

# **ST. LUKE’S INN OF COURT**

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**“A History of the Anglican Church—Part XVIII:  
An Essay on the Role of Christian Lawyers and Judges within the Secular  
State”©**

**By**

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The ideas expressed in this Apostolate Paper are wholly those of the author, and subject to modification as a result of on-going research into this subject matter. This paper is currently being revised and edited, but this version is submitted for the purpose of sharing Christian scholarship with clergy, the legal profession, and the general public.

## PREFACE

The organized Christian church of the Twenty-First Century is in crisis and at a crossroad. Christianity as a whole is in flux. And I believe that Christian lawyers and judges are on the frontlines of the conflict and changes which are today challenging both the Christian church and the Christian religion. Christian lawyers and judges have the power to influence and shape the social, economic, political, and legal landscape in a way that will allow Christianity and other faith-based institutions to evangelize the world for the betterment of all human beings. I write this essay, and a series of future essays, in an effort to persuade the American legal profession to rethink and reconsider one of its most critical and important jurisprudential foundations: the Christian religion. To this end, I hereby present the twenty-ninth essay in this series: “A History of the Anglican Church—Part XVIII.”

## INTRODUCTION<sup>1</sup>

Now the rise and fall of Queen Mary I of England (1553-1558), together with all of the bloody persecutions and feuds that Protestant and Catholic Christians have had since that time, sent ripples of shock throughout my Christian soul during the late 1980s and early 1990s. I grew up Protestant but was drifting rapidly toward Catholicism, and much to the consternation of my dear mother and close family members. In law school, at the University of Illinois, I had contemplated my conversion to the Catholic faith, largely because I liked Catholic structure, scholarship, apologetics, culture, multinationalism, and jurisprudence.<sup>2</sup>

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<sup>1</sup> This paper is dedicated to Dr. Susan Chappelle (A.B. Harvard; Ph.D. Johns Hopkins) of the History Department at Morgan State University. Dr. Chappelle taught me how to think about and to interpret race, ethnicity, and gender within the social currents and movements of American history for two semesters during the Fall of 1988 and Spring 1989. Dr. Chappelle supervised my history research project, “The Philosophy and Times of William Edward Burghardt DuBois, 1868- 1963.”

<sup>2</sup> I would be remiss if I did not here provide an example of the very high-quality of Catholic literature and doctrines which I learned from the Catechism of the Catholic Church and other writings that were presented to me through the Rite of Christian Initiation of Adults (RCIA) programme at the St. John’s Catholic Church, University of Illinois campus. A perfect example of the Catholic literature and doctrine which I studied during the early 1990s is the “**Statement of the Archbishops and Bishops of the United States,**” titled *God’s Law, the Measure of Man’s*

In my mind, national churches, such as the Church of England, and ethnic-heritage churches, such as the African Methodist Episcopal Church, remained as beautiful and important expressions of the true faith; but the idea of a “holy, universal, and catholic” church appealed to me as more closely reflecting the mind, intent, and will of God. As I have mentioned in a previous essay within this series, I wanted to be a part of the “mother” church, the “original” church, the “universal” church, and a member of the same Catholic family that had produced St. Augustine, St. Monica, St. Ambrose, St. Thomas, and so many others. I wanted to be a part of the “heavenly city” which St. Augustine had so eloquently described in *The City of God* as the universal church which, “while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages, not scrupling about diversities in the manners, laws, and institutions whereby earthly peace is secured and maintained, but recognizing that, however various these are, they all tend to one and the same end of earthly peace.”<sup>3</sup> Therefore, I could certainly empathize with Queen Mary I’s devotion to the Catholic faith as well as her desire to return the Church of England to the Catholicism.

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**Conduct**, which states: “...By nature, a man is a creature, subject to his Creator, and responsible to Him for all his actions. By selfish inclination at times, he chooses to be something else, assuming the prerogatives of a Creator, establishing his own standard of conduct and making himself the measure of all things. This prideful folly on his part brings discord into his own life and profoundly affects the whole more order.... God’s will, then, is the measure of man, it is the standard by which all human actions must meet the test of their rightness or wrongness. What conforms to God’s will is right; and what goes counter to His will is wrong.... How does he come to such knowledge? How can man know what is his place in the divine plan, and what is God’s will in the moral decisions he is called upon to make? God had endowed man with intelligence. When rightly used and directed, the human intelligence can discover certain fundamental spiritual truths and moral principles which will give order and harmony to man’s intelligence and moral life....What are these truths which right reason can discover? ... the existence of a personal God... the spiritual and immortal nature of man’s soul, its freedom, its responsibility and the duty of rendering to God reverence, obedience and all that is embraced under the name of religion.... Out of the inherent demands of human nature arises the family as the fundamental unit of human society, based on a permanent and exclusive union of man and woman in marriage. From the essential characteristics of marriage come not only the right of parents to beget children, but also their primary right and duty to rear and educate them properly.... Furthermore, it is clear that the inherent dignity of the individual and the needs of the family and of society demand a code of sexual morality within the grasp of every mature mind.... Man’s social life becomes intolerable, if not impossible, unless justice and benevolence govern the operation of the state and relations between individual and groups.... Without fortitude he cannot bear the trials of life or overcome the difficulties with which he is surrounded.... These are some of the basic elements of natural law, a law based on human nature; a law which can be discovered by human intelligence and which governs man’s relations with God, with himself and with the other creatures of God. The principles of the natural law, absolute, stable, and unchanging are applicable to all the changing conditions and circumstances in which man constantly finds himself. These religious and moral truths of the natural order can be known by human reason....”

<sup>3</sup> Saint Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), p. 696.

