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The Works of Richard Hooker







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The Folger Library Edition
of
The Works of Richard Hooker

W. Speed Hill
General Editor

Volume Six,
Part One

Richard Hooker
Of the Laws of
Ecclesiastical Polity

Introductions; Commentary,
Preface and Books I–IV

W. Speed Hill
General Editor

with the assistance of
Egil Grislis

John E. Booty, Georges Edelen,
Lee W. Gibbs, William P. Haugaard &
Arthur Stephen McGrade
Contributing Editors

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1993

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Acknowledgments

With the publication of the present volume, the Folger Library Edition of the Works of Richard Hooker is, with the exception of the Index, which will appear in a separate volume, complete: *laus Deo*. None of its contributors would have anticipated that its gestation would take nearly twenty-six years. I date its conception from Thanksgiving Friday of 1967 when I composed the initial prospectus for submission to the Press of Case Western Reserve University, and its formal completion as signalized by a conference held in Washington, D.C., September 24–26, 1993, upon the publication of the present volume. As a result of the time it has taken to bring out this volume, the masthead records the death of two members of the Editorial Committee (David Novarr and Richard S. Sylvester), whose advice and counsel were invaluable in the early stages of the Edition's planning, as well as those of nine members of the Board of Advisors: T. H. Aston, Herschel Baker, Arthur E. Barker, W. D. J. Cargill Thompson, Powel Mills Dawley, A. P. d'Entrèves, C. W. Dugmore, O. B. Hardison, Jr., and Christopher Morris. Happily, the contributing editors, largely from a younger generation of scholars, have all survived to celebrate its completion.

When the texts of Books I–V of the *Lawes of Ecclesiasticall Politie* were published in 1977, I wrote: "The commentary volumes may be expected to appear within a reasonable time after the text volumes have all been published" (1:vi). Whether sixteen years is a "reasonable time" is open to question, but the texts in volumes 4 (1982) and 5 (1990) did appear with their associated commentaries. The present volume, then, offers introductions to and a commentary on the *Lawes* itself, Hooker's principal achievement, completing the editorial task that was started with the publication of the text of Hooker's treatise in volumes 1–3 (1977–1981). In addition, it supplies a Chronology of Hooker's Life and a Glossary for the texts in volumes 1–5, both prepared by Georges Edelen.

In its long course the Edition has accumulated numerous debts to its patrons, sponsors, and supporters. First in that honorable roll-call would be O. B. Hardison, Jr., whose untimely death in 1990 deprived him of the satisfaction of seeing one of the many seeds he helped plant

ACKNOWLEDGMENTS

bear fruit. As director-designate of the Folger Shakespeare Library in the summer of 1969, it was he who suggested that the Library might sponsor the Edition. For four and a half years we enjoyed a modest subsidy from the Library's publications fund, and the Editorial Committee met annually in its seminar room. Additionally the Library has supported individual editors with grants (John E. Booty, Lee W. Gibbs, Arthur Stephen McGrade, myself), access to its unrivaled collections, and—most important of all—its *imprimatur*.

Second in importance to the support of the Folger has been that of the Program for Editions of the National Endowment for the Humanities. The NEH took up where the Folger left off, and the bulk of the work for the Edition was sustained by three grants 1974–81 and one more, 1988–1989. I speak for all my colleagues when I say that without such support, we would never have completed the Edition. In addition, the Faculty Research Award Program (later, the PSC-CUNY Research Award Program) of the City University of New York awarded me as general editor seven grants over fifteen years. These last have supplied the third—and stabilizing—leg of our tripod of research support.

As the Edition was conceived of as collaborative from the onset—the preparation of texts and of the commentary on those texts being delegated early on to two different sets of contributing editors—one of the principal uses for NEH and CUNY support was to subvene semi-annual editorial meetings. These took place at various institutions, and our thanks accordingly are due them for their hospitality: The Folger Shakespeare Library, Washington, D. C.; The Episcopal Divinity School and The Society of St. John the Evangelist, Cambridge, Massachusetts; and The Seabury-Western Theological Seminary, Evanston, Illinois. No collaboration perfectly suppresses the individuality of its members, and a careful reader will note that the various contributions differ modestly in style, scope, and detail, but from the perspective of the contributors themselves, this collaboration has been indispensable. Each editor's work has had the inestimable benefit of close, detailed, and sympathetic scrutiny from his or her fellows, allied by a common end and purpose—a sense that can only be sustained in such long-term projects by meeting together at regular intervals while that work is actively going forward.

A silent but equally indispensable form of subsidy for work of this

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character is that supplied by those institutions which have employed its contributing editors: The Virginia Theological Seminary, The Episcopal Divinity School, and The University of the South (Booty), Indiana University (Edelen), Cleveland State University (Gibbs), The Seabury-Western Theological Seminary (Hauggaard), Lehman College and The Graduate Center, CUNY (Hill), and The University of Connecticut (McGrade).

