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# JOHN FOXE'S CONCEPT OF TOLERATION

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The concept of religious toleration was revived during the 16th century by the fact that the Reformers in the early period of the Reformation advocated freedom of conscience as well as obedience to God as man's primary duty. The doctrine of the Bible as the sole authority in matters of faith, the truth of justification by faith, and the priesthood of all believers as well as participation of Christian laity in church government, together with the Protestant concept of Christ as the sole head of the Church, created a climate in which the cause of religious toleration could be furthered. On the other hand, the Reformers' alliance with the state and the doctrine of the sovereignty of God led to intolerance. The Reformers required freedom of conscience and religious liberty for themselves, but were not ready to grant this to others.

In marked constrast to this paradoxical attitude stand the life, preaching, and writings of John Foxe, the Martyrologist, 1517-1587. Accordingly, a study of his life and writings to ascertain his conception of toleration should be of interest. This is the more so since one standard work on toleration in England [1] refers only briefly to one of Foxe's pleas for toleration, and a more recent work does not mention his attitude at all.[2] The influence of Foxe and the high esteem in which he was held not only in the reign of Queen Elizabeth but also

[1] W. K. Jordan, *The Development of Religious Toleration in England* (London, 1932).

[2] Joseph Lecler, *Toleration and the Reformation* (London, 1960).

during the following centuries would also justify such an examination.[3]

Foxe felt himself called to be a promoter of peace and concord, and his own personality not only inclined but also fitted him to take on such a role. He wrote a small Latin tract against the death penalty for adultery. This tract, printed in 1548, was his first publication. In the opening paragraph he tells the reader:

> I have always by nature been most averse to controversy, preferring rather even to concede than to enter into contention with others. So I cannot at all desert the cause of sinners, for whom so willingly Christ died. Rather, with the Samaritan I would help the wounded and half-dead (traveller) with oil and necessities. However, I know there will not be lacking those who will criticize my view as too favourable or lenient. There are many who think we all should be more ready to condemn than to pardon.[4]

Foxe no doubt had a sensitive nature. In his plea to Queen Elizabeth on behalf of some Anabaptists condemned to death by burning, he said: "I befriend the lives of men since I myself am a man. And I speak for them, not that they may continue in error, but that they may be recovered. I would like to help animals as well as men." He further states that the slaughtering of animals in the marketplace brought him feelings of pain. He also expresses his admiration and veneration for "the clemency of God himself in ordaining that those brute and lowly creatures which were formerly made ready for sacrifice should not be committed to the flames before their blood was

[3] Foxe's monumental work, *The Acts and Monuments*, commonly referred to as "the Book of Martyrs," was considered second only to the Bible. The last (ninth) ancient edition appeared in 1684. Four modern editions were printed during the 19th century, and many abridged editions through the centuries, the latest of these in 1954. This was nearly 400 years after the first English edition in 1563, not to speak of the two Latin editions in 1554 and 1559.

[4] Foxe, *De non plectendis morte adulteris* (Singleton, 1548). This tract is hereafter referred to as *Adulteris*. It is printed as a part of Appendix I of Pratt's 1870 edition of *The Acts and Monuments*; see Vol. I: 1, pp. 4-11. This edition of *The Acts and Monuments* is hereafter referred to as *A.M.* For this quotation see *A.M.*, p. 4.

poured out at the foot of the altar." From this example Foxe draws the conclusion that "in exacting punishments, no matter how just, rigour should not bear sole sway, but the harshness of rigour be tempered with clemency." [5]

John Foxe's youngest son, Simeon, who died in London in 1641 after a most distinguished career as a physician—for seven years he was the president of the Royal College of Physicians—wrote a biography of his father about the year 1611.[6] Simeon testifies to the charitable nature of his father when he writes: "Master Foxe was by nature so ignorant in requiting injuries, that he would many times with much adoe confesse himself wronged, even then, when he had in his hands ability to revenge." He further writes that his father was "famous, not only as a man learned, but as one for his friendliness, usefull, and no lesse by art, than a natural inclination made to be helpfull to others." Foxe's house was often "thronged" with people who sought his help, "and almost all (came) for the same cause: To seek some salve for a wounded conscience." [7]