However, as I have previously mentioned, when my dear mother, who was an A.M.E. and an Evangelical Christian, heard that I was converting to Catholicism, word spread quickly to my other family members, who questioned (if not altogether criticized or condemned) my personal, religious decision to convert to Catholicism. All of this caused me to subject my internal soul to closer scrutiny. I then began to ask myself very important and critical questions, such as:

- Why was I converting to Catholicism after having been baptized as a Methodist Christian?
- Did I need to be a Catholic in order to serve Christ?<sup>4</sup>
- Was I already “saved” in the Catholic understanding of that word, upon my baptism into the Methodist faith?
- What was the fundamental difference between the Catholic faith and my own Protestant Methodist faith?
- How has the Catholic Church changed since the days of Martin Luther?
- Did the Catholic Church care about the plight of African Americans in the United States?
- Would my talents and interests in serving the Church be of greater utility and benefit to the African American community if I remained in the African Methodist or the Black Baptist churches.
- Could I effectively serve Christ with dual Protestant and Catholic Church membership?

To be sure, I had been drawn to the Roman Catholic Church largely because of the powerful and persuasive apologetics of St. Augustine of Hippo. For St. Augustine had tutored, lectured, and nourished me during my college and law school years; so that, like Queen Mary I of England, I had reached the conclusion that there was only one true faith of which the Catholic Church was the universal manifestation with the Pope, as the successor to the Apostle Peter, as Christ’s vicar on earth. As I re-review the notes which I scribbled in the margins of my text *The City of God*, during the 1990s, I can re-trace my intellectual journey and theological conclusions, as follows:

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<sup>4</sup> Romans 8:38-39 (“For I am convinced that neither death, nor life, nor angels, nor principalities, nor things present, nor things to come, nor powers, nor height, nor depth, nor any other created thing, will be able to separate us from the love of God, which is in Christ Jesus our Lord.”)

- a. “For we and they together are the one city of God, to which is said in the psalm, ‘Glorious things are spoken of thee, O city of God;’ the human part sojourning here below, the angelic aiding from above.”<sup>5</sup>
- b. “Justice being taken away, then, what are kingdoms but great robberies? For what are robberies themselves, but little kingdoms?”<sup>6</sup>
- c. “The cause of things, therefore, which makes but is not made, is God; but all other causes both make and are made. Such are all created spirits, and especially the rational. Material causes, therefore, which may rather be said to be made than to make, are not to be reckoned among efficient causes, because they can only do what the wills of spirits do by them.”<sup>7</sup>
- d. “But the reward of the saints is far different, who even here endured reproaches for that city of God which is hateful to the lovers of the world. That city is eternal.”<sup>8</sup>
- e. “Take away outward show, and what are all men after all but men? But even though the perversity of the age should permit that all the better men should be more highly honoured than others, neither thus should human honour be held at a great price, for it is smoke which has no weight.”<sup>9</sup>
- f. “For it is not earthly riches which make us or our sons happy; for they must either be lost by us in our lifetime, or be possessed when we are dead, by whom we know not, or perhaps by whom we would not. But it is God who makes us happy, who is the true riches of minds.”<sup>10</sup>
- g. “... Christian emperors... are happy if they rule justly... if they make their power the handmaid of His majesty by using it for the

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<sup>5</sup> St. Augustine, *The City of God* (New York, N.Y.: The Modern Library, 1950), pp. 310-311.

<sup>6</sup> *Ibid.*, p. 112.

<sup>7</sup> *Ibid.*, p. 155.

<sup>8</sup> *Ibid.*, p. 166.

<sup>9</sup> *Ibid.*, p. 167.

<sup>10</sup> *Ibid.*, p. 168.

greatest possible extension of His worship; if they fear, love, worship God....”<sup>11</sup>

h. “It is evident that none come nearer to us [Christians] than the Platonists.”<sup>12</sup>

i. “[Platonists], by knowing God, have found where resides the cause by which the universe has been constituted, and the light by which truth is to be discovered, and the fountain at which felicity is to be drunk. All philosophers, then, who have had these thoughts concerning God, whether Platonists or others, agree with us [Christians]”<sup>13</sup>

j. “Certain partakers with us in the grace of Christ, wonder when they hear and read that Plato had conceptions concerning God, in which they recognize considerable agreement with the truth of our religion. Some have concluded from this, that when he went to Egypt he had heard the prophet Jeremiah, or, whilst traveling in the same country, had read the prophetic scriptures, which opinion I myself have expressed in certain of my writings.”<sup>14</sup>

k. “[F]or when [Moses] asked what was the name of that God who was commanding him to go and deliver the Hebrew people out of Egypt, this answer was given: ‘I am who am’... as though compared with Him that truly is, because He is unchangeable, those things which have been created mutable are not—a truth which Plato vehemently held, and most diligently commended.”<sup>15</sup>

l. “And thus it has come to pass, that though there are very many and great nations all over the earth, whose rites and customs, speech, arms, and dress, are distinguished by marked differences, yet there are no more than two kinds of human society, which we may justly call two cities, according to the language of our Scriptures. The one

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<sup>11</sup> Ibid., p. 178.

<sup>12</sup> Ibid., p. 248.

<sup>13</sup> Ibid., p. 255.

<sup>14</sup> Ibid., pp. 255-256.

<sup>15</sup> Ibid., p. 257.

consists of those who wish to live after the flesh, the other of those who live after the spirit....”<sup>16</sup>

m. “Accordingly, two cities have been formed by two loves: the earthly by the love of self, even to the contempt of God; the heavenly by the love of God, even to the contempt of self.”<sup>17</sup>

n. “This race we have distributed into two parts, the one consisting of those who live according to man, the other of those who live according to God.”<sup>18</sup>

o. “Not by these, then, does God speak, but by truth itself, if any one is prepared to hear with the mind rather than with the body.... And that in this faith it might advance the more confidently towards the truth, the truth itself, God, God’s Son, assuming humanity without destroying His divinity, established and founded this faith, that there might be a way for man to man’s God through a God-man. For this is the Mediator between God and men, the man Christ Jesus.”

p. “This heavenly city, then, while it sojourns on earth, calls citizens out of all nations, and gathers together a society of pilgrims of all languages, not scrupling about diversities in the manners, laws, and institutions whereby earthly peace is secured and maintained, but recognizing that, however various these are, they all tend to one and the same end of earthly peace.”<sup>19</sup>

Here, St. Augustine had completely persuaded me that there was only one, true God and only one, true Catholic faith; a faith that was eternal and universal; a faith that had existed in the world even before the time of Christ, and one which even the pagans and non-Christian Gentiles, such as Socrates and Plato, had come near to discovering through reason and philosophy.

