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Conscience in Marvell

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Biographical note (100 words)

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Chapter abstract (150 words)

Andrew Marvell today enjoys a reputation as a Restoration champion of religious freedom, but this reputation can seem out of step with Marvell's more outspoken attacks on protestant sects in his Commonwealth poems, and with his ambivalent approach, in *Upon Appleton House* (1651), to Thomas Fairfax's conscientious objections to war. What, then, was Marvell's position on conscience, and how far did it change with the prevailing political winds? This chapter brings Marvell's Commonwealth poems and Restoration prose into dialogue with each other, with Thomas Hobbes' *Leviathan* (1651), and with wider mid-century debates over the relative rights of governments to curb private conscience in the interests of public need. It argues that Marvell's position on conscience remained constant throughout his career, and that it was characterised by support for a protestant consensus or comprehension of private religious opinions under the 'public conscience' of government, not by support for freedom of conscience *per se*.

On 4 April 1660, Charles II of Scotland arrived at the Dutch town of Breda to publish a carefully crafted declaration calculated to appease the ruling factions in both the English army and parliament, and so pave the way for Charles' return to England the following month as king.¹ Alongside pledges to pay army arrears and to let parliament determine legal wrangles over rights to former royalist lands, the Declaration of Breda granted 'a Free and General Pardon', and 'a Liberty to tender Consciences ... that no man shall be disquieted or call'd in question for differences of opinion in matters of Religion, which doe not disturbe the Peace of the Kingdom'.² The 'Act of Free and General Pardon, Indemnity, and Oblivion' (12 Char. II c.11) was duly passed three months to the day after Charles II's triumphal return to London on 29 May 1660, but no law guaranteeing 'a Liberty to tender Consciences' was forthcoming in the year of Charles II's Restoration, and from 1661 onwards the Cavalier Parliament reneged completely on Breda's pledge to tolerate religious 'differences of opinion', instead passing a series of punitive laws – the 'Clarendon code' – targeting nonconformity to the newly re-established Anglican rites.³ A new civil war emerged from the broken promises of Breda, a war of words over whether king and parliament should pledge liberty to 'tender Consciences', or whether they should insist on conformity to what Thomas Hobbes, in *Leviathan* (1651), calls the 'publique Conscience' of the commonwealth.⁴

Foremost in the vanguard of this verbal battle over conscience was the Hull poet and politician, Andrew Marvell (1621-78), who entered the fray with *The Rehearsal Transpros'd* (1672, 1673) – a two-part defence of liberty of conscience which served as a counterblast to Samuel Parker's sally on dissenters in his *Life of Bishop Bramhall* (1672), and which Marvell was emboldened to write after Charles II issued the Declaration of Indulgence granting liberty of conscience to nonconformists in March 1672.⁵ The experience launched Marvell's late career as a prose controversialist, and in *Mr Smirke* and its appended *Short Historical Essay* (1676), it is Francis Turner and his *Animadversions* (1676) against Bishop Herbert Croft's call for compromise with moderate dissenters, *The Naked Truth* (1675), who is the butt of Marvell's satire.⁶ Marvell's reputation as a Restoration champion of religious freedom is well documented in recent criticism, but this

¹ P. Seaward, 'Charles II (1630-1685)', in *Oxford Dictionary of National Biography* [hereafter ODNB], ed. H.C.G. Matthew and B. Harrison (Oxford, 2004), XI: 122-145 (127).

² *His Majesties Gracious Letter and Declaration, ... from Breda* (London, 1660), 12.

³ Seaward, 'Charles II', 127-9.

⁴ T. Hobbes, *Leviathan, or, The Matter, Form, and Power of a Common-Wealth Ecclesiastical and Civil* (London, 1651), 169.

⁵ See M. Dzelzainis and A. Patterson, Introduction to *The Rehearsal Transpros'd*, in *Prose Works of Andrew Marvell*, ed. A. Patterson, *et al.*, 2 vols. (New Haven, 2003), I: 3-33..

⁶ A. Patterson, Introduction to *Mr Smirke and A Short Historical Essay on General Councils*, in *Prose Works*, II: 3-15.

critical reputation can seem out of kilter with Marvell's more outspoken attacks on protestant sects like the levellers and fifth monarchists in his Commonwealth poems, as well as with Marvell's ambivalent approach, in *Upon Appleton House* (1651), to Thomas, lord Fairfax's decision to resign the lord generalship of the army – because, Fairfax wrote, he could not 'with good conscience' support England's proposed invasion of Scotland in May-June 1650.⁷ What, then, was Marvell's position on conscience, and how far did his position tack and turn with the prevailing political winds of the mid-1600s – the Regicide and rise of Cromwell, the Restoration and rise of Anglicanism?

This chapter sets Marvell's language of conscience alongside wider seventeenth-century debates over the relative rights of governments to curb private conscience in the interests of public need. In recent decades, Marvell scholars have done much to blur the boundaries first erected by T.S. Eliot, in his 1921 essay 'Andrew Marvell', between Marvell the pre-Restoration lyric poet of 'green thoughts' and Marvell the post-Restoration satirist and 'member for Hull'.⁸ In this chapter, I want further to worry distinctions between Marvell's pre- and post-Restoration selves by bringing these wider critical conversations to bear on questions of conscience and arguing that Marvell's approach to conscience in fact changed little over the course of his mature career from the early 1650s to his death in 1678. The chapter discusses Marvell's Cromwellian and Commonwealth poems – 'An Horatian Ode' (1650), *Upon Appleton House* (1651), 'The Character of Holland' (1653), and 'First Anniversary' (1654-55) – alongside *Mr Smirke* (1676) and the later controversial writings. In the process, the chapter arrives at a position on Marvell and conscience which argues that, throughout his career, Marvell supported a 'sober liberty' of conscience – a liberty bridled by the caveats in the Treaty of Breda and its earlier formulation in the Instrument of Government (1653), which licensed only protestant beliefs and practices that threaten neither 'the civil Injury of others', nor 'the actual disturbance of the publique peace'.⁹

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⁷ Fairfax's letter is cited in J. Wilson, *Fairfax: A Life of Thomas, lord Fairfax* (London, 1985), 159-60. For Marvell's tolerationism, see N. von Maltzahn, 'Milton, Marvell and Toleration', in *Milton and Toleration*, ed. S. Achinstein and E. Sauer (Oxford, 2007), 86-104.

