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*CONSILIA*: CATHOLIC INROADS AT THE PURITAN  
ANTI-CATHOLIC WESTMINSTER ASSEMBLY

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A Thesis  
Presented to  
the Faculty of  
The Southern Baptist Theological Seminary

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In Partial Fulfillment  
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Master of Theology

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by  
Eric Andrew Beach  
May 2021

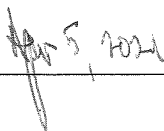
**APPROVAL SHEET**

**CONSILIA: CATHOLIC INROADS AT THE PURITAN  
ANTI-CATHOLIC WESTMINSTER ASSEMBLY**

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With special thanks to my mother, Jackie, and my wife, Li (余丽君)

## TABLE OF CONTENTS

	Page
LIST OF TABLES.....	vi
PREFACE.....	vii
Chapter	
1. INTRODUCTION.....	1
2. <i>CONSILIA</i> 'S DEVELOPMENT BEFORE WESTMINSTER.....	6
<i>Consilia Evangelica</i> —A Distinctly Catholic Doctrine.....	6
Patristic Period.....	6
Medieval Period.....	8
Protestant Reformation.....	11
English Reformation.....	13
English Reformation and the Westminster Assembly.....	14
Long Process to Purify English Church of Catholicism.....	14
Immediate Religious and Political Background to Westminster.....	16
Summoning the Assembly.....	21
Revision of the Thirty-Nine Articles, and the Fourteenth Article on Supererogation.....	22
3. <i>CONSILIA</i> AT WESTMINSTER.....	26
<i>Consilia</i> Debate.....	26
Supporters of <i>Consilia</i> .....	26
Opponents of <i>Consilia</i> .....	27
<i>Consilia</i> , the Law, and Federal Theology.....	31

Chapter	Page
<i>Consilia</i> and the Atonement: Part 1 .....	32
Imputing Christ’s Active Obedience .....	33
Limited Atonement.....	37
<i>Consilia</i> and the Atonement: Part 2 .....	40
Christ Bound as “Creature” to Obey the Law .....	42
Christ’s Work Performed “in Our Stead” .....	44
Christ’s Fulfilling the Law “in Our Stead” Led to Antinomianism .....	45
Being Guiltless Equals Being Righteous.....	46
4. <i>CONSILIA</i> AND IMPLICATIONS FOR HISTORIOGRAPHY.....	50
Historiography of <i>Consilia</i> .....	50
Historiography of the Assembly .....	54
Historiography of English Puritanism.....	56
5. CONCLUSION .....	59
BIBLIOGRAPHY.....	66

## LIST OF TABLES

Table	Page
1. Fourteenth article before and after the Westminster Assembly .....	23
2. Views on <i>consilia</i> at Westminster .....	26
3. Correlation between views on <i>consilia</i> and views on the atonement at Westminster (pt. 1).....	32
4. Correlation between views on <i>consilia</i> and views on the atonement at Westminster (pt. 2).....	40

## PREFACE

My first serious exposure to the Westminster Assembly came when I had the privilege of sitting under the teaching of Dr. Chad Van Dixhoorn for a class devoted to the Assembly. As I listened to Dr. Van Dixhoorn lecture, read his work on the Assembly, and discussed the Assembly with him, my interest in the gathering, its history, its participants, and its theology grew substantially. When I began looking for a ThM thesis topic, Dr. Van Dixhoorn suggested the subject of this project as an important yet overlooked part of the Assembly's deliberations. Throughout this study, Dr. Van Dixhoorn has been eminently helpful and generous with his time.

The full list of people who provided encouragement and assistance with this project is too long to exhaust. Dr. John Wilsey, my supervisor, provided feedback and guidance throughout this process. His direct comments on an early draft of the core of this thesis helped considerably. Dr. Bobby Jamieson, Dr. Greg Salazar, Jonathan Baddley, Caleb Morell, Mark Feather, Torey Teer, and others provided various forms of help throughout my work on *consilia* at Westminster.

I owe the biggest debt of gratitude for this project to my mother and my wife. Both sacrificed large amounts of time reading and rereading this project. Further, both have supported me on many different levels to make this thesis—indeed, my graduate education—a reality.

Eric Beach

Washington, DC

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## CHAPTER 1

### INTRODUCTION

Historians view the Westminster Assembly (1643–1653) in divergent terms. As John Morrill noted, some scholars see it as a “side-show” to the monumental social and political changes that occurred during the English Civil War, while others consider it an influential gathering of learned men who bequeathed an important theological and cultural heritage to the English-speaking world.<sup>1</sup> Representative of the latter strand of historiography, R. C. Sproul argued that the confession of faith produced by the Assembly is “one of the most important confessions of faith ever penned” and that the theological standards elucidated by the Assembly are “the most precise and accurate summaries [of the Reformed faith] . . . ever set forth in creedal form.”<sup>2</sup> With these sentiments, Sproul stood in a long line of writers including David Dickson (1583–1663), Thomas Watson (ca. 1620–1686), A. A. Hodge (1823–1886), and many others.<sup>3</sup> Similarly, the twentieth-century historian Robert S. Paul saw the Assembly as an important gathering because of “the place it occupies in the English Civil War and its influence, through that significant segment of national history, on the forms of society that emerged among Anglo-Saxon peoples.”<sup>4</sup> In contrast to the view of these men, historians such as Diane Purkiss, Peter Ackroyd, and Blair Worden largely omitted the

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<sup>1</sup> John Morrill, foreword to *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols., ed. Chad Van Dixhoorn (New York: Oxford University Press, 2012), ix.

<sup>2</sup> R. C. Sproul, preface to *Truths We Confess*, 3 vols. (Phillipsburg, NJ: P&R, 2006), 1:vii–viii.

<sup>3</sup> David Dickson, *Truth’s Victory Over Error: A Commentary on the Westminster Confession of Faith by Way of Question and Answer* (Glasgow: John Bryce, 1684); Thomas Watson, *A Body of Divinity* (London: Thomas Parkurst, 1692); A. A. Hodge, *The Westminster Confession: A Commentary* (1869; repr., Carlisle, PA: Banner of Truth, 2013).

<sup>4</sup> Robert S. Paul, *The Assembly of the Lord* (Edinburgh: T&T Clark, 1985), 1.

Westminster Assembly in their retelling of the English Civil War and its religious entailments.<sup>5</sup> Still other historians and theologians saw many of the discussions at the Assembly as “minute and unimportant.”<sup>6</sup>

Despite differences in views about the Assembly and the Puritans who attended it, contemporary historiography is united in seeing the gathering and its members as staunchly anti-Roman Catholic.<sup>7</sup> More broadly, historians argue that seventeenth-century reform-minded English Protestantism espoused a stringent anti-papal bent. In *Catholic and Reformed*, Anthony Milton noted that by the end of the sixteenth century, the “Antichrist had come to be identified exclusively with the papacy.”<sup>8</sup> Despite disagreements over the boundaries of the Puritan movement, social and religious historians generally agree that while anti-Catholic sentiment spanned different factions within Protestantism, staunchly anti-Catholic feelings largely distinguished the Puritan movement. For example, Peter Lake noted that sensitivity to the threat of popery “was a hallmark of puritanism.”<sup>9</sup>

In light of the anti-papal nature of seventeenth-century English Puritanism, a largely overlooked debate in the opening months of the Westminster Assembly reveals a

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<sup>5</sup> Diane Purkiss, *The English Civil War: Papists, Gentlewomen, Soldiers, and Witchfinders in the Birth of Modern Britain* (New York: Basic Books, 2006); Peter Ackroyd, *Civil War: The History of England* (London: Pan Books, 2015); Blair Worden, *The English Civil Wars: 1640–1660* (London: Weidenfeld & Nicolson, 2009). One counterexample of a popular account of the English Civil War that does contain more engagement with the Assembly is Michael Braddick, *God's Fury, England's Fire: A New History of the English Civil Wars* (London: Penguin, 2009).

<sup>6</sup> E.g., William Cunningham, “Calvin and Beza,” *British and Foreign Evangelical Review* 10, no. 35 (January 1861): 641–702 (p. 663).

<sup>7</sup> Christopher Hill, *Antichrist in Seventeenth-Century England* (1971; repr., London: Virgo, 1990), 28–31, 86–88; Chris Caughey, “Antichrists, and Rumours of Antichrists: Radical Prophecy in the Trans-Atlantic World, 1640–1660,” in *Prophecy and Eschatology in the Transatlantic World, 1550–1800*, ed. Andrew Crome (London: Palgrave Macmillan, 2016), 105–26 (p. 109).

<sup>8</sup> Anthony Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought, 1600–1640* (Cambridge: Cambridge University Press, 2002), 95.

<sup>9</sup> Peter Lake, “William Bradshaw, Antichrist and the Community of the Godly,” *Journal of Ecclesiastical History* 36, no. 4 (October 1985): 570–89. See also Peter Lake, “The Significance of the Elizabethan Identification of the Pope as Antichrist,” *Journal of Ecclesiastical History* 31, no. 2 (April 1980): 161–78.

surprising discussion—some Puritan divines showed sympathy with the distinctly Roman Catholic doctrine of *consilia evangelica* that undergirded works of supererogation.<sup>10</sup> *Consilia*, often referred to as “counsels of perfection” or “evangelical counsels,” referred to “the advice or counsel of the church on various moral issues, defined by the medieval scholastics as a higher obedience not commanded in the law.”<sup>11</sup> Chad Van Dixhoorn, the doyen of Assembly studies and the editor of the minutes and papers of the Assembly, remarked that this debate, mostly neglected by historians, is perhaps the most “puzzling” discussion of the entire Assembly.<sup>12</sup> The paucity of study on *consilia* at Westminster is not because the debate is unimportant. Instead, historians largely overlooked *consilia* at Westminster because the relevant minutes from this discussion had been transcribed with material errors. For example, in 1977, Rob Norris transcribed and commented on the initial one hundred folios of minutes from the Assembly—the first such attempt in roughly a century.<sup>13</sup> However, Norris made substantial errors, such as failing to understand that *consilia evangelica* represented a medieval Roman Catholic doctrine. Thus, he wrongly rendered the term as “evangelical councils,” understanding it as an ecclesiological term despite the fact that the doctrine has no relevance to ecclesiology.<sup>14</sup> Only with the 2012 publication of *The Minutes and Papers of the Westminster Assembly*, based on the discovery of some new minutes and the heavily annotated transcription of all existing minutes, did the *consilia* debate come into the clear light of day for historians. In examining the cornucopia of literature on the Assembly, there is no sustained

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<sup>10</sup> Chad Van Dixhoorn, ed., *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols. (New York: Oxford University Press, 2012), 2:31–37 (hereafter *MPWA*).

<sup>11</sup> Richard A. Muller, *Dictionary of Latin and Greek Theological Terms: Drawn Principally from Protestant Scholastic Theology*, 2nd ed. (Grand Rapids: Baker Academic, 2017), s.v. “consilia evangelica.”

<sup>12</sup> Van Dixhoorn, *MPWA*, 1:22.

<sup>13</sup> Van Dixhoorn, *MPWA*, 1:66.

<sup>14</sup> Van Dixhoorn, *MPWA*, 1:66–67.

discussion of the *consilia* debate. As Van Dixhoorn noted, the emendations to the Thirty-Nine Articles, which prompted and included the *consilia* debate, revealed important “fissures” in the Assembly.<sup>15</sup>

Commenting on the *consilia* debate at Westminster, Van Dixhoorn observed that “there is an elusive coherence to this group [that supports *consilia*] that manifests itself later in the Assembly discussions about the nature and extent of the atonement, but the bond holding its members together is difficult to identify.”<sup>16</sup> This paper aims to unmask the bond of this “elusive coherence” in order to explain the full significance of such coherence for the historiography of *consilia*, the Assembly, and English Puritanism. In exploring these issues, this essay will first provide a brief history of both the doctrine of *consilia* and the Westminster Assembly. Understanding how the doctrine developed, and understanding its presence as a distinctly Roman Catholic doctrine condemned by the magisterial reformers, helps explain the significance and unexpected nature of the debate amongst Protestants over *consilia* at Westminster. Further, elucidating the historical context of the Westminster Assembly, particularly its status as a body governed by a Parliament at war with a king who putatively harbored Roman Catholic sympathies, highlights the unexpected approbation for the Roman doctrine of *consilia* at the Westminster Assembly. Second, this study will trace the debate over *consilia* at the Assembly and explain *consilia*’s entailments in views of the law, federal theology, and the atonement. This thesis will argue that the “elusive coherence” between positions on *consilia* and the atonement stemmed from the divines’ differing views on federal theology and the law. Third, this essay will outline the implications of this debate for the current historiography of *consilia*, the Westminster Assembly, and English Puritanism. In

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<sup>15</sup> Van Dixhoorn, *MPWA*, 1:20–21; personal correspondence with Chad Van Dixhoorn, December 12, 2019.

<sup>16</sup> Van Dixhoorn, *MPWA*, 1:22.

particular, through studying the *consilia* debate, this project will show that historians have missed the unintended influence of a distinctly Roman Catholic doctrine in the Westminster Assembly and English Puritanism. The debate over *consilia* and the way it intertwined with views of such a central issue as the atonement show that historians have missed the extent of Roman Catholic influence—albeit unintended influence—in the Assembly and in English Puritanism.<sup>17</sup>

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<sup>17</sup> Seventeenth-century English religious literature contains dozens of instances where theologians debated *consilia*. However, the historical literature on Catholic-Protestant polemics almost entirely misses these instances, including the one at the Westminster Assembly. See, e.g., Alexandra Walsham, *Catholic Reformation in Protestant Britain: Catholic Christendom, 1300–1700* (New York: Routledge, 2016); Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500–1700* (Manchester: Manchester University Press, 2006) [*Charitable Hatred* discusses the Westminster Assembly on a few occasions yet never discusses the debate over *consilia*]; Arthur Marotti, *Religious Ideology and Cultural Fantasy: Catholic and Anti-Catholic Discourses in Early Modern England* (Notre Dame, IN: University of Notre Dame Press, 2005); Arthur Marotti, ed., *Catholicism and Anti-Catholicism in Early Modern English Texts* (Basingstoke, UK: Macmillan, 1999); Anthony Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought, 1600–1640* (Cambridge: Cambridge University Press, 2002); Anthony Milton and Alexandra Walsham, “Richard Montagu: Concerning Recusancie of Communion with the Church of England,” in *From Cranmer to Davidson: A Church of England Miscellany*, ed. S. Taylor (Woodbridge, UK: Boydell & Brewer, 1999), 69–101; H. R. Trevor-Roper, *Catholics, Anglicans and Puritans: Seventeenth-Century Essays* (Chicago: University of Chicago Press, 1988); Doreen Margaret Rosman, *From Catholic to Protestant: Religion and the People in Tudor and Stuart England* (London: University College London Press, 1996); Joshua Rodda, *Public Religious Disputation in England, 1558–1626* (New York: Routledge, 2014); Nicholas Tyacke, *Anti-Calvinists: The Rise of English Arminianism, c. 1590–1640* (Oxford: Clarendon Press, 1987), 62–63 [discusses *consilia* briefly]; Michael C. Questier, *Conversion, Politics and Religion in England, 1580–1625* (New York: Cambridge University Press, 1996), 89–93 [also discusses *consilia* briefly].

## CHAPTER 2

### CONSILIA'S DEVELOPMENT BEFORE WESTMINSTER

#### *Consilia Evangelica*—A Distinctly Catholic Doctrine

##### Patristic Period

Tracing the history of *consilia* reveals that even in its nascent form, *consilia* pertained to the law. The roots of *consilia* stretch back to at least the third century and the famous church father Tertullian of Carthage. In his work *On Exhortation to Chastity*, Tertullian drew on 1 Corinthians 7:25–28, a text that would prove foundational for the doctrine of *consilia*, to distinguish between command and counsel. Commenting on 1 Corinthians 7:27–28, Tertullian observed that Paul “has introduced the order of this discourse too from his personal suggestion, not from a divine precept. But there is a wide difference between a precept of God and a suggestion of man.”<sup>1</sup> The third-century Christian writer Origen of Alexandria, commenting on 1 Corinthians 7:25, echoed Tertullian’s division between commands and suggestions. Origen observed that “some rules are given as commandments of God, while others are more flexible and left by God to the decision of the individual.”<sup>2</sup> The third-century bishop Cyprian of Carthage elucidated the roots of *consilia* in *On the Dress of Virgins*. Concerning celibacy, he echoed both Origen and Tertullian with a division between commands and exhortations,

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<sup>1</sup> Tertullian, *On Exhortation to Chastity*, trans. S. Thelwall, in *Fathers of the Third Century: Tertullian, Part Fourth; Minucius Felix; Commodian; Origen, Parts First and Second*, vol. 4 of *The Ante-Nicene Fathers: Translations of the Writings of the Fathers down to A.D. 325*, ed. Alexander Roberts, James Donaldson, and A. Cleveland Coxe (1885; repr., Peabody, MA: Hendrickson, 1994), chap. 4 (*ANF*, 4:52).