Foxe's sensitive nature made him well-disposed to toleration and ready to flee from any kind of discord. It is somewhat significant that his own gentle nature makes him write about the gentleness of others. Speaking about Constantine, whom Foxe greatly praises, he mentions "the singular gentle nature of this meek and religious Emperor. Furthermore, all princes should learn from him 'how gently to govern.'" [8] Christ is referred to as "the meek King of glory" and readers are warned how "dangerous a thing it is to refuse the gospel of God, when it is so gently offered." [9] During the Marian perse-

[5] Foxe, "To the Queen in Behalf of Two Dutch People to be Burnt for Their Opinion." Printed in *A.M.*, I:1, 28 (Harleian Manuscripts, No. 416, Art. 95, pp. 151, 155. Appears as Appendix No. X in *A.M.*, I:1, 27-28.

[6] Simeon's *Memoir* of his father is printed in Latin and English in the second volume of the 1641 edition of the *Acts and Monuments*.

[7] *Memoir*, pp. A 5, B 2.

[8] *A.M.*, I:2, 298.

[9] *A.M.*, I:2, 89.

cution he wrote to the nobility of England and asked them the question: "Where is the Pauline clemency; where is your toleration?" Foxe also admonished them to act in a "gentle way, worthy of theology." [10] In another connection he urges: "Be controlled by the Spirit of gentleness," [11] and "make use of the gentleness of the Gospel." [12]

Foxe's kind and gentle nature made him well-disposed to toleration. However, his concept of toleration did not have its roots simply in his own character, but resulted from gospel teaching. In this connection it must be acknowledged that the factors which make for religious toleration are many,[13] and some of these influenced Foxe. Thus a number of statements in his writings as well as his many references to the Greek and Roman classics suggest the importance of humanistic influence on his thinking. During the Marian persecution Foxe wrote to Queen Mary and the nobility a long and moving appeal for toleration; the concluding words express this humanistic sentiment: "... among all human affections nothing is so fitting to men as clemency, which we all trace back to the image of the Divine nature." [14] Yet his concept of toleration can only be fully understood if seen in the light of the Reformer's message of God's forgiving grace and of justification by faith. This is the basic motivation of Foxe's concept of religious toleration. From Foxe's appeal in 1548

[10] Foxe, *Ad inclytos ac praepotentes angliae proceres, ordines, et status, totamque eius gentis nobilitatem, pro afflictis fratribus supplicatio* (Basel, 1557). This tract is printed in *A.M.*, I:1, 38-55, as Appendix No. XVII; hereafter referred to as *Nobilitatem*. For quotation see *A.M.*, I:1, 40, 50.

[11] *Adulteris*, *A.M.*, I:1, 9.

[12] Foxe, "Dynastae cum primis splendidissimo, ac spectatissimo, D. Thesaurario caeterisque ejusdem senatus Reginae consiliariis, viris lectissimis, dominis colendissimis, prudentis ac gravitate suspiciendis in Christo Domino, εὐφρονεῖν καὶ εὐφραίνεσθαι." Harleian M.S. No. 417, Art. 50, p. 110. Appears as App. XIII in *A.M.*, I:1, 31-32.

[13] Jordan, *op. cit.*, pp. 19-34.

[14] *Nobilitatem*, *A.M.*, I:1, 55.

against the death sentence for adultery the following lines are taken:

> Scarcely anyone could be found, as things now exist, who, in tracing the offences of others, would care for his own probity to be questioned. . . . Nor does God himself display severity towards us: he has freely pardoned all things for us, and daily pardons those who fall. How much more should mortals judge leniently, then, their fellows . . .
>
> I do not see how this hatred, this bitter antagonism of private persons, not only against the sins but even against individual people, can be a part of men, certainly, it does not in the least harmonize with the profession of Christians, whose every endeavour should be to show charity and toleration to sinners, especially to those who are not wilfully evil . . . We freely embrace those whom we see to be good. On the other hand, if anyone confesses to a lapse through weakness of nature, how superciliously we spurn him.[15]

Gentleness, meekness and consideration are virtues ultimately connected with true Christian living; thus the gospel rightly preached and accepted leads to a manifestation of tolerance and consideration. This point is richly illustrated throughout his writings.