⁸ T.S. Eliot, 'Andrew Marvell', in *Selected Prose of T. S. Eliot*, ed. F. Kermode (London, 1975), 161-71 (161). For the critical desirability, and 'lasting challenge', of conjoining Marvell's pre- and post-Restoration selves, see N. von Maltzahn, 'Marvell, Writer and Politician, 1621-1678', in *Oxford Handbook of Andrew Marvell*, ed. M. Dzelzainis and E. Holberton (Oxford, 2019), 3-25 (3).

⁹ 'First Anniversary', l.289, in *Poems of Andrew Marvell*, ed. N. Smith, revised edition (London, 2007), 281-98. *The Government of the Common-wealth of England, Scotland, and Ireland* (London, 1653), l.2r. For discussion, see B. Worden, 'Toleration and the Cromwellian Protectorate', in *Persecution and Toleration*, ed. W.J. Sheils, *Studies in Church History* 21 (1984): 199–233.

Conscience, Gordon Teskey observes, was closely related in the seventeenth century to consciousness, and these are connections seen in Thomas Hobbes' *Leviathan* (1651), in which Hobbes writes that 'when two, or more men, know of one and the same fact, they are said to be CONSCIOUS of it one to another'.¹⁰ This idea of consciousness develops into Hobbes' concept of 'conscience', which people use 'for the knowledge of their own secret facts, and secret thoughts' (31). Yet the 'secret facts' to which people give 'that revered name of Conscience' (31) are for Hobbes no more than mere opinion: 'a mans Conscience, and his Judgement is the same thing' he writes, 'and as the Judgement, so also the Conscience may be erroneous' (168). For this reason, Hobbes argues that 'private Consciences', or opinions, should never be privileged above the 'publique Conscience' of the law (169). The entire premise of Hobbes' social contract – the civil laws citizens obey in return for the social benefits of living peacefully in a commonwealth – is therefore predicated on Hobbes' belief in the erroneousness of our 'private Consciences'. Without a mechanism for reducing 'all ... Wills' and 'plurality of voices, unto one Will' (87), Hobbes writes, a people 'vehemently in love with their own new opinions, (though never so absurd,) and obstinately bent to maintain them' under the guise of 'Conscience' (31) would naturally descend to the 'miserable condition of War' (85). Hobbes' views on the need for the 'total subordination of religious activity to state power' stem from this belief in the erroneousness of 'private Consciences' and the fallibility of the religious convictions that arise from them.¹¹

For an example of how a people 'obstinately bent to maintain' their 'new opinions' under the guise of 'Conscience' can descend into war, Hobbes needed only to look at the fallout of the three English civil wars – still ongoing at the time *Leviathan* was published in May 1651 – during which, in Marvell's words, Cromwell 'first put arms into Religion's hand, | And tim'rous Conscience unto Courage manned'.¹² In his 'Poem upon the Death of his Late Highness the Lord Protector' (c.1658), Marvell expresses the *casus belli* of parliament as a battle for 'Conscience' and 'Religion' against what John Milton, in *Eikonoklastes* (1649), branded the spiritual 'Tyranny' of Charles I's bishops, who had sought to subdue 'the Consciences of Vulgar men, with the insensible poyson of their slavish Doctrine'.¹³ Yet royalist writers themselves made war with the very words – 'Conscience', 'Religion' – that revolutionaries like Milton were using against them. In *Eikon Basilike*, for example, we hear Charles I speak through the probable voice of ghostwriter, John

¹⁰ G. Teskey, 'The River Overflows: Consciousness in "Upon Appleton House"'. In *Imagining Andrew Marvell at 400*, ed. M.C. Augustine, G.J. Pertile, and S.N. Zwicker (Oxford, 2022), 255-73 (263). Hobbes, *Leviathan*, 31.

¹¹ N. Malcolm, 'Hobbes, Thomas (1588-1679)', in *ODNB*, XXVII: 385-95 (392).

¹² 'Poem upon the Death of his Late Highness the Lord Protector', ll.179-80, in Smith, ed., *Poems*, 299-312.

¹³ *EIKONOKLASTHΣ In Answer To a Book Intitl'd EIKΩN ΒΑΣΙΛΙΚΗ* (London, 1649), 222.

Gauden, to expose the foul intentions behind the Commonwealth's fair rhetoric of conscience.¹⁴ 'For I have observed', Charles I writes to his son, the future Charles II,

That the Deuill of Rebellion, doth commonly turne himselfe into an Angell of Reformation ...
when some mens Consciences accuse them for Sedition and Faction, they stop its mouth with the
name and noise of Religion.¹⁵

One party's conscience speaks of 'Religion', another's translates 'Religion' as 'Sedition'. This was precisely the problem Hobbes went on to outline in *Leviathan*: that there were so many different opinions maintained under the guise of 'Conscience', and so many people 'obstinately bent to maintain them', that war, without the bridle of strong civil government, was inevitable.

