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## HOBBISM IN THE LATER 1660s: DANIEL SCARGILL AND SAMUEL PARKER

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**ABSTRACT.** *Daniel Scargill and Samuel Parker have both been regarded as isolated and eccentric disciples of Thomas Hobbes. However, a detailed examination of their views reveals a more complicated relationship with the notorious philosopher. Far from being simple ‘Hobbiists’, Scargill and Parker developed ideas close to those of ‘latitudinarian’ clergymen. In the polarizing political circumstances of the later 1660s, the hostile identification of their views with the doctrines of the Leviathan led to public discussion of latitudinarianism and its relationship to Hobbism. In response, writers with latitudinarian sympathies used criticism of Hobbes as a means of reconsidering and redefining their own position. Such criticism accepted some of Hobbes’s political conclusions, while at the same time rejecting his controversial methodology. Discussion of Hobbism and criticism of Hobbes were thus important means by which Hobbes’s political insights were absorbed by Restoration political thinkers.*

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Thomas Hobbes was easily the most notorious philosopher in seventeenth-century England. He may have had, as he frequently claimed, admirers and followers on the continent, but in England his work appears at first sight to have fallen on stonier ground. The critical response to his masterpiece, the *Leviathan*, seemed to be uniformly hostile. Almost every year after its publication in 1651, books, pamphlets, sermons, and plays rolled off the presses containing serious objections to his work.<sup>1</sup>

It would be possible to suggest that the response was so violent because Hobbes’s ideas went far beyond anything which his readers had come across before. To his adversaries, Hobbes had built his commonwealth on self-interest and against a brutal state of war – a condition so awful that it required the establishment of an absolute civil power to maintain the peace. This overriding concern with stability made it necessary for his sovereign to become not only the interpreter and arbiter of natural law, but even of scripture itself. Such doctrine, uncompromisingly packaged in a provocative prose style, shocked

<sup>1</sup> For Hobbes’s claims about his continental following see Quentin Skinner, ‘Thomas Hobbes and his disciples in France and England’, *Comparative Studies in Society and History*, 8 (1996), pp. 153–67. The classic account of the reception of Hobbes’s works is Samuel Mintz’s *The hunting of Leviathan: seventeenth-century reactions to the materialism and moral philosophy of Thomas Hobbes* (Cambridge, 1969), but see also John Bowle, *Hobbes and his critics: a study in seventeenth-century constitutionalism* (London, 1951). For the most recent account, see Mark Goldie, ‘The reception of Hobbes’, in J. H. Burns and Mark Goldie, eds., *The Cambridge history of political thought, 1450–1700* (Cambridge, 1991), pp. 589–615.

many.<sup>2</sup> Hobbes's name became the shorthand for atheism, libertinism, materialism, and selfish behaviour – his writings were a constant reminder of the forces of darkness unleashed during the Interregnum.

Increasingly, however, we have come to recognize that the suggestion that Hobbes's ideas faced unqualified rejection may not tell the whole story.<sup>3</sup> Hobbes's insights could be accepted and developed, even by his critics. Furthermore, there were individuals in the Restoration period who did seem to be upholding distinctively Hobbesian positions. It is tempting to view such examples as aberrations, and, indeed, the immediate (usually hysterical) response of contemporaries might encourage such a view. But this would be to ignore the reasons why such Hobbism was expressed. As Sterling Lamprecht emphasized long ago, the ideas of Hobbes and those of 'Hobbiists' could often be very different things.<sup>4</sup> In what follows I shall re-examine the cases of two supposed followers of Hobbes in order to show that their particular brands of 'Hobbism' were closely related to distinctive Restoration contexts, contexts which not only tell us something about the reception of Hobbes, but also the ways in which discussion of the specific problem of 'Hobbism' could take on a wider significance in the political thought and practice of the period.

## I

Perhaps the best place to start is with a confessed Hobbist. The tale of the recantation of Daniel Scargill, fellow of Corpus Christi College, Cambridge, is a story often told in illustration of the kind of backlash that unwisely expressed Hobbesian views might face.<sup>5</sup> It is also a story that portrays Scargill as a lone eccentric, a debauched youth who suddenly, and inexplicably, developed a taste for Hobbesian ideas. This is to accept the testimony of his accusers uncritically. It is also a view which neglects the extent to which Scargill's appreciation of Hobbes grew out of a distinctive Restoration background, and it is this that I would like to explore in re-telling his story. This begins not with Scargill, but rather with his college, Corpus Christi.

In the 1660s Corpus Christi, or Bene't College as it was more commonly known, was one of the more politically moderate establishments in an extremely reactionary Restoration Cambridge. Corpus had been preserved from civil

<sup>2</sup> On Hobbes's use of provocative rhetoric, see particular Quentin Skinner, *Reason and rhetoric in the philosophy of Thomas Hobbes* (Cambridge, 1996).

<sup>3</sup> See particularly John Marshall 'The ecclesiology of the latitude-men, 1660–1689: Stillingfleet, Tillotson and "Hobbism"', *Journal of Ecclesiastical History*, 26 (1985), pp. 407–27.

<sup>4</sup> S. P. Lamprecht, 'Hobbes and Hobbism', *American Political Science Review*, 34 (1940), pp. 31–53.

<sup>5</sup> The Scargill affair has been discussed in detail by C. L. S. Linnel, 'Daniel Scargill, a penitent Hobbist', *Church Quarterly Review*, 156 (1953), pp. 256–65. A much more substantial consideration of the manuscript sources is given in J. Axtell, 'The mechanics of opposition: Restoration Cambridge v. Daniel Scargill', *Bulletin of the Institute of Historical Research*, 38 (1965), pp. 102–11. For briefer discussions see Mintz, *Hunting of Leviathan*, pp. 50–2; John Twigg, *The university of Cambridge and the English Revolution* (Woodbridge, 1990), pp. 259–60.

war upheaval by its pragmatic master, Richard Love, who died in 1660.<sup>6</sup> It is tempting to speculate that some of the inhabitants of the college may have come to the mind of the anonymous S. P., usually assumed to be Simon Patrick, when he wrote his famous *Brief account of the new sect of latitude men*, in 1662. In that work, latitude-men were defined with relation to, among other things, their moderate conformism and interest in the new natural philosophy.<sup>7</sup> If Richard Love had been a model ecclesiastical trimmer, Corpus also fostered a small pocket of scientific interest inspired by the highly symbolic presence of William Rawley, Francis Bacon's editor and former chaplain.

One of Rawley's particular friends at Corpus was John Spencer, who produced a work in 1663 entitled *A discourse concerning prodigies*. A sober response to some of the more hysterical pamphlet productions of the early Restoration, Spencer's work stressed the importance of a rational, Baconian solution to dangerous popular superstition.<sup>8</sup> The laws of matter and motion, Spencer claimed, could be deployed to debunk astrology, and to drive fraudulent fortune-tellers out of business. He was especially eloquent on the role of such philosophy in overcoming atheism as well: 'This will secure us', he wrote, 'as from the rocks of Atheism because leading us to the notice of some First Cause, into which all the second doe gradually ascend and finally resolve; so also from the shelves of superstition, because acquainting us with the second causes.'<sup>9</sup> There was, however, a double-edge to the new science which Spencer could not ignore. Although he was quite optimistic about the therapeutic power of natural philosophy in general, he also acknowledged that this very belief could sometimes lead to atheism. Curing superstition might cause an unhealthy fixation on secondary causes, something which might encourage infidelity: 'we shall not seldom find men... advancing the length of their own understanding and experience... the common standard and measure of the truth or falsehood of things'. Spencer leaves the identity of such closet atheists for his readers to guess, but it is likely that Spencer was disturbed most of all by the shadow of Thomas Hobbes, whose systematic materialism had led to a very questionable faith.<sup>10</sup> Spencer may have written a work against fortune-telling, but he could not have foretold better the very dilemma that he would have to resolve as

<sup>6</sup> R. Masters, *The history of the college of Corpus Christi and the Blessed Virgin Mary* (Cambridge, 1753), p. 151.

<sup>7</sup> Throughout this paper I shall use the term 'latitudinarian' to denote individuals with these particular qualities in mind. Although John Spurr has quite rightly attacked the idea of latitudinarianism as an organized movement in the Church of England, the term can, I believe, be used more loosely to describe those conforming Anglicans who did have an interest in stoic and scholastic naturalism. For a further discussion of this tradition see J. Parkin, *Science, religion and politics in Restoration England: Richard Cumberland's De legibus naturae* (Woodbridge, forthcoming), chs. 2, 5. For John Spurr's attack on the concept of latitudinarianism see "'Latitudinarianism" and the Restoration church', *Historical Journal*, 31 (1988), pp. 61-82.

<sup>8</sup> Spencer's work was specifically responding to *Mirabilis annus or the year of prodigies and wonders, being a faithfull and impartial collection of several signs that hath been seen in the heavens, in the earth, and in the waters* (London, 1660).

<sup>9</sup> John Spencer, *A discourse concerning prodigies* (London, 1663), p. 76.

