

Shaming and Containing: Robert Persons Prescribes the Rules for Ecclesiastical Disputation

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It is thirty years since Peter Milward published his double-volume, blow-by-blow account of religious controversies of the Elizabethan and Jacobean ages.¹ In the mean time, there has been a great deal of highly sophisticated research into the doctrinal issues, political ramifications and cultural cross currents of these controversies. Perhaps the most comprehensive has been Anthony Milton's magisterial analysis of the disputes that shaped the seventeenth-century Church of England, aptly entitled *Catholic and Reformed*.² The competing claims surrounding martyrology have attracted increasing attention as the John Foxe industry has expanded. Scholars have noted the extraordinary, and sometimes surprising, cross-confessional exchanges of ideology and practice.³ We have become accustomed to the theorizing of identity politics involved in anti-

¹ Peter Milward, *Religious Controversies of the Elizabethan Age: A Survey of Printed Sources* (London: Scolar Press, 1978) and *Religious Controversies of the Jacobean Age: A Survey of Printed Sources* (London: Scolar Press, 1978).

² Anthony Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought, 1600–1640* (Cambridge: Cambridge University Press, 1995).

³ See Susannah Brietz Monta, *Martyrdom and Literature in Early Modern England* (Cambridge: Cambridge University Press, 2005), and *Martyrs and Martyrdom in England, c. 1400–1700*, ed. Thomas S. Freeman and Thomas F. Mayer (Woodbridge, Suffolk: Boydell and Brewer, 2007).

Puritan and anti-Catholic propaganda.⁴ But there has been comparatively little study of the protocols of polemic: the development of the genres of controversy, the proposal of rules for the contest, and the question whether public disputation might be conducive to religious dialogue.

Besides propping up the morale of the conflicting religious groupings, what did books of controversy achieve? They did not invite disinterested dialogue, promote understanding between adversaries or even create converts in any significant numbers. Jesse M. Lander records a mid-seventeenth-century perception that such battles of the books were as futile as tavern brawls: 'For controversies are often (for the most part) the exuberancies of Passion; and the *Philosopher* saith, men are drunk with *disputes*, and in that *inordinateness* take the next thing that comes to hand to throw at one anothers faces.'⁵ According to Lander, the reputation of works of controversy reached an all-time low in 1704, when Jonathan Swift claimed that they were 'of all others, haunted by the most disorderly spirits', and were therefore best chained up in libraries.⁶ Swift had little patience with religious writers of the Reformation era, but he did name two exceptions: Richard Hooker and Robert Persons the Jesuit.⁷ Persons himself had this to say on the subject:

⁴ See *Catholicism and Anti-Catholicism in Early Modern English Texts*, ed. Arthur F. Marotti (Basingstoke: Macmillan, 1999), Alison Shell, *Catholicism, Controversy and the English Literary Imagination* (Cambridge: Cambridge University Press, 1999), Peter Lake and Michael C. Questier, *The Antichrist's Lewd Hat: Protestants, Papists and Players in Post-Reformation England* (New Haven: Yale University Press, 2002), and *Catholics and the 'Protestant nation': Religious Politics and Identity in Early Modern England*, ed. Ethan Shagan (Manchester: Manchester University Press, 2005), esp. Shagan's 'Introduction', pp. 1–21.

⁵ Arthur Wilson, *The History of Great Britain. Being the Life and Reign of King James the First* (London: Richard Lownds, 1653), p. 53, cit. in Jesse M. Lander, *Inventing Polemic: Religion, Print, and Literary Culture in Early Modern England* (Cambridge: Cambridge University Press, 2006), p. 210.

⁶ Lander, *Inventing Polemic*, pp. 1–3; see Jonathan Swift, *The Battle of Books* (1704), in *A Tale of a Tub and Other Satires*, ed. Kathleen Williams (London: J.M. Dent, 1975), p. 144.

⁷ Jonathan Swift, 'Proposal for Correcting, Improving, and Ascertaining the English Tongue', *The Tatler*, no. 230 (1712), in *Prose Works*, ed. Herbert Davis *et al.*, 14 vols (Oxford: Oxford University Press, 1939–68), 2: 177.

albeit in thes our troublesome & quarrelous times [books of controversy] be necessarie for defence of our faith, againste so manye seditious innouations, as now are attempted: yet helpe they litle oftentimes to good lyfe, but rather do fill the heades of men with a spirite of contradiction and contention, that for the most parte hindereth deuotion, which deuotion is nothinge els, but a quiet and peaceble state of the soule, endewed with a ioyful promptnes to the diligent execution of all thinges that appartayne to the honour of God.⁸

He may subconsciously have been echoing the sentiments of the Calvinist Theodore Beza, whom he and Campion had confronted in Geneva in 1580. In the same year Beza reputedly said to another Jesuit, Luca Pinelli, ‘Neither do I like . . . the writing of so many books, because so much writing and disputing hide and obscure the truth.’⁹ Beza was hospitable to at least this one Jesuit, and might have endorsed Persons’s conclusion: ‘let us joyne together in amendment of our lyves, and prayeng one for an other: and God (no doubt) will not suffer us to perish finallye for want of right faith.’ This may seem a little disingenuous of Persons, who was to become possibly the most feared – certainly the most vilified – polemicist of his generation of English authors. Yet if there was no avoiding controversy

⁸ Robert Persons, *The First Booke of the Christian Exercise, appertayning to Resolution* (Rouen: Fr Persons’ Press, 1582), Preface, p. 2 (sig. B1v), commonly known as *The Book of Resolution* or (after the title of later versions) *The Christian Directory*.

⁹ ‘La Ginevra di Teodoro Beza nei recordi di un gesuita lucano, Luca Pinelli (1542–1607)’, ed. Mario Scaduto, *Archivum Historicum Societatis Iesu* 20 (1951): 117–42, pp. 133–41, cit. and trans. A. Lynn Martin, *The Jesuit Mind: The Mentality of an Elite in Early Modern France* (Ithaca, NY: Cornell University Press, 1988), p. 86. On Campion’s attempted disputation with Beza, see Thomas M. McCoog, ‘“Playing the Champion”: The Role of Disputation in the Jesuit Mission’, in *The Reckoned Expense: Edmund Campion and the Early English Jesuits*, ed. McCoog (Woodbridge, Suffolk: The Boydell Press, 1996), 119–39, esp. p. 126. On his disputation after his arrest, see *A Jesuit Challenge: Edmund Campion’s Debates at the Tower of London in 1581*, ed. James V. Holleran (New York: Fordham University Press, 1999). Public disputation could lead to personal conversion, as in the celebrated case of Philip Howard, Earl of Arundel, following Campion’s disputation in the Tower, but many more were converted by reading *The Book of Resolution*.

and disputation, he wanted it to be conducted with some regard for decency and verification. He tried systematically, therefore, to stamp his authority on the scene and to whip his opponents into line.¹⁰

Persons advertised his protest against rhetorical over-indulgence in titles including such phrases as *A Manifestation of the Great Folly and bad spirit of certayne . . . secular priestes*, *A Quiet and Sober Reckoning with M. Thomas Morton somewhat set in choler*, and *A Temperate Ward-word, to the turbulent and seditious Wach-word of Sir Francis Hastings*.¹¹ As every reader of Elizabethan controversy can confirm, it was *de rigueur* for polemicists to lament the state of controversy and to pour scorn on the pitiful incompetence of their opponents. But Persons's strictures deserve consideration, not only because of his own record but because of the circumstances of the publication of his most sustained critique of the standards of engagement between the faiths. In 1600 he wrote, and apparently published, *A Relation of the triall made before the King of France, upon the year 1600, betweene the Bishop of Evreux, and the L. Plessis Mornay*. In it, he told the story how the Huguenot champion Philippe Duplessis-Mornay challenged the Catholic bishop of Evreux to a public

¹⁰ For a magisterial overview of Persons's polemical career, see Thomas H. Clancy, *Papist Pamphleteers: The Allen-Persons Party and the Political Thought of the Counter-Reformation in England, 1572–1615* (Chicago: Loyola University Press, 1964).

