I. Introduction: Godfried Udemans

Having read theology at the university of Leiden, Godfried or Godefridus Udemans (1581/2-1649) followed a career as a clergyman in the province of Zeeland. He worked as a minister in Haamstede for several years and then in 1604 became a pastor in Zierikzee, where he remained until his death. Udemans is generally considered to be one of the more important seventeenth-century theologians from Zeeland. He specialized in writings for a broader public, including, in particular, publications on ethical and religious codes in trade and seafaring. He published a *Spiritual compass* in 1617 and a *Merchant’s yacht* in 1637. ¹ Of his various writings on moral theology, *‘t Geestelyck roer van ’t coopmans schip*, first published in 1638, is the most important. ² The book covers aspects of morality and ethics on which Udemans had been writing since 1608. It was dedicated to the directors of the East and West India Companies.

The title, *‘t Geestelyck roer van ’t coopmaans schip*, is best translated as *The spiritual helm of the merchant’s vessel*. The book’s subtitle explains Udemans’ choice of metaphor:

that is: a faithful account of how a merchant and seafaring trader should conduct himself in his actions, in times of peace and war, with respect to both God and people, on water and on land, and especially among the heathens in the East and West Indies: for the glory of God, the foundation of His congregations, and the salvation of His souls: and also for the temporal well-being of the fatherland and his family.

A motto on the title page further clarifies his preference for the *gubernaculum spiritualis* as metaphor. It is a passage from the New Testament: ‘Behold also the ships, which though they

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² Godefridus Udemans, *‘t Geestelyck roer van ’t coopmans schip, dat is: trouwbericht hoe dat een coopman en coopvaerder hem selven dragen moet in syne handelinge in pays, ende in oorloge, voor God ende menschen, te water ende te lande, insonderheyt onder de heydenen in Oost ende West-Indien: ter eeren Gods, stichtinge syner gemyeten, ende saligheyt sijner zielen: mitgaders tot het tijftick welvaren van het vaderlande, ende sijne familie* (2nd ed.; Dordrecht, 1640); this edition was published in facsimile in 1965.
be so great, and are driven of fierce winds, yet are they turned about with a very small helm, whithersoever the governor listeth.’ (Jas 3:4).

During his professional course through life in regions abounding with dangers and temptations, a merchant required moral guidance. Udemans’ *Spiritual helm* offers such counselling. It is an ethical compass comprising more than 1,000 pages, divided into six books which respectively treat:

I. the origin, utility and necessity of trade;
II. the profession of merchant;
III. the profession of sailor in the merchant navy;
IV. trade with the East and West Indies;
V. trade with Constantinople and other Turkish lands; and
VI. naval warfare, in particular regarding the conduct of sailors on war vessels.

Udemans puts forward his views on war mainly in Book VI. This book contains four sections, each dealing with a particular problem concerning naval warfare:

(a) whether an enemy may be resisted by using force;
(b) the discipline that should be maintained on board ship;
(c) the vocation of a navy officer; and
(d) several cases of conscience concerning naval warfare.

Section (a), on the question of the use of violence in resisting an enemy, is mainly a refutation of Mennonite pacifism. The question was an important one, according to Udemans, since some powerful merchants were Mennonites who hesitated to provision with cannon ships bound for the Indies. Christians, they believed, had to turn the left cheek, rather than fight back. Like all mainstream Calvinists, Udemans strongly disapproved of this view, and his arguments reflect the standard anti-pacifist repertoire of the time. Section (b) discusses the various articles on religion in the naval code issued by the States General, treating such issues as worship, prayer and swearing, and the general maintenance of religious discipline.

Udemans elaborates on this in Section (c), in which he points out the responsibilities of officers in enabling the navy and its personnel to perform their tasks properly. Officers in his

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3 All quotations are from the Authorized (King James) Version of the Bible, which most resembles the Dutch translations available at the time.

4 Note that the pagination in the edition I have used is not uniform. The volume is paginated as follows: regular pagination: 1-176; pagination on every other page, i.e. with the same page number for recto (r) and verso (v): fol. 89r-fol. 184v; regular pagination: 369-546; pagination on every other page: fol. 273r-370r. The sections relevant to this article are on pp. 471-483 (Book 6, section 1) and fol. 316v-332r (Book 6, section 4).


view were required to ensure the quality of the physical and spiritual life of their subordinates.  

The part most relevant to this article is section (d), the content of which I will attempt to set out and subsequently relate to contemporary ideas on just war and piracy, including those of Hugo Grotius. The *Spiritual helm* appeared in print some thirty years after Grotius occupied himself with *De jure praedae* (the manuscript dates from 1604), but we saw that Udemans had already begun articulating his thoughts in 1608. It is instructive to examine the ethical writings of a contemporary of Grotius. As a scholar of law, the latter examined the legality of the activities of trading companies acting on behalf of the Dutch Republic as a state at war. As a clergyman, Udemans discussed moral rather than legal issues. His topic was the cases of conscience that weighed upon the minds of company employees in the practice of war – at least, those employees who had any regard at all for their own souls. Grotius, furthermore, sympathized with the Remonstrant / Arminian party in the Reformed church, while Udemans sided unilaterally with the Counter-Remonstrant / Calvinist faction. The Remonstrant tradition, at the root of which stood thinkers like Grotius, Uijtenbogaert and Episcopius, has traditionally been associated (not least by its own adherents) with the practice and theory of toleration and peaceful co-existence, and, in the nineteenth and twentieth centuries, with libertarianism and ecumenism. Calvinism, on the other hand, has often been, and still is, associated with fearless heroism, bellicose assertiveness and ruthless violence, attributes that manifested themselves in religiously inspired actions ranging from the so-called Iconoclastic Storm of 1566 to the Dutch resistance to German occupation during World War II. More to the point, it has been claimed that in the early modern period, Calvinism, especially in its English Puritan variety, did much to propagate the medieval traditions of holy war that to all appearances had been laid to rest by Spanish theoreticians during the sixteenth-century Renaissance.