<sup>10</sup> *Ibid.*, p. 57.

master of Corpus just five years later when he would confront the college's very own Hobbist.

Daniel Scargill, of Cambridgeshire, was admitted to Corpus in January 1662, at the age of fifteen.<sup>11</sup> He soon came under the guidance of one of the college's rising stars, the twenty-seven year-old, newly elected Norwich fellow, Thomas Tenison. A close friend of John Spencer, and son-in-law of Richard Love, Tenison shared the former's enthusiasm for the new science, having also trained as a physician in the 1650s.<sup>12</sup> Scargill clearly flourished under his tutor's supervision, winning the Manners Scholarship in 1666. The following year saw the death of the master of Corpus, Francis Wilford. John Spencer was unanimously elected in his place in August 1667; the man chosen to succeed to Spencer's own fellowship was the twenty year-old Scargill.

The accounts of what happened next are mainly taken from later, and largely hostile, testimony against Scargill, but the evidence does allow us to construct a rough chronology. The college chapter book shows that Scargill's specialities, for teaching at least, were Greek and rhetoric.<sup>13</sup> It was clear, however, that his academic tastes extended beyond this. In the autumn of 1668, during a routine exercise in the Bachelor Schools, Scargill defended the thesis that the origin of the world could be explained mechanically.<sup>14</sup> Now although this has been taken as evidence of Scargill's allegiance to Hobbes, it is worth noting that such a position, although clearly provocative, did have some basis in the modern natural philosophy that Spencer and Tenison, his patrons, had been so keen to promote. The mechanical hypothesis itself was a central theme of Cartesian and, perhaps more importantly, Gassendi's neo-Epicurean natural philosophy. Neo-Epicureanism had enjoyed a considerable vogue in England since the 1650s, when John Evelyn had translated the first book of Lucretius's *De rerum natura*. Walter Charleton had provided a popular and detailed account of Gassendi's natural philosophy in his *Physiologia* of 1654. These works effectively baptized Epicurus's randomly colliding atoms, but kept his characteristic appeal to mechanistic theory, in juxtaposition with a distant and inscrutable deity. This made it doubly appealing to English writers, including Robert Boyle, for whom such hypotheses were consistent with a deeply nominalist theology.<sup>15</sup> An empirical and probabilistic science accorded much

<sup>11</sup> Scargill matriculated as a 'sizar', a class of student who received 'sizes', or buttery expenses, in return for domestic services rendered to the wealthier students. This system allowed poorer students to work their way through their degrees. J. Venn, *Alumni Cantabrigienses* (4 vols., Cambridge, 1927), IV, p. 28.

<sup>12</sup> Tenison would go on to correspond with the Royal Society. For Tenison's medical training see W. Hutton's entry for Tenison in the *Dictionary of national biography* (London, 1898), LVI, p. 57. For Tenison's contacts with the Royal Society, see *The correspondence of Henry Oldenburg*, ed. A. Rupert Hall and Marie Boas Hall (11 vols., Madison, 1965-77), VII, pp. 494-5; VIII, pp. 348, 430.

<sup>13</sup> Corpus Christi College Chapter Book, 1660s.

<sup>14</sup> Henry Gostling, another Corpus fellow, and his opponent in this instance, testified that Scargill had openly asserted that *Origo mundi potest explicari mechanice*. Lambeth Palace MS 941, fo. 108.

<sup>15</sup> For Charleton, see M. J. Osler, 'Descartes and Walter Charleton on nature and God', *Journal of the History of Ideas*, 40 (1979), pp. 445-56; For Boyle's opinion of Gassendi see R. Kargon,

better with the idea of an omnipotent but incomprehensible God than the more anthropomorphically presumptive Cartesianism.<sup>16</sup> Scargill's tutors, as we have seen, were keen to promote modern natural philosophy. Epicureanism, above all, was one rationalist answer to the superstition against which Spencer had been campaigning in the early 1660s. It is not hard to see how the strident rationalism encouraged by Spencer and Tenison might have had an effect upon some of their favoured students. In addition, the adversarial disputations in the Schools encouraged the precocious to discuss controversial topics, a feature of academic life which often allowed the airing of unusual theses.<sup>17</sup>

With this possibly experimental Epicurean enthusiasm in mind, we can now turn to Scargill's other noteworthy thesis of 1668, defended in the same disputation, which was to uphold that the system of the universe does not prove the existence of God. Clearly this invited controversy, but two points need to be made against this being a distinctively Hobbesian thesis. First, Hobbes had never made such a statement, and secondly, the proposition could still be discussed within a neo-Epicurean framework, without necessarily admitting to a *straightforward* atheism. Epicureans argued that although empirical information could provide a probabilistic structure in which to analyse the universe for our own purposes, it could tell us nothing about the nature of the gods. In its baptized form, such a thesis might appeal to deeply nominalist thinkers, for whom God was fundamentally beyond human understanding.<sup>18</sup>

That said, neo-Epicureanism, and, indeed, any forms of the new natural philosophy, were still extremely contentious topics in Cambridge.<sup>19</sup> It soon became clear that Scargill was taking these ideas in directions which were becoming increasingly difficult to sustain. This impression is strengthened by

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'Robert Boyle and the acceptance of Epicurean atomism in England', *Isis*, 45 (1964), pp. 184–92; J. J. MacIntosh, 'Robert Boyle on Epicurean atheism and atomism', in M. Osler, eds., *Atoms, pneuma and tranquility* (Cambridge, 1991), pp. 197–220; idem, 'The intellectual sources of Robert Boyle's philosophy of nature: Gassendi's voluntarism, and Boyle's physico-theological project', in R. Kroll, R. Ashcraft, and P. Zagorin, eds., *Philosophy, science and religion in England, 1640–1700* (Cambridge, 1992), pp. 178–98. For Epicureanism in England more generally see T. F. Mayo, *Epicurus in England, 1650–1725* (Dallas, 1934); R. F. Kroll, *The material word: literate culture in the Restoration and early eighteenth century* (Baltimore, 1991).

<sup>16</sup> For this critical response to Cartesianism, see Parkin, *Science, religion and politics in Restoration England*, ch. 5.

<sup>17</sup> On this aspect of the disputation see M. Feingold, *The mathematicians' apprenticeship: science, universities and society in England, 1560–1640* (Cambridge, 1984), pp. 103–4; A. C. Kors, *Atheism in France, 1650–1729* (Princeton, 1990), pp. 84–5, 90–1, 285–7, 293.

<sup>18</sup> Walter Charleton, *The darkness of atheism dispelled by the light of nature* (London 1652), p. 125. It is also worth noting that such a position is not all that far removed from Spencer's desire to prevent people speculating about God's intentions on the basis of natural phenomena. Cf. Spencer, *A discourse concerning vulgar prophecies* (London, 1665), p. 131.

<sup>19</sup> In November 1668, Edmund Boldero, vice-chancellor of the university, passed a decree forbidding undergraduates and bachelors of arts from basing their disputations on Cartesian work. For the reception of the new philosophy in Cambridge during this period, see John Gascoigne, *Cambridge in the age of the Enlightenment: science, religion and politics from the Restoration to the French Revolution* (Cambridge, 1989), p. 56. For Boldero's decree see Bodleian Library, Oxford, Rawlinson MS C.146, fo. 35.

Tenison's recollection that in a meeting with his former student some time in 1668, Scargill had asserted his belief in the material nature of the soul, saying that he thought that 'the soul of man is but a trembling atome'.<sup>20</sup> This was much more controversial, and although reportedly said in private, it was something which even conventional neo-Epicurean writers shied away from endorsing.<sup>21</sup> Whatever the origin of his views, Scargill's extra-curricular interests were certainly moving him away from the cosy Baconian consensus which had filled John Spencer with so much optimism. In fact, Scargill, from being one of Spencer's brightest protégés, was turning into his worst nightmare.

The college's initial reaction was to try and keep Scargill's exotic opinions out of the public sphere. Private opinions and conversation were one thing, but the public airing of such views was becoming too dangerous.<sup>22</sup> Friendly advice, and even threats from colleagues, led Scargill to withdraw from another disputation in 1668, and he had made 'severall Solemne potestations and promises never to be guilty in the like nature againe'.<sup>23</sup> Scargill did not keep his promise. Appearing in the Schools, he proposed to defend the thesis that moral justice is founded in positive civil law, and that good and evil were not eternal categories. This appeared to be a reference to Hobbesian relativism, a suspicion confirmed when just before the disputation where he argued these theses, Scargill sent a note back to his college asking if one of the fellows would be 'pleased to send me Ward's pretence against Hobbes'. The book he was asking for was Seth Ward's comprehensive Latin critique of Hobbes, the *Exercitatio epistolica* (1656).<sup>24</sup> Scargill's flirtation with Hobbesian ideas was consistent with

<sup>20</sup> Axtell takes this as evidence that some of the arguments used by Scargill could have come from Tenison in the course of regular teaching. Although this is possible, in this instance Tenison's testimony is from a visit which he made to Corpus from his living near Huntingdon, in 1668. It is possible that such a visit might have been undertaken at Spencer's request, in order to try and wean Scargill off Epicureanism. Axtell, 'The mechanics of opposition', p. 109 n. 2; cf. Lambeth MS 941, fo. 108, section 3.