Blair Worden reads Hobbes' influence on Marvell's 'An Horatian Ode' (1650), a poem reliably dated to June-July 1650, between Cromwell's return from Ireland and his invasion of Scotland.¹⁶ 'An Horatian Ode' anticipated *Leviathan's* publication by almost exactly a year, although many of Hobbes' ideas in *Leviathan* were themselves anticipated in his Latin *De Cive*, which circulated widely in Europe in its second edition of 1647, as well as in Marchamont Nedham's Hobbesian *The Case of the Commonwealth Stated*, published weeks before the occasion of Marvell's Ode, on 8 May 1650.¹⁷ Like Hobbes' *Leviathan*, Marvell's 'Ode' is written from the perspective of an erstwhile royalist making overtures to the new Commonwealth regime.¹⁸ In the poem, Marvell celebrates, with Hobbes, the *virtù* of the sovereign as strong military leader, who acquires the 'Peoples Submission', not by force, but by guaranteeing the safety of citizens in exchange for their obedience.¹⁹ Hobbes writes that the nature of 'conquest' is not the victory itself, but the contract that a commonwealth enters into with the victor, 'promising Obedience, for Life and Liberty'.²⁰ In 'An Horatian Ode', Marvell ventriloquizes these ideas in the voice of the conquered Irish, who find themselves 'in one year tamed' (l.74) by Cromwell's military victories, and who, by affirming 'How good he is, how

¹⁴ For Gauden as probable ghostwriter, see B.D. Spinks, 'Gauden, John (1599/1600?-1662)', in *ODNB*, XXI: 646-8 (646).

¹⁵ ΕΙΚΩΝ ΒΑΣΙΛΙΚΗ, *The Pourtraicture of his Sacred Majesty in his Solitudes and Sufferings* (Cork, 1649), 279-80.

¹⁶ B. Worden, *Literature and Politics in Cromwellian England* (Oxford, 2008), 104-5. For the dating of 'Horatian Ode', see N. Smith, ed. *Poems*, 267.

¹⁷ For *De Cive*, see G.M. Vaughan, 'The Audience of *Leviathan* and the Audience of Hobbes's Political Philosophy', *History of Political Thought*, 22.3 (2001): 448-71(459). For Marvell, Nedham, and Hobbes, see W. Chernaik, "'Every conqueror creates a muse': Conquest and Constitutions in Marvell and Waller', in *Marvell and Liberty*, ed. W. Chernaik and M. Dzelzainis (Houndmills: Macmillan, 1999), 195-216.

¹⁸ Worden, *Literature*, 105.

¹⁹ *Leviathan*, 391.

²⁰ *Leviathan*, 391.

just, | And fit for highest trust' (ll.79-80), enter that Hobbesian contract with the victor which henceforth compels their obedience.

Worden admires Marvell's 'Horatian' ability 'to occupy both poles' in partisan debates by giving voice to the conquered Irish in 'An Horatian Ode' – although as Joanna Picciotto has more recently observed, Marvell's ventriloquizing of the Irish sits alongside similar examples of 'bipolarity' in contemporary Commonwealth newsbooks, where 'admiration for the enemy need have no bearing on one's commitment to opposing him'.²¹ But we might also read Marvell's decision to insert the assenting voice of the Irish into the 'Ode' through Hobbes' principle that 'conquest' implies first 'consent', or the 'Peoples Submission' to the victor. Cromwell's military *virtù* may win battles, but Marvell voices the assent of the Irish to emphasise that it is Cromwell's virtue as a 'good' and 'just' leader that converts victories into conquests. Quentin Skinner is among historians to read Hobbes' emphasis on 'conquest and consent' in *Leviathan* in light of the Engagement Controversy of 1649-52, with Skinner arguing that Hobbes makes the case in *Leviathan* for the legality of royalists 'engaging' with the English Commonwealth, given that the exiled king, the future Charles II, was in no position to rule as sovereign and guarantee 'Life and Liberty' in exchange for obedience.²² Marvell's poem might also be read as a Hobbesian intervention in the Engagement Controversy, with the implied assent of the Irish to Cromwell's rule in Marvell's poem echoing debates among exiled English and Irish royalists as to the legalities of their own engagement with the English Commonwealth.²³

While critical attention has focused on Hobbes' influence on 'Horatian Ode', it is in fact Marvell's second Cromwellian poem, 'The First Anniversary of the Government under H.H. the lord Protector' (1654-55), which contains Marvell's most explicit treatment of the Hobbesian process whereby the 'Peoples Submission' to sovereign rule combines to create that 'Unity of them all, in one and the same Person' memorably depicted in the image of the sovereign whose 'body is made of people' on the frontispiece to *Leviathan*.²⁴ In 'First Anniversary', Marvell dramatizes the process of incorporation into the public body of commonwealth by likening Cromwell to Ovid's Amphion, the legendary founder of Thebes, and arguing that 'Cromwell tuned the ruling Instrument' of commonwealth just as Amphion had 'built Thebes with the

²¹ Worden, *Literature*, 100. J. Picciotto, 'Practising Flow in Marvell and Ashbery', in *Imagining Andrew Marvell*, 320-41 (333).

²² Q. Skinner, 'Conquest and consent: Thomas Hobbes and the engagement controversy', in *The Interregnum: the quest for settlement, 1646-1660*, ed. G.E. Aylmer (1972): 99-120. Also, G. Burgess, 'Contexts for the Writing and Publication of Hobbes' *Leviathan*', *History of Political Thought* 11.4 (1990): 675-702.