Publication of scholarly editions involves subsidizing them as well, and three presses have been crucially involved with the Edition in its twenty-six year history. Howard Webber, director of the Press of Case Western Reserve University, encouraged me as a very junior assistant professor to submit the original prospectus and enthusiastically nurtured the project at its earliest and most critical stages. Two preliminary volumes, *Richard Hooker: A Descriptive Bibliography of the Early Editions 1593–1724* (1970) and *Studies in Richard Hooker: Essays Preliminary to an Edition of his Works* (1972) appeared under its imprint before the press fell victim to the financial crises of the early 1970s. The Harvard University Press, the publisher of volumes 1–5 (1977–1990), then assumed responsibility for the Edition. Maud Wilcox, its editor-in-chief, and Margaretta Fulton, its humanities editor, were particularly helpful in seeing into print a series of volumes that by their very nature were expensive to produce and enjoyed a limited market. When it became clear that the present volume was going to outstrip the resources that Harvard was prepared to commit to it, Medieval & Renaissance Texts & Studies, the joint creation of Mario Di Cesare and Lee Hoskins at the Center for Medieval and Renaissance Studies, SUNY, Binghamton, stepped forward with an offer to publish volume 6 independently of the first five. Only its general editor knows how much better a volume the present one is because of the skill and attention to detail of their dedicated and energetic staff at Binghamton.

Individual acknowledgements of the contributing editors of this volume follow:

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★ ★ ★

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W. Speed Hill
General Editor

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A Chronology of Richard Hooker's Life

Georges Edelen

The following table lists for Richard Hooker (RH) and his immediate family those dates verifiable from surviving records. In several cases key dates are given that, although not strictly ascertainable, seem probable from the evidence. The following abbreviations are used:

CCC	Archives of Corpus Christi College, Oxford.
Devon Muster	<i>The Devon Muster Roll for 1569</i> , ed. A. J. Howard and T. L. Stoate (Bristol, 1977).
Dowling	<i>The Annals of Ireland . . . by Thady Dowling</i> , ed. Richard Butler, Irish Archæological Society (Dublin, 1849).
EXRO	Exeter Records Office.
Fowler	Thomas Fowler, <i>The History of Corpus Christi College</i> , Oxford Historical Soc., 25 (Oxford, 1893).
Hopwood	<i>Middle Temple Records</i> , ed. Charles Henry Hopwood, 4 vols. (London, 1904–1905).
Inderwick	<i>A Calendar of the Inner Temple Records</i> , ed. F. A. Inderwick, 3 vols. (London, 1896–1901).
KAO	Kent Archives Office, Maidstone.
Le Neve	John Le Neve, <i>Fasti Ecclesiae Anglicanae</i> , rev. ed., 1541–1857, Vol. 6: Salisbury Diocese, comp. Joyce M. Horn, Institute of Historical Research (London, 1986).
Libri Magni	Annual summaries of income and disbursements at CCC; C/1/1/5 contains the accounts for 1570–1580; C/1/1/6 for 1580–1584.
<i>Life of Carew</i>	John Hooker, <i>The Life and Times of Sir Peter Carew, Kt.</i> , ed. John Maclean (London, 1857).
<i>Nowell's Money</i>	<i>The Spending of the Money of Robert Nowell</i> , ed. Alexander B. Grosart (Manchester, 1877).
Peel	<i>The Seconde Parte of a Register</i> , ed. Albert Peel, 2 vols. (Cambridge, 1915).

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Register KK	Register of Convocation and Congregation 1564–1582, Oxford University Archives.	
Sisson	C. J. Sisson, <i>The Judicious Marriage of M' Hooker and the Birth of "The Laws of Ecclesiastical Polity"</i> (Cambridge, 1938).	
SR	<i>A Transcript of the Registers of the Company of Stationers of London 1554–1640 AD</i> , 5 vols., ed. Edward Arber (London, 1875–1894).	
Ure	Unpublished notes to Walton's life of Hooker (quoted by permission of Professor Peter Ure's estate), citing Lincoln diocesan records.	
Walton	Izaak Walton's <i>Life of Hooker</i> , in RH, <i>Works</i> , ed. Keble (1888), 1:1–99.	
WRO	Wiltshire Records Office, Trowbridge.	
9 August 1537	Robert Hooker dies, leaving his younger son Roger (father of RH) his interest in tinworks within the Stannary and 1/14 of his "goods moveable and not."	EXRO, Book 55, fol. 93 ^f
29 June 1552 through 1557	Roger H's debts mounting, owes his brother John, who is covering for him, £129 3s.	EXRO, Book 57, p. 148
early April 1554	RH born, in or near Exeter.	CCC Admission Records
Oct. 1562 to April 1565	Roger H in Spain as steward to the ambassador, Sir Thomas Chaloner.	State Papers, Foreign, 1562–1565
13 October 1565	Roger H witnesses Chaloner's will in England, is left £20 and an annuity of £6 13s. 4d. from lands in Yorkshire.	PRO, PCC, 47 Bakon
26 May 1568	John H writes Sir Peter Carew recommending his brother Roger, "now dwelling with the old Lady Mountjoy," as his steward at Leighlin in Ireland.	<i>Life of Carew</i> , pp. 194–205