<sup>2</sup> Origen, *Commentary on 1 Corinthians* 3.39.2–6, in *Ancient Christian Commentary on Scripture: New Testament VII: 1–2 Corinthians*, ed. Gerald Bray and Thomas C. Oden (Downers Grove, IL: InterVarsity Press, 2006), 67.

writing that “the Lord [does not] command this, but He exhorts it.”<sup>3</sup> The fourth-century church father Ambrose of Milan wrote on the nascent form of *consilia* in his tract *Concerning Widows*. Opining on 1 Corinthians 7:28, Ambrose observed that “a command is issued to those subject, counsel is given to friends. Where there is a commandment, there is a law; where counsel, there is grace. A commandment is given to enforce what is according to nature, a counsel to incite us to follow grace.”<sup>4</sup> Ambrose distinguished between commands (or precepts, *praecepta*) and counsels (or *consilia*). The former bound all Christians, while the latter represented a type of higher life of greater obedience to God that yielded greater confidence before God of one’s holiness.

The fourth-and-fifth-century scholar Jerome, who bequeathed to the West a translation of the Bible that stood as the de facto holy book for over a millennium, wrote numerous letters that have survived. One such correspondence from 384, *Letter XXII to Eustochium*, discussed Christians who devote themselves to a life of virginity. Commenting on 1 Corinthians 7:25 and the apostle Paul’s words that “I have no commandment of the Lord,” Jerome wrote that Christian virginity is due “not to a command, but to [one’s] free choice. . . . What is freely offered,” namely virginity, is counseled and is therefore “worth more than what is extorted by force,” namely through a command.<sup>5</sup> In the early fifth century, the monk Pelagius, later condemned as a heretic, wrote at length about *consilia* in his letter *To Demetrias*. In this letter, Pelagius argued that within

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<sup>3</sup> Cyprian, *On the Dress of Virgins (Treatise II)*, trans. Ernest Wallis, in *Hippolytus, Cyprian, Caius, Novatian*, vol. 5 of *The Ante-Nicene Fathers: Translations of the Writings of the Fathers down to A.D. 325*, ed. Alexander Roberts, James Donaldson, and A. Cleveland Coxe (1885; repr., Peabody, MA: Hendrickson, 1994), chap. 23 (*ANF*, 5:436).

<sup>4</sup> Ambrose, *Concerning Widows*, trans. H. De Romestin, in *Ambrose: Select Works and Letters*, vol. 10 of *The Nicene and Post-Nicene Fathers*, 2nd Series, ed. Philip Schaff and Henry Wace (1896; repr., Peabody, MA: Hendrickson, 1994), chap. 12 (*NPNF*<sup>2</sup>, 10:403).

<sup>5</sup> Jerome, *Letter XXII*, trans. W. H. Fremantle, in *The Principal Works of St. Jerome*, vol. 6 of *The Nicene and Post-Nicene Fathers*, 2nd Series, ed. Philip Schaff and Henry Wace (1896; repr., Peabody, MA: Hendrickson, 1994), chap. 20 (*NPNF*<sup>2</sup>, 6:30).

the will of God, certain things are forbidden, some are allowed, some are advised. . . . Marriage is allowed, so is the use of meat and wine, but abstinence from all three is advised by more perfect counsel. . . . Having therefore followed the counsel of perfection, having set out to win the state of blessedness which attaches itself to a special intention, see to it that you keep the general commandment also.<sup>6</sup>

Pelagius, following the exegetical decisions of Tertullian, Origen, and others, created a categorical separation between commands, namely things “forbidden,” and counsels, namely things “advised.” More broadly, these quotations from the church fathers show that a distinction emerged, especially on the issue of the celibate life, between what God commands in his law and what is counseled as wisdom by apostolic tradition. Of particular relevance for this thesis, the roots of *consilia* in the patristic period show that *consilia* connected to views about the nature and extent of the law of God. Looking forward to the Middle Ages, this distinction between commands and precepts, nascent in the patristic period, would be developed at length when monastic communities—with their emphasis on celibacy, poverty, and devotion to God—grew dramatically.

### **Medieval Period**

During the Middle Ages, the doctrine of *consilia* became inextricably bound with the burgeoning monastic experience and its emphasis on celibacy and poverty. By “the late middle ages,” evangelical counsels formed “the basis of [ordered] religious life in nearly all its forms.”<sup>7</sup> In particular, poverty, obedience, and chastity constituted the evangelical counsels of perfection, or *consilia*, and these counsels formed the foundation of the so-called *vita perfectionis*.<sup>8</sup> The Middle Ages is replete with stories and teachings pertaining to these counsels. For example, in one famous story, Francis of Assisi, together with his companions Bernard and Peter, entered the church of San Nicolò in

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<sup>6</sup> Pelagius, *To Demetrias*, in *The Letters of Pelagius and His Followers*, vol. 2 of *Pelagius: Life and Letters*, ed. B. R. Rees (Woodbridge, UK: Boydell Press, 1998), 9.1–10.2 (pp. 2:45–47).

<sup>7</sup> *The Oxford Dictionary of the Christian Church*, ed. E. A. Livingstone and F. L. Cross, 3rd ed. (Oxford: Oxford University Press, 1997), s.v. “Counsels of Perfection” (p. 423).

<sup>8</sup> Paul van Geest, “The Rule of Saint Augustine,” in *A Companion to Medieval Rules and Customaries*, ed. Krijn Pansters (Leiden: Brill, 2020), 127–92 (p. 149).



Piazza, Italy, opened a gospel book, and encountered *consilia*.<sup>9</sup> In 1221, the *Regula non bullata* was written as a type of monastic rule and “designed as an anthology of evangelical counsels.”<sup>10</sup> Similarly, religious groups in France and Italy sought “to lead to a new religious life by implementing evangelical counsels.”<sup>11</sup> In *Liber de ordine praeceptorum ad consilia*, Nicholas of Lisieux reiterated the common view that one must master the commands before taking up the evangelical counsels.<sup>12</sup> Elsewhere, in the aftermath of the Third Lateran Council (1179) and under the auspices of papal influence, the Waldensians, an ascetic sect that emerged out of the French-Italian regions, subscribed to a Profession of Faith that advocated a way of life emphasizing strict adherence to *consilia*.<sup>13</sup>

Beyond the religious orders, Bonaventure wrote about *consilia* in his work *Breviloquium*. He argued that the “three evangelical counsels” exist to “deliver us completely from this threefold root [of sin]. They are counsels because, in order to turn us away from evil completely, they detach our soul, not only from things forbidden, but also from things legitimate and permissible which might become occasions of sin.”<sup>14</sup> Thomas Aquinas constituted perhaps the most important proponent and conduit of *consilia* to future generations as he discussed the doctrine in his most famous work,

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<sup>9</sup> Sylvain Piron, “An Institution Made of Individuals: Peter John Olivi and Angelo Clareno on the Franciscan Experience,” in *Individuals and Institutions in Medieval Scholasticism*, ed. Antonia Fitzpatrick and John Sabapathy (London: University of London Press, 2020), 157–76 (p. 157).

<sup>10</sup> Piron, “An Institution Made of Individuals,” 160.

<sup>11</sup> Gert Melville, “The Charismatic Leader and the Vita Religiosa: Some Observations about an Apparent Contradiction between Individual and Institution,” in Fitzpatrick and Sabapathy, *Medieval Scholasticism*, 139–56 (p. 142).

<sup>12</sup> Andrew Traver, “The Forging of an Intellectual Defense of Mendicancy in the Medieval University,” in *The Origin, Development, and Refinement of Medieval Religious Mendicancies*, ed. Donald Prudlo (Leiden: Brill, 2011), 157–96 (p. 192).

<sup>13</sup> Kevin Madigan, *Medieval Christianity: A New History* (New Haven, CT: Yale University Press, 2015), 192–93.

<sup>14</sup> Bonaventure, *The Works of Bonaventure: The Breviloquium*, trans. Jose de Vinck (Patterson, NJ: St. Anthony Guild Press, 1962), 216.

*Summa Theologiae*. He wrote explicitly about the doctrine, saying, “The difference between a counsel and a commandment is that a commandment implies obligation, whereas a counsel is left to the option of the one to whom it is given.”<sup>15</sup> Aquinas continued, “We must therefore understand the commandments of the New Law to have been given about matters that are necessary to gain the end of eternal bliss, to which end the New Law brings us forthwith: but that the counsels are about matters that render the gaining of this end more assured and expeditious.”<sup>16</sup> Importantly, Aquinas also averred, “The counsels are means of attaining to perfection.”<sup>17</sup> For Aquinas, the ecumenical counsels centered around poverty, chastity, and obedience.<sup>18</sup> As these quotations concerning *consilia* demonstrate through their detailed discussion of the law, *consilia* entailed specific views on the nature and extent of the law. Aquinas also promulgated *consilia* outside of the *Summa*. In *The Perfection of the Spiritual Life*, Aquinas spoke of multiple “counsels of perfection,” such as a liberal charity and poverty.<sup>19</sup> William Newton observed that *The Perfection of the Spiritual Life* is “a holistic and systematic treatment of the life of the counsels.”<sup>20</sup> Across Aquinas’s writing on *consilia*, Aquinas consistently discussed the topic in the context of the scope and reach of the law. In other words, *consilia* and the law lay inextricably bound.

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<sup>15</sup> Thomas Aquinas, *Summa Theologiae*, vol. 30, *The Gospel of Grace: 1a2ae. 106–114*, ed. Cornelius Ernst (Cambridge: Cambridge University Press, 2006), IIa.108.4 co. (hereafter *ST*). In a helpful footnote, Ernst observed that Matthew 5 constituted an important text for questions of *consilia* (60n3).

<sup>16</sup> Aquinas, *ST* IIa.108.4 co.; see also IIb.186.2.

<sup>17</sup> Aquinas, *ST* IIb.184.3.

<sup>18</sup> James Mixson, “Observant Reform’s Conceptual Framework between Principle and Practice,” in *A Companion to Observant Reform in the Late Middle Ages and Beyond*, ed. James D. Mixson and Bert Roest (Boston: Brill, 2015), 60–84 (p. 68); John Van Engen, *Sisters and Brothers of the Common Life: The Devotio Moderna and the World of the Later Middle Ages* (Philadelphia: University of Pennsylvania Press, 2008), 249–50.

<sup>19</sup> Thomas Aquinas, *The Perfection of the Spiritual Life*, trans. John Procter (St. Louis, MO: B. Herder, 1902), chap. 18.

<sup>20</sup> William Newton, “Aquinas and the Life of the Counsels,” *Downside Review* 133, no. 469 (July 2015): 274–98.

After Aquinas's death, the *Summa* became one of the most influential and widely distributed Christian works of the medieval and Reformation periods. As Bernard McGinn noted, "Learned Protestant divines, both on the Continent and in England, could scarcely avoid Thomas and the *Summa*."<sup>21</sup> By the time of the Westminster Assembly in the 1640s, Aquinas still inhabited the minds of Protestants even if they disagreed with him. In the official minutes of the Assembly, divines debating theological matters explicitly quoted him. For example, in Session 70, during debates about preparatory works, Charles Herle quoted disapprovingly from Aquinas.<sup>22</sup> In Session 422, during discussions about ecclesiology, George Gillespie cited with approbation a common maxim on the conscience from Aquinas.<sup>23</sup> The presence of Aquinas amongst seventeenth-century English divines explained in part how the Roman Catholic doctrine of *consilia* remained in the theological ecosystem of a Protestant country.

### **Protestant Reformation**

With the dawn of the Protestant Reformation and its insistence on justification by faith alone through imputed righteousness, leading reformers rejected *consilia*. They reasoned that if God imputed the righteousness of Christ, then a believer is perfectly righteous and unable to attain a higher level of holiness or assurance through so-called counsels of perfection. Further, they argued that the law required perfection. For example, Martin Luther wrote that the Pope takes the commands in "Matthew 5" and "makes them into *consilia*" as they are "too hard and impossible to maintain."<sup>24</sup> In other

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<sup>21</sup> Bernard McGinn, *Thomas Aquinas's Summa Theologiae: A Biography*, Lives of Great Religious Books (Princeton, NJ: Princeton University Press, 2014), 151.

<sup>22</sup> Chad Van Dixhoorn, ed., *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols. (New York: Oxford University Press, 2012), 2:174 (hereafter *MPWA*).

<sup>23</sup> Van Dixhoorn, *MPWA*, 3:584.

<sup>24</sup> Martin Luther, "On War against the Turk, 1529," in *The Annotated Luther*, vol. 5, *Christian Life in the World*, ed. Hans J. Hildebrand (Minneapolis: Fortress Press, 2017), 380.

words, if Christ's command to be perfect is unattainable, it becomes an optional counsel. Law becomes advice. Luther, with his strong law-gospel paradigm, rejected this papal exegesis. Further, Article XXVII of the Lutheran Augsburg Confession (1530) opposed "consilia evangelica" by name. John Calvin similarly opined against *consilia*, lamenting that some Catholics "openly teach that they shoulder a greater burden than Christ laid upon his people" by promising "to keep the evangelical counsels."<sup>25</sup> This rejection of *consilia* by the two foremost Protestant reformers makes subsequent Protestant approbation of *consilia* all the more jarring. Despite their disagreements, the writings of Aquinas, Luther, and Calvin all concur on one matter of importance for the scope of this thesis: *consilia* entailed specific views on the nature and extent of the law. This fact is significant because this project argues that it is the nexus of convictions regarding the law and federal theology that explain the "elusive coherence" between *consilia* and the atonement amongst some Puritans at Westminster. Further, the widespread Protestant opposition to *consilia* evidenced in the statements above shows how far some divines at Westminster diverged from Protestant orthodoxy by embracing the distinctly Roman Catholic doctrine of *consilia*.

During the Reformation era, as Luther, Calvin, and others objected to *consilia*, Roman Catholics responded to Protestants by explicitly reaffirming their support for *consilia*. For example, *The Catechism of the Council of Trent*, written as part of the eponymously named Roman Catholic council called in response to the Reformation and held between 1545 and 1563, promoted *consilia*.<sup>26</sup> Famous seventeenth-century Roman

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<sup>25</sup> John Calvin, *Institutes of the Christian Religion*, trans. Ford Lewis Battles, ed. John T. McNeil (1960; repr., Louisville, KY: Westminster John Knox Press, 2006), IV.13.12 (p. 1266).

<sup>26</sup> *The Catechism of the Council of Trent*, trans. J. Donovan (Baltimore: James Myres, 1833), 349.

Catholic Cornelius a Lapide explicitly supported *consilia*.<sup>27</sup> These examples of Roman Catholic approbation within a century of the Assembly, read in the context of Protestant opposition, add to the jolting nature of sympathy for *consilia* amongst some leading Protestant divines at Westminster.

### English Reformation

The debates over *consilia* that occurred on the continent during the early Protestant Reformation filtered into England by the turn of the seventeenth century. The case of Humphrey Leech (1571–1629) demonstrated how *consilia* could represent not only a flashpoint between Roman Catholics and Protestants but also a sign that support for *consilia* could be a harbinger of broader Roman Catholic sympathies. Leech, educated at the Puritan bastion of Emmanuel College, Cambridge, began to turn towards Rome through reading the church fathers. In 1607, he preached a sermon in Christ Church, Oxford, from Revelation 20:12 that supported the evangelical counsels of perfection.<sup>28</sup> On June 27, 1608, Leech preached another sermon that further backed evangelical counsels. The university suspended Leech, who made an ineffectual appeal to Archbishop Richard Bancroft, and Leech left England for the continent. This departure highlighted how little tolerance the English church had for open support of *consilia*—a fact that makes approbation for *consilia* at Westminster all the more unexpected.

On the continent, Leech openly converted to Rome. In 1609, he published *A Triumph of Truth*, which contained, amongst other things, his defense of evangelical counsels from both his sermon at Oxford and his appearance before the vice-chancellor

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<sup>27</sup> Cornelius a Lapide, *The Great Commentary of Cornelius a Lapide: S. Luke's Gospel*, trans. Thomas W. Mossman, 4th ed. (Edinburgh: John Grant, 1908), 423. See also Joseph F. Sheahan, "A Misunderstood Text," *American Ecclesiastical Review* 16, no.5 (1897): 509–523 (p. 518).

<sup>28</sup> Peter Milward, "Leech, Humphrey [alias Henry Eccles]," *Oxford Dictionary of National Biography*, September 23, 2004, accessed October 3, 2020 <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-16319>.

of Oxford.<sup>29</sup> In *A Triumph of Truth*, Leech grounded *consilia* in a view of the law whereby one can obey above and beyond the requirements of the law.<sup>30</sup> Leech's work elicited a response from Daniel Price in *Defence of Truth* and from Sebastian Benefield in a lengthy appendix to *Doctrinae Christianae Sex Capita*.<sup>31</sup> Daniel Price argued that "the Church of Englande never had any so Puritannical" as to judge themselves "excelling, surmounting, transcending in perfection, fulling the law, nay more than the law." He continued, "I knowe no reason for it. Some may transcend the Politicke lawes of Nations, but not the lawes of God, as Peter Martyr distinguisheth: or some may be Transcendents respectiue, if compared with others, but simply, they are not so, in themselves."<sup>32</sup> Important to the larger argument of this study, Price contended that the Church of England did not have a category, either in theory or in practice, for doing works that exceeded the law. Price rejected *consilia* because of his view of the law. One's understanding of the law lay beneath one's view on *consilia*.

## English Reformation and the Westminster Assembly

### Long Process to Purify English Church of Catholicism

In order to understand both the surprise and the significance of the debate over *consilia* at Westminster, historians must step back to the beginning of the sixteenth century and briefly examine the overriding trajectory of the English Reformation—

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<sup>29</sup> Humphrey Leech, *A Triumph of Truth, or Declaration of the Doctrine Concerning Euangelicall Counsayles* (Douay, France: L. Kellam, 1609).