Sometime during law school, when I was studying Catholicism as a member of the RCIA programme, friends and family members’ argumentative conjectures

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<sup>16</sup> Ibid., p. 441.

<sup>17</sup> Ibid., p. 477.

<sup>18</sup> Ibid., p. 478.

<sup>19</sup> Ibid., p. 696.

compelled me to consider scholarly Afrocentric criticisms of the Roman Catholic Church. These criticisms served as Socratic objections to my spiritual and intellectual justifications for embracing Catholicism. These criticisms revolved around the history and role of the Roman Catholic Church in the transatlantic slave trade, in Latin America, and its involvement with African and African American slavery. Of this group of Afrocentric scholars, the one opinion that I held in highest esteem was that of Dr. W.E.B. Du Bois, whose voluminous, poetic and persuasive prose slowly began to rival those of St. Augustine of Hippo, in terms of Du Bois' writing-style, erudition, and influence upon my overall intellectual development, as I completed college and entered law school during the early 1990s. St. Augustine laid the foundations for my Christian scholarship, but juxtaposed to St. Augustine's theology in my mind was the secular science and sociology of W.E.B. Du Bois. Du Bois challenged me to venerate important "truths," even when the organized, institutional church might reject such "truths."<sup>20</sup> Much of Du Bois' criticisms were directed against the great institutional African American churches, because of what he perceived as their lack of Christian charity within African American communities and improper training of many of their Christian ministers. But Du Bois also criticized the great "high church" politics of the Roman Catholics and the Anglicans when he construed these churches' roles in slavery, the slave-trade, and colonialism. To that end, and after considering opposition to my conversion to Catholicism from close family members, I needed to fully, fairly, and carefully examine the "truths" of the plight of oppressed groups within the context of Catholic ecclesiastical doctrine and history, in order to finally and firmly embrace the Roman Catholic Church with complete and full conscientiousness.<sup>21</sup>

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<sup>20</sup> Indeed, I had been taught by the English philosopher John Locke and others to embrace the idea of "Christian empiricism" and "Christian humanism" which essentially consider all "truth" to be the manifestation of the mind of God or God Himself. For this reason, Catholic and (or) Christian theology is, to my mind, the "Queen of the Sciences." For this reason, I have never once viewed "science," when correctly ascertained and understood, to be the enemy of the true Christian religion and (or) the true holy, universal, and catholic faith. One example of this appears to be where, in *The City of God*, Saint Augustine does not dispute the Scripture's statement on the age of the planet earth, but instead he contends that the true age of the earth, or of the human race, is less than 7 thousand years old. To the extent that science can disprove this account of the earth's actual age, I believe Christians and Catholics should accept clearly proven science as to the earth's age. But I have also remained in the camp of Christian and Catholic apologetics as to the conventional views on theological ideas on creation. See, e.g., <http://kolbecenter.org/the-traditional-catholic-doctrine-of-creation/>.

<sup>21</sup> I needed to do this with a spirit of understanding, forgiveness, and redemption, in order to bring closure to my own Christian soul and to fairly address those who criticized the Church because of its apparent role in slavery and the transatlantic slave trade. For it is doubtful that any African or African-American clergymen who is serious about



And so, during the year 1992, I entered the Rite of Christian Initiation of Adults (RCIA)<sup>22</sup> programme at the St. John's Catholic Church (now the Newman Center) on the campus of the University of Illinois with many important questions regarding the theology of Roman Catholicism and the history of the Roman Catholic Church. The St. John's Catholic Church thus became my spiritual safe-haven, place of ecumenical worship, and Sabbath school for the Catholic catechism. While there, I was sponsored by my Catholic friend, Nicholas (Nick) Molfese, a graduate of the Catholic University of America, fellow law student at the College of Law, and a graduate student in philosophy the Department of Arts and Sciences. We took two or three law school courses together, including one on "Jurisprudence" and "Comparative Constitutional Law." At that time, Nick was also studying and preparing for the Catholic priesthood; and without him, I likely would not have been introduced the high-quality neo-Thomism (i.e., the important new scholarship that is founded upon the thought, philosophy, and theology of St. Thomas Aquinas) which I have since relied upon in assessing American jurisprudence.

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the Catholic or Christian faith can adequately serve communities of color without being able to talk definitively about Christianity and the Church's participation in slavery. And so I felt that I had no other choice but to delve into this most delicate aspect of the Christian faith.

