

*Religious Dissimulation and Toleration in Early
Modern England*

Religious dissimulation played a central role in the English Reformation from its very beginnings and was, as this chapter argues, an essential aspect of religious toleration and persecution in early modern England. Owing to the unique historical course of the English Reformation, with the unpredictable whims of Henry VIII and the rapid succession of his children, each of whom pursued different religious policies, many believers in mid-sixteenth-century England must at some point have found themselves at odds with the religion imposed by the ruling monarch. Even the Elizabethan settlement, a term that would suggest continuity and stability in historical hindsight, became increasingly controversial as the sixteenth century drew to a close. It polarised Catholic as well as Protestant dissenters, who viewed the Elizabethan vision of Protestantism with scepticism, if not open hostility, and often acrimoniously disagreed among themselves about the extent to which one could legitimately conform with it. While leading Catholic as well as Protestant authorities generally condemned outward participation in idolatrous rites, such conformity was nonetheless practised widely and led to deep divisions among those who did not fully endorse the doctrines, liturgy, and ecclesiastical structure of the Established Church.

However, the architects of the Elizabethan settlement never conceived of the Established Church as a pure community of saints. They accepted spiritual hypocrisy as an inevitable aspect of their vision of an inclusive church under the governorship of the monarch, in which citizenship and church membership were supposed to be two sides of the same coin. That is to say, Elizabethan authorities generally attempted to contain and domesticate dissenting impulses within the framework of an overarching state church rather than to purify the church by identifying and expelling those who did not wholeheartedly subscribe to its tenets and practices. Hence, if there was something like religious toleration in Elizabethan England on an official level, it usually meant toleration for inward dissent

rather than the free exercise of one's religious beliefs and practices, let alone a right for religious dissenters to organise themselves in separatist congregations. Yet even such inward dissent was frequently viewed with suspicion when religious dissent was perceived to provide a pretext for treason and resistance to the ruling monarch. This chapter provides an overview of the fluctuating fortunes of religious dissimulation in post-Reformation England as well as the religious and political concerns that made it such a controversial practice, and makes a case for its centrality in early modern debates on religious toleration and persecution.

The Elizabethan Settlement

Religious dissimulation, or Nicodemism, as it came to be known in the sixteenth century, was already practised by the Lollards and during the persecutions of Henry VIII, but became a particularly pressing problem during the counter-Reformation under Queen Mary. Even though some 290 Protestants were burned at the stake and some 800 fled to the continent, the overwhelming majority conformed to the Marian regime.¹ For the Protestants who fled from England during the reign of Queen Mary, the mass defection of their compatriots from the Protestant faith became a veritable obsession that inspired some two-thirds of the original writings they published through continental presses.² In condemning their compatriots' infirmity, they could cite the anti-Nicodemite works of major Protestant theologians, such as Jean Calvin, Heinrich Bullinger, Pietro Martire Vermigli, Pierre Viret, or Wolfgang Musculus, whose writings were likewise translated into English.³ Notably, these writings continued to be read and republished throughout the Elizabethan period. In the face of various threats such as foreign invasions and treason plots, there was no guarantee that English Protestants would not have their faith tested once more. Moreover, when John Whitgift, Archbishop of Canterbury, tightened the reins on the Puritan movement in the 1580s, the godly began to feel that persecution was not the exclusive privilege of the See of Rome.⁴

¹ For a census of the Marian refugees, see Hallowell Garrett; for the Marian Nicodemites, see Pettegree, *Marian Protestantism* 86–117; for Henrician Nicodemites, see Ryrie, *Gospel and Henry VIII* 69–89.

² Pettegree, *Marian Protestantism* 88.

³ For the English reception of Calvin's anti-Nicodemite writings, see Woo. For the reception of other continental anti-Nicodemite writings, see also Woo 69–87.

⁴ For Elizabethan anti-Nicodemism and its debts to the anti-Nicodemite agitation of the Marian period, see Gunther, *Reformation Unbound* 97–130.

And yet, the Marian Nicodemites also included pillars of the future Elizabethan state and church. Nicholas Bacon, William Cecil, and Queen Elizabeth herself had conformed during the Marian reign. Six of the eighteen bishops appointed in the first two years of Elizabeth's reign had neither suffered martyrdom nor gone into exile, including Matthew Parker, the future Archbishop of Canterbury. As Andrew Pettegree therefore puts it, '[t]o a very large extent the Elizabethan settlement was a Nicodemite Reformation'.⁵ John Foxe's account of the heroic struggle of the English Protestant martyrs against the forces of darkness in his *Acts and Monuments* frequently distorts what was, for the vast majority, a much more complicated affair.⁶

As John Hales brazenly declared in an oration to Elizabeth in 1558, the Marian persecution had shown who were Christ's true disciples and '[w]ho were cameleons, that could turne themselues into all colours, with Protestantes, Protestantes: with Papists, Papists'.⁷ However, there was no official *Vergangenheitsbewältigung* (coming to terms with the past). Few were willing to imitate the intractable John Knox, who plainly told Queen Elizabeth 'how for fear of your life yow did decline from God and bowe to idolatrie'.⁸ 'At heart,' Peter Marshall writes, 'Elizabeth was a Nicodemite queen, and willing to reign as a queen of Nicodemites'.⁹ At least at the onset of Elizabeth's reign, an unwillingness to look too closely into the past also meant that the Marian clergy who were ready to compromise with the new regime were usually given a chance to do so. Although they were probably less compliant than earlier scholarship has assumed,¹⁰ Francis Bacon concluded quite rightly in his account of the Elizabethan settlement, written some fifty years later, that 'both clergy and laity, far from troubling them with any severe inquisition, [Elizabeth] sheltered by a gracious connivency'.¹¹ Even among the most notorious Marian persecutors, only a few ever had to stand trial for their actions, which Foxe had painted in such vivid colours in his *Acts and Monuments*. Most of them

⁵ Pettegree, *Marian Protestantism* 106.

⁶ For the rewriting of the Marian persecution in Foxe and the retrospective self-fashioning in autobiographical accounts of the period, see Walsham, 'History, Memory' 911–15.

⁷ Quoted in Foxe, *Acts and Monuments Online* 2117. References to *Acts and Monuments* are to the 1583 online edition, except for one instance in Chapter 7, where I refer to a document that is only reprinted in the appendices to the Townsend edition ("Appendices to the Life").

⁸ Quoted in Gunther, *Reformation Unbound* 114. ⁹ Marshall, *Heretics and Believers* 449.

