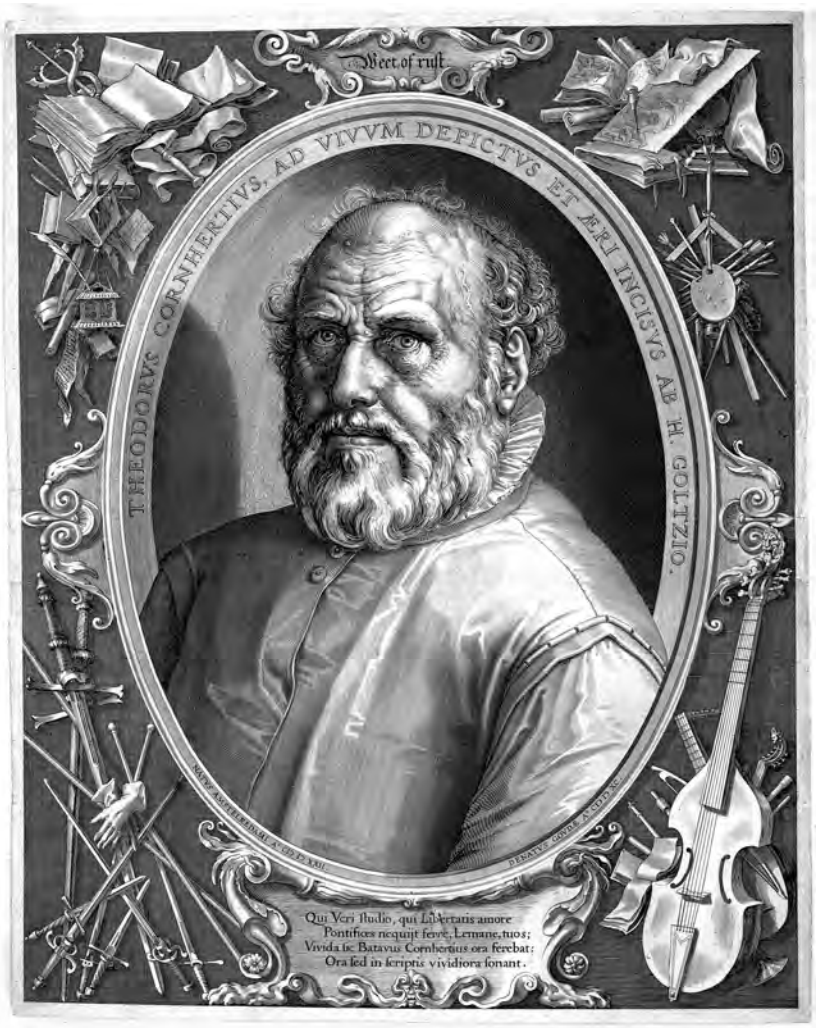

Fig. 1. Portrait of Coornhert by Hendrick Goltzius, engraving (1591-1592). Above his adage, *Weet of rust* ('Know or Let Go'); surrounding the oval are attributes associated with Coornhert.

Constraint on Trial

Dirck Volckertsz Coornhert and Religious Freedom

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Cover image: Hendrick Goltzius, *Portrait of Dirck Volckertsz Coornhert*, 1592 (Prentenkabinet, University of Leiden).

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Contents

A Sixteenth-Century Defense of Toleration

Dirck Volckertsz Coornhert (1522-1590) was a Dutch notary, artist, poet, playwright, translator, and controversialist who defended the freedom of conscience and toleration. This study closely examines Coornhert's contributions to the sixteenth-century debate on toleration through an exploration of his words and deeds.

The first two chapters of this study examine Coornhert's life in public service and in exile, a period that ended in 1577, when he returned to Haarlem. By that time, Coornhert was well into his fifties and no longer served in an official capacity, but spent his days pursuing his literary and intellectual work and, above all, his polemics and disputations, which he regarded as an integral part of his struggle for religious freedom. I regard this period (1577-1590) as the time when Coornhert truly came into his own. Since this is also when he produced some of his finest works on toleration, I chose to interrupt the chronological narrative of his life here, and set forth, in the following five chapters, an examination of the position taken by Coornhert on the issue of toleration. The final chapter picks up the remaining threads of Coornhert's life in relation to toleration, through the final dénouement of his clash with Justus Lipsius.