During the Marian persecutions Foxe was on the Continent as an exile. He spent some time in Frankfurt and took part in the liturgical discussions among the English refugees. One group wanted to follow the liturgy established during the reign of Edward VI, but others insisted upon a Genevan form of worship. Foxe wrote a letter to Peter Martyr, 1555, in which he expressed his desire to be the peacemaker. He writes:

> So far as I am concerned, I shall everywhere be a promotor of concord. And I might succeed in that, if men would listen to me. If the aggrieved parties will be content to deal more friendly and charitably with one another, this fire will subside and peace will return.[16]

The struggle regarding liturgy, ceremonies and discipline within the English church continued when the exiles returned

[15] *Adulteris, A.M.*, I:1, 4.
[16] Strype, *Memorials*, III (ii), 310.

to England at the beginning of Elizabeth's reign. In its first phase the controversy centered to a large degree in the question whether or not clergy should continue to use the cap and the surplice. Foxe was among those who felt that the use of them should be discontinued. Those who refused were branded with the name of Puritans. In this connection it should be noticed that Fuller describes two types of Puritans. "Some milde and moderate, contended only to enjoy their own conscience. Others fierce and fiery, to the disturbance of Church and State." He classifies Foxe among the former.[17]

On March 20, 1564 a group of advanced Protestants made a petition to Archbishop Parker requesting forbearance and respect for their conscientious refusal to wear the vestments. Among the twenty who signed this petition was John Foxe.[18] One who has studied the original document in its historical setting makes the following comment:

> The most remarkable feature of this supplication was its conciliatory tone. The subscribers begged to be excused from conforming in the use of the vestments, but their appeal was to fraternal loyalities, and they implied that their resistance would be short-lived if the bishops should prove so ungracious as to refuse their moderate requests.[19]

This evaluation of the subscribers appeared to be true also in the case of Foxe.

[17] Thomas Fuller, *The Church-History of Britain* (London, 1655), Book IX, sec. 68.

[18] Strype has printed the supplication, but only signed by Thomas Sampson and Laurence Humphrey. See Strype, *The Life and Acts of Matthew Parker*, I, 322-326; III, 95-97. The original petition was part of St. Paul's Cathedral MS. Add. I., "Epistolae virorum doctorum de rebus ecclesiasticis tempore Elizabethae Reginae." These manuscripts were bought by the Lambeth Palace Library. However, the petition to Parker was in the hands of an American collector and not obtainable. Patrick Collinson had opportunity to examine this manuscript and found twenty signatures: see his *The Puritan Classical Movement in the Reign of Elizabeth I*, (Ph. D. thesis; University of London, 1958), pp. 32, 33.

[19] Collinson, "The 'not conformytye' of the young John Whitgift," *JEH*, XV (1964), 33.

In the debate between John Whitgift and Thomas Cartwright concerning the question of superiority among the clergy, after the publication of *The Admonition to the Parliament* in 1572, both men quote Foxe in order to substantiate their views. They also express great personal regard for him.[20] In view of the fact that Foxe was in agreement with Whitgift [21] and disliked the extreme Puritans,[22] his attitude to the two parties is remarkable. He most sincerely sought to reconcile the two parties by appealing to moderation and toleration. This is made evident in a newly discovered letter from Foxe to John Whitgift after the latter had become archbishop.[23] In the letter Foxe takes upon himself the role of mediator when he writes: "As far as I am able, I would strive to make peace, as is right, with both sides." [24] From his own middle-of-the-road position he points out the two extremes:

> One part hold to authority and tradition and its right, like grim death; the other side oppose them claiming that conscience alone should be obeyed, and they are determined to yield to no one. I greatly fear the outcome of this most unseemly squabble, and what catastrophe it may issue in.[25]

Foxe hopes the Lord will intervene, "Otherwise, the outlook is that it will lead to ultimate disaster, and this is threat-

[20] For the whole discission see *The Works of John Whitgift* (Parker Society Edition; Cambridge, 1851-54), II, 333-361.