¹¹ *A Manifestation of the Great Folly and bad spirit of certayne in England calling themselves secular priestes* (Antwerp: Arnout Coninx, 1602), *A Quiet and Sober Reckoning with M. Thomas Morton somewhat set in choler by his Adversary P.R. concerning Certaine imputations of wilfull falsities obiected to the said T.M. in a Treaties of P.R. intituled Of Mitigation* (St Omer: English College Press, 1609), and *A Temperate Ward-word, to the turbulent and seditious Wach-word of Sir Francis Hastings knight* (Antwerp: Arnout Coninx, 1599). More neutral titles included *The Judgment of a Catholicke English-man, living in banishment for his Religion: Written to his private friend in England. Concerninge A late Booke set forth, and entituled: Triplici nodo, triplex cuneus, Or, An Apologie for the Oath of Allegiance* (St Omer: English College Press, 1608) and *A Discussion of the Answere of M. William Barlow, D. of Divinity, to the Booke intituled: The Judgment of a Catholicke Englishman living in banishment for his Religion & c. concerning The Apology of the new Oath of Allegiance* (St Omer: English College Press, 1612). All the books mentioned here pay particular attention to the opponents' standard of argumentation. Curiously, Lander's study contains only two passing references to Persons.

debate in front of the convert King Henri IV. The bishop was called upon to prove his claim that Mornay had falsified his references in his recently published book against the mass, 'place[s] eyther falsely cited, or impertinent to the matter, or vnprofitably alleged'.¹² Mornay, who wanted a leaf-by-leaf examination, was instead given sixty places to defend, and finally agreed to select nineteen, so that the combat could begin. After the first day, with the judges routinely finding against him, Mornay withdrew, exhausted and ill, and retreated to Paris, where he protested against the unfairness of the trial.

To Persons, the Huguenot's humiliation seemed like a good thing to bring to the attention of the English public, not least because it appeared to demonstrate how Protestants tended to economise with their sources. Just over three years later, early in 1604, he re-published the *Relation of the Triall*, together with a *Defence* of his narrative. What he had said of the deficiencies of Mornay now applied, with even greater urgency, to the Huguenot's English advocate, Matthew Sutcliffe, Dean of Exeter, and the prospect of a new dispensation under James I invited reflection on the conduct of religious debate.

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The French wars of religion came to an end in 1598 with the promulgation of the Edict of Nantes. In the previous year, France had signed peace with Spain at the Treaty of Vervins. Henri IV, formerly Huguenot king of

¹² Robert Persons, *A Relation of the triall made before the King of France, upon the year 1600, betweene the Bishop of Evreux, and the L. Plessis Mornay*, in *A Treatise of Three Conversions of England from Paganisme to Christian Religion*, 3 vols (St Omer: François Bellet, 1603–04), 2: 22. The full title of this volume is *The Third Part of a Treatise, Intituled: of three Conversions of England: conteyning. An Examen of the Calendar or Catalogue of Protestant Saints, Martyrs and Confessors, divided by John Fox . . . The first six monethes. Wherunto in the end is annexed a defence of a certaine Triall, made before the King of France upon the yeare 1600. betweene Monsieur Peron Bishop of Evreux, and Monsieur Plessis Mornay Governour of Saumur, about sundry points of Religion*. The first two Parts of the treatise are contained in vol. 1, while the Third Part comprises vols 2–3.

Navarre, who had in 1593–94 carefully stage-managed his conversion to secure Paris and consolidate his sovereignty, had reason to hope that the divisions in his kingdom might be healed. He had embraced Catholicism for the sake of national stability and now, well instructed in the faith and reconciled with Rome, he looked out on an ecclesiastical scene where the tide of Reformation, running strongly in the 1560s and 1570s, seemed to have turned.¹³

Towards Christmas 1599, controversy erupted over a prodigious tome on the eucharist by Henri's former friend and mentor, the Huguenot nobleman and lay theologian, Philippe Duplessis-Mornay.¹⁴ Mornay was a man who knew how to adapt his principles to the times without being a trimmer. At the height of the conflict with the Catholic League and Henri III, he had strongly supported the Huguenot resistance theory, which proclaimed the legitimacy of armed rebellion authorised by the "magistrates" of the land, whose duty was to God first and king second. It may be that he was that "Junius Brutus" who had written the "monarchomach" treatise *Vindiciae contra tyrannos* (1579) that offended so many divine right theorists.¹⁵ When Henri of Navarre succeeded Henri III, assassinated in 1589 in revenge for the murder of the Guises, and when the stalemate in the country persisted, Mornay, now putting royal supremacy before all else, counselled the new king to yield to the pressure to convert. The wisdom of his advice was borne out by the gradual pacification of the

¹³ For a succinct and authoritative survey of these developments, see Janine Garrisson, *A History of Sixteenth-Century France: Renaissance, Reformation and Rebellion* (1991), trans. Richard Rex (Houndmills: Macmillan, 1995), pp. 279–398.

¹⁴ *De l'Institution, usage, et doctrine du Saint Sacrement de l'Eucharistie, en l'Eglise ancienne. Ensemble; Comment, quand, & par quels degrez la Messe s'est introduite en sa place* (La Rochelle: Jérôme Haultin, 1598), translated as *Fowre Bookes, of the Institution, Use and Doctrine of the Holy Sacrament of the Eucharist in the old Church. As likewise how ... the Masse is brought in, in place thereof*, trans. R. S. (London: J. Windet for I. B., T. M., and W. P., 1600).

¹⁵ Junius Brutus (pseud.), *Vindiciae contra Tyrannos: siue, De principis in populum, populiue in principem, legitima potestate* (Basle: C. Waldkirch, 1579), attr. to Philippe Duplessis-Mornay or Hubert Languet.

next few years. It seems unlikely, then, that his treatise on the mass was intended to be provocative. He packed it with, as he says, five thousand references to the Fathers and Doctors of the Church, perhaps to invite serious and open debate on the common ground of learned tradition.

The response was strident and hostile. Sermons denouncing his work formed the staple of Lenten services in Paris and elsewhere. Most alarmingly, the celebrated convert, Jacques Davy Du Perron, educated as a Calvinist in Bern, Switzerland, official eulogist at the funeral of Mary Queen of Scots, and now the Catholic bishop of Evreux, proclaimed from his pulpit that he could show at least five hundred errors in Mornay's book. Mornay was indignant. He demanded satisfaction as a gentleman of honour, writing privately to the bishop with a request that the book's credentials be examined before the king as his feudal lord. But the bishop had a much more sophisticated sense of how to manage religious controversy. On 25 March 1600 he published Mornay's letter, together with his own response, to the effect that he would take up the challenge, on his own terms. He declined as too tedious the notion of a leaf-by-leaf examination of the book on the mass. Instead, he would be ready to show the five hundred places where Mornay had falsified the evidence. What is more, he could wager that there was not a single place in any of Mornay's writings that was not misquoted or misleading. He then laid down the basic principle of the trial, that it would not consider doctrinal issues but would be confined to establishing matters of fact. These conditions did not please Mornay, but on 1 April he publicly accepted Evreux's terms and asked the king to appoint deputies to arbitrate. He voiced his grievance that his private challenge had been converted into open warfare, but he had every confidence that he could call the bishop's bluff and all would tend to the further happy reformation of the realm.¹⁶

¹⁶ These events are documented in a series of letters and notices contained in the *Relation of the Triall*, pp. 18–28.