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June 1569	Roger H appears on muster roll at Totness.	Devon Muster
10 August 1569	Roger H writes Irish Lord Chancellor from Leighlin pleading for military help against Irish rebels.	<i>Life of Carew</i> , pp. 221–222
Fall 1569 (?)	RH matriculates at CCC.	RH's grace for BA in Oct. 1573 (see below) specifies he has studied for four years
pre-July 1570	RH of CCC gets 20s. from Nowell Trust.	<i>Nowell's Money</i> , p. 206
Oct. 70–Oct. 71	RH get 4s. 6d. clothing allowance as chorister at CCC, apparently pro-rated beginning ca. Dec. 1570.	Libri Magni, C/1/1/5, fol. 7 ^v
Aug.–Sept. 1571 (?)	RH visits Jewel (d. 23 Sept.) and mother in Exeter.	Walton, pp. 12–13
Oct. 71–Oct. 72	RH gets 10s. clothing allowance as chorister at CCC.	Libri Magni, fol. 22 ^v
30 Jan. 1572	RH gets 10s. from Nowell Trust as “poor scholar” of CCC	<i>Nowell's Money</i> , p. 220
12 Feb. 1572	RH gets 2s. 6d. from Nowell Trust to “bring him to Oxford” (i.e., to return from a trip).	<i>Nowell's Money</i> , p. 220
Oct. 72–Oct. 73	RH gets 10s. clothing allowance as chorister. Libri Magni, fol. 34 ^f	
8 Mar 1573	RH gets 3s. 4d. from Nowell Trust.	<i>Nowell's Money</i> , p. 224
Oct. 1573	RH supplicates BA, admitted Jan. 1574, determines early 1574.	Register KK, fol. 154 ^v
24 Dec. 1573	RH admitted disciple at CCC.	Fowler, p. 390

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| Oct. 73—Oct. 74 | RH gets stipend of 26s. 8d. as disciple, clothing allowance prorated of 6s. 8d. | Libri Magni, fols. 45 ^r , 46 ^r |
| Oct. 74—Oct. 75 | RH gets stipend of 26s. 8d., clothing allowance of 13s. 4d. as disciple. | Libri Magni, fols. 57 ^v , 58 ^v |
| 28 April 1575 | RH gets 5s. from Nowell Trust. | <i>Nowell's Money</i> , p. 226 |
| Oct. 75—Oct. 76 | RH gets stipend of 26s. 8d., clothing allowance of 13s. 4d. | Libri Magni, fols. 69 ^v , 70 ^v |
| Oct. 76—Oct. 77 | RH gets stipend of 26s. 8d., clothing allowance of 13s. 4d.; CCC pays 8d. for a bushel of lime and hair for M ^r Hooker's chamber. | Libri Magni, fols. 81 ^r , 82 ^r , 85 ^v |
| 4 Feb. 1577 | RH supplicates MA, licensed 29 March 1577, incorporated 1577. | Register KK, fol. 229 ^v |
| 16 Sept. 77 | RH becomes Scholar (probationary fellow) of CCC | CCC, Fulman collections, X, fol. 175 ^v |
| 13 Oct. 1577 | RH appointed to annual term as one of the "Masters of the Streets." | Register KK, fol. 247 ^r |
| Oct. 77—Oct. 78 | RH gets stipend of 26s. 8d., clothing allowance of 13s. 4d. | Libri Magni, fols. 93 ^r , 94 ^r |
| Oct. 78—Oct. 79 | RH gets stipend of 33s. 4d. (prorated for full fellowship in Sept.), clothing allowance of 13s. 4d. | Libri Magni, fols. 106 ^r , 106 ^v |
| 14 July 1579 | RH appointed deputy Professor of Hebrew, to cover for the Regius Professor, Thomas Kingsmill. | Register KK, fol. 288 ^r |

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| 14 Aug. 1579 | RH ordained deacon by John Aylmer at Fulham Palace. | London Book of Ordinations, Guildhall MS 9535/2 |
| 14 Sept. 79 | RH gives bond as full fellow. | CCC MS B/2/5 |
| Oct. 79–Oct. 80 | RH gets stipend of 53s. 4 <i>d.</i> as ordained fellow, clothing allowance of 16s. 8 <i>d.</i> as graduate fellow. | Libri Magni, fols. 119 ^r , 119 ^v |
| 1580 | Roger H, Dean of Leighlin, captured by Irish rebels under Feagh M ^c Hugh. | Dowling, p. 439 |
| Oct. 1580 | John Rainolds, RH, and 3 other fellows expelled from CCC; restored by 4 November | CCC, Fulman collections, IX, 174, 180 |
| Oct. 80–Oct. 81 | RH gets stipend of 53s. 4 <i>d.</i> , clothing allowance of 16s. 8 <i>d.</i> and is repaid 8 <i>s.</i> for “charges bestowed about the chapel chamber.” | Libri Magni, C/1/1/6, fols. 6 ^v , 7 ^v , 8 ^r |
| 2 July 1581 | RH witnesses fellowship bonds of Richard Cobbe and William Harward. | CCC B/2/5 |
| Oct. 81–Oct. 82 | RH gets stipend of 53s. 4 <i>d.</i> , clothing allowance of 20 <i>s.</i> as one of 7 senior fellows; twice rides to Basingstoke with other fellows in Easter term to examine M ^r Greneway’s accounts. | Libri Magni, fols. 18 ^v , 19 ^v , 22 ^r |
| 21 Sept. 82 | Mayor and Chamber of Exeter grant RH (son of Roger, deceased) annual pension of £4. | EXRO, Act Book #4, p. 399 |
| Oct. 82–Oct. 83 | RH gets stipend of 53s. 4 <i>d.</i> , clothing allowance of 20 <i>s.</i> | Libri Magni, fols. 31 ^r , 31 ^v |