¹⁰ For a recent critique of Henry Gee's often cited conclusion in *The Elizabethan Clergy and the Settlement of Religion* (1898) that merely 200–300 Marian priests were deprived after the settlement, see Marshall and Morgan.

¹¹ Bacon, *Works* 6:313.

were merely put under house arrest, set free on bail, or kept in prison – to the great chagrin of a sizeable number of Protestants who either had suffered under Queen Mary or were to suffer for their nonconformity under Elizabeth.¹²

However, not only the persecutors but also the Nicodemites of the Marian period continued to draw the ire of the hotter sort of Protestants. The godly did not cease to voice more or less subtle criticism of Elizabeth's and Cecil's failure to publicly repent their Nicodemism during Mary's reign even as late as in the 1580s. Also, Foxe shed an increasingly unflattering light on Elizabeth's conformity during the reign of Mary in the 1570 and 1576 editions of the *Acts and Monuments*, when the martyrologist came to share Puritan misgivings about the lack of further reform in the Elizabethan church.¹³ The historical amnesia of the Elizabethan settlement therefore may well have played a previously underappreciated role in the formation of the Puritan movement, especially its complaints about the 'dregs of popery' and calls for stricter church discipline.¹⁴ Tellingly, the Puritans' anti-Nicodemite stance is already inscribed in the name by which the godly came to be known. As Robert Harkins reminds us, the term 'Puritan' originally derived from the Novatians (who called themselves *cathari*, i.e. 'pure'), a Christian sect in late antiquity that opposed the readmission of the so-called *lapsi*, Nicodemites during the Decian persecution, into the fold of the Church.¹⁵ The mass apostasy of English Protestants during the Marian persecution thus laid the foundations for the deep ideological divisions that were to plague the Church of England for decades to come.

Despite the government's unwillingness to take Nicodemites (both past and present) to task and to root out Marian Catholicism more thoroughly at the onset of Elizabeth's reign, the ideal of religious uniformity was never officially abandoned. The Act of Uniformity¹⁶ prescribed regular church attendance every Sunday and other holiday 'upon payne of punishment by the Censures of the Churche, and also upon payne that every p[er]son so offending shall forfeite for every suche offence twelve pens'.¹⁷ As Michael Questier points out, however, the law 'did not . . . set out to penalise doctrinal dissent, only specific legal offences like recusancy',¹⁸ even though there was consistent lobbying for the rooting out of erroneous opinions throughout the Elizabethan and Jacobean periods.¹⁹ Especially towards the

¹² See Harkins, "Persecutors".

¹³ See Freeman, "As True a Subiect Being Prysoner"; Freeman, 'Providence and Prescription'.

¹⁴ See Gunther, 'Marian Persecution'; Harkins, 'Elizabethan Puritanism'. ¹⁵ Ibid. 905–9.

¹⁶ 1 Eliz. c. 2. ¹⁷ SR 4–1:357. ¹⁸ Questier, *Conversion* 168.

¹⁹ Walsham, *Charitable Hatred* 57.

close of Elizabeth's reign, fines and punishments became more drastic as the threat from both recusant and Puritan nonconformists was perceived to be on the rise. Still, outward conformity in the form of regular church attendance, rather than enforcement of doctrinal purity, remained the mainstay of statutory definitions of religious uniformity.²⁰

To be clear, not all conformists were dissemblers to the same extent. Even though committed adherents to the liturgy of the Prayer Book may have been a minority, they did exist.²¹ In turn, for dissenters to the left as to the right, conformity with the Established Church would probably have entailed different degrees of assent and dissimulation, depending on any individual's religious disposition and their perception of the church to which they conformed. Nicodemism might thus be viewed as a phenomenon on a gradual scale, which did not pose an equally urgent problem at all times and to all people who found fault with the Church of England. The extent to which dissenters did conform could differ as well. Catholics who complied with the statutory obligation of church attendance came to be known as 'church papists'. However, as Alexandra Walsham has shown, there were a number of choices and distinctions to be made that transcended a simple opposition between recusancy and church papistry.²²

One frequent form of semi-conformity, for instance, was to attend the sermon but to abstain from the Lord's Supper. While there had been repeated attempts to make attendance at the Lord's Supper compulsory by statute in 1571, 1576, and 1581, all bills were vetoed by Elizabeth. In the severe anti-recusancy act of 1593, a clause to the same effect was dropped as well.²³ Elizabeth had no desire to smoke out dissenters, as is further attested by the failure of a proposed bill from 1586 ('An acte for the preservation of the Queenes Majesties moste roiall person'), which would have imposed severe punishments on Catholics, ranging from banishment to an indictment for treason, if under oath they refused to renounce the Catholic Church. As Questier notes, this bill 'differs from virtually all other anti-Catholic legislation (proposed or actual) in this period because it tried to compel a clear statement of inward assent to central Protestant tenets'.²⁴ That is to say, the legal measures designed to enforce religious unity focused primarily on political aspects of dissent and did not target doctrinal questions.

Initially, Elizabethan tolerance for Nicodemism was not least motivated by pragmatic concerns, such as the impossibility of building up a Protestant

²⁰ For the legal measures to suppress dissent in the late sixteenth and early seventeenth century, see Questier, *Conversion* 102–12. More generally, see also Diaper.

²¹ On such conformists by conviction, see Maltby. ²² Walsham, *Church Papists*. ²³ *Ibid.* 12.

²⁴ Questier, *Conversion* 115.

state and church from scratch without relying on the expertise and resources of the previous regime,²⁵ or the fragile relationship with Spain, which recommended leniency towards Catholics.²⁶ As MacCulloch further suggests, Elizabeth's own conformity during her sister's reign may have led to a personal preference for leaving Nicodemites in peace. As late as in 1581, Elizabeth was possibly responsible for blocking severe legislation against the Family of Love, the most notorious Protestant Nicodemite sect in sixteenth-century England, after adherents of the sect had been discovered among the Queen's guard.²⁷ However, Elizabethan tolerance for Nicodemism was not simply a form of English exceptionalism but ideologically consonant with theological and political developments on the continent.