The trial was called for the beginning of May, at Fontainebleau, the royal chateau some thirty-five miles from Paris. Among the deputies appointed was the renowned classical scholar, Isaac Casaubon, who, already a correspondent of Sir Henry Wotton, was later to move to England and become famous for exposing medieval forgeries such as the *Corpus Hermeticum*.¹⁷ He was the only Protestant among the adjudicators. Mornay knew the odds were against him, but he was ready, so he said, to stake his life on the reliability of his citations. From the time he arrived at Fontainebleau, a day after Evreux, he tried to negotiate better terms. At first it was proposed that he should be prepared to defend whatever he had written, but he wanted forewarning of the exact places to be examined. Eventually, on 3 May, the day before the trial was set to commence, Du Perron agreed to reveal sixty places and supply the relevant books so that Mornay could review the evidence. According to Mornay's own account, published after his humiliation, he received the sixty places only at one o'clock in the morning; the books were delivered at two and had to be returned at six. The trial was due to begin at eight, but in the event was postponed until one in the afternoon. Weak from his sleepless night, and further exhausted by the obstacles he had encountered in seeking an equitable form of procedure, Mornay nominated nineteen places. Only nine were covered in the first day – seven hours of disputation where the places were read out, the books were opened, and Du Perron, fresh, eloquent and confident, brilliantly refuted every attempt to explain why crucial words had been left out and the unequivocal intention of the author (as shown from the context) had been

¹⁷ John Considine, 'Isaac Casaubon', *ODNB*, who writes: 'The conference was generally considered to have been a triumph for Mornay's Catholic attackers, and Casaubon was felt by many Catholics and protestants to have taken the Catholic side.' In 1612 Casaubon became involved in a controversy between James I of England and Du Perron, now Cardinal Primate of France; see Milward, *Religious Controversies of the Jacobean Age*, pp. 128–31. For Casaubon and Hermes Trismegistus, see Anthony Grafton, *Forgers and Critics: Creativity and Duplicity in Western Scholarship* (Princeton, NJ: Princeton University Press, 1990), chap. 3.

contradicted. In every instance, the judgement went against Mornay. Not even Casaubon could say anything in his defence. That night Mornay was seized by a vomiting attack and left for Paris. The trial was over.¹⁸

It was a resounding propaganda triumph for the Church of Rome. If Henri had been anxious to appease the pope and the Catholic peers, he could not have been more comprehensively vindicated. He had himself taken part in the proceedings, interrupting now and again to make a neat point against his former ally. No doubt it helped that he had been taught his Catholicism by the very same Du Perron who was leading the attack against Mornay. There was no malice in it, though we are told he took relish in the trial. It has even been suggested, quite plausibly, that the whole affair was a kind of ritual sacrifice, in which Mornay was compelled to undergo a not entirely ignoble embarrassment for the sake of his monarch's hopes for national reunification.¹⁹

Show trial or not, it led to a battle of books, first in France as Mornay and his allies tried to limit the damage, and then in England as Robert Persons sought to apply the lessons of Mornay's discomfiture to the English

¹⁸ The narrative given here is collated from *Discours véritable de la conférence tenue à Fontainebleau le quatriesme de may 1600, entre le sieur du Plessis at l'Évesque d'Évreux* (Paris, 1600), commonly attributed to Mornay and anonymously translated as *A Discourse of the Conference holden before the French King at Fontain-bleau, betwene the L. Bishop of Eureux, and Mounsieur du Plessis L. of Mornay, the 4 of May 1600. Concerning certaine pretended corruptions of Authours, cyted by the sayd Munsieur du Plessis in his booke against the Masse* (London: E.A. for Mathew Selman and William Ferbrand, 1600), pp. 5–16, 51–2, *A Relation of the Triall*, pp. 33–36 (a letter from Du Perron to the French ambassador in Rome, 10 May, 1600), and pp. 67–80, and Matthew Sutcliffe, *A Briefe Refutation of a Certaine Calumnious relation of the conference passed betwixt the Lord of Plessis Marli, and I. Peron, calling himself bishop of Eureux, the fourth of May last, sent from Rome into England, and devised by some idle Iesuite to the slaunder of that noble and vertuous Gentleman, and of true religion, which he professeth, in A Briefe Replie to a certaine odious and slanderous libel, lately published by a seditious Jesuite, calling himselfe N.D. in defence both of publike enemies, and disloyal subiects, and entitled A temperate wardword, to Sir Francis Hastings turbulent watchword* (London: Arnold Hatfield, 1600), pp. 26–30.

¹⁹ Isabelle Dubail, 'Le sacrifice de Fontainebleau (1600)', in *Paix des ames, paix des armes*, Colloque organisé pour le quatrième centenaire de l'édit de Nantes (Pau, october 1998), Société Henri IV (Paris: Imprimerie Nationale Éditions, 2000), pp. 395–403.

scene. The official record of the trial exists in manuscript as *Actes de la conférence tenue à Fontainebleau*,²⁰ but this was challenged by Mornay himself, or his associates, in the anonymous *Discours véritable de la conférence tenue à Fontainebleau le quatriesme de may 1600, entre le sieur du Plessis at l'Évesque d'Évreux*. For his part, Robert Persons composed *A Relation of the triall made before the King of France, betweene the Bishop of Evreux, and the L. Plessis Mornay*.²¹ Matthew Sutcliffe, already locked in combat with Persons in a dispute over Catholic sedition – the so-called “Watchword” controversy²² – defended Mornay in *A Briefe Refutation of a Certaine Calumnious relation of the conference passed betwixt the Lord of Plessis Marli, and I. Peron*. It was indeed brief, almost perfunctory, but Persons gave it the full treatment in his *Defence of the Relation*, which he published, together with the original *Relation of the Triall*, as an appendix to the second volume of his *Treatise of Three Conversions of England from Paganisme to Christian Religion*.²³ The larger work was an extended critique of John Foxe’s *Actes and Monuments*, which had been re-published in 1596. In the *Treatise of Three Conversions* Persons was concerned to show that contemporary Roman Catholicism was the true inheritor of the Christian tradition in England, and that Foxe’s “martyrs” were pseudo-martyrs. His method was to demonstrate the unreliability of Foxe’s documentation, and so there was an affinity with the humiliation of Mornay and the demolition of Sutcliffe.

A telling argument made in the Protestant *Discourse of the Conference* is a legal analogy put forward as a protest against the restriction of the examination to isolated cases of misquotation or misrepresentation of

²⁰ BNF, Fds fr. 17814; cf. *Pièces relatives à la conférence de M. l'Évesque d'Évreux at de M. Duplessis-Mornay*, BNF, Collection Depuy 15811.

²¹ There is no extant copy of the 1600 version of *A Relation of the Triall*.

²² Milward, *Religious Controversies of the Elizabethan Age*, pp. 138–45.

²³ Persons read the *Discourse of the Conference* (see pp. 62–3, 129–41) but reserved most of his ammunition for Sutcliffe.

authorities. This was like reducing the dispute to a wrangle over the clauses of a contract, the author complained, instead of treating it like an inquest. All the witnesses should be called in, he argued, even if some were unreliable or contradicted the others, so that a proper judgement could be made of the work as a whole. Even before the trial Mornay complained that the bishop would choose his instances to avoid having to face the great majority of places that would count against him if the book were examined leaf by leaf as Mornay had asked. No scholar could get every detail right, and if every book were to be subjected to such selective scrutiny, what Catholic author would escape whipping? The corruptions and errors of Roman apologetics were infamous and legion.²⁴ No, said Du Perron; no, said Persons. These are the authorities you have cited in support of your heretical opinions. You must stand to them and defend them as best you may.²⁵

And so Persons developed his theme.

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The most important constraint on the trial, as we have seen, was that the debate should be restricted to matters of pure fact; that is, Mornay's references would be carefully and publicly checked against the originals, in order to determine as objectively as possible whether he had misrepresented them. There was to be no argument on doctrinal matters. This delimitation of the grounds of controversy ought to have made for conclusiveness of judgment, although as Persons portrays it, there was no end to the objections Mornay and his defenders could raise to the findings of the judges. More to the purpose of our present enquiry, the restricted scope encouraged Persons to extend the model of a tournament of chivalry,

²⁴ *A Discourse of the Conference holden before the French King at Fontain-bleau*, pp. 6–9, 16.