James Turner Johnson has made the claim that Puritanism (or, more precisely, certain influential Puritans) justified aggression on religious grounds. He argues that ‘classic’ just war doctrine, containing statements on *ius ad bellum* (the right to make war) as well as *ius in bello* (that which is allowable in the course of war), originated around the end of the Middle

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Ages. The sixteenth century witnessed the rise of two traditions of just war thought. The naturalist tradition, which grounded the *ius ad bellum* in natural law, excluded religion as a motive for just war. By contrast, the theological tradition was concerned to justify religion as a cause for war; a ‘holy war’ would thus be validated as a just war. Johnson accords to Calvinism a crucial role in the revival of holy war thought. For example, he sees the *Sermonum decades quinque de potissimis christianae religionis capitibus* (1552) by the Swiss reformer Heinrich Bullinger (1504-1575) as an important milestone. Bullinger’s fifty sermons deeply influenced the thought of English Puritans, and they were translated into German, French, English and Dutch.

In an earlier examination of Puritan thought, Roland H. Bainton suggested that a holy war essentially has four features:

1. There is a holy cause.
2. Violence takes place under God’s direction and with his help.
3. There is a distinction between godly crusaders and ungodly enemies.
4. Enemies are not spared.

Elaborating on and refining Bainton’s characterization, Johnson defines the concept of holy war as it occurs in Bullinger and several sixteenth and seventeenth-century Puritan authors. He refers to six ‘positions’:

1. There is a religious purpose (‘holy cause’).
2. A defensive war for the sake (or in defence of) religion is a just war.
3. An offensive war for the sake of religion is a just war (for example a war expressly ‘commanded’ by God).
4. Soldiers must be personally godly.
5. A just war is a *justified* war (rather than a *justifiable* war, as in classic just war thought), which suggests that both the cause and its champions are righteous.
6. A holy war must be fought without restraint.

There is no need here to dispute Johnson’s excellent analysis, although one could question the significance or representativeness of the Puritan authors whose books he examined. The point is that he offers a useful conceptual instrument with which to test seventeenth-century writings on moral theology concerning their proclivity towards holy war. Applying Johnson’s findings to the Dutch Republic is all the more germane because he sees Puritans as the main exponents of Christian *jihad*. Clergymen like Udemans are often reckoned to the so-called ‘Further Reformation’ movement, which as a whole was under the spell of English Puritanism. Emphasizing heartfelt piety and strict morality, the Further Reformation aimed at

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bringing the ‘magisterial’ Protestant Reformation to completion. Its adherents often took Puritan authors as their role models. One might assume that the latter’s aggressive rhetoric spilled over into the ‘Public’ (Calvinist) Church of the Dutch Republic.

Udemans achieved some notoriety in modern times because of a passage on slavery in his *Spiritual helm* in which he insisted that Christians were allowed to enslave ‘Heathens and Turks’ on condition that they had been captured during a ‘just war’ or bought from their parents at a fair price. The argument could well have been taken from Grotius, who also defended slavery as an outcome of war. But where Grotius drew on the principles of natural law, Udemans quoted the Bible (Lev. 25:44-46) as well as a theology professor at Leuven, the Catholic Johannes Molanus (c. 1505-1585). In other words, he used religious arguments to defend the enforced slavery of fellow humans. One might hypothesize that religion similarly offered him arguments in support of other forms of inter-human violence, such as war.

This article, then, examines the extent to which Udemans draws upon religion as a means of legitimizing violence on behalf of secular political authorities such as the prince (or, as in the case of the Dutch Republic, the States or States General), and, more in particular, the Dutch East India Company (VOC) and West India Company (WIC). In the next section, I shall first provide a summary of the various cases of conscience concerning naval warfare and piracy treated by Udemans.

II. Casuistry for Christians under arms
This section provides a synopsis of section (d) of Book 6 of the *Spiritual helm*. Udemans begins by explaining that it is necessary to provide advice both for the benefit of the pious Christian soldier whose conscience is troubled by sins he believes he may commit, or has committed, under arms, and for the godless soldier whose sinful behaviour had already imperilled his own soul. He then discusses twelve cases of conscience.

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13 Udemans, *Geestelyck roer*, fol. 182r.
15 The reference is to Johannes Molanus, *De canonicis libri tres* (Louvain, 1587) L III, c XXXVII.
16 Udemans, *Geestelyck roer*, fol. 316v-332r.
Case I
The first issue, ‘Is it permissible to wage war against a common enemy at the behest of the civil authorities?’, is an easy one to resolve, since Udemans had already offered an answer earlier in Book VI. His response is, yes, Christians may wage war on condition that they do so according to God’s Word, in faith and with due respect for justice.\footnote{Udemans, Geestelyck roer, fol. 316v. He refers the reader to William Ames, De conscientia, et ejus jure, vel casibus, libri quinque (Amsterdam, 1630; the book was reissued in 1631, 1634 and 1635), L V, c xxx (‘De bello’); as well as his own Noodighe verbeteringhe dat is Schriftmatige aenmerckinghen op seker boexcken van Francoys de Knuyt (Ziericzee, 1620).}

Case II
Case II addresses the problem of the conditions a war needs to meet in order for it to be waged lawfully and in good conscience. In dealing with this ethical issue, Udemans draws on classical just war thought. In this tradition, usually three criteria by which to determine the justness of a war were mentioned: right authority (a sovereign ruler), just cause (defending oneself, retaking something wrongly taken, punishing evil) and right intention (proper motivation). First, argues Udemans, a war is justly waged if its cause is just, serious and necessary, and if we are able to account for it before God and any impartial person, to whom we can also demonstrate that we have beforehand tried all friendly and non-violent means to resolve the dispute.\footnote{Udemans, Geestelyck roer, fol. 316v. Udemans again cites Ames: Ames, De conscientia, L V, c xxx.} The war against Spain is such a war, Udemans insists, referring to his own explanation of the Calvinist Heidelberg Catechism, called Practice, or real exercise of the chief Christian virtues of faith, hope and charity (1612).\footnote{Udemans, Practycke, dat is Werckelijcke oeffeninghe vande christelicke hooft-deuchden, gheloove, hope, ende liefde (Middelburg, 1612). Udemans refers to his explanation of the Fifth Commandment.}

