

of essays that are related to each other in such a way that reading the volume through from the first essay to the last does give an overall impression of the subjects being addressed. In particular, the essays on Catholicism shed new light on how Catholics fit into the debate over conformity and orthodoxy at a time when the Catholic faith was under fire in England. As the second volume in Boydell's "Studies in Modern British Religious History" series, *Conformity and Orthodoxy in the English Church* succeeds in the series' goal of "understanding the importance of religion for the history of modern Britain."

David Martin Jones. *Conscience and Allegiance in Seventeenth Century England: The Political Significance of Oaths and Engagements*. Rochester: University of Rochester Press, 1999. ix + 267 pp. + Appendix. \$70.00. Review by GEOFFREY M. VAUGHAN, UNIVERSITY OF MARYLAND, BALTIMORE COUNTY.

In exasperation Mark asked, "What do you want me to swear on, the counter-top?" My brother-in-law's question was prompted by the demand to swear an oath at the county offices, coupled with the news that they did not have a Bible. I could not help but think about this story and its implications as I read David Martin Jones's book about the pivotal period of oaths and oath-taking in the history of England. For here in pluralist, secular America we use oaths to assure truthfulness in almost every official business of the federal government, the states, and all localities, but we have deprived them of the divine sanction that was the original guarantor of assurance and was, indeed, the cause of so much controversy during Jones's long seventeenth century.

Jones traces the use of oaths from the Henrician Reformation to the Hanoverian settlement, although, as the title suggests, the bulk of his research and writing attends to the seventeenth century. And "bulk" is the appropriate word here. It appears that Jones has found almost every reference to oaths and oath-taking in statutes, legal decisions, speeches, pamphlets, diaries, public and

private correspondence, plays, poems, and novels. His Appendix even reproduces 21 oaths, along with a brief account of their history and consequence. Students of the seventeenth century will not only be impressed by his efforts, they will also be indebted to them. But here the advantages of detail give way to the disadvantages of excess, and Jones's argument is lost under an unwieldy amount of information.

Much of the book's text traces the history of casuistry in England, a history that was built upon the Tudor imposition of oaths, the Stuart continuation of them, the further use of them by the Commonwealth and Protectorate, and their persistence through the Restoration and Glorious Revolution. Not until the very end of this period did casuistry begin to acquire the taint that now is so associated with the term. Rather, through the most turbulent periods, official casuists were looked to by all contending parties to provide guidance through the maze that was being developed by compounding oaths. The only casuists to suffer as a group were, of course, the Jesuits. Their probabilism reasoned that, in the extreme, any opinion could be followed if even one doctor of the church supported it (82). In the political struggles they directly engaged, the Jesuit casuistry sought ways to loose Catholics from the fear that breaking their oath to the king would damn them to hell. As we know, this did not endear the Society to the British nation.

Jones suggests that the unique experience brought about by this struggle over conscience may be responsible for the divide between Continental and Anglo-American philosophy. He writes, "One of the more interesting and generally unrecognized features of much contemporary theorizing about justice as fairness is that it merely dresses in the fashionable language of moral norms a seventeenth-century English Protestant understanding of conscience adumbrated by eighteenth-century radical democracy and a modified version of Kantian rationalism" (258). Unfortunately, this interesting insight is not so much developed as it is left to be developed. But with so much in one book, Jones provides us with

many interesting suggestions that raise a curiosity which is certain to be disappointed.

The puzzling problem for Jones is that the oath returned again and again as the sole guarantor of political stability throughout the political turmoil of the period he examines, even though the very turmoil these oaths were meant to forestall had not been held in check by prior oaths. Did no one learn anything during this period? Jones does not indulge in the simple arrogance a question like this implies. Instead, he engages the history with a patient attention to its complex development. So, a device used by Henry VIII and copied by his daughter Elizabeth—when she had the strength to do so (41)—became, in the course of more than a century, the foundation of the political regime. According to Jones, even as James II could claim from exile that the entire country had sworn allegiance to him, by 1689 there was no philosophically acceptable alternative to the state oath (204). This explains the peculiar, if very familiar, contortions the political nation underwent to accommodate its conscience to William and Mary.

If there can be said to be a central argument in this book, it is that the oath is a paradox. As the experience of the Civil War suggests, an oath is either unnecessary or it exacerbates the problem it was meant to solve (167). In Jones's words, "if the oath was accepted it was really unnecessary because it merely confirmed an antecedent natural obligation; if it was not accepted, however, it actually served to increase doubts about the authority that imposed it" (267). But by his own evidence this seems to have been recognized, at least in part, by the Tudors who first used the oath on a large scale: Elizabeth used the oath sparingly until she had consolidated her power. It was over the course of the next century, by which time state oaths had become commonplace, that the paradox was lost to view. And this brings me back to my brother-in-law. In an age such as our own, when oaths are used regularly but lack a divine sanction, the paradox is even more perplexing. What do we hope to accomplish with our oaths? Anyone wishing to answer that question would do well to consult *Conscience and Allegiance in Seventeenth Century England*.