For convenience, the appendix provides a survey of the main events in Coornhert's life. Readers who want to see Coornhert's essential contributions to the debate on toleration in the sixteenth century without the distractions of disputes and controversies, in which his life abounded, will do well to go straight to chapters 5, 6, and 7.

To begin, it is helpful to have an understanding of the concepts and terms used in this study. In the sixteenth century the verb 'to tolerate,' if used at all, signified 'to endure' something unpleasant; it was used to refer to religious concessions made by the stronger to the weaker. It was already used in this way during the Middle Ages by Thomas Aquinas.[1] When the authorities

1 Thomas Aquinas, 'Utrum ritus infidelium sint tolerandi?' in *Summa*; see Joseph Lecler, *Toleration and the Reformation*, 2 vols., trans. T.L. Westow (New York, 1960), vol. 1, x.

of the province of Holland decided to put an end to a debate between Coornhert and some Delft ministers (February 1578), they explained their action by stating that they 'could not *tolerate* [from the verb *tolereren*] such public disputations without prior consent.'[2] This use of the Latin-derived verb 'to tolerate' is exceptional in sixteenth-century Dutch and belongs in the realm of bureaucratic jargon.

People seldom used the noun 'toleration' (*verdraagzaamheid*). It does not occur in Coornhert's writings. Instead, we encounter words such as 'love' or 'forbearance.'[3] More common is the usage of the verb 'to suffer' (*lijden*), as in the exclamation by Gamaliel in the *Synod on the Freedom of Conscience*, 'Oh, if only we could suffer one another!'[4]

Toleration is an attitude adopted by an individual, government or other institution. On this basis, religious freedom or freedom of conscience can be established. This freedom must also comprise the freedom to give expression to that conscience in word and deed. In a state that allows this freedom, religious pluralism will ensue.[5]

Today, the term 'tolerance' is often avoided because it seems to imply condescension and a hierarchical relationship: one puts up with something disagreeable even though one could forbid it.[6] Nevertheless, a more positive definition is possible. Johannes Kühn describes toleration as a positive

2 Bruno Becker (ed.), *Bronnen tot de kennis van het leven en de werken van D.V. Coornhert* (The Hague, 1928), 70-71, no. 106, 25 February 1578: '[…] soedaanige disputatiën […] niet en behoeren getollereert te werden sonder voorgaende consent […]'; for the context of this quotation, see chapter 8.

3 Hans R. Guggisberg, 'The Defence of Religious Toleration and Religious Liberty in Early Modern Europe: Arguments, Pressures, and Some Consequences,' *History of European Ideas* 4/1 (1983): 36, notes that in the Latin of the time, also, mostly terms such as *caritas* or *mansuetudo* are employed.

4 Coornhert, *Synodus van der Conscientien Vryheydt*, in Coornhert, *Wercken*, 3 folio vols. (Amsterdam, 1633), vol. 2, fol. 6A – henceforward indicated as WW 2, 6A (four columns, ABCD; if unspecified, R – recto – and V – verso): 'Och, of wy malcanderen conden lijden.' Translated in the English edition of *Synod* as 'Oh, if only we could tolerate each other!': see Coornhert, *Synod on the Freedom of Conscience*, trans. G. Voogt, 56.

5 This sequence of toleration, religious liberty, and religious pluralism is based on Guggisberg, 'The Defence,' 36; on freedom of conscience as the freedom to express such freedom, see Henk Bonger, *De motivering van de godsdienstvrijheid bij Dirck Volckertszoon Coornhert* (Arnhem, 1954), xiv-xv. This was an important stipulation, for in the Dutch Republic after the Union of Utrecht of 1579, which adopted freedom of conscience as one of its articles, some maintained that the denial of the freedom to practice their faith to certain groups did not constitute religious constraint; see for example Henricus Arnoldi, *Vande Conscientie-dwangh, dat is: Klaer ende Grondich Vertoogh, dat de Hoogh-Mogh. Heeren Staten Generael in haer Placcaet den 3 Julii 1619, Tegen de Conventiculen der Remonstranten ghe-emaneert/ gheen Conscientie-dwangh invoeren: Maer allen Ingesetenen der Geunieerde Provincien/ van hoedanigen ghelove ofte gevoelen sij zijn de behoorlicke ende volcomene vrijheydt der Conscientie toe-staen ende vergunnen* (Delft, 1629).