<sup>30</sup> Leech, *A Triumph of Truth*, 7, 11, 29.

<sup>31</sup> Daniel Price, *The Defence of Truth against a Booke Falsely Called the Triumph of Truth Sent over from Arras A.D. 1609* (Oxford: Joseph Barnes, 1610); Sebastian Benefield, *Doctrinae Christianae Sex Capita* (Oxford: Excudebat Iosephus Barnesius, 1610), especially 145–208.

<sup>32</sup> Daniel Price, *The Defence of Truth*, 39, 45. For more on this conflict, see Anthony Wood, *The History and Antiquities of the University of Oxford* (Oxford: John Gutch, 1796), 2:294–96; Lawrence Anderton, *The Triple Cord or A Treatise Proving the Truth of the Roman Religion, by Sacred Scriptures Taken in the Literall Sense Expounded by Ancient Fathers* (St. Omer, France: English College Press, 1634), 245, 253–57; Sylvester Norris, *The Guide of Faith* (St. Omer, France: English College Press, 1621), 139.

namely, a repeated, and sometimes uneven, effort to purge England of Roman Catholicism. At the dawn of the sixteenth century, England was a Roman Catholic country. The religious landscape in England contained many features of Roman Catholicism, such as transubstantiation, the seven sacraments, monasteries, and prayers for the dead.<sup>33</sup> However, a complex series of religious, personal, and political events led King Henry VIII (r. 1509–1547) to enact the Act of Supremacy in 1534 that made the king “the only Supreme Head on earth of the church of England,” thereby formally severing England’s status as a Roman Catholic country.<sup>34</sup> The Pope did not sit idle as Henry separated England from Rome. In December 1538, the Pope excommunicated the King.<sup>35</sup> Over the next hundred years, English monarchs took many steps forward, and some dramatic steps backward, in purging England of Roman religious influence. For example, after Henry’s death, King Edward (r. 1547–1553) reigned and implemented more thorough Protestant reforms, such as allowing clerical marriage and offering communion in both kinds for laity—moves that stood in stark contrast with the practices of the Roman Catholic church.<sup>36</sup> After Edward’s death in July 1553, Queen Mary (r. 1553–1558) began to reign, and by the end of 1554, she had formally reestablished Roman Catholicism as the enforced national religion.<sup>37</sup>

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<sup>33</sup> Peter Marshall, *Heretics and Believers: A History of the English Reformation* (New Haven, CT: Yale University Press, 2017), 9–10; Richard Rex, *Henry VIII and the English Reformation*, 2nd ed. (New York: Palgrave Macmillan, 2006), 59.

<sup>34</sup> Gerald Lewis Bray, ed., *Documents of the English Reformation* (Minneapolis: Fortress Press, 1994), 114. For additional background, see Malcolm B. Yarnell III, *Royal Priesthood in the English Reformation* (New York: Oxford University Press, 2013), 147; Marshall, *Heretics and Believers*, 205; Peter Marshall, *Religious Identities in Henry VIII’s England* (Burlington, VT: Ashgate, 2006), 64; Felicity Heal, *Reformation in Britain and Ireland* (New York: Oxford University Press, 2003), 119–21; Diarmaid MacCulloch, *Thomas Cromwell: A Revolutionary Life* (New York: Viking, 2018), 148.

<sup>35</sup> J. J. Scarisbrick, *Henry VIII, The English Monarchs* (New Haven, CT: Yale University Press, 2011), 361.

<sup>36</sup> *The Oxford Dictionary of the Christian Church*, s.v. “Edward VI” (p. 532).

<sup>37</sup> *The Oxford Dictionary of the Christian Church*, s.v. “Mary Tudor” (p. 1051).

From the 1540s to the 1640s, the Puritans constituted the group with the most zeal for purging Roman Catholic thought and practice that remained in the Church of England. The Puritans wrote hundreds of tracts against Rome and repeatedly fought the Archbishop of Canterbury for a more thorough reformation from England's Roman Catholic past.<sup>38</sup> This larger picture of English reform that sought to attenuate Roman Catholic influence highlights the unexpected presence of *consilia* at Westminster.

### **Immediate Religious and Political Background to Westminster**

While an extended treatment of the religious and political background to the Westminster Assembly is beyond the scope of this thesis, three themes deserve mention because of the influence they had on the Assembly's deliberations and the topic of this study.<sup>39</sup> First, the Assembly took place amidst the English Civil War (1642–1651) between Parliament and King Charles I (r. 1625–1649).<sup>40</sup> Without the English Civil War and the freedom from the king's oversight that the war provided, Parliament could not have called the Assembly to reform the government and doctrine of the Church of England. The king, and his father King James (r. 1603–1625), had systematically stifled the growing calls for ecclesiastical reform during the decades prior to the war.

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<sup>38</sup> Anthony Milton, *Catholic and Reformed* (New York: Cambridge University Press, 1995).

<sup>39</sup> For an extended study of the historical and theological background to the Assembly, see J. V. Fesko, *The Theology of the Westminster Standards: Historical Context and Theological Insights* (Wheaton, IL: Crossway, 2014), 33–63; Robert Letham, *The Westminster Assembly: Reading Its Theology in Historical Context* (Phillipsburg, NJ: P&R, 2009), 11–98; Van Dixhoorn, *MPWA*, 1:1–12.

<sup>40</sup> For a more detailed treatment of the Civil War as well as its complex causes and consequences, see Francis J. Bremer, *The Puritan Experiment: New England Society from Bradford to Edwards*, rev. ed. (Hanover, NH: University Press of New England, 2013), 121–22; Michael P. Winship, *Hot Protestants: A History of Puritanism in England and America* (New Haven, CT: Yale University Press), 74–76. David Como argued for “the centrality of both ‘the religious’ and the [sic] ‘the political’” as causes of the English Civil War. David R. Como, *Radical Parliamentarians and the English Civil War* (New York: Oxford University Press, 2018), 17. Richard Cust highlighted the role of social status in the war, noting that a majority of the politically active nobility supported the king and enabled him to fight his enemies. Richard Cust, *Charles I and the Aristocracy, 1625–1642* (New York: Cambridge University Press, 2013), 5. Oxford historian Clive Holmes traced the conflict to a juxtaposition of political and religious matters as well as social and economic grievances. Clive Holmes, *Why Was Charles I Executed?* (London: Hambledon Continuum, 2007), 26, 52.



Archbishop of Canterbury John Whitgift (d. 1604) had impeded the publication of some Puritan anti-papal writings.<sup>41</sup> The Puritan desires to purify the church, and Charles's suppression of these aspirations, accelerated dramatically with the ascension of William Laud to the post of Archbishop of Canterbury in 1633.<sup>42</sup> Of special interest for this thesis, Laud, in the words of one scholar, "committed the most heinous transgression. In 1633 Laud banned all publications that identified Rome or the Papacy as the Antichrist, an action that infuriated Puritans."<sup>43</sup> Many in England saw Laud's sympathy for Arminian theology as sympathy for Roman Catholicism. The outbreak of the civil war sidelined Laud and the king, and Parliament and its Puritan allies could finally pursue more fully removing Roman influences from the church. However, this freedom did not preclude the war from impacting the gathering at Westminster. On the contrary, sounds of cannon fire sometimes echoed in the background as the divines debated theology.<sup>44</sup>

The Assembly sat under the control of the king's enemies in Parliament, so perceived sympathy for the king or his religious sentiments could face serious consequences. For example, Parliament ejected a sitting Assembly member, Daniel Featley, and jailed him on suspicions that he was a spy.<sup>45</sup> Parliament invited John Prideaux to serve as part of the Assembly, but he declined and identified himself as a royalist who excommunicated the king's enemies.<sup>46</sup> While Parliament, and its war against

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<sup>41</sup> Jeffrey Alan Miller, "Milton and the Conformable Puritanism of Richard Stock and Thomas Young," in *Young Milton The Emerging Author, 1620–1642*, ed. Edward Jones (New York: Oxford University Press, 2013), 72–103 (pp. 78–79).

<sup>42</sup> H. U. E. Thoden van Velzen and Walter E. A. van Beek, "Purity, a Greedy Ideology," in *The Quest for Purity: Dynamics of Puritan Movements*, ed. Walter E. A. van Beek (New York: De Gruyter, 2019), 67.

<sup>43</sup> Jeffrey K. Jue, "Puritan Millenarianism in Old and New England," in *The Cambridge Companion to Puritanism*, ed. John Coffey (New York: Cambridge University Press, 2008), 259–76 (p. 264).

<sup>44</sup> Fesko, *The Theology of the Westminster Standards*, 33.

<sup>45</sup> Van Dixhoorn, *MPWA*, 1:117, 2:155.

<sup>46</sup> A. J. Hegarty, "Prideaux, John (1578–1650)," *Oxford Dictionary of National Biography*, September 23, 2004, Accessed August 17, 2020.

the king, greatly impacted the Westminster Assembly, the divines did not always agree with some of the decisions of Parliament and its legal or military proxies in the war against King Charles. This is perhaps most clear in the execution of Charles—an action that horrified many divines.<sup>47</sup> In fact, forty-seven London clergy, including Thomas Gataker, disapproved of the trial of Charles I.<sup>48</sup> Nonetheless, given the perception that Charles, the enemy of the body overseeing the Assembly, harbored sympathies for Catholicism and was perhaps a secret Catholic, the presence of support for the distinctly Catholic doctrine of *consilia* is all the more surprising.<sup>49</sup>

Second, and inextricably bound to the first theme, many English Protestants feared that Charles sought to lead England back towards subjection to Rome.<sup>50</sup> This political fear fit hand in glove with the theological concerns of the Puritans, who largely composed the Assembly, over Catholicism. As David Hall showed, the fear of Roman Catholicism “lay at the heart of English popular Protestantism.”<sup>51</sup> Crawford Gribben argued that the “identification of the Pope as Antichrist was axiomatic for puritans.”<sup>52</sup> Arthur Marotti observed,

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<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-22785>.

<sup>47</sup> Chad Van Dixhoorn, “Westminster Assembly (act. 1643–1652),” *Oxford Dictionary of National Biography*, May 24, 2007, Accessed June 20, 2020. <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-92780>.

<sup>48</sup> *The Encyclopedia Britannica*, vol. 11, *Franciscans to Gibson*, 11th ed. (New York: Cambridge University Press, 1910), s.v. “Gataker, Thomas” (p. 527).

<sup>49</sup> Francis J. Bremer, *John Winthrop: America’s Forgotten Founding Father* (New York: Oxford University Press, 2003), 138; Robert Bucholz and Newton Key, *Early Modern England 1485–1714*, 3rd ed. (Hoboken, NJ: Wiley Blackwell, 2020), 247.

<sup>50</sup> Marshall, *Heretics and Believers*, 576; David Cressy, *Charles I and the People of England* (New York: Oxford University Press, 2015), 218; Winship, *Hot Protestants*, 225.

<sup>51</sup> David D. Hall, *The Puritans: A Transatlantic History* (Princeton, NJ: Princeton University Press, 2019), 181.

<sup>52</sup> Crawford Gribben, *The Puritan Millennium Literature and Theology, 1550–1682*, rev. ed. (Eugene, OR: Wipf & Stock, 2008), 24.

English nationalism rests on a foundation of anti-Catholicism. In the sixteenth and seventeenth centuries, English identity was defined as Protestant, so Roman Catholicism, especially in its post-Tridentine, Jesuit manifestation, was cast as the hated and dangerous antagonist, most fearfully embodied in a papacy that claimed the right to depose monarchs.<sup>53</sup>

With this in mind, Puritans surely experienced dread when, by the 1630s, anti-papal writings no longer seemed to unify the Church of England, and, in fact, ostensibly anti-papal comments from official ecclesiastical authorities “often seemed to enshrine ‘semi-popish’ doctrinal errors.”<sup>54</sup>

In addition, the fear that Charles sought to return England to Rome did not constitute a merely hypothetical possibility that lacked historical precedent. The Puritans at Westminster knew the story of Queen Mary (r. 1553–1558) and how in a few short years, she led England back to Rome and killed hundreds of Protestants for their faith.<sup>55</sup> John Foxe’s *Book of Martyrs* told the harrowing stories of Roman Catholic Queen Mary’s persecution of Protestants. It sold well and constituted a staple amongst many Puritans well into the seventeenth century. As one scholar observed, Foxe’s *Book* emphasized “demonizing the Roman Church as a persecutor of faithful Christians.”<sup>56</sup> Along with King Charles’s 1625 marriage to a Catholic woman, a Catholic rebellion in Ireland in October 1641 engendered further paranoia about a Catholic plot amongst some parts of the same Parliament that called and oversaw the Westminster Assembly.<sup>57</sup> As Hugh Trevor-Roper noted, Roman Catholics experienced “open favor” in “high quarters”

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<sup>53</sup> Arthur F. Marotti, *Religious Ideology and Cultural Fantasy: Catholic and Anti-Catholic Discourses in Early Modern England* (Notre Dame, IN: University of Notre Dame, 2005), 9.

<sup>54</sup> Milton, *Catholic and Reformed*, 92.

<sup>55</sup> Marshall, *Heretics and Believers*, 357; Christopher Haigh, *English Reformations: Religion, Politics, and Society under the Tudors* (Oxford: Oxford University Press, 1993), 196.

<sup>56</sup> John N. King, “The World of John Foxe: An Introduction,” in *John Foxe and His World*, ed. Christopher Highley and John N. King (New York: Routledge, 2017), 1–9 (p. 8).

<sup>57</sup> John Cannon and Anne Hargreaves, *The Kings and Queens of Britain*, 2nd ed. (New York: Oxford University Press, 2009), 275; Hall, *The Puritans*, 255.

of Charles's religious establishment.<sup>58</sup> This historical context regarding fears of Roman Catholicism reinforced the unexpected nature of the sympathy for the distinctly Roman Catholic doctrine of *consilia* at Westminster.

Third, antinomianism represented a major fear of the Assembly members. As Whitney Gamble observed, "Even a cursory perusal of [the minutes of] these sessions shows that antinomianism was the primary theological concern of the assembly from its first meeting."<sup>59</sup> Moreover, London, the home of the Westminster Assembly, constituted the epicenter of antinomianism.<sup>60</sup> David Como noted that the stridency of antinomianism, and the response it engendered, "precipitated a crisis that threatened the integrity of the [Puritan] community."<sup>61</sup> Since the doctrine of *consilia* touched closely on the law, the requirements of the law, and the Christian's relationship to the law, understanding the fears and debates over antinomianism is an important piece of background for the Assembly's discussion of *consilia*. While proponents and opponents of *consilia* both expressed fears about antinomianism and worked against it, as this thesis will show, the exact arguments against antinomianism invoked by divines differed markedly based upon their view of *consilia* and their underlying theological understanding of the law. As a later section of this study will elucidate, it is no coincidence that the divines who supported *consilia*, which elevated a specific view of the law and works of obedience, feared that their opponents' view of Christ's fulfilling the law would lead to antinomianism (see table 4).

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<sup>58</sup> Hugh Trevor-Roper, *Archbishop Laud*, 2nd ed. (1940; repr., London: Phoenix Press, 2000), 306.

<sup>59</sup> Whitney G. Gamble, *Christ and the Law: Antinomianism at the Westminster Assembly*, Studies on the Westminster Assembly (Grand Rapids: Reformation Heritage Books, 2018), 6.

<sup>60</sup> Gamble, *Christ and the Law*, 39.

<sup>61</sup> David R. Como, *Blown by the Spirit* (Stanford, CA: Stanford University Press, 2004), 3.

## Summoning the Assembly

At war with King Charles I and on a quest to purify the Church of England, Parliament decided in the summer of 1643 to create a gathering of divines to reform religion in its land. As Van Dixhoorn noted, both Parliament and the divines believed that the existing “hierarchical system [of church government in England] was unscriptural and tyrannical.”<sup>62</sup> In its ordinance summoning the Assembly, Parliament charged this gathering of “Learned Godly and Judicious divines” with the goal of “a further and more perfecte Reformation” of “the Litturgie, discipline and Government of the Church.”<sup>63</sup> As the summoning ordinance made clear, this gathering existed under the strict direction of Parliament.<sup>64</sup> The House of Commons nominated two divines for each English shire, one for each Welsh shire, and four for the city of London.<sup>65</sup> The men who attended represented many of the most famous and well-educated divines in England and Scotland, such as Thomas Goodwin, Samuel Rutherford, Philip Nye, Jeremiah Burroughs, and William Bridge.<sup>66</sup> On July 1, 1643, the Assembly held its inaugural meeting.<sup>67</sup> It would gather almost fourteen hundred times, often with many members missing such that the forty-member quorum requirement was barely met, before concluding in 1653.<sup>68</sup> The Assembly left a large corpus, including a statement of faith, multiple catechisms, guidelines for worship, and thousands of pages of minutes and reports.

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<sup>62</sup> Van Dixhoorn, *MPWA*, 1:8. For additional background on the relationship between Parliament and the Assembly, see Chad B. Van Dixhoorn, “Reforming the Reformation: Theological Debate at the Westminster Assembly, 1643–1652,” 7 vols. (PhD diss., University of Cambridge, 2004), 1:12–54.

<sup>63</sup> Van Dixhoorn, *MPWA*, 1:165–66.