Second, because war is a form of justice, only a lawful government may begin a war. This, too, was a standard argument in the sixteenth-century, ‘classic’ just war tradition. Third, a war must be waged in a just manner, according to divine and human laws. Fourth, the prince must ask God’s approval before beginning a war, in the manner of Old Testament leaders. This means that the prince should seek God’s advice through prayer, by reading the Bible, and by asking the advice of prophets, i.e. the ministers of the church. Fifth, the aim of war must be a proper one. A prince must not wage war out of pride, greed or revenge, but only for the glory of God and out of love for justice, to protect the good and punish the bad. The ultimate aim of war is peace.\footnote{See e.g. Johnson, Ideology, Reason, and the Limitation of War, 158 (on Franciscus de Victoria).} Finally, a prince should wage war in faith, and trust in God rather than human force. Wars fought in faith are not called bella Jehovae for nothing (Num 21:14; 1 Sam 18:17).\footnote{Udemans cites Augustine, De civitate Dei, L XIX, c xii.}
Case III
Are soldiers always obliged to inquire closely into the justness and legitimacy of the wars in which they participate? In his response to this third issue, Udemans advises his readers to make two distinctions, one between officers and soldiers, and the other between the home government and a foreign prince. All those who take part in the council of war (the officers) must have a clear conscience regarding the war’s legitimacy. Common soldiers, on the other hand, may rely on the judgement of their superiors. However, they should refrain from fighting when they are personally convinced that the war is an unjust one. It follows that no soldier may fight against his fellow believers, or otherwise provide help in destroying the true religion, since wars with this objective are unjust. English mercenaries who aid the Spanish in suppressing their Dutch fellow believers sin against God, faith, charity, the communion of saints, good conscience, and nature itself. Consequently, to serve a foreign, unbelieving prince for the sake of money is out of the question. Soldiers should enter into the service of a foreign prince only after having made certain that the war for which they fight is a just one, and that the ruler into whose service they have entered is a pious prince who acts for the glory of God and the well-being of his church. Apart from English soldiers, the Swiss and even the Dutch are prone to neglecting this rule. This includes such seamen who defect to the enemy because of the plunder they can obtain. The Dunkirk pirates are a case in point. But the contrary is true also. It is commendable to help one’s fellow believers, as the English and Scots did who helped the Dutch in their war against Spain. Peter Martyr offers some additional reasons for not participating in warfare for the sake of money. Mercenaries, he wrote,

* put themselves into jeopardy;
* act not from obedience or love of patria, but recklessness, pride, greed, laziness, and so on;
* foster warfare as such;
* cause damage to their own country’s reputation;
* cause damage to their own country since they will not be available to it in times of need;
* cause damage to people (foreigners) who have done no harm;

24 Udemans, Geestelyck roer, fol. 318r-318v. Udemans discusses this latter point at greater length in Spiritual helm, 383-389 (on contacts with the Turks), to which he refers the reader.
25 The reference is to Petrus Martyrus Vermigli, In duos libros Samuelis prophetae qui vulgo priores libri Regum appellantur (Zurich, 1564).
* damage themselves unnecessarily through bodily injuries sustained in war, or through
spiritual injuries resulting from contact with foreign peoples (since the latter hold
different beliefs and have different customs).

A soldier may only enter into the service of another country in certain cases. Some may
object that many men will not be able to earn a living if they cannot fight. Even is this is the
case, Udemans points out, a good conscience is always preferable to a full stomach.

Case IV
Case IV is related to the previous one. Is a Christian government justified in seeking aid from
unbelieving princes, or (vice versa) in giving aid to an unbeliever, assuming that the war is
just? A Christian government, says Udemans, may not conclude a treaty that guarantees
mutual aid under all circumstances. The government must ensure that such a covenant with an
unbelieving prince does not contradict the covenant with God, since a government must
above all foster the glory of God.

Case V
Is a just war, waged with evil intent, in effect an unjust war? The answer to this question
depends on whose intent we are discussing. The position of the sovereign power who declares
war is not the same as that of the officers and soldiers who do the fighting. As far as the
sovereign power is concerned, we should take care to distinguish between secret and public
intent. Secret intent is known only to God, while the latter may be examined to see if it meets
the conditions of a just war. As for officers and soldiers, Udemans again points out that they
should always wage war in faith. However, a just war cannot become unjust only because
some soldiers fight with evil intent, or because some soldiers make regrettable mistakes. The
legitimacy of the war as such ought to be judged, not the individual trespasses that occur in
the course of that war. The Jesuits, and especially the ones oriented towards Spain, condemn
the Dutch Revolt on these grounds. They claim that we did not begin war for the sake of
religion or the land’s freedoms and privileges, or because of the introduction of new bishops,
or Alva’s taxation policy, or the imposition of foreign governors, advisors and officers, or the
establishment of the council of blood, and so on. Instead, they insist that the Dutch nobility
was jealous of the Spanish; William of Orange in particular is supposed to have sought

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26 As Ames points out in De conscientia, I 5, c XXX, thesis 12.
27 Udemans, Geestelyck roer, fol. 319r-321r.
28 Udemans, Geestelyck roer, fol. 321r.
29 Udemans, Geestelyck roer, fol. 321r-321v; he insists here that the objections of the Mennonites concerning this
issue do not obtain.
honour and glory (*eergiericheyt*). However, the Spanish apologists do not dispute the principle itself. All individuals in government must examine their consciences before God to determine whether their actions in the affairs of war agree with their own public manifests, publications, contracts and treaties.