<sup>21</sup> Although similar ideas could be found in Lucretius' *De rerum natura*. Materialist ideas had also been used during the 1640s by radical writers such as Richard Overton, particularly in his *Man's mortalitie; or, a treatise wherein 'tis proved both theologically and phylosophically, that whole man, as a rational creature, is a compound wholly mortall, contrary to that common distinction of soule and body* (London, 1644).

<sup>22</sup> This supports Michael Hunter's suggestion that we should reconsider the degree to which public and published sentiments reflect the full extent of heterodox discussion, particularly as the Scargill affair reveals the existence of such discussion in private conversation. M. Hunter, 'The witchcraft controversy and the nature of free thought in Restoration England: John Wagstaffe's *The question of witchcraft debated* (1669)' and idem, "'Aikenhead the Atheist': the context and consequences of articulate irreligion in the late seventeenth century', in M. Hunter, *Science and the shape of orthodoxy: intellectual change in late seventeenth-century Britain* (Woodbridge, 1995), pp. 286–307, 308–32.

<sup>23</sup> Lambeth MS 941, fo. 108, section 5.  
<sup>24</sup> Ibid., section 6. This evidence is usually taken to indicate that Scargill was taking his Hobbes from books like Ward's. There is, however, no reason to suppose that Hobbes's work was unavailable to Scargill. Thomas Tenison, his tutor, carefully quoted a whole range of Hobbesian works in constructing *The creed of Mr Hobbes examin'd* (London, 1670). Scargill's comment shows that he was familiar enough with the material to have formed a judgement about Ward's book. It is surely better to say that he was consulting the work in order to prepare for a disputation in which he would inevitably have to face Ward's well-known critique.



his neo-Epicurean leanings. There were clear links between a neo-Epicurean adaptation of nominalist philosophy and the kind of project which Hobbes had undertaken. Both sought to attack superstition and mysticism by providing a rational *scientia* amenable to human understanding. Both projects were founded upon a nominalist interpretation of the distant relationship between God and the Creation; both had provided moral philosophies which stressed the necessity of coming to terms with an unstable moral universe. Hobbes was a great friend of Gassendi, and his closest friends and admirers in England were Epicurean writers such as Charleton, who openly praised him in print.<sup>25</sup> The use of Hobbesian ideas in a public context, though, however consistent with Scargill's other apparent beliefs, pushed things one step too far.

In the first week of December 1668, Scargill was hauled in front of the university consistory court to explain himself.<sup>26</sup> In an interview with Peter Gunning, Lady Margaret Professor of Divinity, he made it clear that his use of Hobbesian material was not uncritical. Gunning brought up the discrepancy between some of the offending theses and Hobbes's own positions, but Scargill, perhaps to Gunning's surprise, declared that 'in such places Mr Hobbs canted'. This retort has been taken to indicate that Scargill had got his Hobbes imperfectly from another source, but it is also clear that another interpretation could be that Scargill was using Hobbesian arguments within a neo-Epicurean framework which was similar but not identical. Scargill could pick and choose his Hobbes without being an unquestioning follower. The court, which included John Spencer, demanded that Scargill make a public recantation in the Bachelor Schools, which it would appear that he did. He was suspended from his duties until the following June.<sup>27</sup>

<sup>25</sup> If Charleton could refer to Hobbes as that 'Noble Enquirer into Truth' who had published that 'inestimable manual of humane nature' in 1650, it was an opinion which he kept into the 1670s, when, as a fellow of the Royal Society, he could refer to 'our Incomparable Mr Hobs.' Charleton, *Deliramenta catarrhi* (London, 1650), sig. A1v; *Concerning the different wits of men* (London, 1669), Preface. For Charleton's many references to Hobbes see C. D. Thorpe, *The aesthetic theory of Thomas Hobbes* (Michigan, 1940), pp. 176–88.

<sup>26</sup> The court consisted of the following heads of houses: Edmund Boldero (Jesus), James Fleetwood (King's), Richard Minshull (Sidney Sussex), Peter Gunning (St John's), Theophilus Dillingham (Clare Hall), John Spencer (Corpus), Robert King (Trinity Hall), Robert Brady (Gonville and Caius), John Pearson (Trinity). The ideological composition of the court in many ways represented the strength of high-churchmen restored to university office by royal mandate after the Restoration. In some cases this had been at the calculated expense of latitudinarian incumbents, as in Fleetwood's replacement of Benjamin Whichcote, and Gunning's ejection of John Tillotson from his Clare Hall fellowship. For information on heads of house during the Restoration, see Twigg, *The university of Cambridge and the English Revolution*, p. 239.

<sup>27</sup> It is worth noting that this penalty was in line with the abortive bill against atheism which had been introduced in 1666. It was sent up into the Lords in October 1667 with the provision that first offenders should be fined and required to make public recantations before the court and in their parish church. Although the bill was never passed, it was probably with such deliberations in mind that the consistory court delivered their (perhaps surprisingly lenient) sentence. For details of the bill and its relationship to anti-Hobbesian feeling in the later 1660s, see P. Milton, 'Hobbes, heresy and Lord Arlington', *History of Political Thought*, 14 (1993), pp. 516–21. Scargill was lucky to escape so lightly; in the same year in Scotland, another enthusiast of the new science, Robert

If the university authorities had felt that this was a sufficient punishment, some of Scargill's colleagues at Corpus may have felt otherwise. The public exposure of Scargill's hitherto privately expressed views put the college, and particularly the master, in an awkward situation. Spencer had presided over an intellectually progressive institution, and Scargill's rise within it had accompanied his own elevation to the master's lodge. The reputation of the master and the college were now compromised by their connection with a confessed Hobbist, a connection which the politically vulnerable Corpus latitudinarians could ill-afford. The situation was particularly embarrassing to John Spencer because his own fiercely rationalist work, which pushed at the boundaries of orthodoxy in its vehement denial of prophecy and divination, was at that moment about to take a decisive turn. Since the second edition of the *Discourse* in 1665, Spencer's special interest in the mechanics of prophecy had dovetailed with his interest in Hebrew customs. This resulted in his *Dissertatio de urim et thummim*, due to be published in 1669, a detailed study of Jewish methods of prophecy. What was striking about Spencer's thesis was his insistence that Jewish forms of divination, and the manner of their manipulation by priests, were adapted from Egyptian ritual.<sup>28</sup> to promote this kind of thesis, and to harbour a now publicly exposed Hobbist, may have been a potentially scandalous mix. For these reasons, Spencer may have decided that Scargill had to go.

It is thus no surprise to find Spencer and some of the other fellows close to the master orchestrating what amounted to a smear campaign against the now suspended Scargill.<sup>29</sup> The testimony of the fellows covering the period after his

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Hamilton, fell foul of the university authorities in Aberdeen for references to Hobbes in his *Schediasmata libero-philosophica* (Edinburgh, 1668). For Hamilton see C. Shepherd, 'Philosophy and science in the arts curriculum of the Scottish universities in the seventeenth century' (Ph.D. thesis, Edinburgh, 1975), pp. 148, 200, 262–3, 307; *The diary of Mr John Lamont of Newton, 1649–71*, ed. J. R. Murdoch (Edinburgh, 1830), pp. 207–8.

<sup>28</sup> This was a theme which Spencer would expand in his *De legibus Hebraeorum* (London, 1685), which systematically developed the highly controversial thesis that the Hebrew priesthood had encouraged superstition and idolatry on the model of the Egyptians. Another writer to be discussing the *urim* and *thummim* (a form of priestly divination mentioned cryptically in Exodus 28.30) from an erastian and anti-clerical perspective was, of course, Thomas Hobbes, in chapter 42 of *Leviathan*, where it was discussed in the context of illusory supports for papal power, and also (at the same time as Spencer) in the unpublished *Behemoth*. For discussion of Spencer's thesis see J. A. I. Champion, *The pillars of priestcraft shaken: the Church of England and its enemies, 1660–1730* (Cambridge, 1992), pp. 155–7. For Hobbes's references to *urim* and *thummim*, see *The English works of Thomas Hobbes*, ed. W. Molesworth (11 vols., London, 1839–45), III, p. 557; VI, p. 279.