<sup>64</sup> Van Dixhoorn, *MPWA*, 1:11.

<sup>65</sup> Van Dixhoorn, *MPWA*, 1:13.

<sup>66</sup> For a full list of Assembly members, see Van Dixhoorn, *MPWA*, 1:170–75.

<sup>67</sup> Van Dixhoorn, *MPWA*, 1:1.

<sup>68</sup> Van Dixhoorn, *MPWA*, 1:1, 9.

In studying the Assembly and its deliberations, historians should not overlook the human elements of the Assembly. A number of divines participated in the Assembly while also commuting to parishes on the weekend to pastor congregations. At times, the divines faced financial challenges resulting from meager pay by Parliament.<sup>69</sup> Further, the participants at Westminster lacked seemingly basic necessities for their work. For example, after Parliament's initial instruction to the Assembly to revise the Thirty-Nine Articles, the divines lacked an authoritative copy of the document even though those articles constituted the doctrinal statement of the Church of England.<sup>70</sup> On July 8, 1643, members resorted to forming a committee "of 6 or 8 persons of the [House of] Commons & [the Westminster Assembly] Divines mixedly chosen for to search out for Coppies of the 39 Articles, that the proceeding may be upon the most Authentickes."<sup>71</sup> Another striking human element of the Assembly came in its complex and often contentious relationship with Parliament. Assembly members and Parliament clashed fiercely over questions of polity, resulting in some members of the House of Commons publicly lecturing divines at length.<sup>72</sup> The House of Commons began requiring that the names of divines be appended to each vote in the Assembly in an attempt to bully divines with views materially different than that of the House of Commons.<sup>73</sup>

### **Revision of the Thirty-Nine Articles, and the Fourteenth Article on Supererogation**

The first major task the Assembly undertook was to revise the Thirty-Nine Articles of the Church of England. From their inception in the middle of the 1500s, the

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<sup>69</sup> John Lightfoot, "A Briefe Journal of Passages in the Assembly of Divines" (manuscript notes of John Lightfoot on the proceedings of the Assembly); transcription in Van Dixhoorn, "Reforming the Reformation," 2:54 (hereafter "Lightfoot's Journal").

<sup>70</sup> Lightfoot's Journal, 2:5.

<sup>71</sup> Lightfoot's Journal, 2:5.

<sup>72</sup> Van Dixhoorn, *MPWA*, 1:33.

<sup>73</sup> Van Dixhoorn, *MPWA*, 1:33.

Thirty-Nine Articles, originally the Forty-Two Articles, underwent revisions and changes through the Elizabethan Settlement and adoption of the Thirty-Nine Articles in 1571.<sup>74</sup> During the debate over proposed changes to the fourteenth article, which addressed and condemned works of supererogation, some divines raised the topic of *consilia* since it served as exegetical support for the Roman doctrine of supererogation.<sup>75</sup> *Consilia*, which encourages following precepts over and above commands, had served as a logical underpinning for supererogation from the Middle Ages on.<sup>76</sup> Despite the lively and unexpected debate over *consilia*, as the table below shows, the actual text of the fourteenth article barely changed.

Table 1. Fourteenth article before and after the Westminster Assembly

Before Westminster	After Westminster
<p>Voluntary works besides, over, and above Gods commandments, which they call works of Supererogation, cannot be taught without arrogancy, and impiety.</p> <p>For by them men do declare that they do not onely render unto God as much as they are bound to do, but that they do more for his sake than of bounden duty is required;</p>	<p>Voluntary works, besides, over &amp; above Gods Commandments, which they call works of Supererogation, cannot be taught without arrogancy &amp; impiety;</p> <p>For by them men do declare that they do not onely render unto God as much as they are bound to do, but that they do more for his sake then of bounden duty is required:</p>

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<sup>74</sup> For additional history, see Jerald C. Brauer, ed., *The Westminster Dictionary of Church History* (Philadelphia: Westminster Press, 1971), s.v. “Thirty-Nine Articles” (pp. 819–20), “Forty-Two Articles” (p. 334); *The Oxford Dictionary of the Christian Church*, s.v. “Thirty-Nine Articles” (p. 1611).

<sup>75</sup> Van Dixhoorn, *MPWA*, 1:232; see also 1:21–22, 1:66–67, 2:31.

<sup>76</sup> David Heyd, *Supererogation: Its Status in Ethical Theory* (Cambridge: Cambridge University Press, 1982), 53n1.

Table 1 continued

whereas Christ saith plainly, when ye have done all that are commanded to you, say, that we are unprofitable servants. <sup>77</sup>	whereas Christ saith plainly, when you have done all <those things> that are commanded you, say, wee <are> unprofitable servants, wee have done that which was our duty to doe. <sup>78</sup>
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Although the divines finished their revisions to the fourteenth article, they never completed revising the Thirty-Nine Articles in their entirety. When the English Parliament and its Scottish allies agreed to the Solemn League and Covenant on September 25, 1643, the direction of the Assembly changed.<sup>79</sup> On October 12, 1643, the Assembly held its last debate connected with revising the Thirty-Nine Articles.<sup>80</sup> The minutes from that day conclude with the following text: “Ordered: To lay aside the business of the articles.”<sup>81</sup> The Assembly welcomed Scottish Commissioners to its number, including famed theologians such as Samuel Rutherford, and the Assembly switched from revising the Thirty-Nine Articles to drafting a confession and catechism.

Some historians and theologians wrongly viewed the work on the Thirty-Nine Articles as an insignificant exercise. For example, Princeton theologian B. B. Warfield wrote that the work of revising the Articles was “an expedient to occupy [the divines]

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<sup>77</sup> Thomas Rogers, *The Faith, Doctrine, and Religion, Professed and Protected in the Realme of England, and Dominions of the Same Expressed in Thirty Nine Articles, Concordably Agreed vpon by the Reuerend Bishops, and Clergie of This Kingdome, at Two Seuerall Meetings, Or Conuocations of Theirs, in the Yeeres of Our Lord. 1562. and 1604* (Printed by Iohn Legatt, and are to be sold by William Sheffard, at the entring in of Popes-head-Alley out of Lumbard streete, 1625), 59.

<sup>78</sup> The revised version of the fourteenth article that the Assembly produced can be found in Van Dixhoorn, *MPWA*, 5:328.

<sup>79</sup> Van Dixhoorn, *MPWA*, 1:23.

<sup>80</sup> Van Dixhoorn, *MPWA*, 2:190.

<sup>81</sup> Van Dixhoorn, *MPWA*, 2:195.



innocuously until [the assembly's] real work began.”<sup>82</sup> However, as Van Dixhoorn noted, “The debates over the Thirty-nine Articles have received too little attention from historians. . . . The assembly’s debates over the Thirty-nine Articles revealed important fissures in the assembly, not only over the three creeds, but also over other key doctrines.”<sup>83</sup> One of the scholarly contributions this thesis hopes to make is to show that the Thirty-Nine Articles contain important and largely unexplored theological discussions.

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<sup>82</sup> B. B. Warfield, *The Westminster Assembly and Its Work* (New York: Oxford University Press, 1932), 34–35.

<sup>83</sup> Van Dixhoorn, *MPWA*, 1:20–21. For additional information on the revision of the Thirty-Nine Articles, see R. M. Norris, “The Thirty-Nine Articles at the Westminster Assembly: An Edition with Introduction and Analysis of the Text of the Debates of the Westminster Assembly on the Revision of the Thirty-Nine Articles of the Church of England” (PhD diss., University of St. Andrews, 1977).

CHAPTER 3  
*CONSILIA* AT WESTMINSTER

***Consilia* Debate**

Table 2. Views on *consilia* at Westminster

Supported <i>consilia</i>	Opposed <i>consilia</i>
Richard Vines (2:33–36) <sup>1</sup>	Lazarus Seaman (2:36)
Edmund Calamy (2:35)	Jeremiah Whitaker (2:34–35)
Thomas Gataker (2:33–34)	Daniel Featley (2:36)
Francis Woodcock (2:32)	George Walker (2:32–33, 35, 37)
	Joshua Hoyle (2:32, 34)
	Henry Wilkinson Sr. (2:35)

**Supporters of *Consilia***

As the divines discussed emendations to the fourteenth article, Assembly member Sidrach Simpson commented on Matthew 5:48, a proof text supplied for the article and a key text in the *consilia* debate. After other divines opined on Matthew 5 and the reach as well as the function of the law, Richard Vines observed, “But how it therefore followes ther is noe evangelicall counsels? I doe not see how it followes” (2:33). Thomas Gataker and Francis Woodcock joined Vines in expressing the judgment that Christ’s command to be perfect in Matthew 5 is limited in scope (2:32–34). Woodcock observed

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<sup>1</sup> Unless otherwise noted, inline citations refer to *MPWA*. For example, “(2:33–36)” refers to “(Van Dixhoorn, *MPWA*, 2:33–36).”

that “it is a plausible interpretation” to understand Matthew 5:48 as “only to be confined to matter of mercy & forgiveness” (2:32). In other words, as with other supporters of *consilia*, Woodcock understood the command in Matthew 5:48 to be perfect as limited in scope.

Speaking later in Session 45 about different proof texts adumbrated against works of supererogation, Vines agreed that the pericopes excluded meritorious works of supererogation. However, he again asserted that “it doth not follow that therefore there is nothing to be done *ex concillio* [of counsel]” (2:34). Echoing Tertullian, who over a millennium earlier used 1 Corinthians 7 to support the genesis of *consilia* with its distinction between precepts and counsels, Vines alluded to 1 Corinthians 7:38 to support the distinction between the man who “doth well & he [who] doth better” (2:35). Vines’s remarks demonstrated that if one believes the law is not exhaustive in scope (i.e., touching every thought, word, and deed), then there is a logical opening for *consilia* with its emphasis on certain choices (e.g., celibacy) that are not required by God but are beneficial to the Christian life. Vines also alluded to 1 Corinthians 9:15-18 to support the distinction between precepts and counsels. With regard to what Vines described as Paul’s example and admonition “to preach the gospell free,” Vines noted that “to bring this under a precept will be hard” (2:36). In other words, Paul’s decision to minister without charge is not a binding precept of the law but rather a choice of counsel.

### **Opponents of *Consilia***

As the divines examined Matthew 5:48 during Session 45, George Walker argued that “if perfection it selfe be *sub precepto* [under precept], then ther is noe . . .” (2:32). Unfortunately, the minutes tailed off, so it is impossible to know definitively what Walker meant to say. Yet, the context makes *consilia* and “workes” of supererogation the highly likely candidates (2:32). As the discussion of Matthew 5 continued, Walker indicated that he thought Matthew 5 entailed a wide reach for the commands of God, a

view at odds with supporters of *consilia* who constrained the scope of Matthew 5's call for perfection (2:33). Later, Walker emphasized that "a worke of charity . . . comes under command," a view also antithetical to proponents of *consilia* (2:35). Finally, as the debate neared an end, Walker argued that since Romans 8:3 "shows an Impossibility in man to fullfill the law[,] therefore he cannot doe more than is commanded" (2:37). *Consilia* explicitly encouraged doing more than God commanded. In analyzing why Walker rejected *consilia*, two reasons deserve brief mention. First, Walker believed that the law required perfection in all things (2:56). Second, he held the conviction that the law must be fulfilled positively (2:56, 82). As a later section of this paper will show, these two foundational views that drove one's position on *consilia* also influenced one's theology of the atonement. The root causes of rejecting *consilia* reappeared in the formation of a theology of the atonement.

Joshua Hoyle, like Walker before him, spoke against *consilia* during the debate over Matthew 5:48. To set the stage for Hoyle's comment, as the divines debated Matthew 5:48, Francis Woodcock argued that Jesus's call to perfection could "be confined to [the] matter of mercy & forgivenesse" (2:32). Immediately after this statement sympathetic to *consilia*, Hoyle rejected the proposition, saying, "Ther cannot be perfection in one duty but [not] in all others" (2:32). As the debate continued, Richard Vines made a comment sympathetic to *consilia*, and Hoyle immediately retorted, "The papists in this [*consilia*] suppose it possible to keepe the law" (2:34). Hoyle disapproved of *consilia* with its Roman Catholic view of man's ability to keep the law. Hoyle's comments showed how one's belief about whether God required perfection and whether man can keep the law undergirded one's rejection of *consilia*. These same questions of what God required of man and man's ability to keep the law would subsequently influence views of the atonement.

Towards the midway point of the debate on *consilia*, Jeremiah Whitaker interjected against *consilia* in no uncertain terms. He exclaimed that "the texts [cited]

before in the first prove that ther are noe counsell of perfection, be[cause] all counsell fall under precepts” (2:34). In this statement, Whitaker rejected a hard distinction between precepts binding upon all mankind and “counsell” suggested as higher obedience beyond the law’s requirements. This dichotomy between counsell and precepts is a core tenant of *consilia*. Later, he said, “If I am bound to love God all I can, what then will be left of counsell?” In context, his comment implied that there are no *consilia* since man is bound to love God perfectly in all things (2:35). Thus, Whitaker showed how one’s theology of the law undergirded one’s view on *consilia*. The theme of being bound to obey God perfectly in all things reappeared in discussions of the atonement, showing how one’s view of the law (specifically, whether it bound man to perfection in all things) functioned as a shared driver of views on both the atonement and *consilia*.

As the discussion on September 4, 1643 wound its way towards a conclusion, Henry Wilkinson Sr. argued against *consilia* on the grounds that there is “a deficit in the best” works and that “one defect makes the worke evill” (2:35). In this comment, Wilkinson operated with a view of the law whereby God required a positive perfection—that is, God is not satisfied with man merely avoiding transgression. The theme of God’s requiring a perfect obedience that positively fulfilled the law not only undergirded a rejection of *consilia* but, as a later section of this paper will show, also supported the imputation of Christ’s active obedience to sinners in the atonement. The law’s simultaneously propelling one’s convictions on *consilia* and the atonement helps to demonstrate that the law constituted part of the cause of the “elusive coherence” between views on *consilia* and views of the atonement.

Shortly after Wilkinson spoke, Lazarus Seaman made his only recorded comment of the day. This speech is the most extensive and incisive recorded analysis of *consilia* by any divine. Seaman broke down the day’s discussion into three questions:

3 distinct questions before you: 1. Whether workes of supererogations [are biblical]. 2. Whether any such things as counsell [exist in Scripture]. 3. Whether ther be anything morally practically indifferent. . . .

For that 2nd question whether something are not to be done. Ther is only a mistake in the notion, though this or that may seeme to be arbitrary. If of prudence, this is either a[r]bitrary or of command. The second depends upon the third. Whether any thing individually considered be Indifferent or noe. (2:36)

Seaman understood that the doctrine of *consilia* is inextricably bound to the question of whether some matters are morally indifferent (2:36).<sup>2</sup> He went on to reject the category of a morally indifferent action, arguing that every action pertains to God’s will and contains either virtue or vice (2:37). Seaman’s astute observation highlighted the important connection between the law—particularly its scope and relationship to man—and *consilia*. For Seaman, the law bound every action of man. By implication, this binding occurred by nature of a creation covenant with mankind. Consequently, no category of morally indifferent matter existed. Since nothing was truly morally indifferent, there was no space left for supporting *consilia*.

Shortly before Seaman made his incisive observation, Featley described *consilia* as things “not particularly & individually commanded” yet actions that should be done or “else I doe not love God with all my strength” (2:36). Invoking the biblical story of Ananias and Sapphira (Acts 5:1–11), Featley referred negatively to promoters of *consilia* by mentioning Richard Mountague, who published books supporting the doctrine in 1624 and 1625.<sup>3</sup> A contextual reading of Featley’s remarks indicates he opposed *consilia*. This conclusion is based upon the whole of Featley’s speech, its use of Ananias and Sapphira, its placement responding directly to *consilia* supporter Edmund Calamy, and its position being followed directly by *consilia* advocate Richard Vines, who replied to Featley’s remarks with support of *consilia*.

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<sup>2</sup> The divines briefly discussed adiaphora (Chad Van Dixhoorn, ed., *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols. [New York: Oxford University Press, 2012], 3:547–49 [hereafter *MPWA*]) and occasionally referred to things indifferent (*MPWA*, 2:609, 2:676, 3:52, 3:130). However, these discussions mostly centered around matters of polity.

<sup>3</sup> Van Dixhoorn, *MPWA*, 2:36n1. See Richard Mountague, *A Gagg for the New Gospell?* (London: n.p., 1624) and Richard Mountague, *Appello Caesarem* (London: n.p., 1625).

## ***Consilia*, the Law, and Federal Theology**

In evaluating the entirety of the *consilia* debate on September 4, 1643, two summary observations deserve mention for their relevance to the argument of this thesis. First, a divine's view of the nature and the function of the law drove his view of *consilia*. Just as George Walker believed that the law required perfection in everything, and therefore he opposed *consilia*, so also Richard Vines did not understand the law to encompass a requirement of perfection in every matter, and therefore he supported *consilia* (2:33). This fact is important for the thesis of this study because it establishes a causal relationship between the law and *consilia*. Subsequent sections of this essay will establish a causal relationship between the law and the atonement, thereby showing that the law helps explain the "elusive coherence" between views on *consilia* and views on the atonement.