<sup>22</sup> I entered the RCIA programme as the only African American and as one of about twenty-five or thirty catechists (i.e., students). And I enjoyed learning from fellow students and various priests about the history of the New Testament and the Early Church; the Catholic theology of "sacred tradition"; and the meaning of the Seven Sacraments—Baptism, Penance, Holy Eucharist, Confirmation, Matrimony, Holy Orders, and the Anointing of the Sick—the history of the Dominicans, Franciscans, Jesuits, and other Catholic orders. I also really enjoyed the fraternal gatherings of fellow RCIA students at the home of Professor John Geegan, who led dinner discussions on the text "Reflections on the Catechism of the Catholic Church." This Catholic programme had a tremendous influence on my legal education, because as I contemplated writing my thesis paper, *American Jurists: A Natural Law Interpretation of the U.S. Constitution, 1787 to 1910*, Catholicism reassured me that the Christian faith was not incompatible with the secular legal system, but was actually its foundational source. In addition, I also learned that the Pope and the Roman Catholic Church was continuing to exert its moral influence upon the Western World. The Catholic Church's neo-Thomist conception of law was not only the official law of the Church, but it continued to be a major player in secular world jurisprudence. In addition, I found the depth and breadth of the Catholic doctrine—its vast and ancient history, its influence upon Western thought, culture, and ideology, and to be unmatched by any other branch of Western Christendom, its magisterium, led by the Pope, was incomparable. Most importantly, the Catholic Church, at least St. John's Catholic Church at the University of Illinois, was warm, friendly, and even ecumenical. I loved the Catholic faith, and the Catholic Church embraced me. And yet, I could not imagine that I would have been so open to Catholicism if it had been imposed upon me by the State or by any other entity. I would likely have rejected it, out of principle, in favor of the African Methodist theology with which I had originally entered the Christian faith. But it was, as it were, the freedom of free will and that natural law that gives one choice and the ability to choose, which led me to embrace and, subsequently, to defend the Catholic faith in principle.

During this period, the one or two questions that I had which touched upon “race” and the “Roman Catholic Church” were delicate and difficult, and none of my Catholic sponsors had been prepared to address them. As a result of the expressed hesitancy toward my conversion to Catholicism from my mother, whose judgment on spiritual matters I held in very high esteem, I thus completed the Catholic Church’s RCIA programme at the University of Illinois—a basic course for church membership in the Roman Catholic Church—but determined that I should not officially accept confirmation until I had further investigated the history of Protestantism, Methodism, and the African American church experience. To be sure, the Catholic cause was not lost with my mind, heart, and soul. I considered myself to be “catholic” within the theological context as set forth in St. Augustine’s *The City of God*. But I needed more time to search my soul and to research the entire Christian faith, before finally converting to the Roman Catholic faith.<sup>23</sup> What transpired has been an amazing life-long spiritual journey within the Christian faith.

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<sup>23</sup> For it was Catholic ecclesiology, and not Catholic theology, which posed the fundamental rift between Roman Catholicism and myself-- a fault that had not been mine, but rather an accident of Church history. I had no protests against the Roman Catholic Church as it existed in the late 1990s, and for this reason, I was no longer a “protestant” against it. Had I lived in fifteenth century France, England, Germany or Switzerland, however, I might have joined with the Protestants, but I saw no need to take a “protestant” position against the Roman Catholic Church as it existed in the early 1990s. Thus adopting the views of St. Augustine of Hippo, I readily considered myself to be a “catholic” and a Christian friend and brother to Roman Catholics, but I had decided not to become “official member” of the Roman Catholic Church. Since the early 1990s, I have looked to the Catholic magisterium for guidance and teachings, and I have remained riveted to Catholic doctrine and scholarship. But I still see no need to receive the Catholic rites of Baptism and Holy Eucharist, after having already received the Methodist baptism and the same Holy Eucharist from the Methodist, Baptist and Episcopalian churches. Today, I still love to attend Catholic mass, where I enjoy its beautiful music and liturgy, but I take no part in the Catholic Holy Eucharist. Following my completion of the RCIA programme, I continued to believe that the Roman Catholic Church was the “mother” church of Western churches, including the Church of England, the Methodist Church, and the African Methodist Episcopal Church. Moved by the teachings of Saint Augustine of Hippo, I believed that all Christians— whether Protestant or Catholic--- should know Catholic history and teachings. I believed that Catholicism was so important and fundamental to the Christian religion that all Protestants and non-denominational Christians should seriously study it, even though they might to not embrace all of its teachings. I believed that the Catechism of the Catholic Church was sacred Christian theology which set forth the fundamental tenets of the Christian faith. I believed that the Protestant denominations had tragically lost much of the meaning of the Holy Scriptures because it had rejected the history and traditions of the Roman Catholic Church. And I believed that without acknowledging its Roman Catholic roots, many non-denominational and Evangelical Protestant theologies have the tendency to become incoherent, disjointed, and unscholarly. To a lesser extent, this tendency can also be traced in mainline Protestant denominations such as Lutheran, Anglican, Baptist and Methodist denominations as well. The great danger in Protestantism appeared to me to be the freedom from high-quality, centralized ecclesiastical scholarship and authority,-- a freedom which allows untrained and unlearned minds to roam free and to render their own authoritative interpretations of the Laws of Moses and Christ, thus leading souls astray from the true faith. This does not mean that I considered the Roman Catholic Church to be blameless or infallible, for I disagreed with

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Now my religious experiences and freedom in choosing and fashioning my own Christian faith came into play as I recalled and re-read my English history during the 1990s. I saw the drawings of English men and women tied to stakes with flames covering their legs and torsos as they burned at the stake. I asked myself, “What to make of all this?” For like these Christian martyrs who burned at the stake, I too had had similar theological questions, concerns, and strong convictions, as I grappled with important Catholic questions, such as papal infallibility and the meaning of the “keys to the kingdom,” found in *Matthew* 16:13-20.<sup>24</sup>

Thus, the history of the Church of England during the reign of Queen Mary I (1553-1558) appeared to my religious sentiments as a troubling chapter in the history of religious intolerance and Christian ecclesiology. During this period, scores of men and women were persecuted, murdered at the hands of private persons, and executed by official state action, because of their religious convictions. In the early American colonies, that history was also manifested in New England and in Virginia; and following the American Revolution (1775-1783), it had touched the Founding Fathers and led to the American Bill of Rights (1789) and the Free Exercise and Establishment Clauses within the First Amendment (1789). Here, the secular law found an appropriate and reasonable balance between “religious freedom” and “state suppression of ideas and ideals.”