Ecclesiological and Political Conceptions of Outward Conformity

Even though outward compliance with idolatrous rites was condemned by most major theologians in post-Reformation Europe, the heretic in one's own house was a somewhat different matter. Spiritual hypocrisy was accepted as an inevitable fact of life, especially when church and state were conceived as coterminous. As Richard Hooker puts it in his *Laws of Ecclesiastical Polity* in his discussion of royal supremacy in book 8, 'there is not any man of the *Church of England*, but the same man is also a member of the *Commonwealth*, nor any man a member of the *Commonwealth* which is not also of the *Church of England*.'²⁸ Whereas Calvin's struggle for a relative autonomy of church discipline in Geneva during the 1540s and 1550s, most controversially on the issue of excommunication, bequeathed a potent legacy to English Presbyterianism, it was Zwinglian ecclesiology that provided the Church of England with the blueprint of a comprehensive state church under the governance of the secular magistrate.²⁹ As J. Wayne Baker puts it, '[f]or Zwingli, the church was equivalent to the Christian city and the Christian, to the citizen'; hence, the 'purpose of discipline was to check evil, crime, and disorder in the Christian community, not to create a pure church'.³⁰ This fissure between Calvinist and Zwinglian ecclesiology first broke out into open

²⁵ Gunther, 'Marian Persecution' 144–5. ²⁶ MacCulloch, *Later Reformation* 36.

²⁷ MacCulloch, 'Latitude' 49–50. ²⁸ Hooker 3:319.

²⁹ For the differences between Calvin and Heinrich Bullinger, Zwingli's successor in Zurich, on the relationship between church and state, see also Campi 97–105. For Bullinger's significant impact on English political theology as 'a prophet of the Royal Supremacy' (27), see Kirby 25–41. For the relations between Zurich and England in the formative years of the English Reformation more generally, see Euler; for the tensions between Geneva-inspired conceptions of the church and the Established Church in early modern England, see further Walsham, *Charitable Hatred* 55–6.

³⁰ Baker, 'Christian Discipline' 108.

conflict in the late 1560s in Heidelberg, when Swiss physician Thomas Erastus took Zwinglian ideas to their radical conclusion, argued against independent church discipline as such, and rejected the disciplinary instrument of excommunication for lack of a Biblical foundation. As Erastus claimed, Jesus had not even excluded Judas from the Last Supper.³¹

Such disciplinary reticence was also favoured in the Church of England. A case in point are the disagreements between the established hierarchy and its Puritan critics on the exclusion from communion, which put a spotlight on the question whether the Church of England was to be conceived as a broad church or a pure church. In line with Zwinglian Eucharistic practice, Cranmer's revisions of the rite of the Eucharist had, unlike many Lutheran church orders, dispensed entirely with the medieval requirement of auricular confession before receiving the sacrament.³² The Puritan *Admonition to the Parliament* (1572), however, criticised this absence of 'an examination of the communicants', as it was indeed practised in Lutheran churches, and expressed concern about the unworthy reception of the sacrament. The *Admonition* therefore demanded that 'Excommunication be restored to his olde former force' and '[t]hat papists nor other, neither constrainedly nor customably, communicate in the misteries of salvation'.³³ However, John Whitgift, the later Archbishop of Canterbury, rejected a pre-communion examination. Instead, he insisted that 'it is necessary for every man to examine himself, and not so necessary for one man to examine another'.³⁴ This refusal 'boldly to enter into many men's consciences'³⁵ remained a key note in the conformist rejection of Puritan calls for stricter discipline and was also voiced, some twenty years later, in Hooker's *Laws of Ecclesiastical Polity*.

In book 3, chapter 1, of his *Laws of Ecclesiastical Policy*, Hooker admits that 'the absence of inward beleefe of hart' excludes from salvation, but '[i]f by externall profession they be Christians, then are they of the visible Church of Christ . . . yea, although they be impious idolators' or 'wicked heretiques'.³⁶ The same conviction underpins Hooker's discussion of the

³¹ See Erastus, thesis 28. On Erastus, see further Gunnoe.

³² On the Lutheran maintenance of a non-sacramental spiritual examination of the communicant, see Nelson Burnett 22–3. For the liturgy of the Eucharist in the Church of England, see Turrell.

³³ *Puritan Manifestoes* 14–15.

³⁴ Whitgift, *Works* 3:80. In practice, some godly ministers actually did examine their parishioners before communion, and exclusion from the sacrament was practised in Elizabethan England on the grounds of notorious sin (such as adultery), ignorance of the basics of the Christian faith (e.g. the Prayer Book catechism, the Apostolic Creed, the Lord's Prayer, and the Ten Commandments), and malice towards neighbours. However, exclusion met with increasing opposition by the early seventeenth century. See Haigh.

³⁵ Whitgift, *Works* 3:101. ³⁶ Hooker 1:198.

admission to the Lord's Supper in book 8, chapter 3. Arguing against Puritan demands that suspected crypto-Catholics 'ought not to be admitted much lesse compelled to the supper',³⁷ Hooker again insists that '[m]anie things exclude from the kingdom of God although from the Church they separate not'.³⁸ Even 'heresie and *manie other crimes* which *whollie sever from God* do sever from the Church of God in *part onlie*'.³⁹ Hence, there is room in the Church for hypocrites, who 'in deed are not his yeat must be reputed his by us that knowe not their inward thoughtes'.⁴⁰ That is to say, although 'in the eye of God they are against Christ that are not trulie and sincerelie with him, in our eyes they must be received as with Christ that are not to outward showe against him'.⁴¹ However, Hooker's claim that God does not 'binde us to dive into mens consciences'⁴² is not simply an expression of moral generosity but paradoxically buttresses a case for extensive control, at least externally, of the religious life of all church members. Rejecting Puritan accusations of laxity, Hooker notes: 'where as they seeke to make it more hard for dissemblers to be received into the Church then law and politie as yeat hath done, they make it in truth more easie for such kind of persons to winde them selves out of law and to continewe the same they were'.⁴³ Hooker's view betrays a mindset no less intolerant of real diversity than Puritan claims to moral and doctrinal purity. However, instead of (more or less violent) gestures of exclusion, Hooker advocates for coercive mechanisms of containment, as when he claims that 'it is and must be the Churches care that all maie in outward conformitie be one'.⁴⁴ In contrast, the Puritan desire for a pure church might even imply toleration, as Whitgift had already noted sardonically in the Admonition Controversy:

Surely the papists have to thank you [i.e. the Puritans], that you would not have them constrained to come to the communion: this one lesson of liberty hath made all the stubborn and stiff-necked papists in England great patrons and fautors of your book [i.e. *Admonition to the Parliament*]: you might as well have said that you would have every man freely profess what religion he list without controlment, and so set all at liberty, which is your seeking.⁴⁵

This was certainly not what the Puritans were aiming for, but Hooker's and Whitgift's comments make clear that inclusivity is not to be mistaken for toleration. Hence, the acceptance of dissimulation, insofar as it was a mandatory aspect of state church membership, can be considered as a step towards greater toleration only in a very limited sense at best.