Second, the divines who supported *consilia* saw a place for so-called "counsells of perfection" and expressed great concern for holiness (2:34). They feared that federal theology impeded this concern as it ostensibly led to antinomianism. Conversely, if a divine supported federal theology, that Christ fulfilled the law in the stead of sinners, and that sinners are perfectly righteous in Christ, then there is no place for "counsells of perfection" (2:34). Relatedly, if Adam federally represented mankind, and his descendants entered the world in debt to God, then any additional works of *consilia* are so soiled that any type of perfection is impossible, and only a second Adam who federally represents mankind can bring salvation. Not surprisingly, George Walker made precisely the first half of this point during the debate on *consilia* (2:37). Similarly, Thomas Gataker and Richard Vines explicitly rejected a prelapsarian federal covenant of works just as they supported *consilia*.<sup>4</sup>

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<sup>4</sup> Robert Letham, *The Westminster Assembly: Reading Its Theology in Historical Context* (Phillipsburg, NJ: P&R, 2009), 261.

## ***Consilia* and the Atonement: Part 1**

Table 3. Correlation between views on *consilia* and views on the atonement at Westminster (pt. 1)<sup>5</sup>

Assembly Member	<i>Consilia</i>	Imputing Active Obedience	Limited Atonement
Richard Vines	Supported	Opposed (2:51, 53, 60, 75–76, 98)	Opposed (3:697, 700)
Edmund Calamy	Supported		Opposed (3:692, 694–95)
Thomas Gataker	Supported	Opposed (2:52, 57, 90)	
Francis Woodcock	Supported	Opposed (2:54, 82)	
Lazarus Seaman	Opposed	Supported (2:71, 79)	Opposed <sup>6</sup> (3:693–95)
Daniel Featley	Opposed	Supported (2:72, 94)	
Jeremiah Whitaker	Opposed		
George Walker	Opposed	Supported (2:62, 82, 113)	
Joshua Hoyle	Opposed	Supported (2:54)	

Table 3 summarizes the views on the atonement amongst the divines who opined on *consilia*. As this table shows, and as Van Dixhoorn observed with his remark

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<sup>5</sup> An empty cell in tables 3 or 4 indicates that the divine made no recorded comments on the topic in question. In addition, this paper uses the terms “coherence” and “correlation” in their strict logical sense. Therefore, correlation/coherence is not the same as causation.

<sup>6</sup> Lazarus Seaman’s opposition to limited atonement represented the only deviation in the correlation between views on *consilia* and views on the atonement (tables 3 and 4).



about the “elusive coherence,” there is a strong correlation between views on *consilia* and views on the atonement.<sup>7</sup> In other words, if a divine supported *consilia*, then he opposed certain views of the atonement. This paper seeks to step beyond correlation to prove causation. The preceding section showed that convictions concerning the law and federal theology helped determine positions on *consilia*. This section advances the thesis that the best explanation for the “elusive coherence” lies in the juxtaposition of beliefs about the nature of the law and federal theology by showing that these two underlying theological issues helped determine one’s views of the atonement. In particular, this section seeks to achieve two goals: (1) briefly show the correlation in views between *consilia*, the imputation of active obedience, and limited atonement; (2) demonstrate that beliefs concerning both the law and federal theology helped determine convictions on imputation and limited atonement just as they had influenced opinions on *consilia*.

### **Imputing Christ’s Active Obedience**

One day after the divines digressed into the topic of *consilia*, they took up revisions to the eleventh article on justification.<sup>8</sup> In this process that spanned much of September 1643, Assembly members spent considerable time discussing the imputation of active obedience. These debates occurred because a committee proposed including the phrase “whole obedience” in the eleventh article. The appellation “whole obedience” referred to both the active and passive obedience of Christ (2:53n4). This prolonged and messy debate provided an invaluable window not only into the views of divines but also

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<sup>7</sup> Van Dixhoorn, *MPWA*, 1:22.

<sup>8</sup> The revised eleventh article and its attendant proof texts are available in Van Dixhoorn, *MPWA*, 5:327. Van Dixhoorn provided a helpful summary table capturing the views of participants on the question of the imputation of Christ’s active obedience. See Chad B. Van Dixhoorn, “Reforming the Reformation: Theological Debate at the Westminster Assembly, 1643–1652,” 7 vols. (PhD diss., University of Cambridge, 2004), 1:332–34.

into the way a few theological issues clustered together.<sup>9</sup> As this project will show in a later section, the matters surrounding and underpinning the imputation of Christ's active obedience revealed the critical links in explaining the "elusive coherence."

**Opponents of active obedience.** Drawing on Romans 5:19, Thomas Gataker understood imputation to consist of making a sinner righteous, not accounting him as righteous (2:52). Against those who proffered Romans 5:18–21 as support for the imputation of active obedience, Gataker contended that there is "nothing of the active obedience [of Christ] in this" (2:57). He had no category for a positive righteousness that fulfilled the law. His underlying view of the law (i.e., no requirement for positive righteousness) appears to drive his position on justification (i.e., no imputation of active obedience).

In addition to Thomas Gataker, Richard Vines stood out as one of the strongest opponents of imputing active obedience. Vines did not object to the phrase "whole obedience" in the abstract. In fact, Vines stated that salvation is found in the "whole Christ" (2:98) and his "whole obedience" (2:53). However, Vines pushed back on the idea that Christ's "whole obedience" constituted the grounds "wherby we are accounted righteous" (2:53). Instead, Vines urged divines to "assigne our Justification" to "the passive obedience of Christ" (2:53). Based upon Ephesians 1:7, 2:15, Romans 3:25, Hebrews 9:22, and 1 John 1:7, Vines argued that God imputed the "passive sufferings of Christ" and not the whole obedience of Christ to the believer (2:53). During debate the next day, Vines again expressed substantial hesitation with the idea of "the active obedience of Christ be[ing] imputed to us to Justification" (2:60). Vines did not deny that Christ "was a publique person" (2:75) born under the law or that "Christ did performe

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<sup>9</sup> Letham accurately summarized this debate over imputation by saying, "The Assembly was all over the place." Letham, *The Westminster Assembly*, 256. Whitney Gamble described the Assembly as "fractured." Whitney G. Gamble, *Christ and the Law: Antinomianism at the Westminster Assembly*, Studies on the Westminster Assembly (Grand Rapids: Reformation Heritage Books, 2018), 87.

this active obedience to his father to the full” (2:76). Against those proponents of imputation who argued that the establishing and fulfilling of the law required an active obedience by Christ imputed to the sinner, Vines retorted that he took it for granted that passive obedience established and fulfilled the law (2:76). This distinction between fulfilling the law through passive versus active obedience not only helps explain Vines’s view, but it also will prove an important piece of the puzzle for solving the “elusive coherence.”

While Thomas Gataker and Richard Vines offered extensive comments against the imputation of active obedience, Francis Woodcock spoke only briefly. Nonetheless, as he had done with *consilia*, he concurred with Gataker and Vines. Woodcock’s argument echoed Gataker’s in that both men feared the antinomian implications of imputing Christ’s active obedience. Woodcock argued, “If the whole obedience of Christ be imputed as my obedience, then ther is noe place left for pardon of sin” (2:54). Recognizing that Christians still continue to sin, Woodcock rhetorically asked, “How can God looke upon me as having sinned when I have fullfilled the whole law?” (2:82). The logic of Woodcock’s argument, as with those of Vines and Gataker, showed that matters of the law lay beneath the question of imputation. This fact is significant in explaining the cause of the “elusive coherence” because it shows that just as one view of the law drove Gataker and Vines to a specific view on *consilia*, so this same view of the law compelled these men to a particular view of the atonement.

**Supporters of active obedience.** As the discussions on imputation continued, Lazarus Seaman articulated eight reasons why “I doe conceive the active and passive obedience are both Imputed” (2:79). The seventh reason Seaman proffered was as follows: “That which was done in our stead & for our good, that must needs be Imputed to us. In our stead. All was done under the notion of a suerty & mediatour, not as a creature or person only” (2:79). The terms “in our stead” and “suerty” entailed federal

theology as they denoted the work of one person being done in the place of another and not merely for the benefit of another. In other words, “in our stead” and “suerty” connoted a representative aspect of Christ’s work. The fact that Seaman used these terms to justify the imputation of active obedience revealed that federal theology lay beneath his view of the atonement just as federal theology lurked beneath his opinion on *consilia*.

Daniel Featley joined Seaman in supporting a robust doctrine of the imputation of Christ’s active obedience. Featley argued for this doctrine by saying, “Bare sufferings doe not make righteous, but his & that is a part of active obedience” (2:72). In this statement, Featley demonstrated that there is a difference between sufferings that remit sin and positive actions that make righteous. He understood the law to require a positive fulfillment. Featley returned to this point when he argued that Christ’s suffering and active obedience must go together as the grounds of a believer’s title to eternal life (2:73). Featley, unlike imputation opponents Gataker and Vines, believed in a legal distinction between being guiltless and being righteous. George Walker made an even more explicit case for imputation from an understanding of the law that held that being guiltless is not the same as being righteous. Walker noted that in an “omission ther is first a sin” and “then an absence of righteousness” (2:62). This reality produced a twofold problem for the sinner: (1) a fallen man committed a sin and is liable to punishment, and (2) he failed to obey and meet the positive requirements of the law. Walker argued that the first issue is “satisfied by the sufferings of Christ,” while the second is rectified by “the active obedience of Christ” (2:62). Four days later on September 11, 1643, Walker returned to make a similar point about the twofold nature of justification as a corollary to the twofold nature of the law (i.e., being guiltless and being righteous). He argued that “manifest scriptures doe plainly shew that ther required a righteousness. Therefore not enough to take away sin” (2:82). Consequently, Walker defined justification as “remission of sins,

& be[ing] constituted righteous before God” (2:113).<sup>10</sup> Walker and Featley’s connection of a twofold requirement in the law to a twofold nature in the atonement showed how views of the law propelled convictions on the atonement. This fact is a major building block in the argument of this thesis as it illustrates that a specific view of the law affected not only one’s view on *consilia* but also one’s view on the atonement.

While Walker’s comments focused primarily on the two-fold distinction in justification, Joshua Hoyle connected one’s understanding of Adam to one’s view on the imputation of Christ’s active obedience. Hoyle observed that “Adams disobedience was an active disobedience & soe Christs obedience” must be active (2:54). In other words, there is an inextricable relationship between Christ and Adam such that Christ must represent mankind in a way that is similar to how Adam represented mankind in the garden. Christ must actively keep the law that Adam actively broke. As Hoyle’s logic made clear, debates about the nature of the law and federal theology jointly undergirded disagreements on the atonement.

### **Limited Atonement**

In one sense, the divines at Westminster never debated limited atonement since the term found its origin well after the seventeenth century.<sup>11</sup> However, in a series of three meetings during late October 1645, Assembly members discussed hypothetical universalism, universal atonement, and what would later be called limited atonement. Two facts present a challenge to establishing an extensive correlation between views on *consilia* with views on the extent of the atonement. First, while some of the participants in these October 1645 debates overlapped with those active in the discussions about *consilia* two years earlier, a number of the divines recorded as speaking in October 1645

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<sup>10</sup> Henry Wilkinson Sr. had offered a very similar definition a few days earlier (Van Dixhoorn, *MPWA*, 2:47, 52, 62–63).

<sup>11</sup> J. V. Fesko, *The Theology of the Westminster Standards: Historical Context and Theological Insights* (Wheaton, IL: Crossway, 2014), 189.

had not arrived at the Assembly in 1643 or simply chose not to speak in 1643. Second, unlike the dispute over the imputation of Christ's active obedience that spanned more than fifty pages of minutes, the debates on *consilia* and limited atonement, together, spanned roughly a dozen pages of minutes. Nonetheless, the disagreements over the extent of the atonement, voiced in October 1645, are important because they stemmed in part from differences over federal theology. This relationship means that a common factor, namely federal theology, helped to drive beliefs about imputation, limited atonement, and *consilia*.

Based upon the minutes of the Assembly, Edmund Calamy offered the most stringent opposition to particular redemption. He opened this debate and argued repeatedly for what would later be called hypothetical universalism. Calamy asserted, "Christ did pay a price for all, absolute <intention> for the elect, conditionall <intention> for the reprobate, in case they doe believe; that all men should be *salvabiles, non obstante lapsu Adami* [saveable, in spite of the fall of Adam]" (3:692). Calamy anchored his view in texts such as John 3:16 and Mark 16:15, which show "a ground of Gods intention of giving Christ" to the world. Concerning Mark 16:15, Calamy observed, "If the covenant of grace be to be preached to all, then Christ redeemed, in some sense, all" (3:694). Calamy understood the gospel to be covenantal in nature. Later in the same debate, Calamy returned to this point by noting that the term "world" sometimes "signifies the whole world, and so it must do here" (3:696). Calamy believed that God had a covenant with mankind, but he rejected the strict federal theology of his opponents.

The disagreements about the nature of the covenant drove the debate on the extent of the atonement. For example, after William Price challenged Calamy and other opponents of limited atonement to "prove that there is such a covenant with mankind," Richard Vines rose to the occasion (3:696). He replied directly to Price, "Is not the gospell a covenant & is not that propounded to every creature?" (3:697). Further, Vines asked, "What is the gospell but a conditionall proposition of a covenant?" (3:697).

Vines's understanding of the gospel as "a conditionall proposition of a covenant" differed markedly from the covenantal views of men who supported limited atonement and showed how divergent understandings of the covenant prompted distinct views on limited atonement. The implications of this difference in covenantal views became especially clear two days later when Vines asserted that the condemned have "some fruits of the death of Christ" (3:700). Vines and his cohort rejected a strict federal theology whereby Christ died as an efficacious federal representative for all his covenant people.

Before Richard Vines stepped in to defend Calamy's view, another divine had already voiced surprising support for the views of Calamy. Lazarus Seaman differed markedly from Vines and Calamy on a number of issues. Nonetheless, during the first few recorded speeches of the debate in late October 1645 as Calamy fended off ripostes from Palmer and Reynolds, Lazarus Seaman jumped in to defend Calamy (3:693). As the debate progressed, Seaman argued for an exacting relationship between Adam and Christ: "All in the first Adam ware made liable to damnation, soe all lyable to salvation in the second Adam" (3:694). Later in the same discussion, Seaman again employed this comparison of Adam and Christ in reply to the Scottish commissioner Samuel Rutherford. Seaman contended, "as every man was *damnabilis*, soe is every man *salvabilis*" (3:695). Seaman's siding with Calamy and Vines is conspicuous. Of all the six doctrinal issues correlated with one's view on *consilia* in tables 3 and 4, Lazarus Seaman's opposition to limited atonement constituted the only aberration from strict correlation between doctrinal positions. In every other instance, one's view on *consilia* predicted one's position on a specific doctrinal question. This single aberration from the doctrinal correlation in tables 3 and 4 does not undermine the general pattern shown above or the central thesis of this essay. Instead, Seaman's views simply highlight the complexity and the human element of theological convictions amongst early modern English Protestants.

## ***Consilia* and the Atonement: Part 2**

The protracted debates on the atonement revealed not only an “elusive coherence” but the deeper issues that grounded that coherence. Four such issues deserve mention. First, was Christ bound to keep the law for himself, or was he, as the Son of God incarnate, not bound to keep the law for himself so that he could choose to keep it for others? Second, was Christ’s work on the cross performed “in our stead” or simply “for our good”? Third, did believing that Christ fulfilled the law inevitably lead to antinomianism? Fourth, was being guiltless the same as being righteous, or did a guiltless man still stand in need of something else in order to be positively righteous? Importantly, all four of these subterranean fault lines touch on the law and/or federal theology. As the final section of this chapter will show, it is not a mere coincidence that the law and federal theology also lay submerged beneath *consilia*.

Table 4. Correlation between views on *consilia* and views on the atonement at Westminster (pt. 2)

Assembly Member	<i>Consilia</i>	Christ Bound as “Creature” to Obey the Law	Christ’s Work Performed “In Our Stead”	Christ’s Fulfilling the Law “in Our Stead” Led to Antinomianism <sup>12</sup>	Being Guiltless (or Innocent) Is Being Righteous (or Just)
Richard Vines	Supported	Supported (2:53)		Supported (2:98)	Supported (2:61)
Edmund Calamy	Supported				
Thomas Gataker	Supported	Supported (2:54-55, 58–59)	Opposed (2:90)	Supported (2:90)	Supported (2:55, 57)

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<sup>12</sup> This column only records instances when a divine spoke about the matter of whether Christ fulfilling the law and this obedience being imputed to sinners led to antinomianism. Consequently, other speeches against antinomianism in general are not recorded. For example, Richard Vines (*Van Dixhoorn, MPWA*, 2:121), Thomas Gataker (*MPWA*, 2:122), Lazarus Seaman (*MPWA*, 2:42), or Daniel Featley (*MPWA*, 2:49).