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certain fundamental aspects of Roman Catholic doctrine. But I did hold the Catholic Church’s magisterium—the Pope, Cardinals, Bishops, Priests, Deacons, etc.—in very high esteem, so that its teachings ought to be highly esteemed (though not legally binding) throughout all of Christianity—both Protestant and Catholic alike. Therefore, I concluded that I was “already catholic” upon my baptism into the African Methodist Episcopal Church, and that as a child of God I was free to avail myself of the divine teachings and fellowship of fellow Roman Catholics, whom I believed to be brothers and sisters in Christ, even though I had not become an official member of the Catholic Church.

<sup>24</sup> See, e.g., *Matthew* 16:13-20 King James Version (KJV): “13 When Jesus came into the coasts of Caesarea Philippi, he asked his disciples, saying, Whom do men say that I the Son of man am? 14 And they said, Some say that thou art John the Baptist: some, Elias; and others, Jeremias, or one of the prophets. 15 He saith unto them, But whom say ye that I am? 16 And Simon Peter answered and said, Thou art the Christ, the Son of the living God. 17 And Jesus answered and said unto him, Blessed art thou, Simon Barjona: for flesh and blood hath not revealed it unto thee, but my Father which is in heaven. 18 And I say also unto thee, That thou art Peter, and upon this rock I will build my church; and the gates of hell shall not prevail against it. 19 And I will give unto thee the keys of the kingdom of heaven: and whatsoever thou shalt bind on earth shall be bound in heaven: and whatsoever thou shalt loose on earth shall be loosed in heaven. 20 Then charged he his disciples that they should tell no man that he was Jesus the Christ.”

The religious conflict which dominated Tudor England seem trivial today, as I look back upon this history, but when I also recognize that the differences today between our American political parties, including the various secular ideologies that have dominated the modern secular state during the past seventy years (e.g., the competition between Socialism, Communism, and Capitalism), I am compelled to re-evaluate and to recognize the spiritual truths of Saint Augustine's *The City of God*: to wit, that beneath labels is the bi-furcated nature of human beings, on the one hand serving the city of God, and on the other hand, the earthly city of man. *For when we add to religious faith political and economic power, as in sixteenth-century England, we get all of the same political intrigue, treasonous plots, and untoward schemes within church politics which we are accustomed to finding in modern secular politics.* At the end of the day, the institutional church—including the Roman Catholic Church and the Church of England-- is not itself exempt from the presence of sin, or from an internal struggle between good and evil.

### SUMMARY

The history of religious tolerance in the England and the United States traces its roots to the reign of the Tudors and particularly that of Queen Mary I from 1553 to 1558. This reign challenged the limits of Tudor absolutism and the royal prerogative. Mary I was a devoted Catholic, so why should not her English subjects, despite their heartfelt wishes, also be Catholic? Was this important question merely one of religious faith and devotion, or one of political and economic power and control? Queen Mary I appears to have been naïve as to the political and economic implications of her decision to swiftly convert the Church of England from Protestantism back into the controls of the Holy See in Rome. Though Mary I's reign was widely approved and popular in the beginning, her failure to understand the times in which she lived proved costly. She strictly enforced her Tudor absolutism and the royal prerogative with impunity: scores of Anglican clergymen, bishops, and laymen were burned at the stake, earning Mary I the nickname "Bloody Mary!" Nonetheless, Englishmen would not relent, and Protestantism only grew stronger. But for Mary's sudden illness and death at the age of 42 in 1558 and the ascension of the sagacious Elizabeth I to the throne, the English Civil War (1642-1651) might have ensued nearly one hundred years earlier than it did.

## **Part XVIII. Anglican Church: The House of Tudor- Part 5 (*Queen Mary I: Return to the Catholic Faith- 1553- 1558*)**

### **A. Mary Tudor: Early Years (1516-1533)**

A Renaissance princess, Mary Tudor was born on February 18, 1516 to Catherine of Aragon and Henry VIII.<sup>25</sup> She was the only child to this union. Her early childhood was dominated Henry VIII's efforts to annul his marriage to Catherine of Aragon. Like most children of divorcing parents, young Mary was caught up in the middle of a stressful and painful situation. For political reasons, Henry VIII forbade young Mary from seeing her mother, Catherine. This separation of mother from child must have been extremely difficult. By all accounts, Mary's relationship to Henry VIII was very strained throughout her childhood and young adulthood. Mary considered herself to be the Catholic child of Catherine of Aragon much more than the Protestant daughter of Henry VIII. For this reason, when Mary I ascended to the English throne, she did so with a Catholic chip on her shoulder—with a determination to return England to the Roman Catholic Church with fierce urgency.

### **B. Church and State: Return to Catholicism (1553-1558)**

Mary Tudor was the Catholic daughter of the Catholic Queen Catherine of Aragon, and she was not unmindful of her maternal religious heritage when she ascended to the English throne in 1553. At age 37, Mary Tudor had endured embarrassment, illegitimacy, the spite of Queen Anne Boleyn, and severe bouts of depression. Through all of this, Mary relied upon her Catholic faith. Deeply

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<sup>25</sup> Mary I had had a superb Catholic Renaissance education—including the study of Latin, French, Spanish, Greek, dance and music. After her father, Henry VIII, sought an annulment of his marriage to Catherine of Aragon, Mary was sent away to Wales and forbidden to seek her mother. In 1533, Thomas Cranmer, who was Archbishop of Canterbury, declared Henry VIII's marriage to Catherine of Aragon to be void, and Mary was deemed illegitimate. The new queen, Anne Bolyen, became Mary's step-mother and life for Mary was hard. She was often sick with irregular menstruation and depression. It was believed that Mary's bad health was caused by Henry VIII's and Anne Boleyn's harsh treatment. When her mother Catherine of Aragon died in 1536, Lady Mary was inconsolable. Her relationship with Henry VIII worsened, and they did not speak to each other for nearly three years. She continued to dispute the validity of Henry VIII's marriage to Anne Boleyn and the heirship of her half-sister Princess Elizabeth. Although Mary believed that her right to the English throne was superior to her half-sister Elizabeth's, she did not hold a grudge against her younger half-sister Princess Elizabeth. In 1536, Henry VIII executed Queen Anne Boleyn, and Princess Elizabeth, too, was deemed illegitimate. Henry VIII's third wife was Jane Seymour, who died shortly have giving birth to a son, the future King Edward VI. Lady Mary thence acted as the guardian of both of her half-siblings, Elizabeth (the future Queen Elizabeth I) and Edward (the future King Edward VI).