²³ For critical debates over the 'Ode' and the Engagement Controversy, see J.M. Wallace, *Destiny his Choice: The loyalism of Andrew Marvell* (Cambridge, 1968), and M.C. Augustine, *Andrew Marvell: A Literary Life* (Cham, 2021), 97-99.

²⁴ *Leviathan*, 87. Vaughan, 'Audience', 466.

magical music of his lyre.²⁵ Marvell's allusion is Ovidian, yet the commonwealth Cromwell creates is distinctly Hobbesian in its emphasis on yielding 'private Consciences' to public good.

The commonwealth then first together came,
And each one entered in the willing frame;
All other matter yields, and may be ruled;
But who the minds of stubborn men can build?
...
Yet all composed by his attractive song,
Into the animated city throng. ('First Anniversary', l.75, l.85)

It is Cromwell's 'attractive song', Marvell implies, that performs the miracle of bending stubborn minds to the collective will, but the process of subordinating private to 'publique Conscience' that is here described is precisely that which Hobbes relates in *Leviathan*, wherein those 'vehemently in love with their own new opinions' must yield, like Marvell's Irish, to sovereign rule.

In Marvell's Cromwellian poems, therefore, a view of conscience emerges that stresses the need to subordinate 'the minds of stubborn men' to the 'willing frame' of commonwealth. This need not suggest that Marvell was as committed as Hobbes to the 'total subordination of religious activity to state power'. Indeed, it is often assumed that Marvell's prose works are more committed to *separating* than subordinating church to state.²⁶ Certainly, Marvell's controversial writing champions the principle of (protestant) liberty of conscience, at least for forms of religious activity that do not, in the words of article XXXVII of the 'Instrument of Government' (1653) – Cromwell's 'ruling Instrument' in 'First Anniversary' – pose a threat 'to the civil injury of others and to the actual disturbance of the public peace'.²⁷ Yet Marvell was a more committed Erastian than his place at the helm of a seventeenth-century history of toleration suggests. In *The Rehearsal Transpros'd* (1672), as Kathleen Lynch observes, a key part of Marvell's defence of Charles II's Declaration of Indulgence is his 'care to bolster sovereign authority' over the church. These are Erastian ideas that strongly signal Marvell's support for comprehension, or the 'accommodation of intra-Protestant religious difference' into a national, state-led church.²⁸

²⁵ 'First Anniversary', l.68. For Ovid's *Metamorphoses* VI as source, see Smith, ed. *Poems*, 289 (note to ll.49-56).

²⁶ von Maltzahn, 'Milton, Marvell and Toleration', 88-90.

²⁷ *Government of the Common-wealth*, l.2r.

²⁸ K. Lynch, "'Business Either of Truth or Eternity": Marvell's View from 1672', in *Imagining Andrew Marvell*, 72-87 (72, 87).

Whatever Marvell's design for a state-led church, however, it was clearly to be capacious enough to accommodate the 'tender consciences' whose freedoms Marvell vociferously defended in print. As Marvell outlines in *Mr Smirke* (1676), 'Men are all infirm and indisposed in their spiritual condition' and they should therefore be allowed to 'address themselves to such Minister as they think best for their souls health'.²⁹ *Mr Smirke* attacks the views of Anglican minister, Francis Turner, whose own *Animadversions* (1676) had attacked Herbert Croft, bishop of Hereford's *The Naked Truth* (1675). Croft had argued for an accommodation between Anglicans and the more moderate nonconformists, and in *Mr Smirke*, Marvell mocks Turner's suggestion that the clergy should force 'beggarly Fanaticks' to open their eyes to the 'truth' of religion by arguing, with Croft, that no scriptural warrant permitted ministers 'to use Force to constrain men to the Established Doctrine and Worship'.³⁰ Yet while Marvell did not countenance forced conformity to Anglican beliefs and practices, neither could he allow conscience an entirely free rein. Although apparently himself converting briefly to Catholicism at Cambridge in the 1630s, Marvell displayed a lifelong intolerance of 'popery' that is reflected in both his early poetry – 'Flecknoe, an English Priest at Rome' (1646), for example, is an extended satire on catholic devotional practices and transubstantiation – and in the argument of one of Marvell's last and most audacious prose works, *An Account of the Growth of Popery and Arbitrary Government* (1677).³¹ But Catholicism was not the only confessional position that was beyond the pale for Marvell. There were also forms of protestant 'fanaticism' that Marvell could not tolerate, and for Marvell, an important litmus test for differentiating nonconformity from 'fanaticism' was a Hobbesian one – the willingness or otherwise of 'private Consciences' to submit to the 'publique Conscience' of commonwealth.

Marvell's 'Character of Holland' (1653), contains an image – the 'wat'ry Babel' – that is emblematic of what happens when 'opposed minds' refuse to yield to the 'willing frame' of government.³² Holland's 'wat'ry Babel' in Marvell's poem is its impoldered land or 'new-catched miles' (l.18), but the poem also emphasizes the failures of Dutch projects to reclaim land from the sea in its satirical focus on the 'daily deluge' (l.27) of sea-water to which the Dutch are subjected. The failures of Holland's 'wat'ry Babel' is for Marvell as much a comment on the Dutch people's confusion of religious opinions as their overweening pride. Writing of Amsterdam as a 'bank of conscience' that mints schism and trades in 'strange | Opinion' (ll.72-4), Marvell points to the dangers of assigning relative rather than absolute value to religious beliefs, implying that religious opinions in Amsterdam are, for Marvell, as many and varied as the Babel-like

²⁹ *Prose Works*, II: 105.