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23 March 83	RH witnesses fellowship bonds of George Sellar and Henry Hooke.	CCC B/2/5
Oct. 83–Oct. 84	RH gets stipend of 53s. 4d., clothing allowance of 20s., and additionally 13s. 4d. as junior dean.	Libri Magni, fols. 42 ^v , 43 ^f
16 Oct. 1584	RH compounds for first fruits of Drayton Beauchamp in Bucks. (Lincoln diocese), presented by John Cheney (Cheyne).	Ure
Fall 1584 (?)	RH gives Paul's Cross sermon.	Walton's suggested date, 1581 (p. 22), is improbable
4 Dec. 1584	Letter to Rainolds from London printer George Bishop indicating RH had delivered to him a Rainolds MS earlier in the year.	CCC MS c. 318
7 Feb. 1585	RH mentioned as new Master of the Temple.	Inderwick, 1:333
17 March 85	RH appointed as Master by Letters Patent from the Crown.	Walton, p. 27
25 June 1585	RH to have 18d. a year from every man in Commons of Middle Temple, as Master.	Hopwood, 1:279
12 Oct. 1585	RH resigns Drayton Beauchamp.	Ure
6 April 1586	Charles Taylor in a letter to M ^f Houldsworth, preacher at Newcastle, summarizes RH's position in a sermon at "Inner Temple."	State Papers, Domestic, and 1581–1590, p. 318
1586	RH of Temple "preacheth but now and then."	Peel, 2:284

CHRONOLOGY

13 Feb. 1588	RH marries Joan Churchman at St. Augustine, London	Parish register at London Guildhall
25 Oct. 1588	Richard Walter of Middle Temple, a papist, to have conference with M ^r Hooker touching his reformation.	Hopwood, 1:300
19 Jan. 1589	Richard, son of RH, baptized at St. Augustine.	Parish register
2 Feb. 1589	Richard buried, Enfield.	Parish register in Sisson, p. 126
11 May 1589	Inner Temple orders a special admission for Thomas Adams, at the request of M ^r Hooker.	Inderwick, 1:300
10 May 1590	Alice, dau. of RH, baptized, St. Augustine.	Parish register
21 April 1591	Cecily, dau. of RH, baptized, St. Augustine.	Parish register
21 June 1591	RH subdean of Salisbury, prebendary of Netheravon, rector of Boscombe, presented by Queen; admitted and instituted by Whitgift, 17 July.	Le Neve, p. 60
17 July 1591	RH signs subscription book to 39 Articles	John Bernard, <i>Clavi Trabales</i> , 1661, p. 147
23 July 1591	RH installed in offices at Salisbury.	Chapter Act Book 16, fols. 11 ^v -12 ^f
Sept. 1591	RH's letter to Rainolds from Enfield.	CCC, C318, fol. 137 ^f
30 Nov. 1591	RH participates in election of John Coldwell as Bishop of Salisbury.	Chapter Act Book 16, fol. 15 ^f

CHRONOLOGY

1 Dec. 1591	RH holds subdean's court at Salisbury.	WRO, Subdean's Act Book 1589-96, fol. 6 ^r
1 Oct. 1592	Jane, dau. of RH, baptized at Enfield.	Sisson, p. 125
26 Jan. 1593	Contract signed between Edwin Sandys and John Windet for printing of <i>Laws</i> .	Interrogatory in Chancery, in Sisson, p. 128
29 Jan. 1593	<i>Lawes</i> entered in Stationers' Register to John Windet.	SR, 2:625
13 Mar. 1593	RH sends copy of <i>Lawes</i> , I-IV to Burghley.	This edn., 1:xviii-xix
7 Jan. 1595	RH presented to living of Bishopsbourne by Queen.	State Papers, Domestic, 1595-1597, p. 2
16 Feb. 1595	RH's successor as subdean installed.	Le Neve, p. 60
21 June 1596	Edwin, son of RH, baptized, St. Augustine.	Parish register
22 July 1597	Edwin buried, Enfield.	Sisson, p. 126
ca. Dec. 97	<i>Lawes</i> , V published.	Deposition of Nicholas Eve- leigh, in Sisson, p. 139
25 Oct. 1600	RH makes will.	KAO, PRC 31/45
2 Nov. 1600, 2 p.m.	RH dies.	Noted by Wm. Laud, cited CCC, Fulman cols. X, fol. 27 ^v
4 Nov. 1600	RH buried, Bishopsbourne.	Parish register at Canterbury Ca- thedral Archives

CHRONOLOGY

26 Nov. 1600	Inventory of RH's estate.	KAO, PRC 11/1
23 Mar. 1601	Joan H, widow, marries Edward Nethersole at Bishopsbourne.	Parish register
18 Feb. 1603	Joan Nethersole buried at St. Peter's, Canterbury.	Parish register at Cathedral Archives
1610–1624	Suits in Chancery by RH's daughters against Edwin Sandys and others.	Sisson, pp. 127– 173

Abbreviations and Acronyms

Short titles follow the corresponding full citation in the Bibliography.