Table 4 continued

Assembly Member	<i>Consilia</i>	Christ Bound as “Creature” to Obey the Law	Christ’s Work Performed “In Our Stead”	Christ’s Fulfilling the Law “in Our Stead” Led to Antinomianism <sup>13</sup>	Being Guiltless (or Innocent) Is Being Righteous (or Just)
Francis Woodcock	Supported	* <sup>14</sup>		Supported (2:82) <sup>15</sup>	
Lazarus Seaman	Opposed	Opposed (2:56, 79)	Supported (2:79, 107)		Opposed (2:106)
Daniel Featley	Opposed	Opposed (2:72, 94)		Opposed (2:95)	Opposed (2:72)
Jeremiah Whitaker	Opposed				
George Walker	Opposed	Opposed (2:56)			Opposed (2:62, 82)
Joshua Hoyle	Opposed			Opposed (2:104)	

The debate about the imputation of Christ’s active obedience spawned several related discussions about the nature of the atonement. Four such related issues deserve mention here because they illustrate how divergent opinions about the nature of the law

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<sup>13</sup> This column only records instances when a divine spoke about the matter of whether Christ fulfilling the law and this obedience being imputed to sinners led to antinomianism. Consequently, other speeches against antinomianism in general are not recorded. For example, Richard Vines (*Van Dixhoorn, MPWA*, 2:121), Thomas Gataker (*MPWA*, 2:122), Lazarus Seaman (*MPWA*, 2:42), or Daniel Featley (*MPWA*, 2:49).

<sup>14</sup> Van Dixhoorn grouped Woodcock with Vines and Gataker on this matter of Christ needing to fulfill the law for his own sake: “The most important of these theological assumptions impelled Vines, Woodcock, and Gataker to argue that Christ needed to fulfill the law in order to be a perfect sacrifice, but also for his own sake, because his human nature owed a duty to God the creator.” Van Dixhoorn, “Reforming the Reformation,” 1:297. To support this claim, Van Dixhoorn cited Minutes 1:12v, which corresponds to Session 47 per the plenary session index (*MPWA*, 5:349). In examining the minutes of Session 47, and in reading the entirety of the Assembly’s debates through mid-October 1643, no explicit evidence exists in the minutes that Woodcock voiced these views. Gataker (*MPWA*, 2:54–55) and Vines (*MPWA*, 2:53) made this argument in Session 47. This lacuna does not imply that Woodcock would not have agreed with Gataker and Vines if pressed.

<sup>15</sup> See also Lightfoot’s journal from Monday, September 11, 1643. “Lightfoot’s Journal,” 2:58.

and federal theology underlaid views on the atonement just as they had undergirded views on *consilia*. This fact furthers the thesis of this paper that the best explanation for the “elusive coherence” between *consilia* and the atonement rests in the juxtaposition of beliefs about the law and federal theology.

### **Christ Bound as “Creature” to Obey the Law**

On September 6, 1643, two days after divergent views of the law manifested amongst the divines during the discussion of *consilia*, the Assembly debated the imputation of Christ’s active obedience. The conversation turned to the question of Christ’s relationship to the law. Some divines, such as Thomas Gataker, reasoned that if Christ had to keep the law for himself, his obedience could not be imputed to sinners since his obedience merely fulfilled the obligations he had to the Father. Gataker said, “The taking of Christs humanity to subsist together with his deity in one person doth not excuse the humane nature of Christ to cease to be a creature, & then Christ as man did owe a duty to God his creator. . . . Christ stood bound to love his father with all his soule or might” (2:54–55). Gataker’s September 6th speech drew an immediate reply from Charles Herle, who called Gataker’s argument “Heresy” (2:55), a comment for which Herle later apologized (2:58).<sup>16</sup> Richard Vines remarked on the same topic, albeit more cryptically. Vines appeared to grant that there existed some obedience that Christ was bound to perform even as he questioned its place in the atonement (2:53).

Unlike Gataker, who contended that Christ owed obedience to the law, George Walker appeared to express “doubt” on this point (2:56). He seemed to question the logic that “Christ though man was a creature & therefore bound to fullfill the law” (2:56). Explaining the cause of his doubt, Walker noted, “This doth a litell savour of

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<sup>16</sup> Van Dixhoorn described Herle as “the nicest man at the Assembly.” Van Dixhoorn, “Reforming the Reformation,” 1:302.

Socinianisme. Why did Christ take our nature upon him? It was for us” (2:56).<sup>17</sup> Shortly after Walker’s comment, Lazarus Seaman insisted that Christ voluntarily submitted to the law, implying that Christ did not stand bound under the law by nature of creation. Seaman said, “Though as ‘under the law’ he was bound unto it, yet his being under the law was voluntary” (2:56). The voluntary nature of Christ’s obedience to the law was the linchpin that enabled his obedience to be imputed to sinners.

While Seaman and Walker proffered brief arguments, Daniel Featley articulated one of the most extensive defenses of the connection between Christology, covenant, law, and imputed righteousness of any divine, except perhaps Thomas Goodwin.<sup>18</sup> Featley understood that if Christ were bound to obey the law for himself as a creature, he could not have his righteous obedience to the law imputed to sinners (2:72). In other words, if Christ simply fulfilled the obligations upon him as a creature, then he would have had nothing left over to credit to sinners. Featley rejected this view that Christ stood bound to obey the law for three reasons. First, Featley noted that while Christ had assumed a “humane nature,” he had not “been of a humane subsistence” (2:72). Consequently, Christ did not have a covenantal obligation to obey the law for himself. Second, Christ chose to “adopt voluntarily” the law and fulfill the law on behalf of others (2:72). As a result, the righteousness that Christ earned through his active obedience could be imputed to others.<sup>19</sup> Third, Featley urged the divines to “distinguish between a publique person & a private. Soe Adam & Christ” (2:72). Featley appealed to

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<sup>17</sup> Robert Letham understood George Walker to support the view that Christ as a man was bound to fulfill the law. See Letham, *The Westminster Assembly*, 256. The pertinent speech is Minutes 1:14r-v (corresponds to Van Dixhoorn, *MPWA*, 2:56). Cf. Van Dixhoorn, “Reforming the Reformation,” 1:300, 1:300n119. Walker’s charges of Socinianism spilled outside the Assembly into a tract war. See Stephen J. Casselli, *Divine Rule Maintained: Anthony Burgess, Covenant Theology, and the Place of the Law in Reformed Scholasticism* (Grand Rapids: Reformation Heritage Books, 2015), 126n163.

<sup>18</sup> See Van Dixhoorn, *MPWA*, 2:64, 67–69.

<sup>19</sup> Towards the end of Session 50 of the Assembly, Featley reiterated this point: “If Christ [is] not bound to fulfill the law for himselfe, then his fullfilling the law is to be imputed to us; but he is not bound, for he is lord of the law, king of the church” (Van Dixhoorn, *MPWA*, 2:94).

the idea of a “publique person,” or common representative, to defend the idea that Christ obeyed the law in the place of his people, and therefore God imputed this obedience to all those whom Christ represented.

In the three reasons Featley articulated for his view, the nexus of the law and federal theology drove his view of the atonement. Connecting this point to the main proposition of this project, if the law requires perfection in all matters, and Christ federally fulfilled this requirement, then there is no place for *consilia* as the law’s demands touch every area of life, and the believer cannot attain a type of higher holiness before God through obeying *consilia*.

### **Christ’s Work Performed “in Our Stead”**

Integrally connected to the question of fulfilling the law on behalf of another was the question of Christ’s work being performed “in our stead.” This nomenclature of Christ’s working “in our stead” differed in meaning from “for our good.” The former implied federal theology and representation, while the latter simply entailed kindness or generosity. In a speech adumbrating eight reasons for supporting the imputation of active righteousness, Lazarus Seaman argued, “That which was done in our stead & for our good, that must needs be Imputed to us. In our stead. All was done under the notion of a suerty & mediatur, not as a creature or person only” (2:79). Arguing for the imputation of Christ’s righteousness, Seaman drew on Genesis 44:33 to contend that Christ brought redemption “by serving in anothers stead” (2:107). The concept of performing a work in another’s “stead” is an integral part of federal theology, which Seaman supported and employed underneath his theology of the atonement.

Thomas Gataker disagreed strongly with Seaman’s view. In one of the longer speeches of the Assembly, Gataker answered the argument that “whatsoever Christ did for our good he did also in our stead,” replying, “It is not true what Christ did for our good he did in our stead” (2:90). Beneath the views of both Gataker and Seaman lay

matters of federal theology central to the thesis of this study. If Christ performed his work “in our stead” and fulfilled the law on behalf of sinners, then no room remained for works of *consilia* because Christ had already perfected sinners in the sight of God. The converse held true as well: the same federal theology that drove views of the atonement also shaped positions on *consilia*.

### **Christ’s Fulfilling the Law “in Our Stead” Led to Antinomianism**

While generic opposition to antinomianism spanned the doctrinal fault lines of the Assembly, a more careful examination shows a divide on the question of whether holding the belief that Christ fulfilled the law on behalf of sinners inevitably led to antinomianism. As Whitney Gamble showed in *Christ and the Law*, the Westminster divines saw antinomianism as “England’s greatest theological threat.”<sup>20</sup> Thomas Gataker argued that antinomianism constituted the inextricable consequence of affirming the imputation of active obedience: “Christ did keepe the precepts of the law for our good, but if therefore in our stead, then it will follow that we are not bound to keepe it” (2:90).<sup>21</sup> Francis Woodcock held a similar concern and warned that “great inconveniences folow” affirming the imputation of Christ’s active obedience (2:82). Vines joined Gataker and Woodcock in this concern (2:98).<sup>22</sup> These men highlighted a consequential nexus between the law (i.e., precepts of the law), federal theology (i.e., Christ’s work in the

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<sup>20</sup> Gamble, *Christ and the Law*, 2. On September 14, 1643, concern over antinomian views in London rose to such a fevered pitch that the divines created a committee on the matter composed of Edmund Calamy, Lazarus Seaman, Thomas Goodwin, Francis Channell, Thomas Gataker, Herbert Palmer, Charles Herle, Daniel Featley, and Thomas Temple (Van Dixhoorn, *MPWA*, 2:122).

<sup>21</sup> Francis Taylor, who opposed the imputation of active obedience (Van Dixhoorn, *MPWA*, 2:68–69), also joined Gataker in voicing concerns that the imputation of active obedience would inevitably lead to antinomianism. Taylor said, “This seemes to give a great bent to the Antinomians: if it be granted that Christ hath performed the law for me then it will follow I am not bound to keepe this lawe myselfe” (*MPWA*, 2:69).

<sup>22</sup> Letham argued that “Vines himself countered Woodcock’s fear” of antinomian implications. Letham, *The Westminster Assembly*, 259. To support this claim, Letham cited Lightfoot’s journal entry from Monday, September 11, 1643 (“Lightfoot’s Journal,” 2:58). However, a detailed reading of this journal entry does not support Letham’s claim.

stead of sinners as a representative), and fear of antinomianism (i.e., Christians not keeping the law). Connecting these themes from the atonement to *consilia*, if Christ did not keep the law in the stead of sinners as a federal representative, and being guiltless is the same as being righteous, then space existed for *consilia* as going above the required works of the law. Further, *consilia* helped to guard against the ever-looming threat of antinomianism by encouraging perfection.

In response to Gataker and others who shared his view, different divines repeatedly spoke up to reject the notion that Christ's fulfilling the law inevitably led to antinomianism.<sup>23</sup> The same parties who cohered around *consilia* cohered around this debate over antinomianism. Daniel Featley explicitly responded to the "asper[sion cast] by the Antinomians: if Christ have fullfilled the law, man not bound to fullfill the law" (2:95). Featley answered that God only imputed Christ's righteousness "to penitent sinners," not to licentious ones (2:96). Further, Christians are still bound to the law, though "to other ends" than Christ was (2:96). For divines such as Featley, who rejected antinomianism yet accepted that being in right standing before God comes by the law being fulfilled perfectly by Christ in every thought, word, and deed, no space remained for works of *consilia* that provided additional benefit or perfection.

### **Being Guiltless Equals Being Righteous**

The question of whether being guiltless before God equated to being righteous before God arose during the discussions of September 1643. This debate is important to the central argument of this project as it highlights how a question about the law touched both *consilia* and the atonement. Specifically, if one accepted that being in right standing before God came merely by avoiding sin or having transgressions forgiven, then room

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<sup>23</sup> Thomas Goodwin, whose views largely aligned with Joshua Hoyle on the matters considered in this paper, also addressed the antinomian objection to Christ fulfilling the law. Goodwin said, "The Antinomians. If Christ fullfilled the law, we [are] not bound. A[nswer] the same answer before: not to the same end are we bound: he fullfilled it for Justification" (Van Dixhoorn, *MPWA*, 2:96). The same general views can be attributed to Charles Herle (*MPWA*, 2:94).

existed for optional positive works beyond the requirements of the law (i.e., *consilia*) that exhibited sanctification and yielded assurance. However, if being guiltless differed from being righteous, and the latter required perfect positive fulfillment of the all-encompassing law, then no place remained for *consilia* as optional works of perfection.

During the debates of September 1643, Thomas Gataker returned repeatedly to an underlying conviction pertaining to the law. He insisted that there is no difference between being innocent and being just (2:55). He summarized his point by saying, “I am not able to find a difference between *insontem & justum* [innocent & just], in the reasonable creature. . . . That which frees me from all sin, must put into a state of righteousness” (2:55). Thomas Gataker explained the consequence of the conviction that being guiltless is the same as being righteous: “He that cannot be charged with any breach of the law is perfectly righteous” (2:55).<sup>24</sup> In an important comment that tied together the issues of imputation, the nature of the law, and justification, Gataker argued that “by justification we are raised to noe higher estate than Adam before the fall” (2:57–58).

Later during the same debate, the question of the differences between God’s law and man’s law became a fault line. Proponents of imputation tended to argue for material differences, while opponents generally argued against material differences. In keeping with this pattern, Gataker contended that “ther is noe difference betwixt Gods law & mans law” (2:100). To prove his point, Gataker offered an example from life: “When a man is aragned for treason, if he can prove that he is not guilty, he is to stand *rectus in curia* [i.e., ‘upright in court’] & to be acounted a loyall & righteous man” (2:100). To further his argument, Gataker objected to those who proffered Adam as an example of being innocent yet not just. Gataker replied, “I cannot find a medium betwixt

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<sup>24</sup> Later in the same debate, Gataker reiterated his point, saying, “He that hath done nothing against the law, is justified” (Van Dixhoorn, *MPWA*, 2:57). Gataker returned again to this same theme, arguing, “Guiltlesnesse & righteousnesse one & the same” (*MPWA*, 2:89).

these 2. To say that Adam was not made Just but innocent is directly against scripture. Created in righteousness & true holiness” (2:100). One important theme in Gataker’s arguments is the place of Adam. Gataker explicitly rejected any type of probationary period or positive requirement to fulfill the law in the garden.<sup>25</sup> It is not a mere coincidence in the greater matter of the “elusive coherence” that both Vines and Gataker rejected a pre-fall covenant of works.<sup>26</sup>

Unlike Gataker, Richard Vines did not offer an explicit statement in support of the principle that being guiltless is the same as being righteous. However, his arguments show that he operated with such an understanding. For example, during the debate over the imputation of Christ’s active obedience, some Assembly members asserted that “sins of omission” must be “taken away by [the] active” obedience of Christ and that the “title to heaven [is] founded in the active obedience of Christ” (2:61). Vines rejected this view, arguing, “*Non est distinguendum ubi lex not [i.e., non] distinguit*” (2:61), which means, “We ought not make distinctions where the law does not” (2:61n3). Vines continued, “Is not the omission a sin that carries guilt?” (2:61). Sins of omission functioned like sins of commission—unrighteous acts that needed merely the passive forgiveness of Christ.

Since Richard Vines and Thomas Gataker faced opposition from Lazarus Seaman concerning the imputation of Christ’s active obedience, there is little surprise that Seaman disagreed with Vines and Gataker on one of the key issues underlying imputation. In defending the imputation of active obedience as part of justification, Seaman distinguished between “the negative part of the law” and “the affirmative part of

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<sup>25</sup> While Gataker accepted some type of “a covenant with Adam before the fall,” he flatly rejected the idea of a probationary period for Adam, saying “But for translating [Adam] to heaven [upon positive obedience], I find not in scripture” (Van Dixhoorn, *MPWA*, 2:57). Gataker’s statement showed a logical consistency between those who reject imputation of active obedience and those who see the law as prohibitive. Not surprisingly, those who opposed Gataker on imputation and the law also opposed him on the question of a probationary period. See Thomas Goodwin (*MPWA*, 2:77, 2:96) and Thomas Carter (*MPWA*, 2:57). The question of a probationary period for Adam shows once again the connection between the law, atonement, and covenants.

<sup>26</sup> Letham, *The Westminster Assembly*, 261.



the law” (2:106). He drew a direct line from this two-part understanding of the law to a two-part understanding of justification, arguing that justification is “not only not condemning” but “also an intitling to life” (2:106). This second part, an entitling to life, occurred because “we are said to be ‘made righteous’” (2:106). Seaman distinguished between being guiltless and being made positively righteous. The two did not represent synonyms. During the debate on the imputation of active obedience, Daniel Featley joined Seaman in asserting a difference between Christ’s suffering that removed sins and his active obedience that positively made righteous. Featley showed an understanding of the law that required a positive obedience in order to be righteous. He said, “Bare sufferings doe not make righteous, but his & that is a part of active obedience” (2:72).

George Walker concurred with Featley and connected the passive obedience of Christ with forgiving sins and the active obedience of Christ with obtaining necessary righteousness. He said, “In omission ther is first a sin, & then an absence of righteousnesse. Soe farre as it is a sin, satisfied by the sufferings of Christ, but for the other [i.e., the ‘absence of righteousness’], [there is] a necessity of the active obedience of Christ” (2:62). Walker’s comments explicitly joined one’s understanding of the law and righteousness with one’s view of imputing active obedience. Later in the debate over the imputation of active obedience, Walker argued that “manifest scriptures doe plainly shew that ther required a righteousnesse. Therefore not enough to take away sin” (2:82). Here, Walker contended that forgiveness of sins merely removes guilt but fails to provide the required positive righteousness that comes from perpetual and perfect obedience. The debate over whether being guiltless is the same as being righteous highlighted how differences in an understanding of the law lay underneath differences in views about the atonement.