[21] See *A.M.*, I:2, 50.

[22] J. F. Mozley, *John Foxe and His Book* (London, 1940), pp. 111, 112.

[23] *Jn. Foxe to Archbishop Jn. Whitgift.* Lambeth Palace Library MS "Epistles of learned Men," No. 75, fol. 117-121, n.d. Hereafter referred to as *F. to W.* For the story and content of this collection of manuscripts see E. G. W. Bill, "Records of the Church of England Recovered by Lambeth Palace Library," *Journal of the Society of Archivists*, III:1 (April, 1965), 24-26. The letter is written in Latin in Foxe's own handwriting, and has not previously been analyzed. It expresses the high regard and esteem which Foxe had for Whitgift as well as for the chair he occupied, and was no doubt written shortly after the latter became archbishop.

[24] *F. to W.*, fol. 120.

[25] *Ibid.*, fol. 117.

ened by both sides." [26] Accordingly he makes this appeal: "We each should ardently strive for peace, and together aim for the glory of Christ and loving concord in Him. Not zealous for the victory of our party, but consulting the common good of the public church." [27]

The punishments and compulsions exercised by the High Commission against the extreme Puritans were opposed by Foxe. He asks the question: "Should the situation be made harder for them, at the present time, by asserting authority after the Roman manner?" [28] He suggests: "Overcome evil with good, lest there be a worse outcome in the future." [29] The following statement by Foxe should also be noticed:

> If without prejudice our weakness can pass any judgment in these matters, whether it would seem to please some that this evil can be cured by force and austerity,—but this would appear to me to come too late. And this extreme method needs to be guarded against, lest greater excess should break out. But my judgment is, that the matter be dealt with, in regard to those who would contravene fit and proper religious teachings, by persuasion rather than by rigid austerity. It is far better to deal with honest opposition by an appeal to conscience than to try to forcibly constrain it.[30]

Foxe sincerely hoped that moderation would be manifested by both sides. On the one hand he hoped that the extreme Puritans would "contain themselves within modest lines, and consider, in the first place, that if the common vessel, in which they are sailing, be wrecked, they themselves may also perish." He also agrees, "that perchance some things have crept into the customs and ceremonies of men which call for the refinement of reformation." Yet it should be remembered: "What species of reformation has there ever been in the church in which there was no spot or wrinkle? What, indeed, in human affairs is so absolutely perfect, or has there ever been

[26] *Loc. cit.*
[27] *Loc. cit.*
[28] *Ibid.*, fol. 120.
[29] *Ibid.*, fol. 119.
[30] *Ibid.*, fol. 118.

a time so felicitous that there has been nothing to condone?" To the other group Foxe has this advice: "If some fault happen to break out in men, they should imitate the practice of capable physicians who remove the disease without detriment to the patient, especially if the evils are not harmful to piety." However, "if the evil cannot be tolerated without adversely affecting morals," then the suggestion is that "the discipline be put in the hands of fit persons, without making it a public affair, or reported, without tumult or clamor. Let it be settled among those directly concerned. Let the peace of the church be considered, and the state of the times." Foxe further reminds them that "the concord of the church, is when weaknesses are tolerated, when the people take counsel about irregularities in doctrine and practice, when the Bishops condone certain weaknesses of the people." [31]

When it came to the death penalty for religious reasons Foxe expressed strong disapproval and, where he had opportunity, he did all that he possibly could to intervene in behalf of the accused. During the reign of Edward VI only two persons were put to death on account of their religion. One seems to have been an Anabaptist and the other an Arian. The name of the first was Joan Boucher or Joan of Kent, and that of the other, George, a Dutchman. It appears that Foxe spoke in their behalf.[32] There is good reason to believe that Foxe disapproved of the burning of Servetus in 1553 and may even openly have condemned it.[33]

In the year 1575 the fire of persecution was kindled anew in Smithfield as two Dutch Anabaptists were burned for their religious views.[34] An earnest plea had been made in their behalf by the Dutch Reformed congregation in London. They were part of the Strangers' Churches which had been organized

[31] *Ibid.*, fol. 119.