³⁷ Ibid. 2:353. ³⁸ Ibid. 2:350. ³⁹ Ibid. 2:351. ⁴⁰ Ibid. ⁴¹ Ibid. 2:354. ⁴² Ibid.
⁴³ Ibid. 2:353. ⁴⁴ Ibid. 2:352. ⁴⁵ Whitgift, *Works* 3:133.

In addition to this ecclesiological acceptance, or imperative, of dissimulation, the sixteenth century also saw the emergence of more secular approaches to religious dissent and Nicodemism, especially in the context of the French Wars of Religion, which were followed closely by English observers.⁴⁶ From the early 1560s onwards, so-called *politiques*, lawyers and politicians such as Etienne Pasquier, Michel de l'Hôpital, and Catherine de Medici, argued that in the face of civil war, the political necessity of toleration trumped, at least for the time being, the theological imperative of religious unity.⁴⁷ According to Quentin Skinner, this reorientation was one of the central factors in the genesis of the modern state, since 'if there were to be any prospect of achieving civic peace, the powers of the State would have to be divorced from the duty to uphold any particular faith'.⁴⁸ However, such qualifications of the imperative of confessional uniformity by no means led to secularised states in any recognisably modern sense. As the religious wars of the sixteenth century made clear to the *politiques*, a cavalier attitude towards religious difference was grossly negligent.

Many *politique* theorists remained, at least in principle, committed to the idea that religious unity was indispensable for the maintenance of the state. In his *Six livres de la République* (1576), Jean Bodin argues that 'there is nothing which doth more vphold and maintaine the estates and Commonweals than religion: and that it is the principall foundation of the power and strength of monarchies and Seignories'.⁴⁹ Therefore, Bodin stresses that for the sake of political stability, religion should never be called in question once it is settled.⁵⁰ Unity of religion is of paramount importance since 'the preseruacion of the subjects love amongst themselues . . . is especially nourished & maintained by their consent and agreement in matters of religion'.⁵¹ In line with French *politique* thought on toleration, Flemish humanist Justus Lipsius likewise rejected religious pluralism in one of the most influential works of political thought in the late sixteenth century, his *Politicorum sive civilis doctrinae libri sex* (1589): 'One religion is

⁴⁶ For the impact of the French Wars of Religion on English political thought, especially in the seventeenth century, see Salmon, *French Religious Wars*.

⁴⁷ For the *politique* case for toleration, see Forst 138–46; Skinner 2:249–54; Lecler 2:36–135. In this book, I use the term *politique* as a shorthand for approaches to religious toleration, also beyond the French context, which are based primarily on pragmatic and political considerations rather than theological or philosophical rationalisations of confessional pluralism. Admittedly, this is a somewhat unhistorical and artificial use of the term. *Politique* was not a term of self-identification, and neither was there, as assumed in older scholarship, a clearly defined party of *politiques* from the 1560s up to the 1590s. For these important caveats, see Bettinson; Turchetti. For the historiographical afterlife of the *politiques*, see especially Beame.

⁴⁸ Skinner, 2:352. ⁴⁹ Bodin, *Of the lawes and customes [République]* 536. ⁵⁰ *Ibid.* 534–6.

⁵¹ *Ibid.* 539.

the author of vnitie; and from a confused religion there alwayes groweth dissention'.⁵² However, if religious diversity was already a fait accompli, Lipsius opted, like the French *politiques*, for compromise rather than intransigence:

Others cry out, weapons and warre: But do not we see again, that weapons and warre haue bred resistance by force of armes? The minde of man is rebellious by nature, enclining to that which is forbidden, and of hard attempt. Well, it behoueth thee more then once to consider, if it be not better to temporise, then by vntimely remedies to set mischiefs abroad.⁵³

The pessimistic assessment of the state's capacity to rule the minds of its subjects and the futility, even counter-productivity, of trying to do so were lessons learned at great cost during the French and Dutch civil wars. However, *politique* toleration was only provisional non-interference and is not to be mistaken for religious liberty, as the instability of toleration in France, exemplified most significantly by the revocation of the Edict of Nantes in 1685, proved. *Politique* toleration was only ever a second-best solution, granted grudgingly and for pragmatic reasons.

Still, this pragmatic rejection of coercion in matters of religion could build on a venerable conception of faith not only as an object of intellectual comprehension but also as an object of voluntary assent. As Aquinas famously puts it in the *Summa theologiae*, faith is 'an act of mind assenting to the divine truth by virtue of the command of the will as this is moved by God through grace'.⁵⁴ Since volition is indispensable in this conception of faith, as the *politiques* frequently pointed out, any enforcement of orthodoxy had to fail because of the alleged impossibility of constraining the human will, which can only be drawn to faith by the Father himself (John 6:44).⁵⁵ If one wished to enforce religious uniformity nonetheless, Nicodemism had to be accepted as an inevitable consequence. Unwilling

⁵² Lipsius, *Sixte bookes [Politistorum sive civilis doctrinae libri sex]* 62. For Lipsius' consonance with the French *politiques* on matters of toleration, see Oestreich 46 and Forst 160–1; for the likely influence of Bodin's *République* on Lipsius' *Politistorum sive civilis doctrinae libri sex*, see also Oestreich 75.

⁵³ Lipsius, *Sixte bookes [Politistorum sive civilis doctrinae libri sex]* 65.

⁵⁴ Aquinas 2.2.2.9. For the Augustinian roots of this stress on volition, see Charles Taylor 127–42.

⁵⁵ The principle was widely shared and thoroughly anchored in patristic sources. See, in particular, Lactantius, *Institutiones divinae* in *L. Caeli Firmiani Lactanti opera omnia* 5.19.11; Augustine, *In Iohannis evangelium tractatus* CXXIV 26.2. Aquinas, for instance, cites Augustine in his argument that infidels should not be compelled to adopt the Christian faith (2.2.10.8). Such precedents were cited in *politique* arguments for toleration, for example in Bodin, *Colloquium* 471; Bodin, *Of the lawes and customes [République]* 539; Lipsius, *Sixte bookes [Politistorum sive civilis doctrinae libri sex]* 65–6. In *Contra literas Petilianas* 2.83 (PL 43:315), however, Augustine argues that, although nobody can be compelled to believe, heretics may at least be restrained from propagating their erroneous views

to abandon the ideal of religious uniformity entirely, the *politiques* therefore consciously factored Nicodemism into their religious policies.