²⁵ *A Relation of the Triall*, pp. 71–3.

suggested by the circumstances of this particular occasion, to establish effective rules for controversy and to contain what he saw as the Protestant heresy. As he described the challengers slinking away in disgrace,²⁶ he intended to leave the Catholic truth not only triumphant, but intact and glorious.

The contest was in one sense an uneven one, since it lined up a layman against a theologian, albeit one who was himself a convert from the ranks of the Huguenots. This may have provided an additional reason to exclude divinity as such from consideration, so that it took on the nature of a more secular proceeding, for which the language and ethics of the joust might be appropriate. Mornay himself was a nobleman, to whom these expectations applied, and the language of shame, disgrace and dishonourable proceeding had special purchase. The context of the debate, held before an impartial feudal monarch who occasionally interjected as he might during a passage of arms at a tourney,²⁷ reinforced the priority of questions of honour: a different setting from a disputation in the schools or a battle of books for sale among the hot-blooded scholars, churchmen and men about town who frequented St Paul's churchyard.

The honour of the contemporary reader is at stake, too. Wherever there is an attempt to hide behind obscurity or sleight of hand, Persons warns the reader to 'stand attent' (pp. 159, 161, 203); he will not have his readers deceived by the devices of the contestants. He expects readers to watch out for foul play; in this way they are drawn into the chivalric milieu and given a certain dignity.

Mornay and Sutcliffe are presented as violating the code of chivalry and fair play at every turn. First they swagger in like Thraso,²⁸ making extravagant claims and daring anyone to challenge their credentials. Then,

²⁶ *A Relation of the Triall*, pp. 125, 155, 199, 225.

²⁷ Persons refers to his 'indifferency in iudgment' (*A Relation of the Triall*, p. 14).

²⁸ *A Relation of the Triall*, pp. 194 and 202.

in their argumentation, they resort to various kinds of subterfuge, dissimulation and evasion, adding fraud to fraud. Finally, when they are unable to defend themselves any further, instead of accepting defeat frankly and honestly, they manufacture further excuses, redefine their terms and try to brazen it out:

[W]e may ad a further degree of false dealinge, that hath no excuse in the world, which is, that where the falshood is evident, and cannot be denyed, nor by any probable meanes defended, yet not to confesse the same, nor to excuse it by ignorance, forgetfullnes, trust vpon other men, or by any like error, but to continue, and bolster out the same by other sleights and new frauds: this I say is the highest degree of all falshood and impudency . . . (p. 177 *vere* 197)

Nothing will satisfy them and they will always find some reason to carp.²⁹ Much of Persons's rhetoric in exposing this 'shamefull shifting, turning and wynding of a leud and lost conscience' (p. 220) is merely high-spirited and satirical, revelling in the contest, but there are some important undercurrents.

When the facts are laid bare, Persons notes, Sutcliffe pulls his hat down over his eyes and walks past, pretending not to see (p. 169). The truth becomes invisible. There is a connection between this ignoring of the truth, or at least of the clear testimony of the Fathers, and the refusal to see the church. That is to say, the Calvinist adherence to the invisible church entails a denial of a church that is visible and whose authorities are there for everyone to see. In his attack on Mornay and Sutcliffe, therefore, Persons is reinforcing his case against Foxe, which he has been pursuing in the *Treatise of Three Conversions*. Mornay and Sutcliffe are variously compared to

²⁹ 'Which kind of proceedinge did more yet discredit *Plessis* with the wiser sort of men, then his former ouerthrow in the field' (p. 121); 'factious sectaryes . . . care not what they say or wryte, so they may therby hold vp their sect and faction' (p. 125).

dogs, mice and hares, all caught in a trap, and this links them to the common polemical image of Foxe being smoked out of his foxhole (p. 204). The effectiveness of Persons's method here lies in the confinement of debate to verification of sources. Since every quotation, every reference that Mornay makes turns out, in the narrative here presented, to "make for" Catholic beliefs and practices, it is as though the window is being assiduously cleaned through which the ancient visible church, recognizably one with the reformed Catholic church of the day, can be seen: '*True Religion* (saith he) *is not visible*. What then? yet men that professe true Religion are visible, and by them may the continuance of true Religion be visibly deduced' (p. 200). The books themselves, the ones from which Mornay has misquoted, are brought out as material objects to be opened and scrutinized and to become outward and visible signs of the church militant.

Another significant recurring pattern is the regularity with which Mornay and Sutcliffe are shown to have been premature or hasty in their interpretation of the evidence. Often it transpires that key phrases or clauses have been omitted from a quotation from St Jerome or St Augustine or St Gregory Nazianzen (the most frequently cited), so as to give a superficial first impression that the writer is questioning a familiar Catholic doctrine, such as the efficacy of prayer to the saints. It may be that Mornay has deliberately suppressed the evidence, but the judges are usually content to note that he has left out what he ought to have put in. Disingenuously or not, Sutcliffe commonly comes to the defence of Mornay to argue that the words omitted are irrelevant or actually strengthen the case. In these instances Persons makes a show of patiently explaining how a more careful examination of the place invariably confirms the Roman position. The most flagrant examples are where Mornay cites an objection or question that an authority raises about, say, the distinction between transubstantiation and the real presence, only to ignore the resolution, a few pages further on, where the source text comes down heavily against what is later to become the Protestant view.

There is an affinity here with the heresy trials in Foxe's *Actes and Monuments*, which Persons interrogates in other parts of the *Treatise of Three Conversions*. Mornay and Sutcliffe are rather like the unlearned "pseudo-martyrs" who, lacking the necessary instruction and discernment, go to their horrible deaths clinging to an apparently commonsensical disbelief in a superficially incredible Catholic teaching. Persons calls this "presumption" in Mornay and Sutcliffe, and sometimes he attributes it to anger and impatience. At other times he chooses to humour the objection. There is, for instance, the question whether Theodoret's commentary on Psalm 113 (Vulgate numbering) can justly be cited in opposition to the use of images in Christian worship. Mornay has quoted the passage:

God maketh what he pleaseth, but Images are such as pleaseth men to make them; they haue the places or habitations of senses, but haue no sense indeed, and in this much lesse them [sic] flyes and fleas and such other vermine, and yt is iust that all that adore them do leese both reason and sense, and be like vnto them . . . (p. 110).

Du Perron points out that the word 'Images' is a mistranslation of *eidola* (idols), and that Mornay has reduced the phrase 'adored by pagans for Gods' to 'all that adore them'. When Sutcliffe claims that the missing words would have been even more damaging to the Catholics, Persons plays along: 'geuinge vs therby to vnderstand, that *Plessis* of compassion not to hurt vs more left them out' – and then all too delicately and disarmingly administers the *coup de grace*: 'but yet at leastwise this good we should haue had therby, yf he had left them in, as he found them; that the place of *Theodoret* cited by him against Images, would plainly haue appeared impertinent to the purpose' (p. 189). The ironic tone is that of the schoolmaster mocking the tyro.

A closer scrutiny of the 'place of *Theodoret*' reveals, however, that the evidence is not quite so unequivocal as Persons would have us believe. The translation is ambiguous: the terms *eidola* (idols) and *eikonas* (images) are

both used in the relevant passage from Theodoret, which I quote below from a modern translation:

Whereas you [God] do what you will, the idols [*eidola*] worshipped by the nations do not create but are created . . . they invest the images [*eikonas*] with appeals to the senses, he is saying, but they are deprived of operation; so they are of less value than not only their makers, but even the most insignificant living things. After all, flies and mosquitoes and things smaller than these possess the use of the senses . . . whereas the gods adored [by them] do not possess the operation of the fewest and smallest animals . . . : but let their devotees and their makers be like them; it is right and proper that people endowed with reason and fallen victim to such stupidity should incur the same lack of sense as those things worshipped by them.³⁰

Moreover, *simulacra*, which could mean “images” or “idols”, is used in the Vulgate text of verse 12, *simulacra gentium argentum et aurum* (‘the idols/ images worshipped by the people are silver and gold’) for the Septuagint’s *eidola*, leaving the question of translation debatable. As corroborative evidence of Theodoret’s approval of images, Du Perron cites his account of popular devotion to images of St Simeon Stylites (p. 112), an argument involving inference, not mere word-checking.³¹ This compromises Persons’s claim of indisputable demonstration, and it weakens his complaint that when Mornay and Sutcliffe appeal to larger questions of doctrine and practice, they trivialise errors as technicalities. For Persons, they are

³⁰ Theodoret of Cyrus, *Commentary on the Psalms*, trans. Robert C. Hill, 2 vols (Washington, DC: Catholic University of America Press, 2000–01), 2: 225–26; Greek text and Latin translation in *PG* 80, cols 1791–94.