[32] See *A.M.* (ed. 1559), pp. 202, 203; *A.M.*, pp. 699, 704, 860; Mozley, *op. cit.*, pp. 35, 36.

[33] Mozley, *op. cit.* p. 48.

[34] Strype, *Annals*, II:1, 564.

by Archbishop Cranmer during the reign of Edward VI. It has been pointed out that it was planned and hoped that these churches, composed of foreigners, would become models of a reformed church. The reign of Mary and the conservatism of Elizabeth made their influence insignificant.[35] However, the Dutch church, which greatly opposed the teaching of the Anabaptists, showed itself a model church in regard to religious toleration as it tried in every way it could to save the Anabaptists from being burned.[36] Jacques de Samere, a Reformed layman, made a supplication to Queen Elizabeth, and Thomas Bodley, the endower of the Bodleian Library, Oxford, conferred with the bishop of London.[37] John Foxe, too, exerted all his influence in trying to avert the burning of the Anabaptists. Reference has already been made to his plea to the Queen, and in his letter to Chief Justice Monson he appealed for clemency by pointing out that "the nearer each approach to the sweet spirit of the Gospel by so much farther he is from the hard decision of burning and torturing." Foxe says that he has little doubt of the clemency of the Chief Justice because of his "extreme prudence" and "sincere religion." [38]

In connection with his plea for mercy for the Anabaptists, Foxe lays down the principle that toleration is needed in order that the Gospel may have opportunity to make its influence felt. To the Chief Justice he writes:

> I ask that you consider their souls, lest they perish eternally. Often there occur sicknesses in which piety accomplishes more than asperity and time more than the hand of the physician. I speak of

[35] Frederick A. Norwood, "The Strangers' 'Model Churches' in Sixteenth-Century England," in *Reformation Studies, Sixteen Essays in Honor of Roland H. Bainton*, ed. Franklin H. Littell (Richmond, Va., 1962), pp. 181-196.

[36] *Ecclesiae Londino-Batavae Archivum*, J. H. Hessels, ed., (Cambridge, 1887-97), 3 vols.; see especially II, 700-708, Letter No. 191.

[37] Thielman J. van Braght, *The Bloody Theater or Martyrs' Mirror*, translated from the original Dutch edition of 1660 by Joseph F. Solm (Scottsdale, Pa., 1961), pp. 1008-1024.

[38] *A.M.*, I:1, 28, App. XI.

those sicknesses, now, where spiritual medicine avails more than corporeal; when faith errs, it can be constrained by no one. It can be taught, and many die as orthodox, who lived as heretics. Even these wretched Anabaptists may be in a manner converted and give you thanks. Nor do I think it should be considered what kind of men they are but what kind of men they are capable of becoming.[39]

Foxe also writes to the Lord Treasurer concerning the same condemned Anabaptists and mentions that the bishop of London "has filled the office of pastor as he was able to and as there was need for. He had neglected nothing in his endeavour to turn them back to correct standing and to (spiritual) health." In this appeal Foxe states further that rather than "employ the remedy of coercion," they should "heal wounds." By killing they would "consign men to Gehenna"; therefore they should rather make use of "the gentleness of the Gospel." [40] On still another occasion Foxe writes: "It is tyrannical to constrain to faggots. Consciences love to be taught, and religion wants to teach. The most effective master of teaching is love. Where this is absent, there is never anyone who can teach aright, nor can anyone learn properly." [41]

Foxe's concept of toleration as related to the Gospel must be measured against the growth of Protestant orthodoxy and scholasticism. Doctrinal controversies among the Protestant bodies themselves, as well as their common defence against Catholic doctrines, especially after these were defined at the Council of Trent, accentuated the need for definite statements of faith. Confessions of faith were formulated, but the faith these were meant to safeguard often took second place. Orthodoxy of the letter became the chief concern, and in comparison piety of heart was put into the background. The result was a spirit of intolerance between the various groups into which the Reformation movement divided itself. No wonder that a man like Castellio in his plea for toleration has as his theme that "the essence of Christianity is to live as

[39] *A.M.*, I:1, 28, App. XI.
[40] *A.M.*, I:1, 31, App. XIII.
[41] *Nobilitatem, A.M.*, I:1, 50.