## CHAPTER 4

### *CONSILIA* AND IMPLICATIONS FOR HISTORIOGRAPHY

The debates at Westminster over *consilia*, the law, federal theology, and the atonement hardly represent an obscure and insignificant matter left to the annals of history and the pedantic papers of professors. Studying the history of *consilia*, the disagreement over *consilia*, and the correlating entailments of *consilia* in the atonement open the door to reassessing parts of the historiography of *consilia*, the Westminster Assembly, and English Puritanism. In particular, the presence of the *consilia* debate at such an important and distinctly Puritan gathering as the Westminster Assembly shows that the boundaries between Roman Catholic and Protestant thought blurred more than is often acknowledged. A litany of statements about the Pope as anti-Christ does not indicate a thorough and consistently anti-Catholic ideology. Instead, an English Puritan who voiced acerbic denunciations of the Roman Church and its leader could turn around and express sympathy for *consilia* and its entailments—including its entailments in the atonement.

#### **Historiography of *Consilia***

The detailed study of *consilia* in this thesis, including the provenance of the doctrine, nuances some of the prevalent historiography of *consilia*. To begin with, many historians view *consilia* as a medieval doctrine. For example, *The Oxford Dictionary of the Christian Church* associated counsels of perfection with medieval Roman Catholic

religious orders.<sup>1</sup> *The Westminster Dictionary of Church History* connected counsels of perfection with monastic institutions.<sup>2</sup> S. Mark Heim wrote that “Aquinas developed the distinction between ‘precepts’ and ‘counsels’: precepts being those commandments laid upon all Christians as necessary for salvation and counsels being rules of perfection for those who could seek greater assurance of salvation and nearer approximation to the life of heaven.”<sup>3</sup> While the doctrine and influence of *consilia* solidified dramatically during the Middle Ages as writers like Aquinas discussed the doctrine, this thesis has shown that, contrary to the view of scholars such as Heim that *consilia* emerged during the Middle Ages, *consilia* had long-standing origins going all the way back to the third century. In fact, the exegetical distinction between a counsel and a command, and the associated prooftexts in 1 Corinthians 7, had solidified by the end of the fifth century.

Another substantial contribution of this project to the historiography of *consilia* is the nuancing of historians’ understanding of Reformed Protestant positions on *consilia*. The current mainstream view of scholars is that Reformed Protestants rejected *consilia*. For example, Richard Muller observed, “On the ground of justification by grace alone, through faith alone, Protestantism, both Reformed and Lutheran, rejects the medieval theory of merit and therefore rejects also the idea of *consilia evangelica*.”<sup>4</sup> Similarly, Sarah Mortimer noted, “From Luther onwards, Protestants came to see God’s standards for human beings in absolute terms, rejecting any suggestion that there were ‘counsels of perfection.’” She continued,

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<sup>1</sup> E. A. Livingstone and F. L. Cross, eds., *The Oxford Dictionary of the Christian Church*, 3rd ed. (Oxford: Oxford University Press, 1997), s.v. “Counsels of Perfection” (p. 423).

<sup>2</sup> Jerald C. Brauer, ed., *The Westminster Dictionary of Church History* (Philadelphia: Westminster Press, 1971), s.v. “Counsels of Perfection” (p. 240).

<sup>3</sup> S. Mark Heim, “The Sermon on the Mount: Ethic and Ethos,” *Bangalore Theological Forum* 17, no. 1 (January 1985): 65–82 (p. 71).

<sup>4</sup> Richard A. Muller, *Dictionary of Latin and Greek Theological Terms: Drawn Principally from Protestant Scholastic Theology*, 2nd ed. (Grand Rapids: Baker Academic, 2017), s.v. “*consilia evangelica*.”

This view of ethics, in which all good works must be duties and not merely counsels, underpinned the Protestant theological critique of Catholic doctrines of merit and of indulgences, but its significance extended beyond the purely theological. In particular, it shaped the distinctively Protestant account of natural law, enabling Protestant writers to describe actions which had formerly been seen as merely permitted or allowed as binding obligations.<sup>5</sup>

Jane Dempsey Douglass wrote of “the protestant rejection of the distinction” between “precepts” and “the counsels of perfection.”<sup>6</sup> Daniel Doriani wrote that “the Puritans, like all Protestants, rejected several of the Roman Catholic principles” including the “counsels of perfection.”<sup>7</sup> Robert Shaw, in his 1845 exposition of the Westminster Confession of Faith, wrote that “Protestants maintain that there is not the slightest foundation in the Scripture for what Papists call ‘counsels of perfection.’”<sup>8</sup>

Many other scholars could be cited to prove the point that historians have tended to see Protestants as largely rejecting counsels of perfection. However, this thesis has shown that a number of influential English Protestants, such as Thomas Gataker, Edmund Calamy, and Richard Vines, voiced sympathies with *consilia* and refused to condemn it as Luther and Calvin had a century earlier. Interestingly, some of the Westminster divines and some seventeenth-century English Protestants are hardly the only Protestants to show a level of support for *consilia*, even if they did not embrace the exact term “counsels of perfection.” For example, at times, John Wesley proffered support for a *consilia*-like doctrine.<sup>9</sup> These Protestants who supported or sympathized

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<sup>5</sup> Sarah Mortimer, “Counsels of Perfection and Reformation Political Thought,” *Historical Journal* 62, no. 2 (June 2019): 311–30 (p. 311).

<sup>6</sup> Jane Dempsey Douglass, “Women and the Continental Reformation,” in *Religion and Sexism*, ed. Rosemary Radford Ruether (Eugene, OR: Wipf & Stock, 1998), 292–318 (p. 292).

<sup>7</sup> Daniel Doriani, “The Puritans, Sex, and Pleasure,” in *Christian Perspectives on Sexuality and Gender*, ed. Elizabeth Stuart and Adrian Thatcher (Leominster, UK: Gracewing, 1996), 33–52 (p. 36).

<sup>8</sup> Robert Shaw, *The Reformed Faith: An Exposition of the Westminster Confession of Faith* (1845; repr., Ross-shire, UK: Christian Focus, 2008), 224. Shaw likely did not have access to the particular minutes of the Assembly that contained the September 1643 discussion of *consilia*.

<sup>9</sup> Francis Frost, “The Power of Spiritual Powerlessness in the Missionary Outreach of John Wesley,” *Methodist History* 37, no. 4 (July 1999): 253–65; John Lawson, “The Conversion of the Wesleys: 1738 Reconsidered,” *Asbury Theological Journal* 43, no. 2 (Fall 1988): 7–44.

with *consilia* show that the picture of the reception of *consilia* is more complex than historians have generally acknowledged. While an early modern historian could expect to find some support for *consilia* in an obscure corner of early modern Protestantism, support for the doctrine at the quintessential gathering of English Protestants invites a reassessment of the historical consensus concerning the boundaries of acceptance for *consilia*.

In addition to nuancing the historiography of *consilia* amongst sixteenth- and seventeenth-century Protestants, this thesis has uncovered a lacuna in scholarship about *consilia*. In particular, prior to the middle of the twentieth century, historical and systematic theologians, both Catholic and Protestant, discussed *consilia* on numerous occasions. Beginning in the mid-twentieth century, however, discussion of *consilia* decreased sharply and mostly occurred in commentaries on the Gospels, Roman Catholic writings, or scholarship on Thomas Aquinas or Martin Luther. An example of a contemporary Catholic affirmation and exposition of *consilia* is found in *Lumen gentium* from Vatican II<sup>10</sup>. Outside of biblical commentators as well as historical and systematic theologians, other contemporary academics tend to discuss the concept of *consilia* for its political or ethical implications.<sup>11</sup>

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<sup>10</sup> See V.39, VI.43–47 of *Lumen Gentium*.

<sup>11</sup> On politics and *consilia*, see Sydney E. Ahlstrom, “Thomas Hooker: Puritanism and Democratic Citizenship: A Preliminary Inquiry into Some Relationships of Religion and American Civic Responsibility,” *Church History* 32, no. 4 (1963): 415–31; Mortimer, “Counsels of Perfection and Reformation Political Thought,” 311–30; Richard J. Ross, “Binding in Conscience: Early Modern English Protestants and Spanish Thomists on Law and the Fate of the Soul,” *Law and History Review* 33, no. 4 (2015): 803–37. On ethics and *consilia*, see Oswald Bayer, “Luther’s Ethics as Pastoral Care,” *Lutheran Quarterly* 4, no. 2 (Summer 1990): 125–42; Sean Doherty, *Theology and Economic Ethics: Martin Luther and Arthur Rich in Dialogue* (New York: Oxford University Press, 2014), 14, 21, 49, 173; Paul Van Geest, “The Interiorisation of the Spirituality of the Modern Devotion by Gabriel Biel (d. 1495). Preconditions and Outlines,” *Augustiniana* 51, no. 1/2 (2001): 243–83; Anton Koch, *A Handbook of Moral Theology*, vol. 1, ed. Arthur Preuss (St. Louis, MO: B. Herder, 1918), 236–52; Max Weber, *Protestant Ethic and the Spirit of Capitalism*, trans. Stephen Kalberg (1905; repr., New York: Routledge, 2012), 73, 78.

## Historiography of the Assembly

While historians debate many different facets of the Westminster Assembly, such as the role of the Scottish commissioners, the Assembly's position on the extent of the atonement, and the details of the Presbyterian-Congregational debates, they agree that the gathering constituted a strongly anti-papal assembly. For example, T. M. Devine and Michael Rosie argue that the Assembly was the “cornerstone” of a “new religious order” that was “overtly anti-Catholic.”<sup>12</sup> John Brewer asserts that the confession drafted by the divines at Westminster “gave full expression to this anti-Catholicism.”<sup>13</sup> Paul H. Hardacre contends that “two classes of royalists were especially marked for punishment by the Long Parliament. The Anglican clergy and the Roman Catholics were doubly abhorred, for in addition to representing religious doctrines which the puritans had decried since Elizabethan times, both groups were active in supporting the king.”<sup>14</sup> Many additional citations could be adduced to prove the point that scholars see the Assembly and its confession as staunchly anti-Catholic. Incidentally, one academic who proffers a more nuanced picture is Chad Van Dixhoorn, who wrote in a 2009 article that at times in the Assembly, “concern over antinomianism had risen to such a pitch that a handful of divines, [John] Lightfoot included, were willing to sacrifice soteriological clarity and anti-Catholic polemic on the altar of anti-antinomianism.”<sup>15</sup>

The scholarly view that the Assembly constituted an anti-Catholic gathering is not without grounds. Many Assembly members wrote staunchly anti-papal treatises. For

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<sup>12</sup> T. M. Devine and Michael Rosie, “The Rise and Fall of Anti-Catholicism in Scotland,” in *Anti-Catholicism in Britain and Ireland, 1600–2000: Practices, Representations and Ideas*, ed. Claire Gheeraert-Graffeuille and Geraldine Vaughan (London: Palgrave Macmillan, 2020), 273–287 (p. 275).

<sup>13</sup> John Brewer, *Anti-Catholicism in Northern Ireland, 1600–1998* (London: MacMillan, 1998), 26.

<sup>14</sup> Paul H. Hardacre, *The Royalists during the Puritan Revolution* (The Hague, Netherlands: Martinus Nijhoff, 1956), 39.

<sup>15</sup> Chad Van Dixhoorn, “The Strange Silence of Prolocutor Twisse: Predestination and Politics in the Westminster Assembly’s Debate over Justification,” *Sixteenth Century Journal* 40, no. 2 (2009): 395–418 (p. 413).

example, Robert Baillie wrote *A Parallel or Briefe Comparison of the Liturgie with the Masse-Book, the Breviarie, the Ceremoniall, and Other Romish Ritualls* (London: n.p., 1641); Thomas Gataker penned *Jacobs Thankfulnessse to God, for Gods Goodnesse to Jacob* (London: n.p., 1624); Anthony Burgess wrote *Romes Cruelty & Apostacie* (London: n.p., 1645); Herbert Palmer authored *The Upright Protestant, as He Was Reformed from the Superstitious Errours of Popery in the Happy Reignes of Edward the 6th* (London: n.p., 1643); and Daniel Featley wrote *Vertumnus Romanus, or, A Discourse Penned by a Romish Priest* (London: n.p., 1642). In addition, chapter 25.6 of the Assembly's most famous document, the Confession of Faith, states that "There is no other head of the church, but the Lord Jesus Christ; nor can the Pope of Rome, in any sense, be head thereof: but is, that antichrist, that man of sin, and son of perdition, that exalts himself, in the church, against Christ, and all that is called God."<sup>16</sup> While the Assembly and its confession do contain sharp boundaries with Rome and a clear denunciation of the Roman Church as well as the Pope, the *consilia* debate as well as its entailments into the heart of the atonement that this thesis has chronicled show a more complex story than scholars have recognized. In particular, one must take note of the fact that despite all of the social and political pressure to avoid anything appearing to support Roman Catholicism, about a half dozen divines showed approbation for *consilia*. Divines such as Thomas Gataker commanded a major role in the Assembly, and in English Protestantism more broadly, yet he supported the Roman doctrine of *consilia*. Further, his interconnected opposition to core doctrines of Reformed Protestantism, such as the imputation of righteousness, showed that the level of uniformity and of Protestant orthodoxy at the Assembly was less than some commentators have recognized. More broadly, the fact that some Westminster divines showed similarities with the Arminian and Laudian organizations such as the Durham House group (act. 1617–1630) nuances

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<sup>16</sup> Chad Van Dixhoorn, *Confessing the Faith* (Carlisle, PA: Banner of Truth, 2014), 344.

the received historiography. For example, Thomas Gataker's support of *consilia* is roughly in line with the view on *consilia* of Durham House Group member Richard Mountague. Richard Mountague (d. 1641), bishop of Chichester, wrote in support of *consilia* in *A Gagg for the New Gospell?* and *Appello Caesarem*.<sup>17</sup> The Westminster divines knew Mountague's views on *consilia* as Daniel Featley explicitly cited Mountague and Mountague's support for *consilia* in the discussion of *consilia* at the Assembly.<sup>18</sup> Mountague's support of the distinctly Roman Catholic doctrine of *consilia*, echoed at Westminster, alters the picture of the subtle influence of Catholicism and Arminianism during the middle of the seventeenth century. The boundaries between the Arminian, Laudian, and Roman-sympathetic sections of English religion, on the one hand, and the Puritan faction of English religion, on the other hand, appear more diffuse than scholars have acknowledged.

### **Historiography of English Puritanism**

In an essay entitled "Defining Puritanism—Again?" Peter Lake observed that despite being addressed "by many great scholars," the question of the definition of Puritanism remained a hotly contested topic amongst historians of early modern England.<sup>19</sup> Christopher Durston and Jacqueline Eales began their essay on Puritanism by noting, "Attempts to define early-modern English 'puritanism' and to agree on a common usage for the noun and adjective 'puritan' have been going on for well over 400 years."<sup>20</sup> Before chronicling a myriad of different definitions of Puritanism, John Spurr, in his

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<sup>17</sup> Richard Mountague, *Appello Caesarem* (London: n.p., 1625), 214–24; Richard Mountague, *A Gagg for the New Gospell?* (London: n.p., 1624), 103–7.

<sup>18</sup> Chad Van Dixhoorn, ed., *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols. (New York: Oxford University Press, 2012), 2:36, 36n1.

<sup>19</sup> Peter Lake, "Defining Puritanism—Again?," in *Puritanism: Transatlantic Perspectives on a Seventeenth-Century Anglo-American Faith*, ed. Francis J. Bremer (Boston: Massachusetts Historical Society, 1993), 3–29 (p. 3).

<sup>20</sup> Christopher Durston and Jacqueline Eales, ed., "Introduction: The Puritan Ethos, 1650–1700," in *The Culture of English Puritanism, 1560–1700* (New York: Palgrave Macmillan, 1996), 1.



book *English Puritanism*, spoke of the “problem” of defining Puritanism.<sup>21</sup> Peter Lewis is surely correct when he wrote, “The definitions of ‘Puritan’ and ‘Puritanism’ have been, since their earliest use in England, a matter of crowded debate and widespread confusion.”<sup>22</sup> A dozen similar statements from historians could be proffered to prove the basic point that defining Puritanism is a highly contentious and much-debated topic.

While scholars disagree over the definition and boundaries of Puritanism just as they recognize that anti-popery hardly remained the provenance of one corner of English Protestantism, they also tend to agree that heightened anti-Catholic sentiment constituted a defining mark of Puritanism.<sup>23</sup> For example, Peter Lake contended that the intensity of anti-Catholic feelings distinguished the Puritan movement.<sup>24</sup> Richard Greaves noted the commonality of seeing anti-Catholicism as a marker of Puritanism amongst scholars.<sup>25</sup> The anti-papal nature of Puritanism transcended England and followed Puritanism as some of its leaders fled England after the Assembly. Owen Stanwood observed the “particular anti-Catholic heritage” in England and how this bled into Puritan Massachusetts.<sup>26</sup> *Consilia* at Westminster provides a stepping-stone for nuancing the prevailing tradition concerning the relationship between English Puritanism and Roman Catholicism—even if Catholic doctrine seeped into English Puritanism subtly and

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<sup>21</sup> John Spurr, *English Puritanism, 1603–1689*, Social History in Perspective (New York: Palgrave, 1998), 3.