<sup>29</sup> Several names recur frequently in the testimony supplied as evidence against Scargill: William Briggs (1642–1704), Henry Gostling (1648–75), Richard Sheldrake (1638–1720), and Erasmus Lane (1640–1715). Briggs was another of Tenison's students whose election to the fellowship had been opposed by Scargill. Gostling was Scargill's opponent in the November disputation. Sheldrake and Lane were more senior fellows. Lane clearly had a talent for this kind of work; in the autumn of 1669 he organized similar material in another petition, this time designed to exclude the memorably named Wormley Martin, of Jesus College, from a Corpus fellowship on

first suspension descends to the level of scurrilous gossip and innuendo about his private life: Scargill was accused of association with the 'younger scholars of the college, townsmen of inferior quality', or, even worse, 'young women'. He was reported to begin his day 'with a pint of sack, or some other strong liquor, often to drink to distemper and then us'd to shew himself openly to the just scandall of the Society'. he was said to keep gaming tables in his rooms, with which he would play at dice with the younger students. Perhaps the best story tells of Scargill's disastrous trip to the seaside at King's Lynn in the spring of 1669, on what was described as a 'frolick'. Scargill, together with some Corpus students, was allegedly, 'several times disorder'd with wine and strong waters and moreover there did quarrell with one of his company and caus'd by it a tumultuous concourse of people in the public streets and the drawing of one or more swords in that quarrell'. Now it is clear that Scargill was hardly a model citizen, but much of this, far from being habitual (and more importantly unrelated to his philosophical positions), seems to have been the unfortunate, but hardly surprising, result of his suspension. Such accounts of Scargill's recreational activities, however, gave Spencer the evidence he needed to get rid of Scargill for good, and on 12 March 1669, the consistory court expelled him.

If Scargill had been an isolated and eccentric miscreant, this might have spelled the end of John Spencer's problems. In fact, it was only the beginning. As he left Corpus after being expelled, Scargill remarked to a colleague that he would be 'revenged of Dr Spencer and his complices', and he then left for London to get assistance.<sup>30</sup> What happened next indicated that Scargill could muster support in high places; two months after he had been expelled, letters arrived from the king ordering that Scargill be restored to his fellowship.<sup>31</sup> Scargill had clearly caught on to the recantation idea as a way out of his

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the grounds of 'dissolute and improper conduct'. Corpus Christi College Book; Lambeth MS 941, fo. 108; petition of Corpus Christi College, London, Public Record Office, State Papers Domestic, Charles II, 29/266/143, fo. 1.

<sup>30</sup> Lambeth MS 941, fo. 108. Scargill was in a difficult situation because the college statutes required new fellows to swear an oath on admission acknowledging that 'in case of an ejection for any notorious Scandall, it shall not be lawfull for the person soe ejected to endeavour his restitution by a Suit commenc't against the Master', *ibid.* Scargill tried to get around this by persuading his father to act as the intermediary, but the college protested that he had perjured his oath. Lambeth MS 941, fo. 107.

<sup>31</sup> Scargill's contacts in this instance are not known. The letters must have originated from the office of Arlington, and more specifically from that of his secretary, Joseph Williamson, which was a clearing house for this sort of patronage. Twigg suggests that in this instance we can see the readiness with which individual petitioners could enlist the crown into their disputes without much official scrutiny of their claims. Although this was undoubtedly true in some instances, it was also commonly the case that such favours were granted in return for services either rendered or promised. It is hard to see what Scargill had to offer in dragging the crown into a protracted struggle with its own placemen in the consistory court. It should also be born in mind that another client of Arlington at this time was Thomas Hobbes himself. For discussion of the Scargill case in the context of crown disputes with the universities, see Axtell, 'Mechanics of opposition', and Twigg, *The University of Cambridge and the English Revolution*, pp. 259-60.

difficulties, and the letters suggested that he be allowed to recant again, 'and to declare his future adherence to the doctrine and discipline of the Church of England'. The letter did not produce instant results. One can appreciate the university's (and particularly Spencer's) reluctance to go back on its decision, but exactly one month later Gilbert Sheldon, archbishop of Canterbury, wrote directly to Spencer to chivvy him along, suggesting that 'you consider well whether it be not fit for you to readmitt, without putting the King to the trouble of another letter'.<sup>32</sup> The archbishop's influence produced a response, and Scargill was duly ordered by the consistory court to draw up a suitable recantation.<sup>33</sup> Although he initially turned up empty-handed, he did eventually produce a text which the court amended several times before it was officially sanctioned.<sup>34</sup> On his way to get the final version approved by the vice-chancellor, Scargill bumped into a friend and flippantly referred to the recantation as his 'evensong', something which Spencer, reporting the incident, felt was 'a speech signifying...he was not hearty and serious therein'.<sup>35</sup>

Penitent or not, Scargill delivered his recantation to what must have been a packed congregation at Great St Mary's on 25 July 1669, and the sermon was issued as a pamphlet immediately afterwards.<sup>36</sup> The public distribution of the text shows that the *Recantation* had become an opportunity for the consistory court to deliver an influential semi-official definition of what they saw as unacceptable Hobbism, a move with implications for a much wider audience, which it certainly reached.<sup>37</sup> Given the various revisions to Scargill's original offering, it is no surprise to find that the text has something of a 'scissors and paste' quality about it.

The baroque flourishes of self-condemnation seem to be Scargill's own; he summons up the devil as his Hobbesian inspiration, being 'possessed with a foolish proud conceit of my own wit, and not having the fear of God before my

<sup>32</sup> Sheldon to Spencer, 28 June 1669, Lambeth MS 674, fo. 9.

<sup>33</sup> The court on the hearings of 7, 14, and 21 July consisted of Edmund Boldero (Jesus), John Pearson (Trinity), Peter Gunning (St John's), James Fleetwood (King's), Joseph Beaumont (Peterhouse), Theophilus Dillingham (Clare Hall), Robert Brady (Gonville and Caius) and John Spencer (Corpus). Records for Great St Mary's Church, 1587-1669, Cambridge University Archives CUR 18/6(d-e).

<sup>34</sup> According to the university records of the hearing, the *Recantation* was checked by Gunning after the meeting of 14 July, and again by Dillingham and Pearson after the meeting on 21 July. Ibid.

<sup>35</sup> Lambeth MS 941, fo. 107.

<sup>36</sup> The text can be read either in the original *Recantation of Daniel Scargill* (Cambridge, 1669), or more accessibly in Linnell, 'Daniel Scargill', pp. 257-60.

<sup>37</sup> The *Recantation* certainly made a substantial impact in Cambridge, and the pamphlet was clearly much-sought-after; John Gibson of St John's wrote to a friend the day after the recantation that 'the news that fills all mouths here is the recantation of Sir Scargill, which I have sent you in print...to read it at large'. 'The letters of John Gibson', *Cambridge Antiquarian Proceedings and Communications*, 8 (1891-2), p. 73. The level of publicity surrounding the case was such that among the reasons marshalled by Corpus as to why they could not take Scargill back was that he had 'now become so infamous throughout the University if not the whole nation for his pernicious principles and debaucheries'. Lambeth MS 941, fo. 107.

eyes', he professed 'that I had gloried to be a Hobbist and an Atheist: and vaunting that Hobbs should be maintained by Daniel, that is, by me'. He conceded that he had 'lived in great licentiousness; swearing rashly; drinking intemperately; boasting myself insolently; corrupting others by my pernicious principles and example: To the high dishonour of God; the Reproach of the Universitie: the Scandal of Christianitie; and the just offence of mankind'. The recantation includes references to Scargill's role as an agent in spreading the 'accursed Atheism of this age' and also dire warnings to all of his 'victims' urging them to 'lean not to their own understanding, but consult the holy scriptures... that from thence they may learn to be wise unto sobriety'.

One gets the sense that much of the sermon was delivered along these programmatic lines, but there were passages where the process of revision had left room for ambiguity. Recantation was always a flawed punishment for a Hobbist, because Hobbes had famously suggested that under the order of the civil magistrate it was permissible to give an external profession without actually internally subscribing to the views expressed.<sup>38</sup> Someone must have realized this, and required Scargill to produce the rather bizarre codicil to the sermon, in which he brings up this very problem:

Now lest anyone should mistake or suspect this confession and unfeigned renunciation of my sinful and accursed errors, for an act of civil obedience or submission in me, performed according to my former principles... I call the searcher of all hearts to witness, that I loath and abhor such practices as the basest and most damnable hypocrisy.<sup>39</sup>

In fact, the addition fundamentally destabilizes the whole text, leaving its sincerity even more doubtful by drawing attention to the fact that recanting Hobbists are intrinsically unreliable. In this sense, Scargill may have had the last laugh.<sup>40</sup>

Perhaps the most interesting and important feature of the sermon is the way in which Scargill's Hobbism is defined. The Hobbist charges are listed twice, once at the beginning and again towards the end, perhaps for the benefit of the hard of understanding. The substantial arguments are first, that all right of dominion is founded only in power; secondly, that all moral righteousness is founded only in the law of the civil magistrate; thirdly, that the holy scriptures are 'made law onely by the civil authority', and fourthly, 'that whatsoever the magistrate commands is to be obeyed notwithstanding contrary to divine moral laws'.<sup>41</sup> Now these positions are adaptations of actual Hobbesian

<sup>38</sup> Hobbes, *Leviathan*, ed. R. Tuck (Cambridge, 1991), pp. 343-5.

<sup>39</sup> Scargill, *Recantation*, pp. 5-6.

<sup>40</sup> The Corpus fellows clearly recognized the disastrous effect of the interpolation, and quoted Scargill's own discussion of the problem as a reason why they could not take the *Recantation* seriously. Lambeth MS 941, fo. 107.