<i>a . . . z</i>	Hooker's notes, this edition
ACO	<i>Acta Concilium Oecumenicorum</i>
A.C.L.	<i>A Christian Letter</i> (1599), ed. John E. Booty, Volume 4, this edition (1982)
ACW	<i>Ancient Christian Writers, The Works of the Fathers in Translation</i> (American Edition)
ANF	<i>The Ante-Nicene Fathers</i>
Answer	Richard Hooker, <i>Answer to the Supplication</i> (of Walter Travers), volume 5, this edition (1990)
AV	<i>The Holy Bible, Authorized Version</i>
B	Blackfriars Edition, Thomas Aquinas, <i>Summa theologiae</i>
BB	<i>The Bishops' Bible, 1568</i>
BCP	<i>Book of Common Prayer</i>
B.C.P., 1559	<i>The Book of Common Prayer, 1559</i> , ed. John E. Booty (1976)
Bayne	<i>Of the Laws of Ecclesiastical Polity: The Fifth Book</i> , ed. Ronald Bayne (1902)
CCSL	<i>Corpus Christianorum, Series Latina</i>
C.D.	Thomas Rogers, <i>The Catholic Doctrine of the Church of England</i> , ed. J. J. S. Perowne (1841)
Cert.	<i>A Learned Sermon of the Certaintie and Perpetuitie of Faith in the Elect</i> , Volume 5, this edition (1990)
Church	<i>Book I: Of the Laws of Ecclesiastical Polity</i> , ed. R. W. Church (1866)
C.J.Can.	<i>Corpus Juris Canonici</i>
C.J.Civ.	<i>Corpus Juris Civilis</i>
C of E	Church of England
C of R	Church of Rome
C of T	Council of Trent
CR	<i>Corpus Reformationum</i>
CSEL	<i>Corpus scriptorum ecclesiasticorum latinorum</i>
Defense	John Whitgift, <i>The Defense of the Aunswere to the Admonition, against the Replie of T.C.</i> (1574)
D'Ewes	Simonds D'Ewes, <i>The Journals of all the Parliaments during the Reign of Queen Elizabeth</i> (1682)

ABBREVIATIONS

DNB	L. Stephen [and S. Lee], eds., <i>Dictionary of National Biography</i> (1885–1901)
E.N.T.	<i>Elizabethan Nonconformist Texts</i> , ed. Leland H. Carlson
E.P.M.	Patrick Collinson, <i>The Elizabethan Puritan Movement</i> (1967)
Explicatio	Walter Travers, <i>Ecclesiasticae Disciplinae, et Anglicanae Ecclesiae ab illa aberrationis, plena è verbo Dei, & dilucida explicatio</i> (1574)
FOTC	<i>Fathers of the Church, a new translation</i>
GB	<i>The Geneva Bible</i> , 1560
GCS	<i>Die Griechischen christlichen Schriftsteller der ersten drei Jahrhunderte</i>
H	Richard Hooker
I . . . VIII	Books I . . . VIII, <i>Of the Lawes of Ecclesiasticall Politie</i>
Inst.	John Calvin, <i>Institutes of Christian Religion</i>
ISR	Index of Scriptural References, Volumes 5–6, this edition
J.B.C.	<i>The Jerome Biblical Commentary</i> (1968)
Jude 1, 2	<i>Two Sermons Upon S. Judes Epistle</i> , Volume 5, this edition (1990)
Just.	<i>A Learned Discourse of Justification</i> , Volume 5, this edition (1990)
Keble	John Keble, ed., <i>The Works of . . . Mr. Richard Hooker</i> , 7th edn., rev. R. W. Church and F. Paget (Oxford, 1888)
KJV	<i>The Holy Bible</i> , King James Version
LACT	<i>Library of Anglo-Catholic Theology</i>
Lawes	Richard Hooker, <i>Of the Lawes of Ecclesiasticall Politie</i>
LCC	<i>Library of Christian Classics</i>
Loeb	<i>Loeb Classical Library</i>
LOF	<i>Library of the Fathers</i>
Loyer	Olivier Loyer, <i>L'Anglicanisme de Richard Hooker</i> (1979)
Mansi	<i>Sacrorum conciliorum collectio</i> , ed. J. D. Mansi (1759–1798; rpr. 1961)
Milward	Peter Milward, <i>Religious Controversies of the Elizabethan Age</i> (1977)
MGH	<i>Monumenta Germaniae Historica</i>
n	Commentary note, this edition
Neale	<i>Elizabeth I and her Parliaments</i> (1958)
NEB	<i>The New English Bible</i>
NPNF.1	<i>A Select Library of the Nicene and Post-Nicene Fathers of the Christian Church</i> , First series