**Case VI**

In his response to the sixth problem, Udemans again addresses the issue of the *ius in bello*. He poses two questions. Who may be harmed in war, and to which degree? Regarding the first question, it is important to keep in mind (against the Mennonites) that a just and legitimate war is in fact a species of justice, and that the purpose of justice is to protect the good and punish evil. A legitimate war is waged directly against a guilty party, i.e. against those who have perpetrated a crime against a prince or republic. A war is either defensive or offensive. A defensive war is a war waged against those who without just cause seek to oppress us and taken away from us that which God and nature have given us. This in effect is the cause of the Dutch Revolt, which is in origin a defensive war. The King of Spain trespassed on Dutch privileges and would not be swayed by peaceful means. Hence the States declared on 26 July 1581 (in the so-called *Plakkaat van verlatinge*) that he had forfeited his rights *ipso jure*. The right of defence as such is a reasonable principle based on nature, as Grotius, among others, makes clear. An offensive war often follows from a defensive one, since we may well be obliged to take back from the enemy the things he took from us. The Dutch war is, in fact, partially offensive, partially defensive. It began as, and still is, a defensive war; but it is also an offensive one, since Spain not only caused a lot of damage but also tore away ten provinces.

At any rate, even during an offensive war we should take care to treat those who live within the territory of the enemy, and who have done us no harm, with mercy and moderation, especially the elderly, youths and women. True, the Lord God sometimes ordered Israel to annihilate complete peoples. However, these are extraordinary examples, since they refer to cursed nations which God wanted specifically to obliterate. We should refrain, furthermore, from treating harshly our friends, allies and fellow believers, as well as our enemy’s peaceful

30 Udemans cites Famiano Strada’s *De bello Belgico* (1632), which makes the point that the nobility fought to defend its own interests; he also points out that the *Apologie* (1581) by William of Orange and the *Plakkaat van verlatinge* (1581) form adequate antidotes to Strada.


32 Udemans refers to Ames, *Conscientia*, L V, c xxx, § 1; Grotius, *DIBP*, L I, c ii.

33 Udemans refers to William of Orange’s *Apologie*.

34 Grotius, *DIBP*, L I, c ii; Udemans refers also to Cicero, *Pro milone* and Josephus, *De bello judaico*.


36 Udemans, *Geestelyck roer*, fol. 325r. Udemans takes pains to point out that the government made this clear in several manifest (dating from 1579, 1602 and 1632).
neighbours. The same applies to farmers, fishermen, merchants, craftsmen and artisans, in so far as they do not serve the enemy. Learned people should be spared especially, since they concern themselves only with religion, law or medicine. In brief, we should avoid hurting anyone who does not carry arms. Witness the examples set by Nebuchadnezzar, Alexander the Great and Camillus. Christian generals should not hand towns over to plunder and burning, as the Spanish so often do: in 1572 Alva, Bossu and Don Frederico respectively devastated Mechelen, Rotterdam and Naarden. Such atrocities are in conflict with Scripture, justice, equity, goodness, mercifulness, reasonableness (redelijckheit) and human nature itself. The Spanish acted worse than did such heathens as Camillus or Gryphus, king of Sicily, both of whom spared the women. Pious Christian generals should forbid the destruction of towns on pain of corporal punishment.

To which extent, then, may soldiers or armies cause bodily harm (the second question posed in Case VI)? A just war is an instrument of justice – the protection of the good and the punishment of evil – and so it follows that damage to property and body will necessarily occur. However, military leaders should mete out punishment mercifully, as all pious generals do. In this manner, the eleven tribes of Israel treated the tribe of Benjamin with mercy, sparing the youth and elderly, for God had not ordered them to destroy the Benjamites. Undue destruction contradicts nature, Scripture and international law (recht der volckeren) when God has not given an explicit order to do otherwise. There are many examples of leaders who went beyond all bounds: Pekah massacred the people of Judah (2 Chr. 28), and the emperor Theodosius those of Thessalonica (in 390). For this reason, one should never take up a sword in anger, as pagan authors have pointed out. The rape of women should be forbidden on pain of corporal punishment, since this is not a form of justice, but an expression of barbaric cruelty. Furthermore, victorious soldiers should be prevented from unnecessarily destroying orchards, houses, villages, churches, convents, towers, homes for the elderly, and orphanages.

There are three exceptions to the rule that moderation and reticence are mandatory. First, all ‘instruments of idolatry’ may be destroyed, i.e. objects that serve the purpose of idolatrous worship, such as altars, images and tabernacles (Sacraments-huysen), for God has ordered expressly to destroy them. Second, wholesale carnage is permissible if God has given a

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37 See Grotius, DIBP, I, III, c ii, §§ 9-12.
38 For Nebuchadnezzar, see Jer. 39:11-14; Jer. 40:1-7; Alexander the Great treated mildly the gymnosophists he encountered in India; on the dictator Camillus, see Livius, Ab urbe condita, I V.
39 Udemans, Geestelyck roer, fol. 325v-326v.
40 Udemans mentions the philosophers Architas Tarentinus and Athenodoros.
41 Udemans, Geestelyck roer, fol. 327v-328v.
42 See Ex. 34:13, Num. 33:52, Deut. 7:5.
public order to this effect, as in the case of Jericho or Ai.\footnote{See Jud. 6:17, Jos. 8:28.} Third, in some extreme cases there may be a military need to destroy. Thus, an army may raze part of a town when it refuses to surrender, both for its own protection and to hurt the enemy.\footnote{Udemans, \textit{Geestelyck roer}, fol. 328v. (cf. Deut 20-21).}