³⁰ *Prose Works*, II: 105.

³¹ N. McDowell, 'The Conversion of Andrew Marvell: Religion, Poetics, Sexuality', in *Imagining Andrew Marvell*, 19-40. For *An Account* as an attack on political 'popery' rather than the catholic religion *per se*, see Augustine, *Andrew Marvell*, 214-220.

³² 'The Character of Holland', l.21, in Smith, ed., *Poems*, 246-56.

‘plurality of voices’ that Hobbes hears among a people ‘obstinately bent to maintain’ their opinions. Just as Hobbes looks to reduce ‘all ... Wills ... unto one Will’, so Marvell also points, in his image of the ‘wat’ry Babel’, to the problems of erecting a commonwealth on anything but the bedrock of protestant religious consensus.

Marvell’s concern in ‘Character’ to curb excesses of ‘strange | Opinion’ is equally pronounced in ‘First Anniversary’, where Marvell turns from the confusion of sects and ‘schism’ in Amsterdam to the more tangible threat to Cromwell’s Protectorate posed by fifth monarchists around the time of the Protectorate’s first anniversary in December 1654. At the same time, ‘First Anniversary’ is as concerned as ‘An Horatian Ode’ with the papal threat from catholic Europe. In the ‘Ode’, Marvell moves from praising Cromwell’s military prowess in Britain and Ireland to consider what ‘our isle’, united under Cromwell, might ‘presume’ in protestant crusades against the catholic powers of France, Italy, and ‘all states not free’ (l.97, l.103). Their emancipation from the papal yoke – briefly imagined in ‘An Horatian Ode’ – is something Marvell returns to four years later in ‘First Anniversary’, where ‘Angelic Cromwell’ (l.126) is depicted in millenarian light, as one who

Pursues the monster thorough every throne:
Which shrinking to her Roman den impure,
Gnashes her gory teeth; nor there secure. (ll.128-30)

Cromwell’s target here is the papal ‘monster’ who yokes the ‘Unhappy princes’ (l.117) of western Europe to the ignorance and ‘error’ (l.118) of Roman doctrine. But in ‘First Anniversary’, Marvell shows that protestant sectaries unwilling to enter the ‘willing frame’ of the Cromwellian Protectorate are as unwelcome in Commonwealth England as the catholic princes who ‘sing hosanna to the whore’ (l.113). Derek Hirst positions the poem’s millenarian language as Marvell’s response to the threat posed by leading fifth monarchists Christopher Feake and John Simpson, both mentioned by name in ‘First Anniversary’ (l.305), who had taken advantage of the protectoral anniversary to preach against Cromwell and the Protectorate.³³ Feake had denounced the Protectorate as ‘another kind of Kingship’ and a ‘NEW UNEXPECTED TYRANNY’, no different from Antichrist’s other ‘ten Horns, or Kings’, and thus no more to be suffered, but rather shaken off and opposed.³⁴ Hirst argues that in ‘First Anniversary’ Marvell plays the fifth monarchists at their own game, applying their millenarian language to construct Cromwell, not as a horn of Antichrist, but as ‘the great captain’ (l.321) whose pursuit of the ‘monster’ – the beast of Revelation

³³ D. Hirst, “‘That Sober Liberty’: Marvell’s Cromwell in 1654”. In *The Golden and the Brazen World: Papers in Literature and History, 1650-1800*, ed. J.M. Wallace (Berkeley, 1985), 17-53.

³⁴ ‘First Anniversary’, l.305; C. Feake, *The oppressed close prisoner in Windsor-Castle* (London, [1654]), G4v, H1r.

– would herald the dawn of the promised millennium.³⁵ Marvell’s millenarian language is thus calculated to persuade fifth monarchists to drop their ‘apocalyptic onslaughts on Oliver’, Hirst writes, even as ‘First Anniversary’ elsewhere derides fifth monarchists as ‘Accursed locusts’ (l.311) and a ‘race most hypocritically strict!’ (l.317).³⁶

Marvell also moves to quell the rise of sectarian voices in Commonwealth England in *Upon Appleton House*, a poem written at Nun Appleton, near York, around the time of Charles II of Scotland’s invasion of northern England on 5 August 1651. News of the invasion sparked fears of a royalist uprising in northern England, and this gives fresh impetus to Marvell’s attack in *Upon Appleton House* on sectarianism – a gangrene which, in the view of contemporaries like the presbyterian Thomas Edwards, author of the ‘seventeenth-century best seller’ *Gangraena* (1646), was threatening to undermine the parliamentary cause from within.³⁷ Marvell’s anxieties over the particular threat from levellers in Yorkshire in summer 1651 are embodied in *Upon Appleton House* by the poem’s ‘tawny mowers’, whose work cutting grass leaves behind a field of stubble – ‘a levelled space’, Marvell writes, and ‘naked equal flat, | Which Levellers take pattern at’.³⁸ For Cristina Malcolmson, mowing in the poem represents ‘the excessive violence that would occur’ if levellers were allowed to put their ‘theologically and ideologically unsophisticated ... ideas into effect’.³⁹ Malcolmson argues that Marvell’s figure of ‘bloody Thestylis’ (l.401), who like her namesake in Virgil’s *Eclogues* prepares food for the mowers in *Upon Appleton House*, recalls the religious controversialist Katherine Chidley, herself active as a leveller from the late 1640s onwards.⁴⁰ Chidley’s published ripostes to Thomas Edwards’ *Gangraena* (1646) had likened the struggle of separatists in the England of the presbyterian-controlled Long Parliament to the deliverance of ‘the children of Israel out of the Land of *Egypt* when Pharaoh vexed them’.⁴¹ The comparison makes sense of Thestylis’ outcry in the poem: ‘He called us Israelites; | But now, to make his saying true, | Rains rain for quails, for manna, dew’ (ll.406-8). The ‘He’ in

³⁵ ‘First Anniversary’, l.321.