Christians, in mutual charity, without turning doctrinal differences into a pretext for hatred and persecution." [42] With this Foxe would fully agree. It is important to establish that Foxe was not in sympathy with the theological climate created by Protestant orthodoxy and scholasticism, and that he considered himself a Gospeller. His preaching was that proclamation of the Gospel which characterized the early creative and dynamic period of the Reformation, and which was so vital to John Foxe as the theological basis for a practical toleration. It is interesting to notice that one of Foxe's sermons, *Christ Crucified*, preached in 1570, was later republished with a recommendatory preface by another great preacher, George Whitefield.[43]

As a proclaimer of the Gospel and its bearing upon toleration the question of the right relationship between the Mosaic law and grace was of great importance to Foxe. In this connection it will be profitable to turn briefly to Calvin.

According to Calvin, in the Law of God or the Decalogue are found God's precepts for right ethical living. All Levitical laws are but interpretations of its meanings. It is an error to think Christ a "second Moses," to supplement the limitations of the Mosaic law.[44] Calvin believed that the ceremonial requirements of the laws of Moses have been abolished by the Gospel, but not their moral and judicial injunctions. Much, therefore, of Calvin's justification for the execution of heretics is based on Deuteronomy 13.[45] In his sermon on Deuteronomy 22, dealing with the stoning of those taken in adultery, Calvin strongly suggests that adultery ought to be punished by death.[46]

The significance of John Foxe's appeal to Thomas Picton

[42] Quoted by Lecler, *op. cit.*, I, 341.

[43] Foxe, *A Sermon of Christ Crucified* (reprinted London, 1838), p. 3.

[44] John Calvin, *Institutes of the Christian Religion* (Grand Rapids, Mich., 1957), II. viii. 7.

[45] *Joannis Calvini opera*, Deut., chap. 13.

[46] *Ibid.*, Deut., chap. 22.

against death sentences on adultery can only be fully appreciated when it is seen in the light of Calvin's theology. Here he states: "If I might declare my opinion freely, in a free church, for my part, I would say that it is neither practicable nor necessary to sentence the adulterer to death." [47] Thus Foxe goes against the philosophy which lay behind the harsh Mosaic character of the theocratic administration at Geneva. He even derogates Moses, supporting himself on the contention that the Gospel had annulled the law.[48]

The question of the death sentence becomes then for Foxe a question of whether or not we are under grace or law. The Gospel itself is at stake. In his appeal against the death sentence on adultery his closing paragraph reads:

> I am only appealing to evangelical liberty against certain who appear to want to bring us back to the constraint of the Mosaic Law. I am anxious that you use this Christian privilege, not as an occasion of the flesh, but as means of grace and recovery to respectability.[49]

In *Christ Jesus Triumphant,* Foxe speaks of the "sovereign grace of the Gospel," and "that mild trumpet of the Gospel." He further writes:

> In my opinion, they who are admitted to the ministry and function of the word of God ought to hold and follow that way of teaching whereby Christ, rather than Moses, may be imprinted in the people's hearts: and whereby the riches of God's mercy may be so laid open before their eyes, out of the wonderful treasures of Christ Jesus, as that, like true Christians, they may at last begin to know and acknowledge their good gifts and blessings.[50]

The Protestant Confessions of the 16th and 17th centuries point out that one of the marks of the true church is that "the Gospel is rightly preached." [51] Since in the opinion of Foxe

[47] *Adulteris, A.M.,* I:1, 4.
[48] See *ibid.,* pp. 6-10.
[49] *Ibid.,* pp. 10, 11.
[50] Foxe, *Christ Jesus Triumphant* (Latin, 1556; Eng., London, 1828), p. 66.
[51] See Philip Schaff, *The Creeds of Christendom* (New York, 1877), III, 11, 210, 218, 376, 419, 499.

the concept of toleration is rooted in the Gospel and toleration is needed for the Gospel to make its influence felt, then it is only logical that for Foxe toleration became a mark of the true church, and persecution a sign of an apostate church. The *Belgic Confession* of 1561 supported him, describing "the marks by which the true church is known," and asserting that "as for the false church, she . . . persecutes those who live holily according to the word of God." [52] *The First Scots Confession* of 1560 and *The Second Scots Confession* of 1581 make indirect references to the same.