Such a judicious and economical exercise of power was the mainstay of *politique* approaches to religious toleration and theorised in careful delimitations of the public and the private sphere in the period's nascent theories of absolutism.⁵⁶ This nexus of sovereignty and Nicodemism is expressed with instructive clarity in Thomas Hobbes' *Leviathan*. Hobbes agrees with the *politiques* that 'belief, and unbelief never follow men's command'.⁵⁷ However, outward declaration of belief is a different matter: '[p]rofeſſion with the tongue is but an external thing, and no more than any other geſture whereby we ſignify our obedience'.⁵⁸ In Hobbes' state, one is obligated to acknowledge the state's claim to outward obedience, even in matters of religion. In turn, however, one is inwardly free to believe whatever one wishes to believe.⁵⁹

Hobbes was not breaking new ground but building on the *politique* insight that toleration for private dissent could be employed as a deliberate instrument of power. As Lisa Ferraro Parmelee has observed accordingly, the English reception of *politique* thought in the late sixteenth and early seventeenth centuries 'helped establish an intellectual climate in England conducive to the later development of Stuart absolutism'.⁶⁰ A case in point is the Italian emigré Alberico Gentili, Regius Professor of civil law at Oxford, who advanced a typically *politique* case for religious toleration in his *De iure belli* (1598), citing authorities such as Michel de l'Hôpital and Jean Bodin.⁶¹ Tellingly, Gentili was also one of the first writers in England to give an unambiguously absolutist account of royal power in his *Regales disputationes tres* (1605).⁶² While anti-Nicodemism was a potentially

and corrupting others, a principle that was eventually enshrined in canon law as well. See Gratian 23.5.33 (CIC 1:939).

⁵⁶ See, for example, Holmes, 'Jean Bodin'; Lessay. ⁵⁷ Hobbes 42.11. ⁵⁸ *Ibid.*

⁵⁹ See further *Leviathan* 46.37 for Hobbes' critique of making windows into men's hearts as a violation of natural law. Notably, Hobbes also makes a distinction between 'divine worship', directed towards God, and 'civil worship', a form of obedience to the secular magistrate (45.13), in order to rationalise Nicodemism, which is anticipated in Bodin's tendency to derive a political duty of Nicodemism from the distinction between private religion and public worship. Compare with Bodin, *Method* 33–4; Bodin, *Of the lawes and customes [République]* 539–40. For a fuller discussion of Hobbes' distinction between inward liberty and outward obedience, even to the point of an imperative to publicly act against one's private conscience in obedience to the magistrate, see Lloyd.

⁶⁰ Ferraro Parmelee 2. ⁶¹ Gentili 1.9–11.

⁶² For Gentili's pioneering role in English political thought on sovereignty, see Krautheim 97–100; Burgess, *Absolute Monarchy* 75–8; Lee 278–80. Significantly, Gentili was also the period's most learned defender of the theatre in England. A partial edition and translation of his Latin contributions to the debate on the legitimacy of the theatre with John Reynolds, which led to the publication of the latter's much-better-known *Overthrow of Stage-Plays* (1599), can be found in Binns.

rebellious stance that could serve to justify resistance to a heretical ruler, the distinction between inward faith and public religion, with its concomitant conception of Nicodemism as a political duty, pre-empted religious justifications for political resistance.⁶³ In turn, by disentangling the strict enforcement of orthodoxy from the duties of the magistrate, *politique* writers such as Bodin attempted to neutralise religious dissent, which could no longer be contained by means of violence and coercion, as a source of religious conflict and resistance to the state's claim to sovereignty.

As in Hooker's ecclesiology, tolerance for dissimulation can therefore be understood as a carefully calibrated exercise of power rather than a renunciation of authority. The increasing acceptance of Nicodemism and the growing conception of religion as a private affair is thus inextricably bound up with the rise of absolutist ideologies and not with any sort of liberalism *avant la lettre*. Questions of sovereignty and resistance are therefore also central to the treatment of religious dissimulation on the early modern stage. Whereas John Michael Archer has postulated a 'mutually productive relationship between sovereignty and intelligence' in his *Sovereignty and Intelligence: Spying and Court Culture in the English Renaissance* (1993),⁶⁴ I argue the contrary in this book, namely, that the desire to sound one's subjects' inward selves was rather a symptom of political crisis and disintegrating legitimacy than a manifestation of sovereign power.

Politique theorists like Bodin were eagerly read in England, as is attested in Gabriel Harvey's *Letter-Book* in c. 1579: 'You can not stepp into a schollars studye but (ten to on) you shall likely [?] finde open ether Bodin de Republica or Le Royes Exposition uppon Aristotle Politiques or sum other like Frenche or Italian Politique Discourses'.⁶⁵ Similarly, Lipsius' *Politicorum sive civilis doctrinae libri sex* from 1589 was published in London already one year later and appeared in English in 1594. Although Bodin's *Six livres de la république* (1576) had to wait until 1606 for an English edition, the French political theorist published a Latin translation of his *opus magnum* in 1586, not least in order to meet significant demand on the English market.⁶⁶ In addition, Bodin had personal ties to England, which he visited in the early

⁶³ For the connections between Calvin's anti-Nicodemism and Huguenot resistance in France, see Eire, 'Prelude to Sedition?' 141–4.

⁶⁴ Archer 3.

⁶⁵ Harvey 79. For the influx of French *politique* thought in England especially during the last two decades of Elizabeth's reign, see also Ferraro Parmelee.

⁶⁶ Krautheim 46.

1580s in the entourage of the Duke of Alençon, and entertained personal connections with Walsingham as well as the Queen, with whom he pleaded for greater toleration for English Catholics.⁶⁷

Among English writers, Francis Bacon in particular channelled *politique* conceptions of toleration into English political thought with remarkable consistency over his long career.⁶⁸ In his essay 'Of Unity of Religion', for instance, Bacon laments the evils of 'Quarrels, and Divisions about *Religion*' and recommends that only one religion, 'being the chiefe Band of humane Society',⁶⁹ should be officially recognised. However, he also warns against taking up 'Mahomets Sword . . . That is, to propagate *Religion*, by Warrs, or by Sanguinary Persecutions, to force Consciencs; except it be in cases of Overt Scan-dall, Blasphemy, or Intermixture of Practize, against the State'.⁷⁰ Like Bodin and Lipsius, Bacon resolves the contradiction between these two principles by advocating for the toleration of private dissent. Thus, it was Bacon who famously reported Elizabeth's often cited lack of interest in the spiritual inner lives of her subjects: 'her maiestie not liking to make windowes into mens hartes & secret thoughtes excepte the abundance of them did overflowe into overte and expresse actes and affirmacions, tempred her law so as it restraineth onlie manifest disobedience'.⁷¹ It is according to *politique* principles that Bacon characterised Elizabeth as a moderate ruler who abstained from any sort of confessional fanaticism and adopted repressive measures against Catholics not *because of* but *despite* her views on liberty of conscience. In his retrospective *In felicem memoriae Elizabethae* (1608), for instance, Bacon writes:

[H]er intention undoubtedly was, on the one hand not to force consciences, but on the other not to let the state, under pretence of conscience and religion, be brought in danger. Upon this ground she concluded at the first

⁶⁷ After the execution of the Jesuit Edmund Campion in 1581, Bodin exhorted the Queen and the *optimates* and *senatores* of England to consider that with 'the minds of men, the more they are forced, the more forward and stubborn they are, and the greater [the] punishment that shall be inflicted upon them the less good is to be done, the nature of man being commonly such as may of it selfe be led to like of anything, but never enforced so to do' (quoted in *Colloquium* xxiii–iv). For Bodin's stay in England, see Baldwin 165–72; Salmon, *French Religious Wars* 181–3. For the English reception of Bodin and his *Six livres de la république* (1776), see Krautheim 44–69.

⁶⁸ Bacon's awareness of continental political thought, and not least that of the *politiques*, is well attested. For instance, Bacon recommended Lipsius' *Politicorum sive civilis doctrinae libri sex* to Fulke Greville as the best available epitome of political theory shortly after its appearance (OFB 1:207) and sought the acquaintance of prominent *literati* and men of state such as Jacques Auguste de Thou, a *politique* historian of the French Wars of Religion and one of the architects of the Edict of Nantes (Spedding 4:109).

⁶⁹ OFB 15:II. ⁷⁰ OFB 15:14.

⁷¹ OFB 1:379–80. For Bacon's familiarity with Biblical *loci* on dissimulation, which were often cited in debates on Nicodemism, see also his critique of Puritan nonconformity in OFB 1:191.

that, in a people courageous and warlike and prompt to pass from strife of minds to strife of hands, the free allowance and toleration by public authority of two religions would be certain destruction.⁷²

As with *politique* theorists such as Bodin or Lipsius, theological concerns with the purity of faith or the salvation of souls are remarkably absent from Bacon's reasoning. The imperative of confessional uniformity is not a divine sanction but follows merely from political prudence. The 'Whig narrative' of religious toleration, exemplified most prominently in modern scholarship by W. K. Jordan's *The Development of Religious Toleration in England* (1932–40), recognised in this turn to a secular and pragmatic approach to policing religious dissent 'a complete reversal of the medieval theory of the persecution of misbelief and nonconformity' that 'attains in one bound half the distance to religious toleration'.⁷³ Political stability and not purity of faith, Jordan concludes, was the primary concern in Elizabethan religious politics.

Religious Dissent and Treason

Even though the spokesmen of Elizabeth's ecclesiastical programme explicitly disavowed any ambition to root out private dissent, it needs to be stressed that the moderate assessment of Elizabeth's religious policies by the likes of Bacon was the product of highly polemical contexts, in which the Elizabethan government defended itself against the charge of religious persecution. Elizabeth's alleged refusal to make windows into men's hearts, for instance, is documented in Bacon's *Certaine Observations Vppon a Libell* (1593), which was not a detached and disinterested analysis of Elizabeth's religious policies but a polemical response to the Catholic Richard Verstegan's *Declaration of the true causes of the great troubles, presupposed to be intended against the realme of England* (1592). Bacon's reply to Verstegan thus primarily served the purpose of clearing Elizabeth's 'evil counsellors' from the charge of fanning religious conflict and persecution for their private gain. The charge of persecution could not be taken lightly in a Church that claimed to have been watered with the blood of the Marian martyrs.⁷⁴ Hence, there was every interest to downplay the

⁷² Bacon, *Works* 11:454. For the same assessment, already made in 1593, see OFB 1:379.

⁷³ Jordan 1:233.

⁷⁴ On this point, see Walsham, *Charitable Hatred* 52–3, who additionally points out that the secularisation of the crime of heresy, as evident in its ideological and juridical conflation with treason, reflected general European trends and was, contrary to the Whig narrative, not a form of English exceptionalism.

confessional aspect of anti-Catholic legislation and to distance Elizabeth from ‘the tyranie of *the* Church of *Rome* which had vsed by *terror* and *rigour* to seeke comaundement of mens faithes and consciences’.⁷⁵ Claims to toleration were thus not least part of a rhetorical strategy that served to refute Catholic denunciations of Elizabeth’s allegedly persecutory state. Whether such protestations accurately represented the actual state of affairs is a different question altogether.

More recent scholarship has indeed been critical about the progress of toleration in early modern England.⁷⁶ An Augustinian theology of persecution, concerned with saving souls from damnation by any means necessary or at least preventing heretics from infecting others with their errors, remained pervasive in early modern England even when it did not officially inform government policy.⁷⁷ In addition, John Coffey has described early modern England as a ‘persecutory state’ that enforced conformity with a degree of aggression that was unparalleled in other Protestant states.⁷⁸ To be clear, heresy executions were rare during the Elizabethan period.⁷⁹ While around 290 heretics were burned during the brief reign of Queen Mary, only 6 heresy executions took place during the reign of her sister Elizabeth and only 2 under her successor James Stuart, all of whom were associated either with Anabaptism or anti-Trinitarianism. However, the Elizabethan period also saw the execution of around 189 Catholics.

Arguably the major source of disagreement on the controversial status of toleration in Elizabethan England, in modern scholarship as well as in early modern polemics, lies in the legal measures under which English Catholics suffered and the question of whether they should be interpreted as a form of religious persecution. Lake and Questier note that in the execution of Catholics ‘the point was not the visceral projection of the power of the state in and through the maximized public agony of the victim so much as the visual message that the felon had died a *traitor’s* death rather than a heretic’s death’.⁸⁰ Apologists of the Elizabethan state proclaimed that the government wished only to penalise political disobedience and that it tortured and executed Catholics as traitors rather than as heretics. Bacon

⁷⁵ OFB 1:379.

⁷⁶ See in particular Walsham, *Charitable Hatred*; Coffey. For a helpful literature review, see also Walsham, ‘Cultures of Coexistence’.

⁷⁷ See Walsham, *Charitable Hatred* 39–49. For the early modern reception of Augustine’s ‘tough love’ more generally, see also Kaplan 15–47.

⁷⁸ Coffey 102–4. ⁷⁹ The following numbers are taken from Coffey 90, 99.