<sup>41</sup> Scargill, *Recantation*, pp. 1, 4. Intriguingly, the first list contains illustrations which bring out the darker implications of Scargill's theses. For example, the proposition about all right being founded in power is 'clarified' with the proposition that if the devil were omnipotent, then he ought to be obeyed. There is no evidence outside the *Recantation* that Scargill ever subscribed to these lurid

arguments.<sup>42</sup> What is striking though, is that although these arguments occur within a matrix of diabolic inspiration and libertine debauchery, in themselves they are remarkably focused upon one particular aspect of Hobbes's work, that of the relationship between power and moral authority. As we have seen, Scargill had also publicly discussed controversial statements about materialism, mechanism, and the universal system, but these very standard topics of Hobbesian controversy are not discussed at all in the *Recantation*, which reduces the offending Hobbism to a much narrower definition. When Scargill talks of the manner in which his theses are disruptive of the various levels of community, such as corporation, college, university, city, and commonwealth, it is clear that the point being made is an acutely political one, indicating a position which held the sovereignty of the magistrate to be fundamentally determinative of natural law and religious worship. What is particularly interesting about this is that these arguments were coming to be crucial in a major political debate of the period, one that centred around the work of another so-called Hobbist, for whom Scargill's definition of Hobbism would become particularly dangerous.

## II

Samuel Parker, chaplain to Gilbert Sheldon, can only have watched events in Cambridge with a certain amount of alarm. There were several ways in which Parker and Scargill were similar; even very recent work tends to regard Parker as another isolated 'Hobbist'. It is important to note, however, that Parker, like Scargill, was the product of a distinctively latitudinarian background, with latitudinarian friends and contacts.<sup>43</sup> He had undergone conversion from a radical puritan sect at Wadham under the guidance of John Wilkins and Ralph Bathurst – he had gone on to become the model of a modern rationalist divine, an apologist for, and fellow of, the Royal Society. In his *Free and impartial censure*

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statements. Whether this was an attempt to spell out the implications of Hobbism to a less learned audience, or a rather more straightforward attempt to move Scargill further beyond the pale, or even both, is not entirely clear.

<sup>42</sup> For Hobbes's original comments, see, respectively, *De cive*, I.xiv, xv.v; *Leviathan*, chs. 26, 33, 36. The first thesis follows the argument in *De cive*. However, it should be noted that the rhetoric throughout *Recantation* is designed to stress the positivism in Hobbes's arguments. Theses 2 to 4 imply that Hobbes simply founds moral and divine laws upon the sovereign's will, their content being essentially arbitrary. However, the context for Hobbes's discussion is not that 'conventional' moral laws have no validity; it is that formal obligation to such moral 'theoremes' is problematic – they thus need to be authorized by the sovereign power to provide a clear *legal* obligation.

<sup>43</sup> Parker is more usually seen as an eccentric high churchman. For this view see J. G. A. Pocock, 'Thomas Hobbes, atheist or enthusiast? His place in Restoration debate', *History of Political Thought*, 11 (1990), pp. 737–49. For more sympathetic treatments see Richard Ashcraft, *Revolutionary politics and Locke's 'Two treatises of government'* (Princeton, 1986), pp. 41–54; Gordon Schochet, 'Between Lambeth and Leviathan: Samuel Parker on the church of England and political order', in N. Phillipson and Q. Skinner, eds., *Political discourse in early-modern Britain* (Cambridge, 1993), pp. 189–208.

of the platonick philosophy of 1666, he had, like John Spencer, joined the call for Baconian natural histories, but this was complicated by an endorsement of the same mechanical hypothesis which eventually got Scargill into trouble at Cambridge. In addition, in the *Nature and extent of the divine dominion*, he had criticized the essentialism which suggested that God's power was restricted by his goodness. He had even quoted Hobbes's *De cive* approvingly and had emphasized God's power as the source of dominion.<sup>44</sup> This was, of course, Scargill's first Hobbesian thesis. These works had already generated critical comment for their Hobbesian content, not least from the Presbyterian divine Richard Baxter, who had attacked Parker in the appendix to his *Reason of the Christian religion* (1667). Baxter lumped Parker together with Joseph Glanvill as one of the 'younger sort of ingeniose men' whose sceptical outlook and desire for novelty had driven them towards perniciously materialistic doctrines. What was more, such doctrines concealed an unacceptable moral agenda – as God was removed from a world of autonomous secondary causes, moral relativism became an increasingly viable hypothesis. Baxter invoked the shadow of Hobbes when he wrote that 'if there can be no power... antecedent to the motion, there is but one and the same account to be given of all actions good and bad... then there is no virtue or vice, no place for Laws and moral Government'.<sup>45</sup>

If this aspect of Parker's writing seems to offer an uncanny parallel with Scargill, the archbishop's chaplain was to give his critics even more reason to draw the comparison as he entered the heated debate over toleration and comprehension in the late 1660s. With the fall of Lord Chancellor Clarendon and the rise of an ecclesiastically more open-minded regime from 1667, there was much discussion of the possibility of either broadening the Anglican settlement to comprehend dissenters within the church, or providing the means by which they could be tolerated. For some, though, dissent was still inextricably linked to a rejection of the Restoration settlement and a persistence of sectarian political disobedience. With calls for liberty of conscience interpreted as a threat to the integrity of the political state, Hobbesian arguments began to recur in the debate on a scale and with an impact which was quite extraordinary.

Parker's book, the *Discourse of ecclesiastical polity*, was published in 1669.<sup>46</sup> It is not clear from the text whether Parker had the *Recantation* in mind, but in the *Discourse* he found himself defending positions very close to the propositions of which Scargill was repenting in July of the same year. The similarity stemmed from the use of a characteristic natural law argument against the claims of

<sup>44</sup> Samuel Parker, *Of the nature and extent of God's dominion* (Oxford, 1667), p. 126 (p. 2 in the 1666 edition). Parker maintains that no definition of dominion is 'more accurate and comprehensive than Mr Hobs's'.

<sup>45</sup> Richard Baxter, *Reasons of the Christian religion* (London, 1667), p. 520.

<sup>46</sup> The title pages for the first edition of the work bear the date 1670, but this must be an error, as several replies to the work appeared in 1669.

dissenters for freedom to worship as they pleased. The major premise was that since scripture had not given a sufficiently detailed account of the manner of religious worship, one should of necessity appeal to natural law as a guide. Natural law effectively delegated to the sovereign power a natural right of permission to determine the outward form of worship in things that were essentially indifferent, or adiaphora. These should therefore be ordered by the sovereign in ways which maintained the civil peace. This argument had been used with various degrees of vigour throughout the 1660s by latitudinarian thinkers, most notably by Edward Stillingfleet, in his *Irenicum* of 1661, and more recently as part of the immensely popular *Friendly debate* series, dialogues written by Simon Patrick beginning in 1668.<sup>47</sup> In both instances, the maintenance of civil peace had been used to justify the sovereign's right to order religious worship. In Patrick's work this argument had come to be used more aggressively to attack pro-toleration dissenters, suggesting that their attempts to remain divided from the established church constituted wilful sedition.

In the *Discourse*, Parker's extension of this argument suggested that the dissenters' desire for liberty in the external form of worship effectively undermined the political order. Rejection of the ecclesiastical settlement and the established church was a rejection of the political settlement and a statement of political recalcitrance. In saying this, he posited a direct connection between good order in the state and uniformity of religion. This political interpretation of religious uniformity amplified the role of the state as an omniscient arbiter in religion and politics. It was necessary, wrote Parker, to accept that 'the Supreme Government of every Commonwealth, wherever it is lodged, must of necessity be universal, absolute and uncontrollable, in all affairs whatsoever, that concern the interests of mankind, and the Ends of Government'.<sup>48</sup> Parker backed this up with a brutal Marsilian history lesson, showing that there had never been separate ecclesiastical power in the temporal sphere. It was only when the Church of Rome began to usurp the natural rights of the civil magistrate that such public and political claims were made, claims, according to Parker, which the dissenters were trying to revive.<sup>49</sup>

<sup>47</sup> If Patrick was the S. P. who wrote the *Brief account*, then this view can be tracked back to that pamphlet where it is noted as a distinguishing feature of latitudinarians: 'They espouse settled liturgy and saw government as the best way to prevent anarchy in days when every preacher was a bishop and every rustick and mechanick took upon them to be a preacher.' S. P., *Brief account*, p. 8. For use of the natural law argument by Patrick in the later 1660s, see *Friendly debate* (London, 1668), pp. 104–7, 421–2. Richard Ashcraft has also noted some of the more intolerant aspects of latitudinarian thought in his article, 'Latitudinarianism and toleration: historical myth versus political history', in Kroll, Ashcraft, and Zagorin, eds., *Philosophy, science and religion in England*, pp. 151–77. For the intellectual background to Restoration persecution, see also Mark Goldie, 'The theory of religious intolerance in Restoration England', in O. P. Grell, J. I. Israel, and N. Tyacke, eds., *From persecution to toleration: the Glorious Revolution and religion in England* (Oxford, 1991), ch. 13.

<sup>48</sup> Parker, *Discourse of ecclesiastical polity* (London, 1670), p. 28.

<sup>49</sup> *Ibid.*, p. 31.