Foxe's great work, *The Acts and Monuments*, especially the editions with the woodcuts, could not but impress its readers with the fact that a persecuting church could not be the true church. In its closing pages, Foxe refers to a number of persons who did persecute and how God's punishment came on them. He also points out as examples a number of persons who had shown toleration and consequently through the providence of God received due reward.[53] In the light of these examples it is not without significance that a marginal note reads: "The nature of the church is not to persecute with blood." [54]

Writing to "All the Professed Friends and Followers of the Pope's Proceedings," Foxe quotes the prophet Isaiah saying:

> They shall not kill nor hurt in all my holy hill, saith the Lord (ch. 11:9). . . . The wolf shall dwell with the lamb, and the leopard with the kid; the calf, the lion, and the sheep shall feed together, and a young child shall rule them. The cow also and the bear shall abide together with their young ones, and the lion shall eat chaff and fodder like the ox (ch. 65:25).

According to Foxe, this peaceful picture of mount Zion "beareth in the Scripture an undoubted type of the spiritual church of Christ." [55] True, this peaceful condition was not the state of the church as Foxe knew it; therefore he

[52] Schaff, *ibid.*, pp. 419, 420.
[53] *A.M.*, VIII:2, 628-671.
[54] *Ibid.*, p. 671.
[55] *A.M.*, I:1, XXVII, XXVIII.

found it necessary "to write such a long story . . . of the suffering of so many martyrs." [56] It should be noticed that both in the introduction and in the conclusion of *The Acts and Monuments*, Foxe brings out the point that he hoped that his great work would restore that peaceful condition which should characterize the true church. This was his main objective in writing this monumental work.

Having noticed that Foxe believed in toleration as a mark of the true church, and that "the nature of the church is not to persecute with blood," we may then ask as to his attitude toward Roman Catholics. The interesting fact is that Foxe who through his work, *The Acts and Monuments*, created and nourished anti-Roman feelings, manifested the same toleration to Roman Catholics when they became objects of persecution as he did to others.[57] Though Foxe's references to Rome are as sharp as those of the other Reformers, in his tolerant attitude he is different. All this was not mere theory, for in 1581 Foxe pleaded in behalf of the Jesuit Edmund Campion. This is still more significant from the fact that Catholics were plotting against Elizabeth and his own name was on the blacklist in Rome.[58] He also fully realized the political difficulties of the Queen and his loyalty to her. His son Simeon, speaking about his father's attitude to the Catholics, writes:

> I will speak a word or two of his moderation towards them. I could produce letters of his, wherein he perswadeth the Lord, and others, who then held the places of chiefest authority, not to suffer Edmund Campion, and his fellow conspirators to be put to death, nor to let that custome continue longer in the Kingdome, that death than some other punishment should be inflicted on the Papist offenders.[59]

[56] *Ibid.*, p. XXVIII.

[57] Reference to this article, as yet unpublished, has been made by A. G. Dickens. He especially noticed this point. See Dickens, *The English Reformation* (London, 1964), p. 323.

[58] See Anthony Monday, *The English Romayne Lyfe* (London, 1532), p. 6; Strype, *Annals*, II:2, 355.

[59] *Memoir*, p. B 4.