<sup>22</sup> Peter Lewis, *The Genius of Puritanism* (Morgan, PA: Soli Deo Gloria, 1996), 11.

<sup>23</sup> For more on the definition of Puritanism, see Lake, “Defining Puritanism—Again?,” 3–8; Spurr, *English Puritanism*, 3–8.

<sup>24</sup> In reviewing the history of Puritanism, Peter Lake notes how some historians, such as Peter White, have seen “hysterical anti-popery” as an identifier of pre-revolution Puritanism. See Peter Lake, “The Historiography of Puritanism,” in *The Cambridge Companion to Puritanism*, ed. John Coffey and Paul C. H. Lim (New York: Cambridge University Press, 2008), 346–65. See also Peter Lake, *Moderate Puritans and the Elizabethan Church* (Cambridge: Cambridge University Press, 1982), 55–76.

<sup>25</sup> Richard L. Greaves, “The Puritan-Nonconformist Tradition in England, 1560–1700: Historiographical Reflections,” *Albion: A Quarterly Journal Concerned with British Studies* 17, no. 4 (1985): 449–86.

<sup>26</sup> Owen Stanwood, *The Empire Reformed: English America in the Age of the Glorious Revolution* (Philadelphia: University of Pennsylvania Press, 2011), 13.

unintentionally. The support for distinctly Roman Catholic doctrine and the way this permeated into such a central locus of theology as the atonement help nuance the existing historical view of the boundaries between Puritan and Catholic thought. In particular, the *consilia* debate shows that Puritan anti-Catholic ideology was not as uniform or as extensive as some historians contend. More broadly, the debate over *consilia* in early modern England highlights that the boundaries of the Puritan movement, even relative to Roman Catholic theology, cannot be as cleanly delineated as some historians would contend. For example, one of the most eminent Puritans of the 1650s and 1660s, Richard Baxter, wrote that “its our part to do more then any proper Law requireth, even to fulfill some Evangelical counsels, which are no Laws.”<sup>27</sup>

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<sup>27</sup> Richard Baxter, *Rich. Baxter's Confession of His Faith* (London: Printed by R. W. for Tho. Underhil, 1655), 162–63.

## CHAPTER 5

### CONCLUSION

The Westminster Assembly yielded many surprises not only to its contemporaries but also to centuries of historians and theologians. One such unexpected discovery is that despite the strongly anti-papal sentiment of the Assembly, some divines showed sympathy with the distinctly Roman Catholic doctrine of *consilia evangelica* that undergirded support for works of supererogation and had been repeatedly condemned by the magisterial reformers. Although the divines at the Westminster Assembly conversed on many different theological and ecclesiastical topics, Chad Van Dixhoorn, writing about the brief debate over *consilia* that occurred on September 4, 1643, noted the distinctly Roman Catholic nature of *consilia* and observed, “Perhaps no discussion in the assembly is more puzzling than this debate.”<sup>1</sup> This statement is remarkable given the fact that the divines, many of whom were the most well-educated and highly regarded theologians and pastors in the British Isles, debated theology, examined potential ministers, and wrote confessional documents for a full decade. Given Van Dixhoorn’s observation as well as the presence of *consilia* at a gathering that heavily criticized Roman Catholicism, the fact that scholars have largely ignored this debate is surprising. In fact, a review of the copious literature about the Assembly turned up not a single article, chapter, or book dedicated to this debate, and contemporary experts on the Assembly indicated, via private correspondence, that no sustained treatment of this debate at Westminster was in print.

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<sup>1</sup> Chad Van Dixhoorn, ed., *Minutes and Papers of the Westminster Assembly, 1643–1652*, 5 vols. (New York: Oxford University Press, 2012), 1:22 (hereafter *MPWA*).

Chad Van Dixhoorn, the doyen of Assembly studies, noted that “there is an elusive coherence to this group [that is supportive of *consilia*] that manifests itself later in the assembly discussions about the nature and extent of the atonement, but the bond holding its members together is difficult to identify.”<sup>2</sup> In other words, divines who supported *consilia* also evinced specific views of the atonement, such as opposing limited atonement. This paper sought to investigate the “elusive coherence” and identify the bond that connects views on *consilia* and the atonement.

Having demonstrated the “elusive coherence” between the divines’ position on *consilia* and the atonement (tables 2 and 3) and explored the theological issues underneath the “elusive coherence” (table 4), this paper can now conclude that the best explanation for the “elusive coherence” lies in the juxtaposition of beliefs about the nature of the law and federal theology. In examining the issues that correlate to *consilia*, many contain clear entailments with federal theology: (1) the imputation of active obedience, (2) limited atonement, (3) Christ’s work performed “in our stead,” and (4) Christ’s fulfilling the law “in our stead” led to antinomianism.<sup>3</sup> The divines who supported *consilia* saw a place for so-called “counsells of perfection” and expressed great concern for holiness (2:34). Consequently, the dominant type of federal theology would ostensibly impede this concern as it would seemingly lead to antinomianism. Conversely, if a divine supported federal theology, then Christ’s fulfilling the law in the stead of sinners and his righteousness being imputed to sinners would be the logically consequent views. If sinners are perfectly righteous in Christ, then there is no place for a “counsells

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<sup>2</sup> Van Dixhoorn, *MPWA*, 1:22.

<sup>3</sup> Divines who did not speak on *consilia* nonetheless showed correlation amongst other views discussed in this paper. For example, Thomas Goodwin spoke against Christ being bound to obey the law for himself (Van Dixhoorn, *MPWA*, 2:64, 2:69–70), for the imputation of active obedience (*MPWA*, 2:63–64, 2:69, 2:77–78), for a probationary period for Adam (*MPWA*, 2:77, 2:96), and against being righteous equating with being innocent (*MPWA*, 2:63, 2:77, 2:96). Likewise, Charles Herle spoke against Christ being bound to obey the law for himself (*MPWA*, 2:55, 2:65, 2:106), for Christ’s work being “in our stead” (*MPWA*, 2:94), and for the imputation of active obedience (*MPWA*, 2:65, 79–80, 84).

of perfection” (2:34). Relatedly, if Adam federally represented mankind, and his descendants enter the world in debt to God, then any additional works of *consilia* are so soiled that any type of perfection is impossible, and only a second Adam who federally represents mankind can bring salvation. Not surprisingly, George Walker made precisely the first half of this point during the debate on *consilia* (2:37).

In examining the issues that correlate to *consilia*, many contain a clear nexus with the law: (1) imputing active obedience to fulfill the law, (2) being guiltless is the same as being righteous, (3) Christ’s work performed “in our stead,” and (4) Christ’s fulfilling the law “in our stead” led to antinomianism. If one accepts that being in right standing before God comes merely by avoiding sin or having transgressions forgiven, then there is a place for optional positive works, or *consilia*, that show sanctification and yield assurance. However, if one accepts that being in right standing before God comes by the law being fulfilled perfectly and positively in every thought, word, and deed, then there is no space left for additional works or *consilia* that provide any additional perfection, benefit, or merit. Relatedly, if one accepts a category in the law of morally indifferent matters, then the law cannot make a demand to be fulfilled perfectly in every thought, word, and deed.

Connecting the law and federal theology, if righteousness must come through the law being fulfilled perfectly and positively, then all those whom Adam federally represented must be federally represented by a second Adam who can fulfill the law perfectly and positively. If the law requires perfection in all matters, and Christ federally fulfilled this requirement, then there is no place for *consilia* as the law’s demands touch every area of life, and the believer cannot attain to a type of higher holiness before God through obeying *consilia*. Conversely, if being guiltless is the same as being righteous, and there is no prelapsarian covenant of works or federal representation by Christ, then there is a place for *consilia* as going above the required works of the law. Further, *consilia* helps to guard against the ever-looming threat of antinomianism by encouraging

perfection. In summary, the “elusive coherence” between views on *consilia* and the atonement is in actuality a logical outworking of both rejecting federal theology and affirming particular views about the law.

From a research standpoint, this study begs many additional questions. What did men like Thomas Gataker, Richard Vines, Edmund Calamy, Lazarus Seaman, Daniel Featley, and George Walker publish outside of the Assembly about the law, Adam, and the covenant? Did anyone associated with the Assembly publish explicitly on *consilia* or supererogation? What other correlations may exist between one’s view on *consilia* and other doctrines? Drawing upon Lazarus Seaman’s connection of *consilia* with adiaphora, what did divines write about indifferent matters and what correlations amongst Assembly members might exist?<sup>4</sup> In addition, this project’s insight raises further questions and invites additional historical research. An examination of seventeenth-century English religious literature shows that *consilia* represented a larger debate than historians have hitherto recognized. As previously noted, during the early 1600s, an English Protestant at Oxford named Humphrey Leech delivered a sermon in chapel defending the doctrine of *consilia*. He subsequently published a book entitled *A Triumph of Truth* defending the doctrine.<sup>5</sup> Around the same time, the foremost English Protestant, William Perkins, wrote three substantial treatises particularly focused on anti-papal polemics. In these works, he

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<sup>4</sup> Van Dixhoorn, *MPWA*, 2:36.

<sup>5</sup> Humphrey Leech, *A Triumph of Truth, or Declaration of the Doctrine Concerning Euangelicall Counsayles* (Douay, France: L. Kellam, 1609). Daniel Price answered this work in *The Defence of Truth against a Booke Falsely Called the Triumph of Truth Sent over from Arras A.D. 1609* (Oxford: Joseph Barnes, 1610). Sebastian Benefield also answered Leech in the appendix to *Doctrinæ Christianæ Sex Capita* (Oxford: Excudebat Iosephus Barnesius, 1610). For more on this conflict, see Anthony Wood, *The History and Antiquities of the University of Oxford* (Oxford: John Gutch, 1796), 2:294–96; Lawrence Anderton, *The Triple Cord or A Treatise Proving the Truth of the Roman Religion, by Sacred Scriptures Taken in the Literall Sense Expounded by Ancient Fathers* (St. Omer, France: English College Press, 1634), 245, 253–57; Sylvester Norris, *The Guide of Faith* (St. Omer, France: English College Press, 1621), 139.

attacked *consilia* repeatedly.<sup>6</sup> Later in the 1600s, the debates over *consilia* continued in England, showing that the topic of *consilia* remained a live debate between Roman Catholics and Protestants and, to a lesser extent, within Protestantism.<sup>7</sup>

In addition, three broader theological reflections deserve mention. First, doctrinal views rarely operate in a vacuum. Instead, what appears on the surface is often the outgrowth of an interconnected web of beliefs. The debates of September 1643 show that divines often reasoned not only about the issue at hand but also about logically interconnected beliefs. If one believes that the law requires positive perfection in all things, then *consilia* as works above perfection become logically impossible—that is, how can one do a good work beyond perfection when otherwise the work would be required for perfection? Likewise, the question of whether God imputes the active obedience of Christ to sinners is a complex matter inextricably bound to federal theology, Christology, the presence of a probationary period in the garden, the nature of righteousness, and the function of the law.<sup>8</sup> Like a set of jenga blocks, if one piece of the

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<sup>6</sup> William Perkins, *Guilielmi Perkinsi Problema de Romanæ Fidei Ementito Catholicismo Est[ue] Antidotum Contra Thesaurum Catholicum Iodoci Coccij* (Cambridge: Ex Officina Ioannis Legat, 1604), 44, 118, 221.

<sup>7</sup> Thomas Jackson, *A Collection of the Works of That Holy Man and Profound Divine* (London: Printed by R. Norton for Timothy Garthwait, 1653), 279; Thomas Taylor, *Moses and Aaron* (London: John Williams, 1653), 267; Peter Heylyn, *Theologia Veterum* (London: E. Cotes, 1654), 304; Edward Leigh, *A Systeme or Body of Divinity Consisting of Ten Books* (London: Printed by A. M. for William Lee, 1654), 742; Richard Baxter, *Rich. Baxter's Confession of His Faith* (London: Printed by R. W. for Tho. Underhil, 1655), 163, 173; *Presbyteries Triall, or, The Occasion and Motives of Conversion to the Catholique Faith of a Person of Quality in Scotland* (Paris: n.p., 1657), 418, 447, 503–4; Thomas Ailesbury, *A Treatise of the Confession of Sinne* (London: Printed by J. G. for Andr. Crook, 1657), 76; Thomas Blake, *Vindiciae foederis* (London: Abel Roper, 1658), 62–63, 96; Richard Baxter, *Of Justification: Four Disputations Clearing and Amicably Defending the Truth against the Unnecessary Oppositions of Divers Learned and Reverend Brethren* (London: Printed by R. W. for Nevil Simmons, 1658), 93; William Creed, *The Refuter Refuted* (London: Printed for R. Royston, 1659), 252, 400; John Tombes, *Romanism Discussed* (London: Henry Hills, 1660), 132; Jeremy Taylor, *Ductor Dubitantium* (London: Printed by James Flesher for Richard Royston, 1660), 26, 451, 534; Peter Heylyn, *Cyprianus Anglicus* (London: Printed for A. Seile, 1668), 126; *Catholic Theses, on Several Chief Heads of Controversy* (Oxford: n.p., 1689), 114, 118–28; Alexander Con, *An Answer, to A Little Book Call'd Protestancy to Be Embrac'd or, A New and Infallible Method to Reduce Romanists from Popery to Protestancy* (Aberdeen: n.p., 1686), 113–16; Philip Ellis, *A Sermon Preach'd before the King on November the 13, 1686 Being the Feast of All the Saints of the H. Order of St. Benedict* (London: Henry Hills, 1686), 7.

<sup>8</sup> Van Dixhoorn accurately observed concerning the debates on justification at Westminster, “There was no lack of links between justification and other doctrinal loci.” Chad B. Van Dixhoorn,

theological foundation is removed, then the entire tower of intertwined theology collapses. Second, foundational questions pertaining to man's prelapsarian relationship with God exercise a profound impact on one's theology. Convictions concerning the nature of the law and federal theology reverberate back to creation and even before creation. Answers to these most basic and seemingly obscure questions profoundly impact many postlapsarian theological beliefs. For example, if one believed that Adam, and by implication humankind, must obey God perfectly in all matters during a probationary period, then one will not find logical space for *consilia* with its category of optional works going beyond perfection. Third, theologians, and especially Christians more broadly, often hold an eclectic set of beliefs that defy tidy boundaries. For example, one would not expect to find support for a Roman Catholic doctrine at the Westminster Assembly, yet that is exactly what the minutes of the Assembly reveal. While theological positions contain logical entailments throughout different loci of theology, very few people are entirely consistent, and, instead, some Christians maintain an eclectic mix of doctrines.

In the eyes of many, the Westminster Assembly failed.<sup>9</sup> The Church of England reassembled under the restored King Charles II (r. 1660–1685), and the confessions and catechisms that the Assembly spent years producing never saw widespread approbation in England. The century of Puritan hopes for ecclesiastical reform in England came to naught. Episcopal church government would continue as the dominant polity in England for at least another century. Ironically, the English gathering would leave its greatest legacy outside of England where Presbyterian bodies around the globe would adopt the Westminster standards' presbyterian polity, confessions, and

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"Reforming the Reformation: Theological Debate at the Westminster Assembly, 1643–1652," 7 vols. (PhD diss., University of Cambridge, 2004), 1:302.

<sup>9</sup> Whitney G. Gamble, *Christ and the Law: Antinomianism at the Westminster Assembly*, Studies on the Westminster Assembly (Grand Rapids: Reformation Heritage Books, 2018), 157.



catechisms. Yet, in addition to leaving profoundly influential doctrinal statements and catechisms, the Assembly bequeathed to historians, theologians, and pastors a robust dialogue on theological matters that are still yielding new treasures almost four centuries later. Studying this ostensibly arcane seventeenth-century theological debate on *consilia* at the Westminster Assembly is important for historians of the period because it paints a more nuanced picture of the Assembly and shows that distinctly Roman Catholic thinking—as evidenced by divines at Westminster sympathetic to *consilia*—permeated the Assembly in ways previously unacknowledged. The Assembly and its Puritan members may not have been as consistently anti-Catholic as they and their subsequent historical interpreters believed. The boundaries between Roman Catholic and Protestant doctrine were sometimes more jagged and less pristine than historians have acknowledged.

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## ABSTRACT

### *CONSILIA*: CATHOLIC INROADS AT THE PURITAN ANTI-CATHOLIC WESTMINSTER ASSEMBLY

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While historians disagree about many different aspects of the Westminster Assembly (1643–1653), the current historiography is united in seeing the gathering and its members as staunchly anti-Catholic. However, a largely overlooked debate in the Assembly reveals a surprising discussion—some divines showed sympathy with the distinctly Roman Catholic doctrine of *consilia evangelica* that undergirded works of supererogation and that had been condemned by the magisterial reformers. A careful reading of the Assembly minutes shows that views on *consilia* correlated with the positions of some Assembly divines on critical issues such as salvation and good works. The debate over *consilia* at Westminster is the tip of an iceberg capable of yielding fresh and unexpected insights into three important and interconnected fields of historiography: (1) the place of *consilia* amongst Protestantism, (2) the reach of Roman Catholicism within the Assembly, and (3) the extent of Roman Catholic influence in English Puritanism.

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