³⁶ Hirst, ‘Sober Liberty’, 43.

³⁷ P.R.S. Baker, ‘Edwards, Thomas (c.1599-1648)’, in *ODNB*, XVII: 965-8 (967). For anxieties over the royalist rising, see S. Mottram, *Ruin and Reformation in Spenser, Shakespeare, and Marvell* (Oxford, 2019), 192-96. For *Gangraena*, see Ann Hughes, *Gangraena and the Struggle for the English Revolution* (Oxford, 2004).

³⁸ *Upon Appleton House*, l.388, l.443 ll.449-50, in Smith, ed., *Poems*, 210-41. For leveller riots local to Nun Appleton around the time of the poem’s composition, see D. Hirst and S. Zwicker, ‘High Summer at Nun Appleton, 1651: Andrew Marvell and Lord Fairfax’s occasions’. *The Historical Journal* 36.2 (1993): 247-69 (252-3).

³⁹ C. Malcolmson, ‘The Garden Enclosed/ The Woman Enclosed: Marvell and the cavalier poets’, in *Enclosure Acts: Sexuality, property, and culture in early modern England*, ed. R. Burt and J.M. Archer (Ithaca: Cornell UP, 1994): 251-69 (261-2).

⁴⁰ Malcolmson, ‘Garden Enclosed’, 262-3.

⁴¹ K. Chidley, *The Iustification of the Independant Churches of Christ. Being an Answer to Mr. Edwards his Booke* (London, 1641), *3v.

these lines refers most obviously to the poet and his previous comparison between mowers and Israelites, and Jonathan Crewe sees this meta-poetic moment – in which a character in the poem wrests control of the poet’s imagery – as a metaphor for England’s own struggle to control radical sectarian voices ‘on the boundless meadows outside’ Fairfax’s ‘fortified garden’.⁴²

Yet Marvell’s most searching enquiry into the conflict between private conscience and public duty is prompted, not by the actions of radical sects, but by the resignation from public office of the former lord general of the parliamentary army, Thomas, lord Fairfax. In June 1650, Fairfax had resigned his commission to invade Scotland, writing that he doubted ‘whether we have a just cause to make an invasion upon Scotland’ – a nation with whom England ‘are joined in the national league and covenant’ – and that he therefore had had need ‘seriously to consider how I might with good conscience take that trust’.⁴³ In 1643, the Solemn League and Covenant had committed England to a military alliance with presbyterian Scotland, and Fairfax, himself sympathetic to Presbyterianism, saw no cause in summer 1650 to declare war on the ‘Covenanters’ in Scotland’s presbyterian kirk.⁴⁴ But the independents in the English army saw the situation differently, arguing that the Anglo-Scottish covenant was at heart an alliance to abolish popery and prelacy from Britain, and that by invading Scotland, the English army were in fact more faithful to the spirit of the Solemn League than those in the Scottish kirk and committee of estates who had recently allied themselves with Charles II – a king whose papist sympathies, the army alleged, were well known.⁴⁵ At issue, therefore, was the nature of the Covenant with Scotland to which the new English Commonwealth remained committed. For Fairfax, the proposed invasion of Scotland was a Rubicon he was unprepared to cross, whereas the English army wrote that they would march to battle ‘with the Covenant on the tops of our Pikes, and let the Lord judge who hath observed the ends of the Covenant best’.⁴⁶

England’s impending invasion of Scotland is the unspoken occasion of Marvell’s ‘An Horatian Ode’, and Marvell’s poem reduces the complexities of England’s intra-protestant debate over war in Scotland to a single and semi-mythical Scottish enemy, ‘The Pict’ (l.105). This plaid-wearing, ‘parti-coloured’ (l.106) figure Marvell locates amid ‘tufted brake’ and ‘Caledonian deer’ (l.109, l.112) – a description which, as John Kerrigan notes, places Marvell’s Scotsman ‘beyond the Highland line, among the followers of

⁴² J. Crewe, ‘The Garden State: Marvell’s poetics of enclosure’, in *Enclosure Acts*, 270-89 (284).

⁴³ Cited in Wilson, *Fairfax*, 159–60.

⁴⁴ For Fairfax and Presbyterianism, see Mottram, *Ruin*, 187-93.

⁴⁵ My discussion of English army pamphlets focuses on the most salient example, *A Declaration of the Army of England, Upon their March into Scotland* (London and Edinburgh, 1650). For other army pamphlets printed in July–August 1650, see C. Gribben, ‘Polemic and Apocalyptic in the Cromwellian Invasion of Scotland’, *Literature and History* 23.1 (2014): 1-18.

⁴⁶ *A Declaration*, 40–1, cited in Gribben, ‘Polemic’, 8.