6 Cf. Jay Newman, *Foundations of Religious Tolerance* (Toronto, 1982), 5.

attitude towards the 'other,' meaning the deviant, alien, dissident, exotic elements that, so people fear, threaten a core of beliefs that a person, group, or society holds dear. Besides 'suffering' the presence of the deviant, toleration is, in Kühn's words, *das Geltenlassen des Andern* (allowing 'others' the space to be and express themselves).[7] Doing this does not necessarily mean that, in the case of religious toleration, you accept or judge the content of the other person's beliefs – you simply accept and respect that the other person holds and manifests such beliefs, within certain bounds set by the demands of social interaction and the Golden Rule. Thus defined, toleration is a virtue that finds the right mean between the extremes of not accepting any deviance from a norm, and indiscriminately accepting all forms of deviance. This virtue opens the way for religious freedom and freedom of conscience.[8]

It is to be expected that during the period with which we will be concerned in this study, the virtue of toleration was not practiced or advocated widely – and indeed, it seems to be in increasingly short supply in the world today. Most people did not regard toleration as a virtue at all, and since most states regarded the polity as the seamless robe of Christ, they were predisposed to regard religious deviance as political disobedience and treason.[9]

The first thorough examination of Coornhert's ideas on toleration did not appear until 1954, in the form of a thesis by Henk Bonger whose title and content reveal the influence of Johannes Kühn's important study, *Toleranz und Offenbarung* (1923).[10] Recently there has been an upsurge in publications on Coornhert's polemics and debates, his religious and philosophical ideas, and his contributions to the idea of tolerance. I have added to this new edition a historiographical survey of the most important Coornhert-studies.

In this work I have opted for frequent, at times substantial, quotations from and paraphrases of Coornhert's writings as well as those of some of his opponents.[11] This serves two purposes. First, it does not muffle the six-

7 Johannes Kühn, 'Das Geschichtsproblem der Toleranz,' in B. Becker (ed.), *Autour de Michel Servet et de Sebastien Castellion* (Haarlem, 1953), 3.

8 Hans R. Guggisberg, 'Allgemeine Einleitung,' *Religiöse Toleranz: Dokumente zur Geschichte einer Forderung* (Stuttgart-Bad Cannstatt, 1984), 9, 11.

9 On the view of the community as a religious body, see Benjamin Kaplan, *Divided by Faith: Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, MA, 2007), chap. 2, 'Corpus Christianum: The Community as Religious Body,' 48-72.

10 Bonger, *De motivering*; Johannes Kühn, *Toleranz und Offenbarung: Eine Untersuchung der Motive und Motivformen der Toleranz im offenbarungsgläubigen Protestantismus: Zugleich ein Versuch zur neueren Religion- und Geistesgeschichte* (Leipzig, 1923); Kühn only mentions Coornhert in passing.

11 Unless otherwise indicated, all quotations are my own translations.

teenth-century voice. Secondly, it makes some of these primary sources available in English for the first time. This will promote a better understanding of Coornhert outside the confines of the limited Dutch-speaking world; an obstacle to such understanding was Coornhert's decision, as a promoter of the vernacular and defender of a pure Dutch language, only to write in Dutch. Thus, this study will help shed light on the conditions in the early Dutch Republic and on the backgrounds of the Arminian-Gomarist religious disputes that convulsed the Republic in the early 1600s.

CHAPTER 1

Before Entering Public Service 1522-1561

The first fifty-five years of Dirck Volckertsz Coornhert's life took place in the context of the momentous and tumultuous developments unfolding in the Low Countries in the early- to mid-1500s. These were formative years of Coornhert's life, during which he made a career as a self-made humanist in Haarlem, in the province of Holland.[1] Years later, when he writes his great work on ethics, it was anchored in this rich life experience of literary, intellectual, and artistic endeavors, and of service to Haarlem and to the cause of the Revolt against Habsburg Spain.

Politico-Cultural Developments in the Netherlands

In the area of the Low Countries, in the northwest of Europe, two modern sovereign states would eventually emerge, the kingdoms of Belgium and the Netherlands. This outcome, to a large degree, resulted from the vicissitudes of geography and politics, and then hardened into a distinct cultural and national awareness and self-image.[2]

In medieval times the Low Countries formally fell under the Holy Roman Empire, but ties to the empire were loose and of limited significance. The lords of the feudal entities within the Low Countries – such as Flanders, Brabant, Holland, Friesland, and Gelre – acted independently despite their status as vassals. The economic preponderance within this region of Flanders and Brabant during the High Middle Ages was due chiefly to their

1 'Holland' is the name for the northwestern part of the Low Countries, located north of the rivers Maas, Waal, and Rhine, and bordering the North Sea. Because of Holland's prosperity and political clout in the later Dutch Republic, foreigners tended to use 'Holland' as *pars pro toto* for the entire republic (much as 'England' is often used when the United Kingdom is intended).