In general, however, the innocent must be spared. How, then, to judge the wars of Spain and Austria, waged for more than 300 years in Asia, Africa, Europe and America? The Habsburgs have a history of tyranny that goes back to Albert Duke of Austria, who deposed Adolph of Nassau-Weilburg in 1298. Around 1500 the Spanish tyrannized ‘poor Heathens’ in America and the West Indies. Then there was the capture of Navarre by the King of Aragon; the annexation of Portugal by the Duke of Alva; the wars of Emperor Ferdinand II in Bohemia, Silesia, Moravia and Germany; and, finally, the Dutch Revolt, during which the Spanish committed many barbarous atrocities.\footnote{Udemans regrets and condemns all excesses, including those committed on the Dutch side, but it is clear to him that Spain in particular favours tyranny. If one thing is clear, the King of Spain is the root cause of all the cruelties that have occurred and will occur in this war.\footnote{Udemans here provides a number of excerpts from William of Orange’s \textit{Apologie}, as a justification of the war against Spain.}} Udemans regrets and condemns all excesses, including those committed on the Dutch side, but it is clear to him that Spain in particular favours tyranny. If one thing is clear, the King of Spain is the root cause of all the cruelties that have occurred and will occur in this war.\footnote{Udemans, \textit{Geestelyck roer}, fol. 328v-330v.}

\textbf{Cases VII-IX}

Case VII concerns the use of stratagems during wars, i.e. the use of what we would variously call ‘guerrilla’ tactics or state-sponsored ‘terrorism’. Is this lawful? Udemans thinks it is, as long as using stratagems does not contradict the word of God. Stratagems should not contradict the ninth commandment (Thou shalt not bear false witness against thy neighbour).\footnote{Udemans, \textit{Geestelyck roer}, fol. 330v-331r.} Case VIII (is it lawful to hold duels?), to which Udemans offers a negative response, need not be discussed here.\footnote{Udemans, \textit{Geestelyck roer}, fol. 331v-332r.} In his response to Case IX, he observes that suicide is not permissible when a sailor is attacked by the enemy but has the opportunity to blow up the ship, together with both the enemy and himself.\footnote{Udemans, \textit{Geestelyck roer}, fol. 332r-333r. Interestingly, Udemans does not agree with Ames, who allows for this course of action, in case it obstructed the enemy.}

\textbf{Case X}

Udemans then comes to the issue of piracy. He asks, Are soldiers permitted to share in the spoils of war? The issue is of eminent importance, observes Udemans, so that he will treat it in the same way he did the question concerning slavery, i.e. by listing and discussing various theses. He mentions twelve theses, which may be summarized as follows:
1. Many pious believers believe that Scripture forbids plunder, so that it is wise to examine this issue seriously.  

2. Not all plunder is absolutely forbidden. If a war is just and legal, so too are its spoils. Pious princes have not opposed booty in the past.

3. There are exceptions to the rule that the justness of a war legitimizes plunder. In some just wars, God commanded all enemy property to be either destroyed or consecrated. The treatment of the Amalekites in 1 Sam. 15:3 is one obvious example, to which Udemans adds the case of Jericho:

   But all the silver, and gold, and vessels of brass and iron, are consecrated unto the LORD: they shall come into the treasury of the LORD. (Josh. 6:19)

   Similarly, Theodosius melted all the gold and silver he found in heathen shrines and gave it to the church; Constantine did the same in the case of the heathen temples outside Jerusalem. Indeed, it is proper that soldiers do not take this kind of plunder; instead, they should give it to the church or the poor.

4. To justify plunder, the means used in a war need to be just. The mere fact that the war of the Dutch against Spain is just does not mean that all plunder is justly taken. Extremely violent acts should be avoided; spoils are justified only when war is waged in moderation.

5. Plunder is righteous when taken from a public enemy (see Case VI above). This means that spoils may not be taken from allies, neutrals, innocents, and so on. The Dutch government has tried to uphold this policy with regard to women, as well as fishermen sailing from Dunkirk, Nieuwpoort and Grevelingen. The Spanish by contrast perpetrate heinous crimes against Dutch fishermen, for instance in 1627.

6. Plunder must not be the objective in taking up arms. A war must be conducted with the same dispassionate attitude one assumes when exercising justice. Soldier should not even be motivated by pay, but solely by justice.

7. No one should make plunder his occupation in life, since piracy is not a proper calling. Piracy is forbidden, because (a) piracy is permitted only by order of the government; (b) pirates do not commit their acts out of the proper attitude, i.e. as dispassionate judges; (c)

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51 Udemans, *Geestelyck roer*, fol. 334r. The examples include Moses (Num. 31:26-31) and pious princes such as Joshua, Gideon, David, Asa and Josaphat (cf. Josh. 8:2).


53 See Grotius *DIBP* L III, c. XI-XVI, chapters on *temperamentum* or moderation in treating the conquered enemy.

54 See Grotius *DIBP* L III, c XI, §§ 9-12.

55 Udemans, *Geestelyck roer*, fol. 335r-336r.

pirates aim to further their own private good; (d) after robbing the enemy, pirates rob each other; (e) pious and simple people reject all pirated merchandise.57

8. There are some commonly used arguments that need to be qualified. (a) For example, some claim that the laws of war permit piracy. This is true, responds Udemans, but he points out that law scholars, too, maintain that mercy and moderation need to be exercised during a war. (b) Furthermore, it is said that the government issues privileges that legalize the practice of piracy. Again, this is true, but it does not mean that we can commit acts of piracy with a peaceful conscience. The ‘tribunal of conscience’ (vierschaar van het geweten) is something quite different from worldly law. (c) Some people point out that if the tribunal of conscience prohibits piracy, then it logically procribes trade with the East and West Indies as well, since trade depends on piracy. This is untrue, observes Udemans:

   For concerning the commerce of the two Companies mentioned, their aim is in fact not to commit piracy, but to trade peacefully: to cut off the nerve of war, that is, the treasures in the East and West Indies, from our public enemy, the Spaniard and his adherents: to secure for our state new alliances, towns and forts in those wealthy lands: to expand the borders of the Kingdom of Christ through the conversion of those poor, blind heathens: to deliver the same poor Indians from the Spaniard’s tyranny etc.58

Any spoils gained in this commercial, political and military project are either legitimately taken from the Spanish enemy, or accidental in nature, that is, a form of collateral damage. (d) Then there are those who argue that piracy has damaged the enemy and served the Republic well. Concerning this issue, we should distinguish carefully between the public enemy and innocent victims. Plunder captured from the enemy is justly taken. (e) If piracy is not permitted, then soldiers should not be allowed to undertake preventive action against the enemy when the situation so requires, that is, on the spur of the moment. Udemans (who uses the term op hazard lopen) remarks that soldiers certainly may do so at the behest of their commander, when the enemy is being provided with victuals or ammunition, when the enemy is threatening the borders, or when individuals are suspected of aiding the enemy. (f) Finally, some insist that the tribunal of conscience forbids all piracy. On the contrary, responds Udemans, acts of piracy are praiseworthy when they are committed by pious patriots at the behest of the high authorities and with a righteous aim, that is, with the intention of preserving the freedom of our trading routes, in conformity with the demands of a truly defensive war.59

9. No one will profit from unjustly gotten gains. What applies, say, to usury, applies also to pirated goods.

57 Udemans, Geestelyck roer, fol. 336v-337v.
58 Udemans, Geestelyck roer, fol. 338r-338v; the quotation is on p. 338v (I have left out italics and capital letters).
59 Udemans, Geestelyck roer, fol. 338v-339v.
10. Justly obtained pirated goods should be justly divided according to the Word of God. One part should go to God (the Church), another to the prince and the country, a third part to the men who left their homes, a fourth to those who stayed at home to defend the frontiers, and a fifth to the poor.60

11. Nothing is acceptable in a war unless it is done in faith and with a righteous conscience. This is why we should spurn soldiers who have no regard for the Word of God.61

12. The plunder committed by the Spaniards, Dunkirkers, Imperial troops, Croatians and other groups is nothing but public robbery. The war they wage is unjust, and not in agreement with either Scripture or the law of nature.62

Case XI
This case concerns the orientation on religion of the soldier’s conscience. How should a soldier prepare himself for death, especially before battle? Udemans sums up his obligations. He must (a) live in the Lord;63 (b) refrain from evil, for example by ignoring temptations and looking for friends in whom to confide;64 (c) possess a proper knowledge of the true faith; (d) fulfil his duties well;65 (e) and humbly confess his sins, reconcile himself with God through Jesus Christ, thank God, inquire into his own soul to find out whether God has shown him signs of His favour, reconcile himself with his neighbours, speak with a pious minister if his conscience displays any misgivings, take care of his earthly property, and fearlessly confront the enemy.66 Concerning the last point, Udemans notes that a soldier will be able to master his fear if he realizes that he fights for a good cause, that is, for God’s people and God’s towns. He will know that God is on his side, but his conviction is conditional on his having prepared himself properly before setting out on a risky undertaking.67

Case XII
Finally, Case XII addresses the obligations of army preachers with respect to soldiers, and vice versa. Udemans’ comments on the subject would fit in well with a preacher’s manual; I shall not comment on the topic here.68

60 Udemans, Geestelyck roer, fol. 340r-340v.
61 Udemans, Geestelyck roer, fol. 340v.
62 Udemans, Geestelyck roer, fol. 340v.
63 Udemans, Geestelyck roer, fol. 341r-342r.
64 Udemans, Geestelyck roer, fol. 342r-345r.
65 Udemans, Geestelyck roer, fol. 345r -345v.
66 Udemans, Geestelyck roer, fol. 345v-350v.
67 Udemans, Geestelyck roer, fol. 349r.
68 Udemans, Geestelyck roer, fol. 350v-357r.
III. Holy war, holy plunder

Before moving on to a discussion on the relations between war and religion in the *Spiritual helm*, a brief note on Udemans’ sources is in order. As a Protestant theologian, he was, of course, bound to quote the Bible, and he did so amply throughout his manual; I have provided only a few pertinent examples, but there are many, many more. One important non-biblical source is the religious casuistics of William Ames (1576-1633), a professor at the university of Franeker in the province of Frisia (Friesland). Between 1611 and 1619, Ames had been employed as a minister by the Englishman Horace Vere (1565-1635), who for many years served as a commanding officer in the armies of the Dutch Republic. Vere had distinct Puritan sympathies and patronized religious non-conformists such as Ames, who had been dismissed as a fellow of Christ’s College in Cambridge for a militant sermon against gambling. Ames’s *De conscientia eiusque iure vel casibus* (1630), a treatise on moral theology translated as *Conscience with the power and cases thereof* (1639), was famed in Puritan circles. Given the combative environment in which Ames worked, one might perhaps suspect him of holding belligerent views on holy war. Interestingly, however, Johnson puts Ames fair and square in the classical just war tradition.