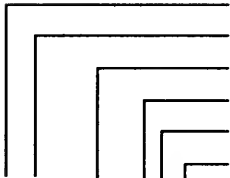
ABBREVIATIONS

NPNF.2	<i>A Select Library of the Nicene and Post-Nicene Fathers of the Christian Church</i> , Second series
NT	New Testament
OCD	<i>The Oxford Classical Dictionary</i>
ODCC	<i>The Oxford Dictionary of the Christian Church</i>
OED	J. A. H. Murray, ed., <i>A New English Dictionary on Historical Principles</i> (1888–1928)
OT	Old Testament
PG	<i>Patrologia cursus completus</i> , Series Graeca, ed. J. P. Migne
PL	<i>Patrologia cursus completus</i> , Series Latina, ed. J. P. Migne
P.M.	<i>Puritan Manifestoes</i> , ed. W. H. Frere and C. E. Douglas (1907; rpr. 1954, 1972).
Pride	<i>A Learned Sermon of the Nature of Pride</i> , Volume 5, this edition (1990)
PS	The Parker Society
RC	Roman Catholic
Remedie	<i>A Remedie Against Sorrow and Feare</i> , Volume 5, this edition (1990)
Replye (= 1:)	Thomas Cartwright, <i>A Replye to An answer made of M. Doctor Whitgift. Agaynste the Admonition. By T.C.</i> (1573)
<i>The Rest of the Second Replie</i> (= 3:)	Thomas Cartwright, <i>The Rest of the Second Replie agaynst Master Whitgifts Second Answer</i> (1577)
RSV	<i>The Holy Bible</i> , Revised Standard Edition
SC	Sources Chrétiennes
Schroeder	<i>Disciplinary Decrees of the General Councils</i> (1937)
<i>The Second Replie</i> (= 2:)	Thomas Cartwright, <i>The Second Replie of Thomas Cartwright: agaynst maister Whitgiftes Second Answer</i> (1575)
STC	<i>A Short-Title Catalogue ... 1475–1640</i> , 2nd edn. (1976–1991)
Sisson	C. J. Sisson, <i>The Judicious Marriage of Mr Hooker and the Birth of "The Laws of Ecclesiastical Polity"</i> (1940)
S.R.	<i>Statutes of the Realm</i> , 12 vols. (1810–1828)
S.R.H.	<i>Studies in Richard Hooker</i> (1972)
S.T.	Thomas Aquinas, <i>Summae theologiae</i>
Supplication	<i>A Supplication made to the Privy Counsel</i> , Volume 5, this edition (1990)

ABBREVIATIONS

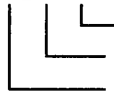
W.E.P. Horton Davies, *Worship of the English Puritans* (1948)
W.V.S. *The Whole Volume of Statutes*, 2 vols. (1587)

Internal References

 volume number, this edition
page number(s), this edition
line number(s), this edition
Hooker's note, at foot of text page
line number of Hooker's note (rare)
commentary note, this edn.

1:20.15–27.f.3.n

IV.6.3–4

 section numbers (Keble's)
chapter number (Hooker's)
Book, *Of the Lawes of Ecclesiasticall
Politie*

The Folger Library Edition
of
The Works of Richard Hooker

Humm. yowser.



A SURVAY
OF THE PRETENDED
Holy Discipline.

Contayning the beginnings, successe, parts, proceedings,
authority, and doctrine of it: with some of the ma-
nifold, and materiall repugnances, varie-
ties and vncertainties, in that
behalf.

*Faithfully gathered, by way of historicall narration, out of the
bookes and writings, of principall fauourers of that platforme
Anno 1593.*

They would be Doctors of the Law: and yet vnderstand not what they
speake: neither whereof they affirme. 1. Tim. 1. 7.
Sententias vestras prodidisse, superasse est. Hier. ad Ctesiph. adu. Pelag. c. 4.
To acquaint you with their discipline, is to overthrow it.



Imprinted at London by Iohn Wolfe. 1593.

1. Title page of Richard Bancroft's *A Survay of the Pretended Holy Discipline* (1593; STC 1352), an account of disciplinarian Puritanism that appeared in the same year as the Preface and first four books of Hooker's *Laws* (reduced).

Introductions

The Preface

William P. Haugaard

Addressing himself “*To them that seeke (as they tearme it) the reformation of Lawes, and orders Ecclesiasticall, in the Church of England,*” and setting out “*the cause and occasion*” of his treatise *Of the Lawes of Ecclesiasticall Politie*, Richard Hooker (1554?–1600) opened its Preface with a solemn declaration of purpose:¹

Though for no other cause, yet for this; that posteritie may know we have not loosely through silence permitted things to passe away as in a dreame, there shall be for mens information extant thus much concerning the present state of the Church of God established amongst us, and their carefull endeavour which woulde have upheld the same. (Pref. 1.1; 1:1.1–13)

In the twentieth century, many of those “*things*” for which Richard Hooker took “*so much paine*” have, in fact, passed away: the shared allegiance of European peoples to the truths of Christian revelation; the common assumption that a nation was best bound together by common religious values and structures embedded in “*Lawes, and orders Ecclesiasticall*”; the finely articulated and rigidly hierarchical inequalities that were widely judged to be God-given conditions of earthly human life; the effectual royal power in the English monarchy. Yet all these “*things*” now passed away were then acknowledged and held by those who sought “*reformation*” as well as by those who shared Hooker’s commitment to “*the present state of the Church of God estab-*

¹ Clarendon recalled it on the opening page of his *History of the Rebellion*; see Edward Hyde, Earl of Clarendon, *The History of the Rebellion and Civil Wars in England*, ed. W. D. Macray (Oxford, 1888; rpr. 1958), 1:1. A plate of the Bodleian MS shows that Clarendon originally wrote: “If for no other reason, yet lest [?] posterity may be deceived . . .” He revised it to read: “That posterity may not be deceived . . .”

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established” in late sixteenth-century England. In the *Lawes* Hooker’s intent was to demonstrate that, despite his agreement with his opponents on fundamentals of Christian faith and their joint acceptance of existing societal structures, their program to reform the Church of England betrayed important components of the revelation of truth to which they adhered and insidiously subverted the communal bonds to which they gave homage.