As for his ecclesiology, the minimal prescriptions of scripture and the natural right of permission suggested that the lawfully constituted authority in each society could adopt church forms which were consistent with an 'honourable Opinion of the Deity', virtue, and moral goodness. The general laws of God were thus to be circumstanced with the prudence, discretion, laws, and prescriptions of the civil magistrate.<sup>50</sup> Parker was effectively making the magistrate the interpreter of natural law, and even of the scriptural debates which had raged over the form of church government. One does not have to look too far to see the relationship with Scargill's Hobbesian theses, which may have been composed with precisely these positions in mind. Although Parker's sovereign was technically restrained by natural law, how much could that be a bridling influence when natural law seemed to be reduced to the justification for burgeoning sovereign power? Where, on this account, did the magistrate's power end? In yoking public security together with the question of religious liberty, Parker was in danger of pushing the prudential powers of the magistrate into a pure Hobbesian positivism.

This can be perceived even more clearly when Parker attempted to defend his position over the liberty of conscience issue. Dissenters argued that it was fundamentally wrong to force men to act against their conscience. Parker, following Stillingfleet and Patrick, argued that this call was mistaken, since men have a de facto liberty of conscience anyway; it is physically impossible for the magistrate to legislate over the minds of men.<sup>51</sup> Parker relies on a sharp dichotomy between external actions, which can be policed by the public authority, and internal thoughts, which are inviolably private. This was a rather extreme application of the institutional scepticism which characterized the latitudinarian sceptical and adiaphorist views on church government, but it was a view shared by Hobbes in his crucial distinction between reason and faith. For Parker to suggest that outward forms were no necessary part of religion itself and that one could worship as one pleased in one's own soul, without, as he put it, 'upsetting the prince', seemed to many to be taken directly from the Hobbesian suggestion in chapter 42 of *Leviathan* that if the magistrate should demand the denial of Christ, then it was legitimate for the subject to comply while at the same time maintaining the faith in the internal sphere.<sup>52</sup>

Parker was clearly aware that he was playing a dangerous game in engaging with what seemed like pure Hobbes, and he tried to insulate himself against such a reading by providing a detailed refutation of the Hobbesian position. He was desperate to reassure his audience that he was *not* suggesting that the magistrate should effectively determine moral and religious truths – this was still the province of his law of nature, the magistrate merely prescribed in

<sup>50</sup> Ibid., pp. 82, 104.

<sup>51</sup> Ibid., p. 93. Cf. Stillingfleet, *Irenicum* (London, 1662), p. 72; Patrick, *Friendly debate*, p. 113; Parker *Defence and continuation* (London, 1671), pp. 104–7.

<sup>52</sup> Parker, *Defence and continuation*, pp. 98–9. Cf. Hobbes, *Leviathan*, ch. 42, p. 343.

accordance with it. The *Recantation*'s fourth premise had been that whatsoever the magistrate commands is to be obeyed notwithstanding its being contrary to divine moral laws. Parker wrote in response to the Hobbesian point that

where the good or evil of an action is determined by the law of nature, no positive law can take off its morality...and therefore if the supreme magistrate should make a law not to believe the Being of God or Providence, the Truth of the Gospel, the Immortality of the Soul; that law can no more bind, than if a Prince should command a man to murder his father or to ravish his Mother; because the obligatory power of all such laws is antecedently rescinded by a stronger and more indispensable obligation.

Parker's strategy was to find ways in which he could show that natural law was in fact an operationally indispensable part of moral and political obligation. His argument relied upon drawing the distinction between Hobbes's position, in which sovereignty was a product of a state of war, and his own Grotian position, in which sovereignty was always a natural correlate of man's innate sociability, a sociability which was demanded by natural law.<sup>53</sup> Civil power was thus employed constructively *for* society, and in accordance with natural law, rather than generated negatively as an *artificial* source of moral authority, as the *Recantation* theses might suggest. Although in many ways this was interesting and innovative work, Parker was left with the problem that his sovereignty argument was so strong when dealing with dissent that it seemed to swallow up and determine natural law in every case where the public interest was held to be at stake.

The howl of protest was loud and predictable. Dissenters and their supporters were quick to identify Parker as a 'Young Leviathan' and his thesis as distinctively Hobbesian.<sup>54</sup> John Owen, the Independent leader, and the main target of the *Discourse*, replied a few months later in *Truth and innocence vindicated*, attacking Parker's apparent endorsement of Hobbesian hypocrisy over religious profession. As for the refutation of Hobbes, Owen commented that

The hypothesis whose confutation he hath undertaken, as it is in itself false, so it is rather suited to promote what he aims at, than what he opposes. And the principles which he himself proceedeth on, do seem to border on, if not to be borrowed from his, and those which are here confuted.<sup>55</sup>

When Parker replied to Owen in his *Defence and continuation of the discourse* (1671), he remained unrepentant about his thesis, still maintaining that it grounded the right of the magistrate in natural law and not arbitrary Hobbesian power. What is interesting, though, is that in response to Owen's

<sup>53</sup> Parker's account of natural sociability was indebted to Grotius's *De jure belli ac pacis* (1625), and possibly also to Pufendorf's early work, *Elementorum jurisprudentiae universalis* (1660). The reassertion of Grotian natural sociability became a key feature of the latitudinarian response to Hobbes.

<sup>54</sup> For identification of Parker as a Hobbiist see Richard Baxter, *Reliquiae Baxterianae* (London, 1696), part II, p. 123; John Humfrey, *A case of conscience* (London, 1669), pp. 11, 12; Henry Stubbe, *Rosemary and bayes* (London, 1672), p. 18. Anon., *Insolence and impudence triumphant* (London, 1669), sig. A3r.

<sup>55</sup> John Owen, *Truth and innocence* (London, 1669), p. 103.

charge that he was asking men to attend a public conscience and not to their own, he wrote that 'this is somewhat rank doctrine, and favours not a little of the Leviathan. But yet how can I avoid it? Are these not my own words? ... I am content to confess that I have said something not unlike them.'<sup>56</sup>

Parker's rhetorical question was one which was occurring to many of those confronting the problem of dissent, particularly with Scargill's *Recantation* very much in the public gaze, clearly defining those doctrines which had come to be central to the debate. Herbert Thorndike amended the manuscript of his *Discourse of the forbearance* (1670) to include references to the *Recantation* which made the connection with Parker explicit; there are those, he suggests, clearly with Parker in mind, 'that are perswaded by the Leviathan, that a church is nothing but a Christian Commonwealth. And that the civil power thereof, which is Sovereign, hath full Right to injoyne whatsoever it please, for the Christian Religion.' Hypocritical subscription to imposed forms of worship, however, was as abhorrent to Thorndike as it had been to Owen, and it led directly to the very atheism of the *Recantation*. Thorndike made it clear that Hobbes was just one step away:

As the Propositions first maintained and afterwards recanted by his [Hobbes's] late Disciple at Cambridge, do import; 'That there be no difference between good and bad, before Civil Power that is sovereign inact it'; then it must be said further, that he is properly an atheist. For if God govern not the world, if he reward not the good, if he punish not the bad, though men do not ... then he is not God. Particularly if Civil Power can oblige a man to say or swear, that which he means not, there remains not that Ground for Civil Society which the Heathen themselves ... maintained.<sup>57</sup>

### III

The *Recantation* provided a fatal terminus for Parker's position, and the linkage had wider implications precisely because Parker was not as isolated a figure as has sometimes been suggested. Like Scargill, Parker had pushed beyond acceptable limits, but the uncomfortable fact remained that these views had emerged from characteristic latitudinarian positions. These were now inextricably tangled in a semi-official definition of Hobbism. It is thus no surprise, therefore, to find many latitudinarian thinkers reassessing their own theoretical positions in relation to the problem of Hobbism.<sup>58</sup> The reopening of

<sup>56</sup> Parker, *Defence and continuation*, p. 279.

<sup>57</sup> Herbert Thorndike, *Discourse* (London, 1670), pp. 113–14. The difference between the printed version and the manuscript is discussed in Herbert Thorndike, *Works* (Oxford, 1854), v, p. 449, note u. I would like to thank Mark Goldie for bringing this reference to my attention.

<sup>58</sup> It is worth pointing out that this problem of political and religious identity affected several groups and institutions in the later 1660s. Groups and institutions whose nominal identity was predicated upon the problematic Restoration settlement (e.g. conformist Anglicans, as opposed to Dissenters, both labels concealing a vast diversity of outlook) came under pressure to identify themselves in the increasingly murky and turbulent politics of the period after 1667. Failure to do so allowed opponents to put unfavourable constructions upon ill-defined groups. 'Latitude-men'

the discussion about exactly who and what latitudinarians were can be seen in the republication in 1669 of texts like S.P.'s *Brief account*, and Nathaniel Culverwel's *Discourse on the light of nature*. Particularly interesting from this point of view is Edward Fowler's *The principles and practices of certain moderate divines of the Church of England abusively called latitudinarian* published anonymously in 1670. This was written in defence of writers like Patrick and Parker, vindicating them from the Hobbesian association. It is not entirely surprising that when Fowler itemizes those arguments which mark out the true Hobbiist, he quotes three of the arguments of Scargill's *Recantation* verbatim.<sup>59</sup> His defence of writers like Parker is to suggest that in fact 'these divines have proved better than anyone else that Moral Good and Evil are not onely such, because God commands the one and forbids the other'. It is clear that Fowler endorsed Parker's hard line against toleration, and his work was concerned to elaborate upon the anti-Hobbesian position so that he could clarify and develop the arguments put so brutally in the *Discourse of ecclesiastical polity*. This is perhaps indicative of the way in which Parker's Hobbism could generate creative responses to the *Leviathan*, and it is worth looking at much of the anti-Hobbesian literature of the period in the light of this discussion.