It is probably from Ames that Udemans drew a substantial part of his just war argument. Compared to the 800 odd pages of the *Spiritual helm*, however, Ames’s chapter on warfare in *Conscience with the power and cases thereof* is very brief: it comprises less than 9 pages, in which the issue of war is treated in 39 theses. The topics broached by Udemans correspond closely to those treated by Ames. The latter poses the following questions (between brackets is the related case discussed by Udemans):

Question I: ‘Whether or no Warre bee lawful for Christians’ (Case I)
Question II: ‘What conditions are requisite to make a War lawfull?’ (Case II)
Question III: ‘It is here a Question about the first condition [just cause], how farre those that wage Warre are to bee acquainted with the Justice of their cause.’ (Case III)
Question IV: ‘In the second condition [just authority], it is a Question whether it bee lawfull for a Christian Prince in a just Warre to accept the aid of Infidels, or to give them aid in such a Warre.’ (Case IV)
Question 5: ‘In the third condition [right intention], it is a Question what [sic] kind of sinne is the intention of him, that makes Warre, as for hatred, envy, desire of honour, or riches?’ (Case V)
Question 6: ‘It is a Question in the fourth condition [just manner of waging war]. First, What persons are they that wee may lawfully damage by Warre, and how farre may wee damage them.’ (Case VI)
Question 7: ‘In what things may wee damnifie Enemies?’ (Case X)
Question 8: ‘Whether or no it bee Lawfull to use deceits and stratagems in a just Warre.’ (Case VII)

Ames discusses duels and suicide (Udemans’s Cases VIII and IX) elsewhere in his book. The additional subjects raised the *Spiritual helm* (the religious duties of soldiers and ministers: Cases XI and XII) characterize Udemans as an adherent of the Puritan ‘Further Reformation’

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69 William Ames, *Conscience with the power and cases thereof* ([London], 1639; facsimile edition Amsterdam, 1975), 184-192.
movement. The main difference between Ames and Udemans is that the former’s concise discussion of warfare hardly refers to religion, whereas the latter, in fleshing out the cases of conscience, brings religion explicitly into the equation.

Several other sources may be mentioned. One is Grotius himself; Udemans quite frequently quotes *De iure belli ac pacis*. Another source is the Italian reformer Peter Martyr Vermigli (1499-1562). Udemans consulted his *In duos libros Samuelis prophetae qui vulgo priores libri Regum appellantur* (1564), a commentary on the Old Testament books of Samuel.\(^70\) Also, Cicero’s *De officiis* is quoted often enough to be conspicuous.

Does Udemans draw upon religion as a means of legitimizing violence, and if so, to which extent does he do so? Given that Udemans is a clergyman, and that his subject is moral theology, it stands to reason that religion figures prominently in his argumentation. The proposition underlying his essay is that ‘Christians may wage war on condition that they do so according to God’s Word, in faith and with due respect for justice’ (Case I). This is tantamount to saying that Christians must act as Christians, which of course applies to warfare as much as it applies to anything else. A better way to look at the relations between religion and violence in the *Spiritual helm* is to apply to it each of the ‘positions’ listed by Johnson in his account of holy war thought.

**Position 1: Religious purpose or ‘holy cause’**

Theorists of just war thought usually mentioned right intention, or proper motivation, as a criterion by which to determine the justness of a war: This excludes, for example, ambition and glory as reasons for starting a war. By contrast, holy war thought admits religious purpose – sacred ambition, or the glory of God – as a laudable motivation. For Udemans, warfare is by definition religiously motivated, given that anything Christians do must be done for religion’s sake. Isolated from its context, such a claim seems boil down to an appallingly familiar justification of death and destruction in the name of religion. My point here is that no early modern clergyman (or, indeed, no Christian) would have argued otherwise. Everything a Christian does in life, from eating his food to killing his enemy, should be performed with God on his mind. We may find the argument unappealing, but it should be clear that it is not in itself specifically Calvinist.

In his response to Case III, Udemans states that no soldier may commit acts of war against the true religion. He points out that wars bringing harm to fellow believers are by definition unjust. Soldiers should only enter into the service of a pious prince who stands for the glory of God and the well being of his church. In this sense, too, all Christian warfare is religiously motivated. We should interpret this in the context of Udemans’s response to Case III. If

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\(^{70}\) For Vermigli’s ideas on just war, see Robert M. Kingdon, *The political thought of Peter Martyr Vermigli. Selected texts and commentary* (Geneva, 1980)
ordinary soldiers are in conscience convinced that the war in which they participate is unjust because it subverts the true religion, they should refrain from fighting. Likewise, according to Case IV, a Christian government may not conclude a treaty with an unbelieving prince, unconditionally guaranteeing mutual aid. A Christian government must always ensure that such a treaty does not contradict God’s commandments. In the Spiritual helm, then, religious purpose is not a motive by and of itself, but one consideration among others. At most, it serves as a negative test for the criterion of right intention: a war conducted for any reason whatsoever against adherents of the true religion is never a just war.

Position 2: Defensive war with the aim of securing religion
Udemans supports this second position, but not categorically. He regards the Dutch Revolt against the might of Habsburg Spain as a war that in origin was fought religionis causa, for the sake of religion. However, even for the theologian Udemans religion is not an autonomous objective, but connected with the preservation of liberty (libertatis causa). One of the examples of Spanish aggression he mentions is the introduction of new bishops in 1559. It is as easy to construe this historical fact as an infringement of legally binding privileges as an attack on the ‘true religion’.

Position 3: Offensive war for the sake of religion
Udemans mentions offensive ‘holy’ wars only in the context of the ius in bello, so that I shall defer my discussion of this topic to Position 6 (see below).

Position 4: Personal godliness
Like all other clergymen, Udemans repeatedly insists that soldiers and officers should engage in war with a clear conscience, which means that they ought to fight as believers. In Udemans’ response to Case XI, he stresses that soldiers must demonstrate personal piety and prepare themselves accordingly before battle. This position obviously figures prominently in a manual intended to lend advice to individuals professionally involved in war situations. On the other hand, Udemans’s argumentation in itself does not preclude the possibility that godliness degenerates into uninhibited aggressiveness for the sake of religion. He makes the point that a good conscience will result in a fearless attitude, since a soldier who has tried seriously to achieve personal godliness will know that God is on his side. ‘For the LORD your God is he that goeth with you, to fight for you against your enemies, to save you’ (Deut. 20:1). This provides the spiritual basis for Position 6.