Foxe's concept of toleration did not in the least lead to a spineless compromise of basic evangelical truths and moral standards. This is emphasized in a book written in 1551.[60] It deals with the right use of censure or ecclesiastical excommunication, and was addressed to the Archbishop of Canterbury, the other bishops and the pastors of the Church of England. The subject of the book is church discipline, and it is significant to notice that no stronger means than excommunication was advocated in dealing with heretics and sinners. It should also be noticed that Foxe allowed the state to punish, but not execute the one who had been excommunicated.[61] Though he was against executing the Anabaptists, he would freely agree to let them be exiled: "Many have been exiled, which I think is just treatment." [62] In this connection it should be noticed that the question of the death penalty and its bearing on religious toleration was brought up at the time of the passing of the Act of Supremacy. On this occasion one member of parliament, Robert Atkinson, referred to Protestant preachers, saying that "the greatest punishment taught by the Apostles was that of excommunication." [63]

Reference should also be made to the work, *Reformatio legum ecclesiasticarum,* edited and prefaced by Foxe in 1571.[64] This revision of the ecclesiastical laws, drawn up during the reign of Edward VI, contained regulations regarding heretics and adulterers. The book does not provide for the punishment of heretics beyond that of excommunication. While the one excommunicated could be handed over to the state as previously noticed in Foxe's tract to the archbishop and bishops, yet the death penalty is not mentioned.

[60] Foxe, *De censura sive excommunicatione ecclesiastica* (London, 1551).

[61] *Op. cit.*, p. 58.

[62] *A.M.*, I:1, 27, App. X.

[63] See Strype, *Annals*, I:1, 446-455; J. E. Neale, *Elizabeth I and Her Parliaments*, 1559-81 (London, 1953); Jordan, *op. cit.*, p. 90.

[64] *Reformatio legum ecclesiasticarum, ex authoria* (London, 1571; Edward Cardwell, ed., Oxford, 1850).

Some argue that by handing the person over the state, the *Reformatio legum ecclesiasticarum* still kept the door open for capital punishment,[65] while others affirm that the intention was to discontinue the old penal laws.[66] The latter seems to be the more reasonable conclusion. The *Reformatio legum* in its treatment of excommunication seems to be in full accord with Foxe's tract on excommunication written twenty years earlier. Even when allowance is made for the fact that Foxe may not have agreed with all the details in *Reformatio legum*, it would still seem very strange if he would have gone so far as to write the preface to a work containing laws and regulations which could lead to execution. In the opinion of Foxe the death penalty was not a minor matter.

Foxe was in advance of his times in advocating religious toleration, yet he was so much a son of his own time that religious toleration in a modern sense, not to mention complete liberty for the exercise of all kinds of religions, did not enter his mind. That, however, was probably also too much to expect. But the admonition Foxe gave to both church and state, as well as the Gospel principles on which his concept of toleration was built, created a platform from which religious toleration could be promoted yet further.

Writing to Queen Elizabeth at the close of *The Acts and Monuments*, Foxe modestly confesses: "I take not upon me the part here of the moral or of the divine philosopher, to judge of things done, but only keep me within the compass of an historiographer." [67] In *The Acts and Monuments* he appears to be mainly a historiographer, but his other writings reveal

[65] See J. Collier, *An Ecclesiastical History of Great Britain* (London, 1840), V, 479, 480; J. Lingard, *A History of England* (London, 1820), IV, 462, 463. Henry Hallam, commenting on Collier and Lingard, points out the bias of these two men. He himself is not ready to give a final answer. See Hallam, *The Constitutional History of England* (London, 1832), I, 109, 110.

[66] See G. Burnet, *The History of the Reformation of the Church of England* (London, 1681), II, 198.

[67] *A.M.*, VIII:2, 673.

that he was also a "moral and divine philosopher." Past research on Foxe has been restricted mainly to the question of the historicity of *The Acts and Monuments*. Yet the study of Foxe's belief in toleration, not only in his minor works but also in *The Acts and Monuments*, indicates that he was a moral and theological philosopher. No doubt *The Acts and Monuments* will take on new meaning when it is realized that Foxe was basically a theologian and a preacher, and that his historiography was only to serve the purpose of theology and preaching.

The theology of the English Reformers has often been analyzed to see how far they were influenced by the men of Wittenberg, Zurich or Geneva; in other words, it is more or less an attempt to classify them within one of the groups of the continental Reformers. Foxe recognized his debt to the continental Reformation, but mainly to its principle of "justification by faith." The writings of Foxe also reveal that the English theologians of the 16th century were capable of thinking for themselves.