religious, she could not conceptualize an England outside of the Catholicism of her mother's love. She believed that Catholicism was the "true faith," and that her father, King Henry VIII, had made a grievous error to separating the Church of England from Rome. To Mary, there was one faith and one universal church, of which the Pope at Rome was the head and spiritual leader.

Moreover, Mary I's understanding of Tudor absolutism and the royal prerogative allowed her render the final judgment on the question of England's official religious faith. "When Mary came to the throne in 1553 she was determined to bring Englishmen back to what she believed was the true way, the only religion that could save their souls. Mary's mission, as she saw it, was to restore the Roman Catholic church to its ancient power."<sup>26</sup> For this reason, even to this day, the Roman Catholic Church remembers Queen Mary I as a kind princess and a daughter of the church who acted in good conscience to suppress, in sheer self-defense, the church's enemies.<sup>27</sup> It must be remembered, too, that Lord Northumberland's downfall had been so popular throughout England, that when Mary I ascended to the English throne in 1553 she had widespread support from the peasantry and the working classes. England's commoners welcomed Mary's ascension to the throne, for with Queen Mary, the monasteries, guilds, nunneries, and the beloved Latin mass would be restored. Whether Mary I had intended to enforce a more equitable distribution of England land, however, is unclear and a subject of further research.

Unlike her father, Henry VIII, and her younger half-sister, the future Queen Elizabeth I, Mary I did not then understand the importance of developing her authority through English public opinion and Parliament. Nor did she seem to have room for political compromise when it came to matters of faith and church. This lack of flexibility led to tense conflict between Mary I and Parliament.

### **1. The Anglican Bishoprics Restored to Rome (1553-1558)**

Mary I's first official action was to restore all of the Anglican bishoprics to the holy Roman Catholic Church. "The return of England to the Roman allegiance began swiftly. Mary deprived the leading Protestant bishops of their sees. Latimer,

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<sup>26</sup> Gordon Smith, *A History of England* (New York, N.Y.: Charles Scribner's Sons, 1957), p. 237.

<sup>27</sup> See, e.g., *The Catholic Encyclopedia*, "Mary I of England" <http://www.newadvent.org/cathen/09766a.htm>.

Hooper, and Ridley were imprisoned in the Tower. The Catholic bishops Gardiner and Bonner were restored to their former bishoprics at Winchester and London. Gardiner, long a Catholic crusader, was made lord chancellor. Many Catholics who had been strongly opposed to the Protestant innovations in the reign of Edward VI now found themselves in the privy council.”<sup>28</sup>

## **2. Edmond Bonner, Bishop of London**

One of the most important events in the history of the reign of Queen Mary I (1553-1558) was the ascendancy of Bishop Edmund Bonner. Bishop Bonner (c. 1500- 1569) was educated at Broadgates Hall, now Pembroke College, Oxford, graduating bachelor of civil and canon law in June 1519.<sup>29</sup> He was ordained about the same time and admitted doctor of civil law (DCL) in 1525.<sup>30</sup> Bishop Bonner is reputed to have been a first-rate Oxford lawyer and public servant. He served under Bishop Thomas Woolsey and Sir. Thomas Cromwell.

Bishop Bonner was also instrumental in negotiating Henry VIII’s annulment of his marriage to Catherine of Aragon and the enactment of the Act of Supremacy of 1534. He fully supported Henry VIII’s theological programme, which was both conservative and “catholic.” When Edward VI came to the throne in 1547, however, Bishop Bonner was less enthusiastic toward the Protestant Reformation. Due to his reluctance, he was stripped of his see in London. This made him a perfect public servant for Mary I’s restoration programme.

After Mary I ascended to the throne in 1553, Bishop Bonner was restored to his see as Bishop of London. In this role, he served as a presiding judge over the trials of hundreds of Protestants who were accused of heresy, including Bishop Hugh Latimer and Archbishop Thomas Cranmer.<sup>31</sup> It is believed that from between 280 and 300 Protestants, both laypersons and clergymen, were burned at the stake during Bonner’s administration as Bishop of London.

## **3. Stephen Gardiner, Bishop and Lord Chancellor**

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<sup>28</sup> Gordon Smith, *A History of England* (New York, N.Y.: Charles Scribner’s Sons, 1957), p. 237.

<sup>29</sup> [https://en.wikipedia.org/wiki/Edmund\\_Bonner](https://en.wikipedia.org/wiki/Edmund_Bonner).

<sup>30</sup> *Ibid.*

<sup>31</sup> After Elizabeth I returned England back to the Protestant faith, Bishop Bonner refused to acknowledge the new Queen as Supreme Governor of the Church of England. He was imprisoned in the Tower of London, where he died in 1569.

Bishop Stephen Gardiner ( c. 1483- 1555) had served his lord King Henry VIII and was a strong supporter of the Act of Supremacy in 1534. He had opposed many of the more extreme Protestant measures that had been taken during the regency of Lord Northumberland and King Edward VI. As an archenemy of Bishop Thomas Cranmer, he was condemned and sent to the Tower of London during the reign of Edward VI. So that when Queen Mary I came to the throne in 1553, Bishop Gardiner had been listed among the traitors, arrested, and sent to the Tower of London. However, when given a chance, Bishop Gardiner recanted his previous Protestant errors while supporting King Henry VIII and agreed to serve Queen Mary I and her new programme of Catholic Reformation. Not only was he reappointed to his previous bishopric, but Mary I appointed him to serve as her Lord Chancellor.