Position 5: A just war is a justified war
Wherever Udemans justifies the Dutch Revolt as both defensive and offensive, a war against the Spanish overlord fought religionis et libertatis causa. He sees this as a justifiable war. In other words, Udemans, like Ames, essentially argues from within the classic just war tradition.
Position 6: War fought without restraint

In discussing Question II, regarding the conditions under which war must be waged if it can in conscience be called a just war, Udemans in conformity with classic just war thought broaches the *ius in bello*. A war, he states, ought to be waged in a just manner, according to divine and human laws. For knowledge of the divine laws, Udemans refers his Christian soldier to Deut. 20:1 to 23:9. This notorious pericope includes passages that justify unrestrained warfare on religious grounds. The following is one of them:

> And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it: And when the LORD thy God hath delivered it into thine hands, thou shalt smite every male thereof with the edge of the sword: But the women, and the little ones, and the cattle, and all that is in the city, even all the spoil thereof, shalt thou take unto thyself; and thou shalt eat the spoil of thine enemies, which the LORD thy God hath given thee. Thus shalt thou do unto all the cities which are very far off from thee, which are not of the cities of these nations. But of the cities of these people, which the LORD thy God doth give thee for an inheritance, thou shalt save alive nothing that breatheth: But thou shalt utterly destroy them (...). (Deut 20:12-17)

At the very least, this passage legalizes the unrestrained killing of males and the unreserved taking of spoils, including women, children and cattle. At the very most, it permits the wholesale obliteration, women, children and cattle included, of specific peoples (namely, Hittites, Amorites, Canaanites, Perizzites, Hivites and Jebusites) who happen to reside in territory given by God ‘for an inheritance’ to the Israelites. Udemans provides no specific interpretation of the divine legislation in Deut. 20-23. For example, he does not say explicitly that divine commands to obliterate male populations and plunder complete cities are restricted to the Old Testament, to a time when God still led his chosen people directly. On the other hand, citing such Stoic celebrities as Cicero and Lipsius, he goes on to point out that there also are human laws regarding the *ius in bello*.

In his discussion of Case VI (who may be harmed in war, and to which degree), Udemans returns to the *ius in bello*. He emphasizes that pious Christian officers must exercise mercy and moderation, and that generals should forbid the destruction of towns on pain of corporal punishment. He again observes that God sometimes ordered Israel to annihilate a whole people, such as the Amalekites. ‘Now go and smite Amalek, and utterly destroy all that they have, and spare them not; but slay both man and woman, infant and suckling, ox and sheep, camel and ass’ (1 Sam. 15:3). He points out that these are cursed nations which God wanted specifically to obliterate; again, he does not say that these commands no longer occur under the New Testament. In fact, at this point Udemans makes three exceptions to the rule that moderation is at all times obligatory:

(a) He supports the destruction of objects that serve idolatrous worship, such as altars, images and tabernacles. These may be (or are to be) destroyed on God’s express

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71 Udemans refers to Cicero, *De officiis* and Lipsius, *Politicorum sive civilis doctrinae libri sex*.

72 See also Josh. 6:17 and 8:25; Ps. 137:9; Ezek. 9:6.
commandment, such as in Ex. 34:13, ‘But ye shall destroy their altars, break their images, and cut down their groves’.

(b) He again allows for the devastation of cities as long as God has given a public order to this effect. Examples are Jericho and Ai, as in Jos. 8:28, ‘And Joshua burnt Ai, and made it an heap for ever, even a desolation unto this day’.

(c) In some extreme cases, there may be a military need to destroy part of a town.

Similar arguments turn up in the discussion of piracy (Case X). In some just wars (waged under the Old Testament), God commanded all enemy property either to be destroyed or consecrated. The dispossession of Catholic churches by Protestant forces, and their conversion to Protestant places of worship, is justifiable (or justified) on this account. Another interesting point Udemans makes here is that soldiers should not be motivated by pay, but solely by their sense of justice, since war is an instrument of justice. Such a statement supports ideologically motivated warfare: if soldiers consider themselves instruments of God’s justice, then the appropriate term for the war they are waging is holy war.

IV. Conclusion

Godfried Udemans did not propagate holy warfare in his manual for sea-faring Christians. He subscribed to, and elaborated on, the classic just war position sketchily advocated by Ames. This is not to say, however, that he rejected wars religionis causa. He did not formally exclude religious considerations from his argument (but he did qualify them: I shall put these qualifications in brackets). The glory of God is the chief aim of Christian warfare (at the very least, warfare undertaken by Christians must not harm the Christian religion). The defence of religion is a just cause of war (although it is difficult, in the early modern context, to distinguish secular from religious arguments, if only because there was no separation of church and state). Soldiers must be personally godly (but so should everyone else). In some cases, soldiers may be under divine command to destroy cities and even people (although these instances are in practice restricted to the Old Testament). The destruction of cultural (i.e. religious) artefacts is permissible or even praiseworthy if such objects detract from the glory or proper worship of God. This latter consideration is the only one that Udemans does not qualify.

If we take for granted that Udemans’s thought is representative of mainstream clerical Calvinism in the Dutch Republic – and we can safely say that he is73 – then we must conclude that holy war thought did not figure prominently in the Dutch version of early modern Puritanism. On the other hand, Udemans did not fully exclude religious considerations either. The extent to which such considerations are introduced largely determines the nature of the

Christian society Udemans envisaged. His ethics allows both a minimal interpretation (which includes the destruction of ‘idolatrous’ artefacts by the victorious party) and a full interpretation (which condones in certain specific cases the destruction of cities and the killing of non-military). Only the latter, theoretical position can be qualified as ‘holy war’. It is clear that Calvinist moral theology, for all its resemblance to the classic just war tradition, is not an ethics that we should care to revive in the modern world. From the point of view of just war thought, including that of Grotius, Udemans’s theological ethics is sloppy; in the end, it contains too many excuses to start a holy war.