2 See Hugo de Schepper, *'Belgium Nostrum' 1500-1650: Over Integratie en Desintegratie van het Nederland* (Antwerp, 1987). This accidental nature of the eventual political division is also the chief theme of Pieter Geyl, *The Revolt of the Netherlands (1555-1609)* (New York, 1958).

textile industry.[3] To the north, Holland's prosperity increased due to the development of trade and fishing.

The Burgundian-Habsburg period saw a gradual ending of the fragmented existence of the Netherlands. Charles the Bold dreamed of resurrecting an independent middle kingdom between France and Germany. However, his premature attempts to centralize his holdings, which stretched from the duchy of Burgundy in the south, through Lorraine, Luxembourg, Flanders, and Brabant to Holland in the north, provoked resistance and ended with his death at the battle of Nancy (1477). After his death his successor, Mary of Burgundy, undid a number of Charles's measures and restored some of the local privileges, but soon, through their fortunate marriage policy, the Habsburgs succeeded in adding the Netherlands to their possessions. By 1548, the Pragmatic Sanction, adopted by the Holy Roman Empire, recognized the Habsburg Netherlands as a separate entity under the sovereignty of the Habsburgs.

The Burgundian period merits some further consideration. New institutions were created, such as the States General, intended to facilitate the taxation of the dukes' lands, and the *Grote Raad* ('Great Council'), the supreme judicial body of the Netherlands, seated in Mechelen. As the Burgundian Kreits, the Netherlands were already regarded as a separate entity, and proto-national feelings developed, tied to the ruling dynasty. Thus, the Low Countries were often referred to as the *pays par deça* (*landen van herwaarts over*), and the name Belgians, harking back to a glorious past of resistance to the mighty Roman Empire, was applied to all Burgundian inhabitants. The dynasty also brought in a distinct French element that dominated the administration (and would continue to do so under the Habsburgs) and exerted influence through the late flowering of chivalric culture at the Burgundian court.[4] Johan Huizinga sees in the establishment of Burgundian power the origin of the twin nations of Belgium and the Netherlands.

From the sixteenth century on, in the person of Charles V, the House of Habsburg held under its unified control the Holy Roman Empire, Bohemia, Hungary, Spain, Portugal, and the Netherlands. Thus, the Habsburg dominated Europe and held extensive territories in the New World. The interests of the prosperous Low Countries were often sacrificed in favor of the Habs-

3 By 1477 almost half the population of the Low Countries lived in Flanders and Brabant; see the table in Israel, *Dutch Republic*, 15.

4 See the renowned cultural history of this epoch: Johan Huizinga, *Herfsttij der Middeleeuwen: Studie over levens- en gedachtenvormen der veertiende en vijftiende eeuw in Frankrijk en de Nederlanden* (13th ed. Groningen, 1975). Trans. *The Waning of the Middle Ages: A Study of the Forms of Life, Thought, and Art in France and the Netherlands in the Fourteenth and Fifteenth Centuries* (Harmondsworth, 1990). William the Silent's famous last words, spoken after he was mortally wounded in 1584, were in French.

burgs' global interests, as Habsburg monarchs tried to rationalize and centralize their government of the Netherlands and maximize their revenues. Represented in Brussels by a regent, they preferred to appoint university-trained jurists in the provincial administration. Nevertheless, their efforts to establish a more centralized state would founder due to the forces of particularism, combined with resistance to the government's ecclesiastical and anti-heretical policies.

Whereas, in the elective Holy Roman Empire, Charles v was hampered in his efforts to stifle heresy and finally had to concede the territorial *cuius regio, eius religio* principle to the princes in the Peace of Augsburg, in the Netherlands his hands were not so tied, and he therefore followed a much tougher anti-heresy policy there. The government equated heresy with high treason. Therefore, regular judicial procedures that included the local authorities did not apply, and this 'implicit abrogation of their privileges' irked the towns.[5]

A movement of religious renewal had made early inroads in the Netherlands with Gerard Groote's *Devotio Moderna* and Erasmus's Christian humanism. The religious situation in the Netherlands was fundamentally different from that in England, Scandinavia, or Germany, for because of repression religious change could only work from the bottom up instead of from the top down.[6] In 1525, Jan de Bakker (also known as Joannes Pistorius) was burned in The Hague, thus becoming the first Protestant martyr in the northern Netherlands.[7] Around that time Antwerp, which served as Europe's main capitalist and commercial hub, was also the main center and conduit for the spreading of Luther's influence. The authorities countered with the Netherlands Inquisition.[8] Their repression was aimed especially at paralyzing the budding heretical movements by targeting an intellectual elite. As a result, in these circles simulation (also known as Nicodemism) became rife.