One example of this is *The great law of nature*, by one John Shafte, subtitled 'self-preservation examined, asserted and vindicated from Mr Hobbes his opinions', composed in the period 1670–1. This conformist work attempted to show, in defence of Parker's position, how natural law could indeed generate a source of moral authority sufficient to quell the demands for religious liberty. Shafte's argument followed Parker in accepting Hobbes's premises but rejecting the state of war. Men were naturally sociable, and sovereignty was established for the common good. The consequence of this was that, according to natural law and the common good, the government must judge 'what liberty may be or is consistent with the civil government and not every private person'.<sup>60</sup> As a consequence, any demand for liberty of conscience in public worship, other than what is allowed by the lawful authority, 'is not a thing to be desired' and, if implemented, 'it will certainly dissolve and bring to ruine all civil

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are one example, the Royal Society, predicated as it was on a hopelessly eirenic Baconianism, was another institution likened to anything from a Jesuit beachhead to a puritan conventicle. Anxiety about who represented what (including the monarch) was a distinctive feature of a polity which was far from accepting the real fissures at its core.

<sup>59</sup> Fowler states that the Hobbesian position is that 'all moral righteousness is founded in the law of the Civill Magistrate, that the scriptures are obliging by vertue only of a Civill sanction: that whatsoever the magistrates command, their subjects are bound to submit to, notwithstanding Divine Moral Laws'. These are theses 2 to 4 in the *Recantation*. This usage of Scargill's work demonstrated the extent to which the *Recantation* came to dominate the public image of Hobbes (whose own works were, of course, in notoriously short supply) in the later 1660s. Fowler, *Principles and practices*, p. 12. For use of the *Recantation*'s theses as representations of Hobbes's own thought, see the commonplace book entry on 'The principles of Mr Hobbes', in British Library, Sloane MS 904.

<sup>60</sup> John Shafte, *The great law of nature* (London, 1673), p. 120.

government'. This was, according to Shaftesbury, the greater sin against natural law.

Along the same lines, but at greater length and with more general significance, one can see Richard Cumberland's *De legibus naturae* of 1672 fulfilling the same role in providing a magisterial account of natural law theory which emphasized the role of natural law and natural sociability in overcoming Hobbes's egoism and moral relativism. Cumberland rejected Hobbes's state of war and, like Parker, followed Grotius in emphasizing instead man's natural sociability. This natural law of sociability was obligatory because it was enforced with natural rewards and punishments, sanctions which could not be ignored. Although Cumberland's work was deeply critical of Hobbes, what is particularly striking about it is that it maintains many of the premises and some of the more politically absolutist elements of Hobbes's position in order to vindicate a political thesis supportive of Parker's position.<sup>61</sup> The process of reconstruction through criticism allowed Cumberland, in re-establishing the obligatory force of natural law, actually to use the useful part of Hobbesian theory. As he put it,

And now, when I treat of obligation, which is the Proper Effect of Laws, and becomes known to our senses by the Rewards and Punishments consequent upon Observation and Violation of those Laws... I may assume what Hobbes has with reason granted, provided I take care to avoid the many errors he has intermixed therewith.<sup>62</sup>

Cumberland's work became one of the more important contributions to seventeenth-century natural jurisprudence, not least for its ability to domesticate the *Leviathan*.

If some latitudinarian writers saw the way out of a Hobbesian dilemma as a redefinition of their natural law ideas, for others the problem required a more fundamental solution which would take them in new directions. In 1670 John Locke made some manuscript comments on Parker's *Discourse*.<sup>63</sup> By the later 1660s Locke was advising Lord Ashley about theoretical justifications for a policy of toleration, but it should be recognized that his earlier work had shared with Parker an attachment to the now controversial naturalism. Locke's (unpublished) *Two tracts on government*, written during the early 1660s, had opposed toleration using the very arguments which Parker had proposed in the *Discourse*. It was perhaps queasiness about the Hobbesian implications of the *Tracts* which had led Locke to his own discussion of natural law and sociability in his (also unpublished) *Essays on the law of nature* a few years later, in which he partially confronted the Hobbesian problem. One senses that his fundamental uneasiness was not resolved during the mid-1660s as he reworked drafts of work recommending degrees of toleration, attempting to reconcile viable political

<sup>61</sup> For discussion of Cumberland's place in this debate see Parkin, *Science, religion and politics in Restoration England*, ch. 1.

<sup>62</sup> Richard Cumberland, *De legibus naturae* (London, 1672), ch. v, sect. xxxvii.

<sup>63</sup> These comments are in Locke, *Political essays*, ed. Mark Goldie (Cambridge, 1997), pp. 212–14.

authority with potentially dangerous religious liberty.<sup>64</sup> The Parker incident brought these issues into a sharper focus.

Parker had demanded subordination of religion to the supreme authority. In commenting on this argument, Locke asked whether this proved anything other than that 'the magistrate's business being only to preserve peace, those wrong opinions are to be restrained that have a tendency to disturb it'. This was, he conceded, 'by any sober man allowed'. This was the Lockean voice of the *Two tracts*, but the dilemma was that Parker had used the same argument to impose external forms of religion, something which Locke could no longer endorse, and he laid out the problem in one of his questions: 'The end of government being public peace 'tis no question the supreme power must have an uncontrollable right to judge and ordain all things that may conduce to it, but yet the question will be whether uniformity established by law be... a necessary means to it'. It is interesting that throughout his comments Locke asks only questions of Parker; providing answers was perhaps more difficult because Locke realized that he shared so many of Parker's own assumptions. Sharing Parker's assumptions also meant participating in a much more questionable tradition, as Locke realized only too well: 'That the magistrate should restrain seditious doctrines', he wrote, 'who denies, but because he may, then has he power over all other doctrines to forbid or impose? If he has not, your argument is short, if he has, how far is this short of Mr Hobbes's doctrine?'.

It could be said that in confronting Parker, Locke was asking questions of his own premises, under the recurring shadow of the Hobbesian legacy. Given that this confrontation had led him to write creatively before, it was only to be expected that in addressing once again the conflict between civil peace and personal liberty in the toleration question, he should try and make an attempt to provide an altogether new foundation for talking about substantial moral ideas and how they were generated. This was a theme which emerged in the 1671 drafts of the *Essay concerning human understanding*, a work generated, as his friend James Tyrrell informs us, in discussions 'about the principles of morality and revealed religion', the very topics over which Parker had got into such Hobbesian hot water.<sup>65</sup>

It is deeply ironic that, in the midst of such intense discussion about what Hobbism was, Hobbes himself was unable to participate in the debate over the use of his name and ideas. Hobbes had been refused publication in England throughout the later part of the decade, which meant that, in what was his most productive period, his own positions were largely unavailable.<sup>66</sup> It was

<sup>64</sup> See particularly Locke's unpublished *Essay on toleration* (1667), in Locke, *Political essays*, pp. 134–59.

<sup>65</sup> R. S. Woolhouse, *Locke* (Brighton, 1983), p. 7; Richard Ashcraft has argued very strongly that Locke's *Essay* should be seen in the context of the Parker controversy; Ashcraft, *Revolutionary politics and Locke's 'Two treatises of government'*, pp. 110–11.

<sup>66</sup> For Hobbes's burst of productivity in the later 1660s, see Tuck, *Philosophy and government*, pp. 340–5.

not for want of trying. Hobbes did actually write in response to the *Recantation* a reply, or protest in the form of a letter for publication.<sup>67</sup> According to John Aubrey, Hobbes sent the letter to an unnamed colonel, who then passed it on to Sir John Birkenhead for licensing. Birkenhead refused to allow the piece to be published. According to Aubrey this was 'to colloque and flatter the bishops'. He further refused to return the piece to Hobbes, who had not kept a copy himself, 'for which he was sorry', commented Aubrey, because 'he liked it well himself'. The letter unfortunately does not survive, leaving us with only speculation as to its possible contents.<sup>68</sup> Nothing could more clearly indicate the extent to which Hobbes's position was being progressively redefined for reasons which went far beyond a concern to engage with the philosopher's own arguments.