Montrose'.⁴⁷ James Graham, first marquess of Montrose, had been the enemy of Scotland's presbyterian kirk since he defected to the royalist cause in winter 1644-45, leading a combined troop of Highlanders and Irish to victories over the presbyterian Covenanters in the Scottish Highlands. Returning to the Highlands from royalist exile in the Low Countries in 1649-50, Montrose fought for the new king, Charles II, but was eventually captured at Carbisdale and executed at Edinburgh on 21 May 1650.⁴⁸ It has been argued that Marvell intended his Pict as an anti-presbyterian caricature, but, standing in the Highlands, the 'parti-coloured' nature of Marvell's Pict more plausibly echoes Scottish presbyterian accusations against Montrose, who was himself accused at his trial of hypocrisy and partisanship, as a turncoat to the covenanting cause.⁴⁹ Marvell's 'Pict' therefore resembles the catholic strawman whom the army conjures in their *Declaration of the Army of England* in order to colour its invasion of Scotland as a protestant crusade against the vestiges of Catholicism in Britain. At the same time, and as I have argued elsewhere, Marvell's catholic caricature significantly airbrushes the anti-presbyterian thrust of English Commonwealth attacks on Scotland which featured in the early issues of Marchamont Nedham's republican newsbook, *Mercurius Politicus*, published weekly from 13 June 1650 in the build-up to Cromwell's Scottish campaign.⁵⁰ In 'An Horatian Ode', therefore, Marvell signals his support for a crusade against Catholicism in Scotland but at the same time refuses to engage with anti-presbyterian characterisations of Scotland in the Commonwealth press. In so doing, Marvell perhaps implies that, like Fairfax, he has trouble reconciling an intra-protestant war between independents and presbyterians with his conscience.

A little over one year later, Marvell revisits Fairfax's qualms of conscience in *Upon Appleton House*. Writing in praise of Fairfax's skill as 'Governor' (l.297) of the military garden, laid out 'In the just figure of a fort' (l.286), at Nun Appleton, Marvell pays tribute to Fairfax's potential as holder of public office when noting how, 'had it pleased him and God', Fairfax 'Might once have made our Gardens spring | Fresh as his own and flourishing' (ll.346-48).⁵¹ Marvell neither mentions the Anglo-Scottish war here, nor the specific office of lord general from which Fairfax resigned. Marvell refers in the poem to 'the Cinque Ports', and to Fairfax's 'Power which the ocean might command' (l.349, l.352), but these are lines which, as Nigel Smith notes, allude to the roles of lord warden and lord high admiral, and neither of these were offices held by

⁴⁷ J. Kerrigan, *Archipelagic English: Literature, history, and politics 1603-1707* (Oxford, 2008), 233.

⁴⁸ D. Stevenson, 'Graham, James, first marquess of Montrose (1612-1650)', in *ODNB*, XXIII: 189-195.

⁴⁹ For Marvell's Pict and anti-Presbyterianism, see Smith, ed., *Poems*, 278 (note to l.106) and Augustine, *Andrew Marvell*, 99. For Montrose's trial, see Stevenson, 'Graham, James', 193-4.

⁵⁰ See S. Mottram, 'The religious geography of Marvell's "An Horatian Ode": Popery, Presbytery, and Parti-Coloured Picts'. *The Seventeenth Century*, 33.4 (2018): 441-61.

⁵¹ For the possibility that Marvell's poem responds to the presence of an actual miniaturized fortress – a garden folly – at Nun Appleton, see E.E. Duncan-Jones, 'Two Notes on Marvell', *RES* 52.206 (2001): 192-4.

Fairfax at the time of his resignation in June 1650.⁵² Michael Wilding argues that Marvell is here paying his patron a compliment, alluding to roles that might have fallen to Fairfax had he remained in public office.⁵³ Yet Marvell's 'compliment' is surely also his careful avoidance of any suggestion that 'our Gardens' would have been fresher and more flourishing had Fairfax led the invasion of Scotland. Marvell instead offers a meditation on the merits of conscience, acknowledging that, by resigning, Fairfax

... did, with his utmost skill,
Ambition weed, but conscience till.
Conscience, that heaven-nursed plant,
Which most our earthly gardens want.
A prickling leaf it bears, and such
As that which shrinks at every touch;
But flowers eternal, and divine,
That in the crowns of saints do shine. (ll.353-60)

Critics are divided over how to read Marvell's tone in his treatment of Fairfax's resignation – whether, as Wilding suggests, Marvell intends an 'elegant tribute to Fairfax's past eminence' as lord general, or whether, as Anne Cotterill and John Rogers argue, the poem signals Marvell's derision for Fairfax's unmanly retirement from war, his 'failure to encompass the troubled world of political strife'.⁵⁴ Certainly, Marvell does not condemn Fairfax for exercising his conscience in the same way he condemns the 'most hypocritically strict' fifth monarchists for exercising theirs in 'First Anniversary'. But Marvell's characterisation of conscience as 'that heaven-nursed plant' which 'in the crowns of saints do shine' nevertheless does carry an implied criticism beneath its ostensible praise, suggesting that, because conscience is the preserve of saintly (not earthly) crowns, following one's conscience inevitably involves forsaking one's political service to commonwealth. Teskey notes comparisons between Marvell's 'prickling leaf' and Milton's description, in *A Mask ... Presented at Ludlow-Castle* (1634), of the plant with 'prickles on it', which 'in another Countrey ... | Bore a bright golden flowre, but not in this soyl'.⁵⁵ Yet we might also

⁵² Smith, ed., *Poems*, 226 (notes to l.349 and l.352).

⁵³ M. Wilding, *Dragons Teeth: Literature in the English Revolution* (Oxford, 1987), 144.

⁵⁴ Wilding, *Dragons Teeth*, 14. A. Cotterill, 'Marvell's Watery Maze: Digression and discovery at Nun Appleton', *ELH* 69.1 (2002): 103-32 (121 passim); J. Rogers, *The Matter of Revolution: Science, poetry, and politics in the age of Milton* (Ithaca, 1996), 102.