As Lord Chancellor, Bishop Gardiner served in the House of Lords and opened Mary I's first Parliament. He also presided over her coronation and placed the crown upon her head. But not only did Bishop Gardiner recant his previous Protestantism, he went so far as to lead the ultra-conservative Catholic movement to prosecute Protestant heretics and to reverse all the Protestant legislation that had been enacted under the reigns of Henry VIII and Edward VI.

#### **4. Cardinal Reginald Pole ( c. 1500- 1558)**

Cardinal Reginald Pole (c. 1500- 1558) was a near-kinsman to the Tudor family. While growing up in England, he was treated as a cousin of Henry VIII. Pole received his B.A. degree from Oxford at age 15, and later named a fellow of Corpus Christi College, Oxford. For most of his ecclesiastical career, he served as deacon and was not ordained to the priesthood. In fact, perhaps due on large part to his "royal lineage," Pope Paul III elevated Pole to the position of Cardinal in 1537, without his having ever served as priest or bishop! Pole objected to this appointment, but the Pope insisted that he accept it. Shortly thereafter, Cardinal Pole was appointed as one of the three Cardinals to preside over the Council of Trent, which met the Protestant Reformation with the Catholic Church's Counter-Reformation. As an English Cardinal, Pole forewarned Henry VIII against marrying into the Boleyn family, and he started to sever his ties close friendship and ties to Henry VIII after the Church of England's separation from Rome in 1534. Henry VIII's death, followed by Edward VI's brief reign and death in 1553,



brought Cardinal Pole back into the picture of England's ecclesiastical and political life. When Queen Mary I notified the Vatican that she had unequivocal intentions to return the Church of England back into the Roman Catholic fold, the Pope appointed Cardinal Pole as his legate to England. Upon his return to England in 1554, he was ordained priest and made Archbishop of Canterbury, as well as the chancellor of both Oxford and Cambridge universities.

Cardinal Pole appears to have taken little part in the administration of the Church of England's persecution of Protestant heretics. This matter was left to men such as Bishop Boner and others. Instead, Cardinal Pole served more along the lines of the Pope's diplomate to England. He presided over a third session of Mary I's Parliament where he absolved England's excommunication and re-admitted the English people back into the fold of the Roman Catholic Church. Thereafter, Parliament began to repeal several of the Protestant laws that had been enacted under the reigns of Henry VIII and Edward VI.

### **5. Mary I's Marriage Proposal from Prince Philip of Spain**

In 1553, Mary I also received a royal proposal to marry the Spanish Philip of Hapsburg, who was the son of her cousin Charles V, the Holy Roman Emperor. All of this at a time when English merchants were growing more and more weary of Spanish commercial expansion and control over the seas. Needless to say, England was not happy with Mary I's marriage proposal; nor did it look forward to re-entanglement, through royal marriage, in continental intrigue and wars. Though Mary I was initially very popular when she ascended to the English throne, she immediately squandered her popularity with her marriage to Philip of Spain and, shortly thereafter, her very swift return of the Church of England to the Roman Catholic Church. Her uncompromising insistence upon repealing all Protestant laws and returning the monasteries to the Church were met with fierce resistance in Parliament.

But Parliament did not hand back the spoils of the monasteries, chantries, and guilds. All who had profited in redistributions of Henry VIII's reign were not to be deprived of their 'great plunder.' In fact, before repealing the Act of Supremacy Parliament had asked and obtained assurance that the Pope would not insist upon the return of

the church lands. The lack of a real religious revival or a strong Catholic zeal was evident to any acute observer. The Venetian envoy wrote that ‘which the exception of a few most pious Catholics, none of whom are under thirty-five years of age, all the rest make this show of recantation, yet do not effectually resume the Catholic faith.’<sup>32</sup>

Even the Holy Roman Emperor, Charles V, had strongly advised Mary I to be an Englishwoman first and to go slow, but regrettably Mary I and her closest advisors, however, refused to adhere to this wise advice.

### **C. Church and State: Protestant Persecutions (1553-1558)**

Now during the reign of Mary I, there occurred a vicious crackdown on non-conformists. “An Act of Repeal referred to the legislation and practices of Edward VI’s reign ‘whereof has ensured amongst us, in a very short time, numbers of diverse and strange opinions and diversities of sects, and thereby grown great inquietness and much discord, to the great disturbance of the commonwealth of this realm, and in a very short time like to grow to extreme peril and utter confusion.’”<sup>33</sup> All those persons, whether clergymen or laypersons, who were affiliated with such “diverse and strange opinions and diversities of sects,” including the Puritans, Separatists, Anabaptists, non-conformists, and other Protestants or independents, were subject to condemnation, up to and including the payments of fines, imprisonment, and execution. For it was during this period, between 1553 and 1558, that Bishop Boner presided as judge over the heresy trials in London, which sentenced Bishops Hooper, Latimer, Ridley, and Cranmer to death by fire at the stake. All told, some 280 to 300 men and women were condemned to death because of their religious faith, earning Mary I of England the nickname, “Bloody Mary.” However, both secular historians and the Catholic Church have absolved Mary I of this awful reputation, pointing out that Mary I had the best of intentions but the threat of assassination, rebellion, and treason, together with the advice of her closest advisors, rendered her few options.

In the end, as all historians now agree, the Catholic cause was lost in England, when the Protestant persecutions ensued. Instead of stemming the tide of

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<sup>32</sup> Gordon Smith, *A History of England* (New York, N.Y.: Charles Scribner’s Sons, 1957), p. 239.