³¹ I am grateful to Jesse Lander for the observation that the discussion here and in the next few pages of the *Relation* goes beyond pure verification of the source to more contested questions of translation and authorial intention. For St Simeon Stylites, see Theodoret of Cyrus, *Historia religiosa* XXVI, 11, 1473A; Greek text and French translation in Theodoret de Cyr, *Histoire des Moines de Syrie*, ed. P. Canivet and A. Leroy-Molinghen, 2 vols, Sources Chrétiennes 234, 257 (Paris: Editions du Cerf, 1977–79), 2: 182–84.

withdrawing from the open field of tournament and taking refuge in the intricacies or obscurities of theological debate. His business is to marshal them back to the lists where the unambiguous rules of verification obtain.

Although from time to time Persons reminds us that we are ultimately to face a much higher tribunal – to which he commits himself in the last sentence of the work – for the present he will even accept the judgment of Sir Robert Cecil, averse to Catholicism as he is, because he has understanding enough not to ‘swarue in so euident a matter of fact, as heere we are to handle’ (p. 193). Somewhat unfairly, Persons insists that his opponents be kept within these bounds, but appropriates the freedom himself to construct a larger framework that suits his own purposes in commending the Catholic church. He reserves the language of chivalry for the layman Mornay and the discredited divine, Sutcliffe, whereas the arguments of the bishop are normally described as if he were a different category of adversary altogether, an authority who can hand down explanations and proofs in magisterial fashion from an apparently infinite store of knowledge. This is no doubt partly because, as a convert, he has known these objections from within and has satisfied himself of their vanity. It is also because Persons wants to present him as forming a link with a greater world of Catholic truth in which the debate is enclosed.

In the context of the military idiom of this account of the debate, the notion of containment suggests a kind of mopping-up operation. At one level, it means restricting the scope of the argument. At another, it effectively denies equal status to the Huguenots as contestants. Reinforcing the rule about not disputing actual articles of religion, the bishop invokes the example of the primitive church:

... alleaging the example of *Eugenius* Archbishop of *Carthage*, who being required by *Hunmericus* King of the *Vandalls* in *Africa*, to dispute with the *Arrians*, he refused the same without consent of other Bishoppes, and especially, of the B. of *Rome* as head of all (p. 78).

From the perspective of Christendom as a whole, this is a contest that is to be locally contained; the universal church is engaged in several trials of this kind, at various times and in various places, rather as the Roman empire was compelled to fight limited wars on its borders as occasion demanded. The strategy is that of *divide et impera*, and the sense of a wider conflict between two major international religious codes is suppressed. This is in accord with Persons's intention to degrade Foxe's *Actes and Monuments*: he seeks to discredit the monumental character of the records of martyrdom by emphasizing the fragmentation of the Protestant movement into a 'rabble of . . . opposite sects', with only a superficial organization into the four major groupings of Lutherans, Zwinglians, Calvinists and Anabaptists.³²

* * *

Besides the appeal to shame or sense of decency, there is a crucial principle of authority undergirding Persons's interrogation of the nine cases covered in the Fontainebleau trial. The Catholic disputants might concede that, on a generous interpretation of the passages examined, there is some measure of support in the Fathers and even the Schoolmen, for a proto-Protestant position on transubstantiation, prayers to the saints and veneration of the holy cross. It is indeed not difficult for an impartial observer to see how a Protestant writer might hail, in the passages quoted, an anticipation of Reformed teaching. Even though the authorities themselves turn out to repudiate these opinions, so that Mornay's citations tend to erupt in his face, it would be charitable to treat his procedure as wishful thinking or projection rather than wilful falsification. Thus even Persons tends to present him as embarrassed and humiliated rather than

³² *A Treatise of Three Conversions of England*, 1: 512, 571.

incriminated, and modern commentators are divided on the conclusiveness of the verdict against him.³³

The difficulty, ultimately, of drawing the line between misrepresentation of sources and authentication of doctrine trenches on the larger question of the way doctrine unfolds within a tradition. This takes us to the very heart of the conflict over authority between Roman and English Catholicism. Roman apologists of the Reformation period did not pretend that there had been no development of doctrine since the patristic period, yet they insisted that this did not authorise innovation of the kind practised by Protestant theologians. Protestant apologists, on the other hand, claimed they were recovering the original truth. A Protestant commentator such as John Donne was convinced, after studying the points at variance between the Roman and the Reformed Catholic church, that Rome had so perversely built on the foundations of the Christian religion that the encrustations and embellishments now obscured and even distorted the original structure.³⁴ So there was a pressing question how to judge between the divergent elaborations of the plain teaching of Scripture and the ecumenical Fathers.

The presence of this issue in the *Relation of the Triall* helps to explain why it was appended to the *Treatise of Three Conversions*; in the larger work Persons was exercised to show how the Church of Rome at the turn of the sixteenth century was essentially at one with the church of the sixth century, when the British church was planted. At the level of martyrology, the argument with Foxe is conducted over the contrasting procedures used by the two churches to authenticate the martyrs. In the

³³ Hugues Daussy, *Les Huguenots et le roi: Le combat politique de Philippe Duplessis-Mornay (1572–1600)* (Geneva: Droz, 2002), p. 592, n. 82.

³⁴ John Donne, 'The Preface,' *Pseudo-Martyr* (1610), ed. Anthony Raspa (Montreal: McGill-Queen's University Press, 1993), pp. 11–28, concluding 'So can it not be cleare to you, that the body of Christian Religion is there, since it is oppressed with such heapes of ashes, and dead Doctrine' (p. 26).

Relation of the Triall, there is an analogous contrast implied, between the principles of the two churches regarding the authorisation of developing doctrine and discipline. Where Protestants rely on *sola scriptura*, the question of the interpretation of other written tradition does not arise, but it is clear that Mornay, like many of the reformers, sought further historical sanction for the new, or renewed, faith. What, then, can be regarded as a legitimate extrapolation from the Fathers and Doctors of the church, as arguable evidence for an embryonic Protestant understanding, and what is mere vain speculation?

From Persons's point of view, Protestantism is a heresy and can exist in Catholic tradition not in embryo but only as phantasm. Accordingly, he tends to be very precise in his analysis of the errors into which Mornay and Sutcliffe have fallen. The exposé becomes an exposition. Two citations from St John Chrysostom are in dispute, relating to prayers to the saints. In both cases Chrysostom cautions against over-reliance on the intercession of saints: we should pray more ourselves, and we should look to our own Christian behaviour to bring us closer to God. Chrysostom adds (but Mornay neglects to quote him) that this should not be taken to mean that there is no place for prayer to and by the saints. One can see that it is but a step from this patristic subordination of the practice, to depreciation of it, to deprecation, and finally to the Reformers' prohibition. To Mornay and Sutcliffe, these are short steps, and they can be telescoped into a single act of inference. To Du Perron and Persons, the gap between correcting an abuse and eliminating a practice is a wide one, and they characteristically sharpen every distinction that the Protestants attempt to blunt.