⁸⁰ Lake and Questier, *Antichrist’s Lewd Hat* 238–9.

claims in his panegyric biography of Elizabeth that serious anti-Catholic legislation was passed only once ‘the ambitious and vast design of Spain for the subjugation of the kingdom came gradually to light’.⁸¹ Even then, Elizabeth ‘blunted the law’s edge that but a small proportion of the priests were capitally punished’.⁸²

In turn, Catholic polemicists such as Richard Verstegan denounced ‘the great and absurd impudence’ to make ‘that to be new *Treason*, which is nothing els but old faith and religion’.⁸³ Whether either party acted in good faith is doubtful. Not without justification, the French Jesuit historian Jean Lecler has pointed out that the draconian punishments for celebrating Mass and the outlawing of paraphernalia of Catholic worship such as rosaries and prayer books strained the government’s alleged distinction between treason and religious dissent.⁸⁴ On the other hand, Catholic discourses of loyalty were frequently belied by a considerable potential for political subversion among England’s Catholic communities. Especially from the mid-1580s onwards, the Jesuit missionaries’ initial disavowal of a political agenda was severely compromised with the prospect of a foreign Catholic invasion that might drive the Protestant heresy from England’s shores for good.⁸⁵

While it was a common polemical manoeuvre to brand religious dissent as an ideological pretext for political disobedience, the political ramifications of religious dissent did indeed pose a real dilemma in early modern England. Since the supreme head of the church (or governor, as Elizabeth preferred) and the monarch were identical, defying the state church was at least in theory inherently seditious. Importantly, such defiance was not always limited to the church itself, as became painfully clear with the publication of the papal bull *Regnans in excelsis* (1570), which absolved all English Catholics from their allegiance to their Queen. In turn, anybody who declared that ‘Queene Elizabeth is an Heretyke’⁸⁶ became a traitor under the treason statute from 1571.⁸⁷ Despite government claims to

⁸¹ Bacon, *Works* 313–14. ⁸² *Ibid.* 316.

⁸³ Verstegan 45. Compare with Pedro de Ribadeneyra’s *Ecclesiastical History of the Schism of the Kingdom of England* (1588), bk. 3, ch. 25 (‘How False It Is That None Die in England for the Sake of Religion, as the Edict Claims’) and ch. 26 (‘The Edict’s Proofs That None Die in England for Reasons of Religion’).

⁸⁴ Lecler 2:306–13.

⁸⁵ See Holmes, *Resistance and Compromise* 129–65. In addition, contrary to the conclusions of early scholarship on Elizabethan Catholicism, a sizeable segment of English Catholics, even among the laity, seems to have supported or at least felt ambivalent about a foreign invasion. See McGrath.

⁸⁶ SR 4–1:526.

⁸⁷ For a recent reassessment of the importance of *Regnans in excelsis* in Elizabethan political thought, see Muller.

discriminate scrupulously between treason and religious dissent, none of the many Elizabethan revisions of English treason legislation actually managed to establish a workable distinction between treason and religious dissent. On the contrary, John Bellamy notes that after *Regnans in excelsis*, 'treason indictments showed a new close association in the minds of the crown's lawyers between treason and papal sympathies',⁸⁸ which concurred with a wider 'emotional and imaginative elision between Catholicism and treacherous support for foreign powers'.⁸⁹ Similarly, Coffey observes that '[n]o other Protestant state was quite so crude in lumping together profession of Catholic faith and high treason'.⁹⁰ Thus, the Act against Jesuits and Seminarists from 1585⁹¹ expelled from England all Jesuits and priests ordained after 1 June 1559 under pain of treason.

In practice, the fear that the missionary priests were preparing the ground for a foreign Catholic invasion often meant, at least in the eyes of the government, that there could be no tolerance for secrecy. The propagation of outward conformity thus often coexisted with urgent calls to sound the depths of treasonous hearts, as for instance in William Cecil's *Execution of Justice in England* (1583). Even though Cecil disavows that the Queen's 'quiet' Catholic subjects were ever persecuted,⁹² he continuously harps on the theme of treacherous priests' 'inward practices', 'secret Maskes',⁹³ and 'secret lurkings',⁹⁴ and warns against their 'secret labours . . . secretly to winne all people, with whom they dare deale',⁹⁵ which need to be discovered and exposed for the sake of national security.

Such intolerance for secrecy had a legal basis in the Tudor conception of treason as a thought crime that has its locus in the traitor's intention rather than in the act itself. According to the treason statute from 1352,⁹⁶ the scope of treason covered not only overt actions but also cases '[w]hen a Man doth compass or imagine the Death of our Lord the King',⁹⁷ as did the Elizabethan treason statute from 1571, which likewise incriminated anyone who would 'compassse imagyn invent devyse or intend' to harm the Queen.⁹⁸ The Edwardian definition was cited, for instance, by the Solicitor General Thomas Egerton in the treason trials following the Catholic Babington Plot in 1586 in order to demonstrate that there was no need for two witnesses of an overt act of treason on the part of the co-conspirator Edward Abington:

the statute of 25 Edw. 3 is, Who shall imagine: how then can that be proved by honest men, being a secret cogitation which lieth in the minds of traitors?

⁸⁸ Bellamy 67. ⁸⁹ Walsham, *Charitable Hatred* 52. ⁹⁰ Coffey 103. ⁹¹ 27 Eliz. c. 2.
⁹² Cecil B1v–B2r. ⁹³ *Ibid.* Aiiiv. ⁹⁴ *Ibid.* Aivr. ⁹⁵ *Ibid.* Aivv. ⁹⁶ 25 Edw. III Stat. 5 c. 2.
⁹⁷ SR 1:319–20. ⁹⁸ SR 4–1:526.

And such traitors will never reveal their cogitations unto honest men, but unto such as themselves . . . so then they would have their treasons never revealed.⁹⁹

Such a 'secret cogitation' may be difficult to prove without confession, but it could be penalised as constructive treason, which was inferred from indirect evidence of the perpetrators' alleged intentions, as was the case after the Essex rebellion in 1601,¹⁰⁰ or extracted via torture.¹⁰¹ It goes without saying that this criminalisation of inward intentions was bound to undermine the policy of outward conformity when religious dissent was conflated with treason. The Catholic polemicist William Allen accordingly protested in 1584 that 'they wil sound al the Catholiques hartes in the Realme; & (which is more then Antichristian violence) they wil punish them as traitors by death most cruel, for their onelie thoughtes'.¹⁰² The Elizabethan policy of outward conformity was thus everything else but stable but could be suspended in times of crisis, when the regime resorted to espionage, torture, or the imposition of oaths in order to force religious dissenters and especially their spiritual leaders to reveal their allegedly treacherous designs.