Other “*things*” which claimed Hooker’s “*carefull endeavour*” have not passed away: a Christian theology that seeks to discover God-given truths for life and church in the fabric of creation and in inherited human wisdom as well as in the pages of Holy Scriptures; a conviction that times, persons, and circumstances may and do alter the ways in which timeless principles should be applied to particular situations; a Protestant Christianity that incorporates traditionally Catholic episcopal ministerial orders and liturgical rites; an ecumenical understanding that the parts of the Christian West separated in earlier years of the sixteenth century, whatever their individual differences, nonetheless remain members of the one Church of Jesus Christ.

On these issues, Hooker judged his opponents, “*for whose sakes so much paine is taken,*” to be misguided in seeking “*(as they tearme it) the reformation*” of the Church of England.

i. Elizabeth’s Reign: Crucible for an Emerging Anglicanism

The issues that Richard Hooker confronted in the *Lawes* were rooted in the distinctive form of Christian faith and practice that had been developing within the structures of the Elizabethan settlement. Catholic opponents of the Elizabethan settlement had struggled throughout the reign to undo it; Protestant opponents had attempted to reshape it. The character of the Church of England was being formed, in part, in response to those pressures from without and within. Three centuries later that form, as it continued to develop, would be known as “Anglicanism.” Its fundamental characteristics were present in the Elizabethan church, but no theologian before Richard Hooker had given them systematic or coherent theological

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exposition. In Hooker's sixteenth-century eyes, the religion of the Church of England did not constitute an "ism" or a "denomination" but simply Christianity as lived within the national church, a "distinct . . . visible society" of "the Catholike Church" (III.1.14; 1:205.25–28). When he took up his pen to defend its religious faith and practice, it was in defense of an institution that had nurtured and sustained him in his own life and ministry.

The Church of England in European Perspective

The vision of "Christendom"—the medieval community of the west united in religious faith and practice—did not die with the Reformation. Popes and reformers alike affirmed it, marvelling at the obstinacy of their ecclesiastical opponents whose erroneous understandings thwarted the restoration of unity. Within each of the political divisions of Europe, moreover, the vision continued to be legally sanctioned. The scattered groups which attempted to sunder the bonds between church and state, collectively known as Anabaptists, were as strongly repudiated by other Protestants as by Catholics. The larger vision of European religious unity remained on the horizon, fed from time to time by futile efforts to promote ecumenical reconciliation. Occasional observers, however, suggested that, among the Reformation patterns, that of the English church was distinct from those of the continent.²

² Relevant studies of the sixteenth-century Reformation in England include: A. G. Dickens, *The English Reformation* (New York: Schocken, 1964); Philip Hughes, *The Reformation in England*, 3 vols. (New York: Macmillan, 1951–1954); Horton Davies, *Worship and Theology in England from Cranmer to Hooker, 1534–1603* (Princeton: Princeton University Press, 1970); Felicity Heal and Rosemary O'Day, eds., *Continuity and Change: Personnel and Administration of the Church in England, 1500–1642* (Leicester: Leicester University Press, 1976) and *Church and Society in England: Henry VIII to James I* (London: Archon, 1977); Rosemary O'Day, *The Debate on the English Reformation* (London: Methuen, 1986); Patrick McGrath, *Papists and Puritans under Elizabeth I* (London: Blandford, 1967); J. E. Neale, *Elizabeth I and her Parliaments*, 2 vols. (1953–1957), hereafter, Neale; Wallace T. MacCaffrey, *The Shaping of the Elizabethan Regime and Queen Elizabeth and the Making of Policy* (Princeton: Princeton University

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From a European perspective, the most important fact of the Elizabethan settlement was the repudiation of papal authority. When Elizabeth opted for revived ecclesiastical independence, she made the most momentous single political—as well as religious—decision of her reign. In the eyes of most of Hooker's contemporaries, the split between Catholic and Protestant, as those terms were generally employed, loomed larger than any among established Protestant churches. Yet this simplistic dichotomy did not satisfy all sixteenth-century English witnesses. In the first years of Elizabeth's reign, Nicholas Throckmorton (1515–1571), English ambassador to France, stimulated by the abortive Roman Catholic-Huguenot discussions at Poissy, urged William Cecil (1520–1598, created Baron Burghley, 1571), the queen's principal secretary, to procure an essay which might demonstrate the virtues of the English form of reformation. Conversations with French Protestants and Catholics had convinced him that “the formulary of the Church of England” offered an example of reformation “better allowed of the Papists . . . than that of Geneva, or any form used in Germany.” When he received a copy of the Latin *Apology of the Church of England* of John Jewel (1522–1571), he wished that the author might have “as well answered the Calvinists and others” as he had responded to the Roman Catholics.³

In the closing years of the century, Edwin Sandys (1561–1629), in company with George Cranmer (1563–1600), made a lengthy journey through the continent, concluding his trip by writing an essay directed to Archbishop John Whitgift sketching out a possible reconciliation between Catholics and Protestants. He had found “a kind of men . . . in all Countries, not many in number, but sundry of them of singular learning and pietie, whose godly longings to see Christendome

Press, 1968–81); and William P. Haugaard, *Elizabeth and the English Reformation* (Cambridge: The University Press, 1968).