Mornay claims that Chrysostom indirectly impugns prayer. Persons asks how it is possible to impugn and allow something simultaneously (pp. 97, 159). Sutcliffe says Chrysostom implicitly discourages reliance on such prayer, and infers that he means at least that we should not use it so continually as the Roman church does. Persons retorts that 'to *rely*,

and to *rely wholly*, are two different things' (p. 158). Then there is the question whether Chrysostom is referring to saints living or dead. The Protestants argue that what applies to the living applies all the more to the dead, thus bringing the two possibilities closer together. The Catholics force them apart again: if Chrysostom means dead saints, we have his explicit endorsement of the practice of praying to them; if he means living believers, the passage is irrelevant to the issue under discussion.

The divergence between Catholic and Protestant "uses of the canon" might be best understood, in an early modern context, as a revision or even an extension of the rhetorical category of *inventio*. The rhetorical handbooks named "invention" as the first of the five branches of rhetoric. It meant the "finding" of "places" in the recognized authorities, as the basis of a line of argument. Taken to extremes, this would restrict discourse to a refinement and re-presentation of existing knowledge, and fear of such stagnation may be one reason why Peter Ramus' attempt to remove *inventio* from the sphere of rhetoric and place it in the sphere of logic or dialectic was so popular. From this perspective, one might argue that the circumscription of *inventio* in the Fontainebleau trial was a Catholic controlling device. If the argument strays beyond the simple demonstration of documentary accuracy, it is quickly reined in. There is invention and invention: properly done, it leads to an invented argument, in this case a theological system "constructed", as we might say today, out of materials faithfully and skilfully quarried from scripture and from the Fathers and Doctors of the church. In the case of heresies, on the other hand, the 'doctrine [consists] only in the invention, iudgment, and memorye of the sectarye himselfe' and 'whatsoever they alleage of scripture or other antiquity, must depend of their owne new inuented interpretation' (p. 44). What is improperly invented, then, becomes part of a mere fabrication, an invention in the emergent sense, where the subjective view of the reader is projected onto the authority.

The shift from the old meaning of invention to the new is a sign, for a Roman Catholic polemicist, of illegitimacy.³⁵

* * *

What, then, are the implications of these works for inter-confessional dialogue in early modern Britain? Does the striving for propaganda advantage, the imperative of polemical triumph, preclude the possibility of exchange? The prevalence of rhetorical convention in controversy – religious, political, scientific or literary – need not, it is true, be seen as inimical to intellectual advance. Indeed, Walter Ong famously argued that to deny the rhetorical character of *inventio* was to inhibit rather than promote dialogue by taking logic and dialectic out of the realm of debate.³⁶ Yet rhetoric, to have this beneficial effect, requires the right conditions: the detachment of the academy, the impartiality of the lawcourt, or the generous spirit of the orator's audience. Public oral disputation is another thing from books of controversy. It can be argued that printed polemic is by nature antagonistic, since its purpose is to seek and destroy, using rhetorical ploys in an uncompromising way, where there is no place for understanding, give-and-take, or interpenetration of views. And it is clear, from the *Relation of the Triall*, that neither Du Perron nor Persons intends to make any concession to his opponents. By insisting on distinctions, they not only widen the gap between Catholic tradition and Reformed aspiration (which they would call pretension), but leave no room for

³⁵ The *OED* lists the older meaning under *invention* 1d, 'The finding out or selection of topics to be treated, or arguments to be used' (from 1509), and the newer under *invention* 2, 'The action of devising, contriving, or making up; contrivance, fabrication' (from 1526, but becoming common late in the seventeenth century).

³⁶ Walter J. Ong, *Ramus, Method, and the Decay of Dialogue: From the Art of Discourse to the Art of Reason* (Cambridge, MA: Harvard University Press, 1958), pp. 270–92, esp. p. 290. On the relation between logic and rhetoric, see W.S. Howell, *Logic and Rhetoric in England, 1500–1700* (New York: Russell and Russell, 1961), *passim*, although neither he nor Ong addresses the question of the place of rhetoric in religious controversy.

conversation over apparent ambivalences and grey areas in the written authorities. The conduct of the debate, and its extension into English controversy, thus appears to be triumphalist, and inhospitable to inter-confessional dialogue. There is no invitation to Protestants to adopt a more nuanced or less opportunistic approach to the Fathers and Doctors. We derive from Persons's treatment of Sutcliffe, especially, a sense that he expected any fair public disputation to have the same outcome: Protestant use of authority would be shown to be misconceived at every point, all reasonable men would accept the conclusiveness of the proceedings, and the Reformed faith would simply wither away.

I do not think there can be any doubt that Persons, along with Bellarmine, Baronius, Du Perron and other leading Catholic apologists of the early seventeenth century, held exactly this position. At Fontainebleau, Henri IV, too, assumed that the trial was there to expose the weakness of the Huguenots' position and the delusion of its proponents. On every disputed point of doctrine and discipline, they believed, the Council of Trent, drawing on the most learned minds of the Church and guided by the Holy Spirit, had settled the matter. Reunification was a political, practical and even pastoral challenge, and public disputation should be seen in this context, not as an open dialogue. On the opposing side of the division, if we consider state sponsorship of polemic by the English Protestant authorities, it is evident that toleration was not the purpose of public debate. The show trial of Edmund Campion in 1581 included a much-touted dispute in the Tower, intended to demonstrate both the magnanimity of the Queen, the credentials of the Reformed faith and the ability of its champions to rise to the challenge of "Campion's Brag".³⁷ When it began to go against the Protestant disputants, it had to be shunted out of public

³⁷ "Campion's Brag" was the name given to his challenge to the Privy Council, in which Campion declared, 'I know perfectly that no one Protestant, nor all the Protestants living, nor any sect of our adversaries . . . can maintain their doctrine in disputation' (*A Jesuit Challenge*, ed. Holleran, p. 180).

view. After the Gunpowder Plot, James I promulgated a new oath of allegiance, anonymously and rather ignominiously tried to defend it in print himself, and then called on Lancelot Andrews and William Barlow to deal with the papist offensive.³⁸ In 1610 he founded Chelsea College, under Sutcliffe's leadership, to enable English Protestant polemicists to mount a concerted attack on the errors of Rome, not to promote lively exchange.³⁹

In the more immediate context of the Fontainebleau trial, the English authorities took an interest in the commissioning, sometimes covert, of books written against the adversaries, both to right and left, of the ecclesiastical establishment. While the Archbishop of Canterbury, John Whitgift, and Richard Bancroft had recruited writers against Protestant episcophobes such as Thomas Cartwright and "Martin Marprelate" in the 80s and 90s, Bancroft, now Bishop of London, secretly paid for the printing of the anti-Jesuit faction, the appellants, in the early 1600s. As in the case of the controversy over the oath of allegiance, Persons himself was the chief target of the books being pulled off on the London presses at Bancroft's expense. The appellants accepted Bancroft's aid in hopes of achieving some measure of toleration for loyalist Catholics. No deal was formally struck, but the hope was that if the secular priests could reduce the Jesuits' power in England, or even eliminate them altogether, the government would relax

³⁸ See Milward, *Religious Controversies of the Jacobean Age*, pp. 89–94. James's principal opponents were Cardinal Robert Bellarmine (in Latin), and Robert Persons (in English). Persons's *Judgment of a Catholike English-man* (1608) was a critique of James's anonymously-published *Triplici nodo, triplex cuneus, Or, An Apologie for the Oath of Allegiance, Against the two Breves of Pope Paulus Quintus, and the late Letter of Cardinal Bellarmine to G. Blackwel the Arch-priest* (London: R. Barker, 1607), and compelled the King to re-issue the work as *An Apologie for the Oath of Allegiance: first set forth without a name, now acknowledged by James, King. Together with a premonition to all most mightie monarches* (London: R. Barker, 1609).