⁵⁵ Milton, *A Mask*, ll.631-3, in *The Complete Works of John Milton, Volume III: The Shorter Poems*, ed. B. Kiefer Lewalski and E. Haan (Oxford, 2012), 59-103..

hear echo of *Eikon Basilike* in Marvell's reference to conscience flowering 'in the crowns of saints', for the idea of exchanging conscience for saintly crowns is also central to Charles I's prayer in *Eikon Basilike* – that God 'keep me from the great offence of enacting anything against my Conscience', for 'Then shall thy glory be dearer to me than my Crowne'.⁵⁶ The late king's preference for a saintly over an earthly crown is memorably depicted in the engraved frontispiece to *Eikon Basilike*, which shows Charles I looking heavenwards towards a crown of glory while simultaneously treading his earthly crown '*Vanitas*' underfoot. Marvell's emphasis in *Upon Appleton House* on conscience shining in saintly crowns can be read in a similar light. Marvell's poem pays tribute to Fairfax's decision to prioritise his private conscience, his saintly crown, over the public responsibilities of office as lord general, just as Marvell had paid tribute a year earlier, in 'An Horatian Ode', to the dignified carriage of Charles I at the 'memorable scene' (l.58) of his execution. Yet in both poems, Marvell also stresses the earthly consequences of prioritising private over 'publique Conscience' – that by looking heavenwards, the late king and former lord general 'must make room | Where greater spirits come' ('Ode', ll.43-4), not only ceding their public offices to Cromwell, but their 'helpless right' ('Ode', l.62) to determine the course of politics under the new Commonwealth regime.

* * *

In his poetry from the 1650s, therefore, Marvell bridles support for liberty of conscience with an Hobbesian loyalism to the 'publique Conscience' of the civil laws as set out in the Instrument of Government, which permits liberty of conscience only for protestants, and only to the extent that private opinions be not abused, 'to the civil injury of others and to the actual disturbance of the public peace'.⁵⁷ The Instrument of Government is the 'ruling Instrument' that Marvell's Amphion-like Cromwell tunes in 'First Anniversary', and it is 'the minds of stubborn men' unwilling to yield to Cromwell's power – the catholic 'Pict' in 'An Horatian Ode', the levellers in *Upon Appleton House*, the fifth monarchists in 'First Anniversary' – who are most severely castigated in Marvell's Commonwealth poems.⁵⁸ Marvell's position on conscience as a 'sober liberty' was closely aligned, not only with The Instrument of Government but also with the Treaty of Breda, which reformulated the wording of Cromwell's 'ruling Instrument' to grant 'a Liberty to tender Consciences ... which doe not disturbe the Peace of the Kingdom'.⁵⁹ It was the Cavalier Parliament's unwillingness to enshrine the pledges of Breda in law that re-cast Marvell's Commonwealth standpoint on conscience in an increasingly radical light, even though Marvell's post-Restoration position on conscience remained

⁵⁶ Teskey, 'The River Overflows', 263, note 13. *EIKON BASILIKH*, 263.

⁵⁷ *Government of the Common-wealth*, l.2r.

⁵⁸ 'First Anniversary', l.68, l.78.

⁵⁹ 'First Anniversary', l.289; *His Majesties Gracious Letter*, 12.

essentially unchanged.⁶⁰ In *Rehearsal Transpros'd* (1672), as Lynch observes, Marvell's view is that the 'Peace of the Kingdom' was best served – as much after, as before the Restoration – by a broad comprehension of protestant beliefs and practices: a yielding of 'opposed minds' to the 'willing frame'. When Marvell finally lost faith with Charles II in *An Account of the Growth of Popery*, his loyalism was nevertheless still articulated in terms familiar from 'An Horatian Ode' and 'First Anniversary', as an intra-protestant crusade against the presence of 'popery' in 'states not free'.⁶¹

Marvell's later writing has been admired for its protestant tolerationism, but in his prose as much as his poetry, Marvell's position on conscience can be characterised by his support for a protestant consensus, or 'comprehension', not for liberty of conscience *per se*. 'Truth for the most part lyes in the middle', Marvell writes in *A Short Historical Essay*, although 'men ordinarily seek it in the extremities'.⁶² Marvell views conscience in Hobbesian terms, as a repository of 'erroneous' – or what Marvell, in *Mr Smirke*, calls 'infirm' – opinion. It is the infirmity of our opinions – the fact that hearsay lurks beneath 'that revered name of Conscience' – that leads Marvell to seek the protestant middle-ground, or 'sober liberty'. The infirmity of our spiritual conditions also leads Marvell to assert that no one has the right to tyrannise, or 'use Force to constrain', the conscience or opinions of others. Marvell's verbal sallies against 'tyranny' extended in his prose works to the spiritual tyranny of Anglican ministers and the behemoth of 'popery', but Marvell also viewed the radical protestant sects, whom he branded 'beggarly Fanaticks' in *Mr Smirke*, in the same light – as 'tyrants' whose private consciences drove them 'to use Force' against the protestant powers that be. Marvell therefore trained his satirical sights on a range of religious targets across his Commonwealth and Restoration writing, but the motivation for Marvell's verbal sallies against spiritual tyranny remained the same. This was a recognition that conscience was what Hobbes called a 'plurality of voices', and that the mechanism for reducing this seventeenth-century war of words 'unto one Will' was not tyranny, but the middle-ground of compromise and consent.

⁶⁰ It was not only Breda's position on conscience that went unrati ed. Long debated, the Instrument of Government was in fact never formally adopted by the Protectoral Parliament, with Chernaik noting the stalemate on the Instrument's standpoint on liberty of conscience ('Every conqueror', 208-10).

⁶¹ Lynch, 'Marvell's View'; 'Ode', 1.103.

⁶² *Prose Works*, II: 137.