Anabaptism spread to the Netherlands with the arrival of Melchior Hoffman in Emden (in 1530).[9] The Anabaptist emphasis on the direct working of the Spirit on the individual bred contempt for established churches and their ceremonies. As its name indicates, the main distinguishing factor

5 James D. Tracy, *Holland under Habsburg Rule, 1506-1566: The Formation of a Body Politic* (Berkeley, 1990), 151.

6 Israel, *Dutch Republic*, 74.

7 L.J. Rogier, *Eenheid en scheiding: Geschiedenis der Nederlanden 1477-1813*, 5th ed. (Utrecht/Antwerp, 1976), 53.

8 See A.F. Mellink, 'Prereformatie en vroege reformatie 1517-1568,' in *Algemene geschiedenis der Nederlanden* 6 (Bussum, 1980), 148.

9 Andrew Pettegree, *Emden and the Dutch Revolt: Exile and the Development of Reformed Protestantism* (Oxford, 1992), 12-13.

in this movement was the practice of regenerative adult baptism.[10] From the start, Anabaptism had a strong chiliastic component, which led to attacks on Amsterdam and other places. This feverish chiliasm culminated in the well-known excesses in Munster, where violent efforts were made to establish the heavenly Jerusalem.[11] These excesses of the few where then visited on all Anabaptists, who throughout the century provided the vast majority of the victims of repression. As Henry Kamen states in his history of toleration, throughout the sixteenth century the attitude of authorities and individuals toward the Anabaptists was a litmus test: 'The universal detestation in which these sectarians, or *Schwärmer*, were held in the sixteenth century makes them the touchstone for any proponents of religious toleration.'[12]

Menno Simons (1496-1561), the priest at Witmarsum (Friesland) who became a pre-eminent Anabaptist leader, abhorred the violent outbursts that he had witnessed, and from the onset advocated pacifism.[13] Mennonites rejected state control of the church, and would not swear oaths nor involve themselves with the government, although they did accept its authority. A firm belief in the dichotomy between the secular world and the world of the spirit permeated the movement.[14] Within the Mennonite community, however, strict enforcement of church discipline was the norm, expressed in the Anabaptist practice of the exclusionary ban against offenders in their midst.

Anabaptist church discipline impressed the Reformed, their close rivals, who may well have been prompted to put a greater emphasis on consistorial discipline in their churches because of the Anabaptist example. On the other hand, the increasing fragmentation of the Anabaptist movement demonstrated to the budding Reform the importance of establishing and upholding within the Reformed church a measure of doctrinal uniformity.[15] The Reformed church organization in the Netherlands adopted a Pres-

10 However, Anabaptism ('Rebaptism') is a pejorative term; for the Netherlands, the more neutral term *Doopsgezinden* ('Baptism-minded') is preferred.

11 See Samme Zijlstra, *Om de ware gemeente en de oude gronden: Geschiedenis van de dopersen in de Nederlanden 1531-1675* (Hilversum, 2000), chap. 4, 'De doperse heerschappij te Munster,' 98-125.

12 Henry Kamen, *The Rise of Toleration* (New York, 1967), 62.

13 See e.g. Cornelius Krahn, *Dutch Anabaptism: Origin, Spread, Life, and Thought* (Scottdale, PA, 1981), 152; Zijlstra, *Om de ware gemeente en de oude gronden*, 194-195.

14 Expressed, for example, in Balthasar Hubmaier's slogan, 'die göttliche Wahrheit ist untödlich' – see Kamen, *Rise of Toleration*, 61.

15 Alastair Duke, 'The Ambivalent Face of Calvinism in the Netherlands, 1561-1618,' in Menna Prestwich (ed.), *International Calvinism: 1541-1715* (Oxford, 1985), 115-116; cf. Mellink, 'Prereformatie', 156. The first Dutch translation of Calvin's *Institutes* appeared in 1560.