It is perhaps fitting that one of the most revealing attempts to recycle Hobbes creatively should have occurred in the writing of one of those people implicated directly in the events leading up to the *Recantation*, and, with this, we come back to Cambridge. The Scargill affair had not been a particularly happy experience for Thomas Tenison, his former tutor. Although the college had succeeded in excluding Scargill, even after his performance in Great St Mary's the stain on the reputations of those who had promoted him in the first place was not easily removed.<sup>69</sup> In the atmosphere of recrimination which followed Scargill's exposure, some were only too willing to make the connection between the over-

<sup>67</sup> For discussion of the missing letter see Hobbes, *The correspondence of Thomas Hobbes*, ed. Noel Malcolm (2 vols., Oxford, 1994), I, p. lvi. See also John Aubrey's discussion of the affair: *Brief lives*, ed. A. Clark (2 vols., Oxford, 1898), I, p. 360.

<sup>68</sup> Since the completion of this article, an interesting new piece of evidence about Hobbes's reply has come to light. A letter from Scargill to Tenison, written in December 1680, shows that Scargill received a copy of Hobbes's manuscript. In response to a query about its contents, Scargill reported that: 'I wish I could retrieve a copy of Mr Hobbes his papers writ agt ye University of Cambridges proceedings in my Business. He writt about 3 or 4 sheets of paper, but I remember little of ym but yt he pleaded ye University had forfeited her Charter by exceeding her Commission or delegated Authority and he made a mighty quoting of his Leviathan in defence of himself yt I remember Sir John Birkenhead fell a Swearing This man's starved yt takes his own flesh.' Scargill tried to publish the piece himself but could not obtain a licence to do so. When he discovered Scargill's intention, Birkenhead confiscated the manuscript. Scargill's account suggests that Hobbes was using the incident to discuss several issues close to his heart in the later 1660s. Scargill had been punished for holding Hobbesian beliefs by what was in effect an ecclesiastical court. Hobbes, doubtless with an eye to his own fate, probably argued that the University had exceeded its authority in punishing Scargill. The letter thus developed themes familiar from Hobbes's other writings on heresy from the period. The incident also gave him an opportunity to attack the autonomy of the clerically-dominated universities, whose reform Hobbes saw as essential in his ongoing struggle against priestcraft. For Scargill's letter see British Museum Add MSS 38693 fo. 30. For Hobbes's writings on heresy, see Tuck, *Philosophy and government*, pp. 340–5; P. Milton, 'Hobbes, heresy and Lord Arlington', pp. 501–46.

<sup>69</sup> The *Recantation* prompted another petition from Corpus, and further hearings in front of the vice-chancellor (for which we unfortunately do not have the records). Scargill eventually left Cambridge to be ordained in Norwich in June 1672. He subsequently served as rector of Mulbarton, an impoverished living near Norwich, later holding the neighbouring parish of Swardston in plurality until his death in 1721, aged seventy-four. For details of Scargill's subsequent career, see Linnell, 'Daniel Scargill', pp. 260–3.

liberal views of his mentors and Scargill's apostasy. Tenison wrote that he had met with some 'who, having heard of the Error, and Recantation, of an unhappy young man, committed sometime to my care; began to reproach myself as a favourer of such opinions'.<sup>70</sup> Tenison set out to confront his own private demons by constructing a dialogue, *The creed of Mr Hobbes examin'd*, in which his textural alter-ego, 'a student in divinity', travels to the Peak District and comes across Hobbes at an inn in Buxton. The encounter is, perhaps surprisingly, good-humoured. The student and Hobbes even go bathing together. Thomas de Quincey, recounting the incident in one of his essays, was at a loss to explain how Tenison could 'venture to gambol in the same water with the *Leviathan*'.<sup>71</sup> Given the context, perhaps 'swimming with the *Leviathan*' was the perfect metaphor for Tenison's recent experiences. It is clear that in the book, Tenison is seeking in part to diagnose what had gone wrong with his former pupil, and also clear himself from the suspicion of Hobbism. In defining Hobbism, Tenison is careful to shift his focus away from the controversial political emphases of the *Recantation* theses: his own alternative 'Hobbits Creed' refers to those arguments about materialism, liberty, necessity, and Hobbes's peculiar scriptural interpretation. These arguments marked out Hobbes's heterodoxy in ways which did not overlap with the shared political concerns of the latitude-men. There remain, however, the points of contact, which give a sense of why Tenison should have wanted to define so many of the differences. Both agree that God exists as first cause, but Tenison remarks sourly that 'by this argument unwary men may be, perhaps, deceived into a good opinion of your philosophy; as if by the aids of it, you were no weak defender of natural religion'.<sup>72</sup> Equally, they share a similar theology; Tenison agrees with Hobbes that God is always in some sense incomprehensible.<sup>73</sup> The major difference is that Tenison offers a slightly more optimistic account, that divinely ordained natural justice and natural law can be perceived in the world with a degree of probable moral certainty, if not the cast-iron certainty that Hobbes requires.

The latitudinarians' problem had hinged around whether this probable identification of natural justice could ever co-exist with a Hobbesian account of the state when society came under threat from a potential state of war. The indication that thinkers like Tenison were going to have to live with Hobbes lurking in their theory occurs when Tenison discusses the question of sovereignty. In some things, Tenison famously concedes, 'you are just to the Prerogative of Kings'.<sup>74</sup> Where Tenison felt that Hobbes had gone too far was in suggesting that those labelled as tyrants should be considered as legitimate as any other monarch. That having been said, Tenison equivocates by saying this about the word 'tyrant':

<sup>70</sup> Thomas Tenison, *The creed of Mr Hobbes examin'd* (1670), sig. A2v.

<sup>71</sup> Thomas de Quincey, *On murder considered as one of the fine arts* (London, 1980), pp. 16–19.

<sup>72</sup> Tenison, *The creed of Mr Hobbes examin'd*, pp. 9–10.

<sup>73</sup> *Ibid.*, pp. 28–9.

<sup>74</sup> *Ibid.*, p. 165.



I know how frequently it is misapply'd by those, who will call the very bridling of their licentiousness, hateful tyranny and find fault with the Law for no other reason but because it is a restraint upon their supposed freedom; whereas the hedges which the law sets down are to keep them in the truest and safest way.<sup>75</sup>

The language recalls Parker's complaints about dissenters, as well as Hobbes's own protest against misunderstandings of liberty in *Leviathan*. The passage neatly sums up Tenison's own version of the Hobbesian dilemma; the latitudeman might not like Hobbes's methods, but he was fatally attracted to his conclusion.

#### IV

The dilemma facing latitudinarian writers dramatically illustrates the problems confronting writers who wished to combine natural law theory with a strong account of political authority. It also allows us to explain why Hobbes's works held such a fascination for Restoration audiences. Hobbes's most extreme positivism had emerged from the crucible of political and religious conflict during the civil wars; the political thought of the *Leviathan* was designed to provide stability through the clear and uncompromising identification of the powers necessary to maintain peace. In the Restoration polity, the tensions which emerged from the dangerous combination of a broad political and a narrow ecclesiastical settlement could sometimes appear to threaten an imminent return to a state of war. Under such circumstances, the over-arching desire for political stability could make aspects of a Hobbesian theory resurface. The continuing controversy about Hobbes's work owed not a little to the fact that it kept much of its relevance throughout the period. Discussion of Hobbes was a contribution to contemporary political debate.

But although Hobbes's work still had much of value for a Restoration audience, the lessons of the *Leviathan* needed to be qualified and adapted. Hobbes had gone too far in making the state a product of human artifice alone. His name became a marker for the legitimate boundaries of political discussion. If the latitudinarians needed to borrow the Leviathan's teeth, they had to show that the beast itself was the product of nature's (and by implication God's) laws. Parker's 'Hobbesian' sovereignty was mobilized in defence of a fragile natural society, not, as in Hobbes, as a means for the individual to escape the state of war. Learning to theorize about the role of conflict and authority in the unstable political environment of Restoration England was always a problematic exercise. Under pressure from the dissenters' challenge to the church-state, what could be a liberal and reconciliatory line about sociability could harden into an argument for positivism and persecution. In facing the accusations of Hobbism, writers like Parker, Cumberland, and Tenison were trying to find theoretical ways to reconcile their faith in natural law and natural sociability with the practical political need for a Hobbesian form of sovereignty. It was thus vital that the *Leviathan* should be discussed and

<sup>75</sup> Ibid.

confronted, but even more importantly that it should be tamed, and not killed, even if this could sometimes seem like simple borrowing.<sup>76</sup> In such ways Hobbes's political insights passed into the mainstream, as Restoration political thinkers learned to live with the traumatic legacies of the English Revolution.<sup>77</sup>

<sup>76</sup> As it did to Samuel Butler, satirizing the plagiarist: 'All Plagiarys do but steal, and poch / And upon other careless wits encroach / Converst with wits and Rallyers, to way law / And intercept, all that they chanced to say. / Made Topiques, Indexes and Concordances / Of smart Reflexions, Repartees and Fancies / When that which may be tru enough, turns False / When 'tis but weyd in false uneven scales / As he that both condemned and stole from Hobs / like a French thief that murders when he Robs.' Butler, *Satires and miscellanies*, ed. R. Lamar (Cambridge, 1928), p. 241.

<sup>77</sup> I am planning to develop this thesis in a study of the reception of Hobbes entitled *Taming the Leviathan*.