³⁹ See D.E. Kennedy, 'King James I's College of Controversial Divinity at Chelsea', in *Grounds of Controversy: Three Studies in Late 16th and Early 17th Century English Polemics*, ed. D.E. Kennedy, Diana Robertson and Alexandra Walsham (Melbourne: History Department, University of Melbourne, 1989), pp. 97–126, and Lander, *Inventing Polemic*, pp. 201–21.

the restrictions and penalties on a now harmless Catholic community. They were the more deceived. Bancroft may not have been merely using the secular priests to gain a polemical advantage in the propaganda war against Catholic apologists, and secure the state against the political machinations of the Jesuits, but he was not in a position to broker a deal.⁴⁰

What, then, of Persons in 1600 and 1604? In considering his assumed position of moderator of the Fontainebleau trial, we have perhaps too easily gone along with his pretence of objectivity, his chivalric indignation and his air of pastoral concern. Most commentators – and certainly his adversaries – saw him rather as an opportunist who would use his unrivalled powers of persuasion and invective to suit his immediate political objectives. In this instance, it could be suggested that his flattering portrait of Henri IV was a cynical attempt to win the French king's favour at a time when French diplomats in Rome were beginning to back Persons's Catholic opponents, the so-called appellants. From 1598 to 1602 various English delegations of secular priests, suspicious of the Jesuits, went to Rome to appeal against the institution of the archpriest at the head of the Catholic hierarchy in England.⁴¹ The *Relation of the Triall* could be seen as a manoeuvre to outflank these appellants. In the 1580s, Persons had had close connections with the Guises and the Catholic League, and the Jesuits generally were now out of favour at the French court.⁴² It looks as if Persons

⁴⁰ For an account of Bancroft's involvement, see Gladys Jenkins, 'The Archpriest Controversy and the Printers, 1601–1603', *The Library*, 5th ser., 2 (1948): 180–86, and Arnold Pritchard, *Catholic Loyalty in Elizabethan England* (London: Scolar Press, 1979), pp. 226–27, n. 90.

⁴¹ The best account of the archpriest controversy is given in Pritchard, *Catholic Loyalty in Elizabethan England*, pp. 130–74. On the French connection, see John Bossy, 'Henri IV, the Appellants and the Jesuits', *Recusant History* 8 (1965): 80–122, who shows that Persons was eventually treated with cautious respect by the French diplomats in Rome.

⁴² In December 1594 Henri IV survived an assassination attempt by a pupil of the Jesuits, Jean Châtel. Francois Ravaillac, who succeeded in assassinating him in 1610, had tried (but failed) to enter the Society of Jesus. On Persons's connection with the Guise and the Catholic League, see A. Lynn Martin, *Henry III and the Jesuit Politicians* (Geneva: Droz, 1973), pp. 63–74 and 105–14.

might have swooped on the Fontainebleau triumph to gain a cheap propaganda advantage amongst the English and to neutralise French influence on the archpriest dispute in Rome.

Yet if we take into account the shifting circumstances of the English succession question in the period of the book's composition and publication, from 1600 to 1604, Persons's strategy seems more statesmanlike, and his respect for Henri, and even Mornay, more credible. In 1593–95 he had set out his principles for a Catholic approach to the succession in *A Conference about the Next Succession to the Crowne of England*:⁴³ namely, that the first concern should be the candidate's readiness to safeguard the liberty of the church. So far from advocating theocracy, however, his argument displaced the monarchy from a defining and sacralized position in the church-as-nation and reduced its role to the guaranteeing of circumstances under which the church's mission could thrive. He strongly opposed the novel doctrine of the divine right of kings and affirmed the right of the people, under appropriate leadership, to remove a king who failed to meet his obligations to the church. In this respect his resistance theory came close, *mutatis mutandis*, to that of the *Vindicia contra Tyrannos* and of Mornay himself. Indeed, all appearances to the contrary, there are even affinities between Persons's view of the succession and that of the French *politiques*, both Catholic and Protestant, who looked to the monarchy to provide national stability rather than pursue religious conformity with the kind of ineffectual fanaticism

⁴³ Under the pseudonym of "R. Doleman", this was published in Antwerp in 1595 by Arnout Coninx, but Latin translations were already circulating in 1593 and 1594. The authorship is disputed, but the position taken is surely Persons's. The resistance theory presented in this work is discussed in Peter Holmes, *Resistance and Compromise: The Political Thought of the Elizabethan Catholics* (Cambridge: Cambridge University Press, 1980) and Michael L. Carrafello, *Robert Parsons and English Catholicism, 1580–1610* (Selinsgrove: Susquehanna University Press, 1998).

associated with Henri III or Mary Tudor.⁴⁴ There was, in other words, a potential agreement on the delimitation of the sphere of the monarchy itself in religion. Although Persons continued to hope for a military or dynastic acceleration of the reconversion of England, he emphasized the limits of political action and recognized that the succession of a Catholic prince was only the first step.⁴⁵

In 1600, when Persons published his first version of the *Relation of the Triall*, he was still angling for a Spanish succession. Anticipating the succession of the Infanta, Clara Eugenia, he had composed his blueprint *Memorial for the Reformation of England*. This was not put into print, presumably because it would have been impolitic at a time when he was openly advocating “indifference” in the choice of a successor to Elizabeth.⁴⁶ Instead, it was circulated in manuscript in the late 1590s and intended especially for the study of the Infanta. In it, Persons argued that the best way for a new Catholic government to deal with the Protestants was to hold a series of public disputations during a limited period of religious

⁴⁴ Persons was careful to honour Mary I but he sought to learn from the mistakes of her attempted restoration. See ‘A storie of domesticall difficulties in the Englishe Catholike cause’ and ‘The first entrance of the Fathers of the Society into England’, in ‘The memoirs of Father Robert Persons’, ed. J.H. Pollen, in *Miscellanea II*, CRS 2 (London: Catholic Record Society, 1906), esp. pp. 54–7, 188–89. In *The Jesuit Mind*, A. Lynn Martin explains the Jesuit practice of cultivating “indifference” in political affairs, i.e. willingness to take an active part in public affairs without passionate attachment to political causes (pp. 231–32 and *passim*).

⁴⁵ In 1584 Persons wrote to Mary Queen of Scots: ‘wee had resolved I say to leave cogitation of soch matters and to follow only ovr spiritual cowrse wheruppon all dependeth though in longer time’, *Letters and Memorials of Father Robert Persons, S.J.: Vol. I (to 1588)*, ed. L. Hicks, CRS 39 (London: Catholic Record Society, 1942), p. 246 – suggesting that military conquest was a dispensable prelude to reconversion. Persons did not share the *politiques*’ enthusiasm for secularised absolutism, but he now preferred negotiation to civil war as a means to toleration. See Lisa Ferraro Parmalee, *Good Newes from Fraunce: French Anti-League Propaganda in Late Elizabethan England* (Rochester, NY: University of Rochester Press, 1996), esp. chapters 4–5.

⁴⁶ When it was eventually published, a century later, it was edited by a Protestant as a warning against further popish plots: *The Jesuit’s Memorial, for the Intended Reformation of England Under their First Popish Prince*, ed. Edward Gee (London: Richard Chiswel, 1690).

pluralism. We are invited to imagine an English monarch placed, as Henri IV was, in authority over a country with a strong, even militant, Protestant minority. The detailed rules Persons lays down for the disputations, to be held in Oxford, Cambridge and London, are ostentatiously impartial, with the two sides represented by the same number of chosen disputants, raised on two scaffolds with two “Presidents of the Disputation” placed at equal distance between them. A “Proloquutor” would be appointed each day, alternatively, and would be permitted to put the case in question without interruption.⁴⁷

In the interim between the first and second editions of *A Relation of the Triall*, the Spanish candidature, in which the Infanta herself, now Archduke of the Netherlands, showed very little interest, fizzled out. By late 1603 the Stuart succession was accomplished, so the revised and extended *Relation of the Triall* was addressed to a readership facing another Protestant reign. Persons might still have been hoping that James, like Henri, would convert. More realistically, he could suggest that James, the scholar-king, might demand higher standards in the public arena of polemic, following the example of those whose desire for truth transcended their attachment to party.⁴⁸ Public disputation was now no longer likely, so the implications of the Fontainebleau trial applied more readily to print. The question of toleration, and its connection with books of controversy, was thus becoming acute. Even in the earlier context of the archpriest controversy, Persons’s report on the Fontainebleau trial could be seen as a way of convincing

⁴⁷ *The Jesuit’s Memorial, for the Intended Reformation of England*, pp. 35–43.

