumbered).

² *Noot. Vert.* 32.