<sup>33</sup> *Ibid.*, p. 238.

the Protestant Reformation, the persecutions only intensified Protestant resistance. “Not long ago a famous Roman Catholic declared: ‘It is at least arguable that the savior of the Protestant cause in England was [Queen Mary I] who honestly and sincerely believed, and blindly believed, that her burnings would bring men back to the Church she loved.’”<sup>34</sup>

Queen Mary I died on November 17, 1558, at age 42. Just days before, while laying on her deathbed, on November 6, 1558, she was asked to acknowledge Elizabeth I as her successor. Just twelve hours after Mary’s death, her friend Cardinal Pole died as well. As historian Goldwin Smith has observed, “[i]t was in a way symbolic of the failure of the Catholic hopes in England...”<sup>35</sup>

### **CONCLUSION**

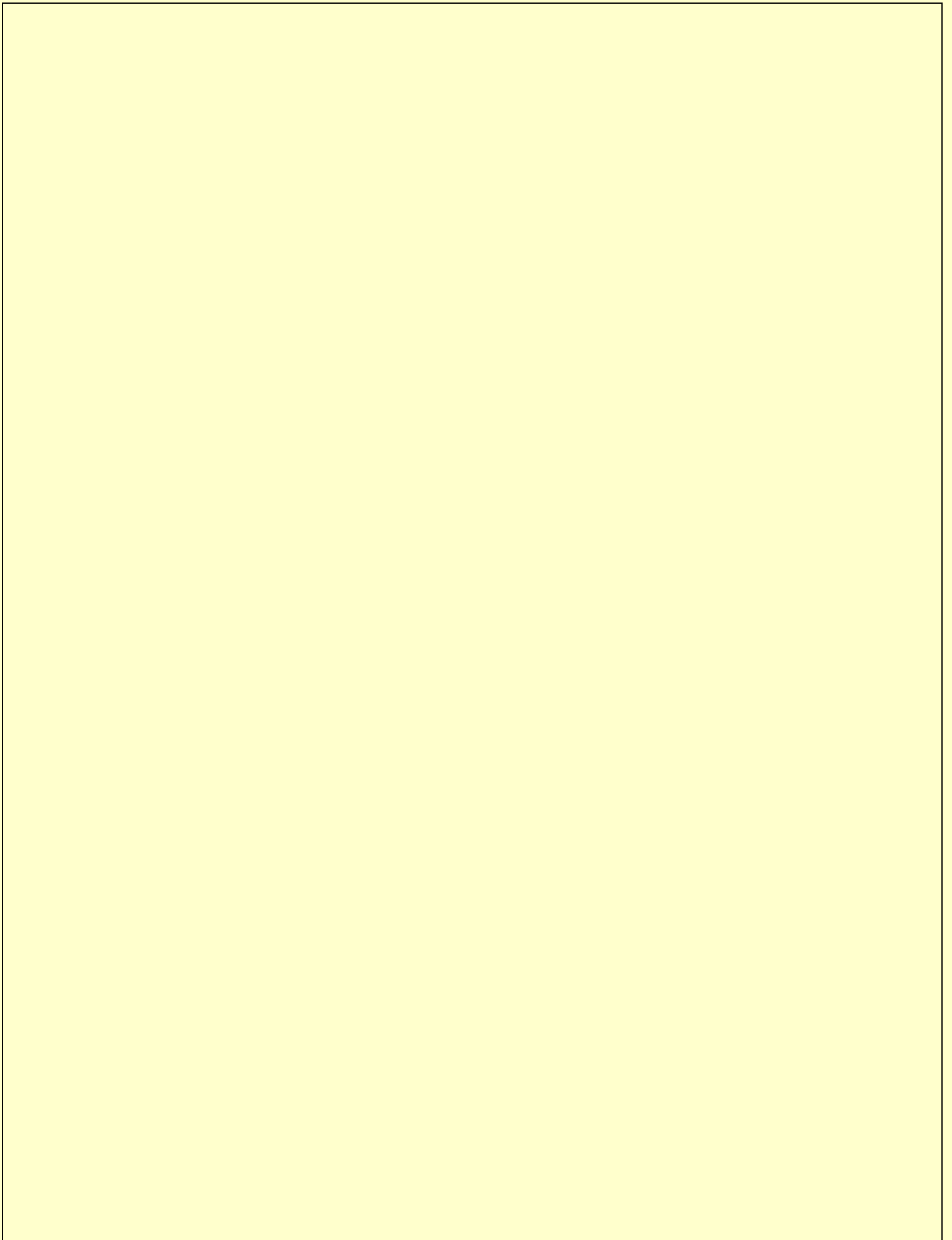
During the brief reign of Queen Mary I (1553-1558), the Church of England was returned from Protestantism back to the Roman Catholic faith. This project was a disaster, proving fundamentally that no religion can exist as a firm and perfect idea outside of economic and political realities. The English people had cut ties with the European dynastic and medieval view of international order in 1534, and it had not intentions to return to that order. On the other hand, they valued and cherished the ancient faith and welcomed the return of certain aspects of Catholic ritual and charity. But for the most part, the Church of England would belong to Englishmen, not Rome; and Englishmen at heart could not in good conscience go back into medieval vassalage to European emperors who indirectly controlled the Holy See in Rome. English merchants and England’s economic future proved too powerful of a force for the Catholic leaders within the Church of England to overcome. In 1553, Queen Mary I failed to recognize the power of public sentiment when exercise her royal prerogative, but her sister, Queen Elizabeth I (1558-1603) would not make that same mistake. Henceforth, from 1558 to the present, the Church of England has remained outside of the Roman Catholic Church. Today, the reign of Mary I is remembered as the hallmark of religious intolerance as well as the cornerstone of Protestant liberation.

**THE END**

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<sup>34</sup> Ibid., p. 240.

<sup>35</sup> Ibid., p. 241.



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