⁴⁸ See *A Relation of the Triall*, p. 57, referring to a former Protestant who ‘had a conscience, and sought the truth indeed’. In a hastily-composed “Addition” to the dedicatory epistle (‘to the Catholiques of England’) of the *Treatise of Three Conversions*, 1: sigs *1v–*6r, Persons welcomes the news of James’s succession with as good a grace as he can muster, assuring his readers that it cannot be long before such a pious and learned prince would come to see the ‘substantiall grounds and cleer demonstrations for the Catholike Religion’ (sig. *4v). It is clear that the succession and its implications are foremost in Persons’s mind in preparing the *Treatise of Three Conversions* for the press.

wavering Catholics, confused by the appellants, that robust debate offered a better hope of consideration by the state than complicity in anti-Jesuit manoeuvres.⁴⁹ Now, the Stuart succession offered an opportunity for controlling such debate, imposing a degree of enforced impartiality on the model implicitly proposed for a state-sponsored polemical exchange. Persons commends 'the courteous proceeding vsed by the aduersary partyes' and the French King's 'indifferency in iudgment'.⁵⁰ The book thus gives us an idea of his conception of the character of religious controversy at the beginning of James's reign, and its rhetorical desiderata.⁵¹ Over and above the abuse of his opponents, his concern with raising documentary standards could be seen as a way of safeguarding the Catholic interest in the coming debate.

There was an extra urgency, then, to the question of falsification of sources, when Catholic writers needed to compensate for the advantages of the state religion, and so the revised *Relation of the Triall* is much more combative than the relatively serene proposals for disputation to be found in the *Memorial for the Reformation of England*. Persons protests vociferously against the political corruption of religious controversy at the end of Elizabeth's reign. This becomes evident when we compare the treatment of Sutcliffe with that of Mornay. The French are portrayed as participants in what is essentially a tournament of chivalry. Mornay is decisively trounced, but he is accorded the dignity of a noble competitor,

⁴⁹ Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500–1700* (Manchester and New York: Manchester University Press, 2006), p. 203, quotes various Protestant authorities who preferred open recusancy to conformism in Catholics.

⁵⁰ 'To the Reader', *Relation of the Triall*, sig. A3r, and p. 14.

⁵¹ In addition to Walsham's *Charitable Hatred*, recent accounts of the climate of intolerance are to be found in John Coffey, *Persecution and Toleration in Protestant England 1558–1689* (Harlow: Longman, 2000) and Benjamin J. Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA: Belknap/Harvard University Press, 2007). Lander discusses the "monologic" and "dialogic" potential of polemic in the introduction to *Inventing Polemic*, pp. 31–35.

and the occasional interventions of the king and the dialectical masterstrokes of the bishop remain within the bounds of decorum. Persons relates these interchanges with the air of an impartial, or at least objective and reliable reporter. But when it comes to Sutcliffe's attempt to defend Mornay and make out that the Huguenot had in fact got the better of the exchange, Persons moves with well-accustomed assurance into demolition mode. Where Mornay is treated with condescension,⁵² Sutcliffe, 'pittifully plunged in the puddle of contradiction' (p. 165), is regarded with contempt and disgust, and his arguments are ruthlessly and systematically annihilated. He is no knight, but a mere advocate, a 'puny pettifogger' (p. 176), a mouse nibbling at the hem of the garments of Catholic authors (p. 230). For Sutcliffe to imagine that he could dismiss, in a few facile sentences, each of the judgements against Mornay, when the *Discours veritable* had recourse to pages and pages of dense argument and further citation, was scandalous.⁵³ It evinced a complacent reliance, not on the intercession of the saints, to be sure, but on the ignorance of the reading public and the weight of governmental support. Again, the assault on Foxe as a multiple liar in *The Treatise of Three Conversions*,⁵⁴ is much more closely associated with Sutcliffe than Mornay.

Persons's outrage against Sutcliffe, and later against Thomas Morton and William Barlow, not to mention King James himself,⁵⁵ smacks of the frustration of a confident polemicist obliged to fight with one hand tied behind his back. It was difficult to pose as superior to his opponents' "dirty

⁵² He at least is supposed to blush at his exposure, whereas Sutcliffe is presumed incapable (e.g. *Relation of the Triall*, pp. 99 and 162).

⁵³ Sutcliffe deals with the nine cases in 6 pages (pp. 12–17) out of 38 in the entire book, most of which merely retails general abuse of Catholic controversial writers; the *Discourse of the Conference* takes 35 pages (pp. 16–51) out of 56. Persons comments: 'O.E. setteth before vs the same Coleworts sodden againe', p. 134 (*vere* 143).

⁵⁴ *Treatise of Three Conversions*, 3: 412.

⁵⁵ See above, note 11.

tricks” while savaging them. Yet the circumstances of the debate steer him in a new direction, giving an unintended impulse to the reinvention of polemic as a function of religious dialogue.⁵⁶ The account of the Fontainebleau triumph, which begins as a blueprint for national religious reunification based on an assumption of Catholic superiority, becomes a plea for the Catholic position to be respected as reasonable and authoritative, rather than antichristian and corrupt. Assuming that Persons intended the account to serve as a model for the kind of disputation suggested in his *Memorial for the Reformation of England*, the model had now to address the needs, not of a Catholic state planning national reconversion, but of a Catholic cause negotiating for a fair hearing under a sincere, learned but misguided Protestant monarch.

It is a commonplace that those who plead for toleration when suffering persecution are quick to renounce it when they are dominant.⁵⁷ Here we have a case of a Jesuit leader entering both imagined worlds with the same proposals of fairness, somewhat altered, it is true, in the face of continued exclusion from power, but still insisting on the same rules of engagement. Persons was in too much of a fighting mood to urge, in the context of 1604, what he had rather optimistically suggested twenty years before, about suspending debate in the common pursuit of godliness, although he had re-published these words in 1598 and was to do so again in 1607.⁵⁸ He was issuing a challenge to his English adversaries to join battle on supposedly equal terms. He claimed to be drawing polemic away from political manipulation into the sphere of academic disputation and chivalric

⁵⁶ On the potential of polemic to be ‘not only polarizing but also pluralising’, see Lander, *Inventing Polemic*, p. 34.

⁵⁷ See Walsham, *Charitable Hatred*, p. 237, referring to Persons, and *passim*.

⁵⁸ See above, n. 8. *The First Booke of the Christian exercise* was revised in 1585 as *A Christian Directorie Guiding Men to their Salvation* (Rouen: Fr Persons’ Press, 1585), reprinted in 1598 (Louvain: Laurence Kellam, 1598) and revised again in 1607 as *The Christian Directorie Guiding men to eternall salvation* (St Omer: Francois Bellet, 1607).

contest. Yet these conditions, as we have argued, subtly favoured doctrinal conservatism. Persons was essentially following a triumphalist approach to toleration, and this line was consistently pursued by the Jesuits who succeeded after his death in 1610. They rejected attempts at accommodation by James and his government, repudiated all claims of persecution being relaxed, and opposed the secular priests' pleas for the restoration of episcopal hierarchy, on the grounds that it would effectively concede the separatist status of English Catholicism.⁵⁹ Persons saw religious difference primarily as heresy, to be combated by heroic resistance and public refutation rather than by building up the formal structures of the church. What we see in his treatment of the Fontainebleau trial, however, is a pragmatic recognition that conversion was going to be a long time coming and that it was time to set a few ground rules.

⁵⁹ See Michael C. Questier, *Catholicism and Community in Early Modern England: Politics, Aristocratic Patronage, and Religion, c. 1550–1640* (Cambridge: Cambridge UP, 2006), pp. 372–74, 395–400 and *passim*.