Even in good faith, the distinction between a public sphere of political obedience and a private sphere as an acceptable locus of religious dissent is problematic in its own right and raises serious questions, then as now, as to whether it can serve as a valid conceptual premise for religious toleration. Where exactly the line between public and private spheres is to be drawn is by no means self-evident, as borderline cases such as nonconformist conventicles or celebrations of Mass in private households suggest, and always subject to social and political negotiation. As Benjamin Kaplan has pointed out, 'the early modern distinction between public and private was as much cultural fiction as it was social reality'.¹⁰³ In addition, wherever the line is eventually drawn, it might not be equally acceptable to all faiths on which it is imposed. The aggressive secularism of the contemporary French model of *laïcité*, for instance, might pose relatively minor challenges to the country's Christian majorities and their religious practices. However, it raises major obstacles for religious minorities trying to observe religious injunctions while simultaneously participating in public life, as the

⁹⁹ *Complete Collection of State Trials* 1:1148. ¹⁰⁰ Bellamy 80.

¹⁰¹ On constructive treason, see also Lemon 5–7; Cunningham 7–9. For the Elizabethan preference to indict Catholics by the Edwardian statute because it did not require witnesses, see further Bellamy 75–8.

¹⁰² Allen, *Modest defence* 70. ¹⁰³ Kaplan 176.

debates on accommodating dietary restrictions in public institutions, displaying religious symbols in public, and wearing headscarves and the like attest.¹⁰⁴

A frequent attempt to reconcile such prohibitions with religious liberty, from the early modern period to the present, consists in declaring banned manifestations of religious identity as non-essential to the practice of the faith in question. However, it is evidently difficult to avoid paradox when self-professedly secular governments or courts arrogate the authority to decide what practices fall under the scope of any given religion and therefore deserve to be protected under the principle of religious liberty, and what practices are merely social accessories, non-essential to the actual exercise of one's faith. Similarly, Francis Bacon is able to deny that Catholics are persecuted only by declaring that banned Catholic paraphernalia, such as '*the Agnus Dei*' and 'hallowed beades', are 'well knowne not to be any essentiall parte of the Romane Religion, but onelie to be vsed in practize as loue tokens, to inchaunte and bewiche the peoples affections from their allegiaunce to their naturall Soueraigne'.¹⁰⁵ Bacon's implication that it falls to the Protestant state to define the 'essentiall parte of the Romane Religion' and dismiss other aspects of it as mere tools of political subversion is evidently no less problematic than the prerogative of the secular state to determine which religious practices are to be recognised as such and, hence, fall under the scope of religious liberty.

Finally, even if the English government had been perfectly tolerant of Nicodemism, not everyone agreed with Bodin that religion, 'the direct turning of a cleansed mind toward God, can exist without civil training, without association, in the solitude of one man', who is thought 'to be happier the farther he is removed from civil society'.¹⁰⁶ As Calvin writes in a sermon on the need for the *ecclesia visibilis*,

this is a miserable and cursed bondage, that they cannot be suffered too call vpon the name of God and too confesse Iesus Christe. The holy Ghoste when hee would peece the heartes of the faithfull who were captiue in Babylon, putteth this sentence into their mouth, How shal wee sing the prayes of the Lorde in a straunge lande?¹⁰⁷

¹⁰⁴ For a post-colonial critique of Locke's conception of toleration from this perspective, see de Roover and Balagandhara. For the difficulty of drawing a just boundary between the private and the public spheres, see also Nussbaum 68–90; Galeotti 53–84.

¹⁰⁵ OFB 1:380–1. ¹⁰⁶ Bodin, *Method* 33–4. ¹⁰⁷ Calvin, *Four sermons* E3r.

For Calvin, the likes of Bodin were ‘corner creeping and caskate Philosophers’, who ‘haue not so much as a droppe of Christianitie in them’.¹⁰⁸ On the Catholic side, Allen likewise rejected the notion that the Catholic faith could be reduced to questions ‘touching our inward beleefe’.¹⁰⁹ Southwell similarly argued that the laws which served ‘to force men to shewe and professe a conformableness in external behaiour’ did not grant any meaningful toleration for the Catholic faith; instead, ‘theyre lawes, and all theyre indeuoures tend to make vs denye oure, and receyue theyre beleefe’ – which was indeed the long game that some Elizabethan dignitaries were playing.¹¹⁰ Edwin Sandys, Archbishop of York, for instance, admitted in a collection of sermons published in 1585 that coercion alone will not immediately produce the desired change of heart, but may play a significant part in eventually bringing dissenters to the true faith: ‘For though religion cannot be driven into men by force, yet men by force may be driven to those ordinary means whereby they are wont to be brought to the knowledge of the truth. Parents cannot constrain their children to be learned; but parents may constrain them to repair thither where they may be taught’.¹¹¹ Whether early modern England was a tolerant or a persecutory state therefore depended not least on one’s conception of religion and its place in political and social life – questions that were nowhere discussed with greater urgency than in the period’s debates on Nicodemism.

To conclude, dissimulation was a highly contested but central category in early modern thought on religious toleration and persecution. The anti-Nicodemite imperative formulated by major Protestant theologians in the first decades of the Reformation remained well alive throughout the sixteenth century. However, it stood in considerable tension with the Zwinglian ecclesiology adopted by the Church of England and developments in political theory from the second half of the century onwards, which had largely accepted the inevitability of Nicodemism. The Marian exiles, especially Foxe, had cultivated a nonconformist ethos during the Marian persecution that would eventually sit rather uneasily with Elizabeth’s ‘Nicodemite Reformation’, as is attested by the tensions between the Established Church and Puritan nonconformists. Moreover, the Elizabethan regime itself frequently abandoned its policy of outward conformity when it perceived a political threat in religious dissent, which could not be allowed to

¹⁰⁸ Ibid. D4v. ¹⁰⁹ Allen, *Modest defence* 10. ¹¹⁰ Southwell, *Epistle of comfort* 168–9.

¹¹¹ Sandys 192.

fester under the cover of fair appearances. Hence, the rationale of refusing to make windows into the hearts of dissenters came under increasing scrutiny and frequently gave way to aggressive measures to access the inward thoughts and beliefs of religious dissenters. As the following chapters will show, these different perspectives on religious dissimulation and the fluctuations of policy which I have outlined so far also played an important role in the various and often changing ways in which contemporaries understood theatricality and its religious and political implications.