³ Nicholas Throckmorton to William Cecil, 28 December 1561 and 24 January 1562; *Calendar of State Papers, Foreign Series, of the Reign of Elizabeth . . . preserved in the State Paper Department of her Majesty's Public Record Office* (1863–74), 4:462 and 504. Nicholas was uncle of Job Throckmorton, the militant Puritan M.P. who was evidently Martin Marprelate; see pp. 23–25 and 29, below.

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reunited . . . in the possession of one ground and foundation of faith, doe expect the same.”⁴ “In their more sober moods,” many Roman Catholics will acknowledge England

to have beene the only nation that walke the right way of justifiable reformation, in comparison of other, who have runne headlong rather to a tumultuous innovation (so they conceive it) . . . no Luther, no Calvine, the square of their faith, what publique discussing and long deliberation did perswade them to be faultie, that taken away. (sig. V3^v)⁵

A measure of self-satisfied chauvinism marks the opinions of Throckmorton and Sandys, but their judgments reflected a recognition among some contemporaries that the English church represented a kind of Protestant *tertium quid* among established European churches, whose character suggested the possibility of rapprochement with

⁴ *A relation of the state of religion: and with what hopes and pollicies it hath been framed, and is maintained in the severall states of the Westerne partes of the world* (1605; STC 21717), sig. S4^v. The first 1605 edition (STC 21716), published anonymously, was publicly burned 2 Nov. 1605; *The Letters of John Chamberlain*, ed. N. E. McClure (Philadelphia, 1939), 1:214, cited in STC, 2:303. The 1629 edition published at The Hague claimed to be written from the “Authours Originall Copie” in contrast to the “spurious stolne Copie” of 1605; it was entitled *Europæ Speculum. Or, a view or survey of the state of religion in the westerne parts of the world* (STC 21718; sig. π1^r and π2^v). The opening preface, instead of being addressed to the reader as in 1605, was personally addressed to Archbishop Whitgift (sig. a1^v), and the essay ended with the author’s request to take “leave of your Grace” and dated “From Paris. IX^o. April. 1599.” (p. 248). Four further editions were published in London in 1632 (2), 1637, and 1638; these followed the 1629 edition with a few minor changes in the section “To the Reader” and the claim on the title page that the book came from a manuscript acknowledged by the author “for a true Copie.” Sandys died in 1629. On the dates of Cranmer and Sandys’s journey, see n. 87, below.

⁵ H. R. Trevor-Roper pointed out the significance of Sandys’s work for an understanding of Hooker’s perspective in *New York Review of Books*, 24 November 1977, rpr. as “Richard Hooker and the Church of England,” *Renaissance Essays* (London: Martin Secker & Warberg; Chicago: University of Chicago Press, 1985), pp. 103–120. And see W. Speed Hill, “The Doctrinal Background of Richard Hooker’s *Laws of Ecclesiastical Polity*,” Ph.D. diss., Harvard University, 1964, pp. 102–121.

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Roman Catholic as well as with fellow Protestant churches.

As the comments of Throckmorton and Sandys suggest, however, the terms of the Elizabethan settlement did not easily fall into the neat division that divided continental adherents of the magisterial Reformation into Lutheran and Reformed. In early years of the reign, Jewel considered the English church to stand between Rome on one side and Anabaptists on the other, sharing that central ground with both Lutheran and Reformed, insisting that they be “good friends and brethren, . . . [varying] not betwixt themselves upon the principles and foundations of our religion.”⁶

One of the more subtle and frequently unrecognized differences between the English church and its continental cousins lay in the relative importance placed on prescribed liturgies compared with that placed on formal confessions of faith. Both Lutheran and Reformed defined their ecclesiastical identity by their adhesion to such confessional statements. As the century progressed, the definitions tended to grow in both length and exclusiveness; they tolerated, however, within each confessional family, wide differences in forms of worship. In the Elizabethan settlement, the English church first established its liturgy and then took twelve years to produce and authorize its Articles of Religion, which turned out to be both shorter and more inclusive than the predecessor on which they were based. Furthermore, all members of the English church, lay and clerical, were subject to the liturgical provisions of the Prayer Book, but enforcement of doctrine touched only clergy and lay church officials.

Although early English reformers had been influenced by Luther and condemned as Lutheran heretics, by mid-century most English personal ties with continental Protestants centered on the Reformed communities of Switzerland and the upper Rhine. On the issue most sharply debated between the two continental groups, that of the Eucharistic presence, most reform-minded English theologians agreed with continental critics of the developed Lutheran doctrine in judging what they understood to be “consubstantiation” to be as wrong-

⁶ *An Apology of the Church of England*, ed. John E. Booty (Ithaca: Cornell University Press, 1963), p. 48.

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headed as the “transubstantiation” of Roman Catholics. In spite of the strengthened assertion of Christ’s presence in Elizabethan Prayer Book and Articles, the English standards failed the strict tests that the Saxon Lutherans set forth in the 1577 Formula of Concord.⁷ As the doctrine of election came to the fore toward the end of the century as another dividing line between Lutheran and continental Reformed, English opinions were more diverse. Many, including most advanced Protestants, joined the latter in emphasizing John Calvin’s (1509–1564) doctrine of predestination so as to make it a central theme of theological discussion.

In other respects Prayer Book liturgies were more traditionally Catholic than those of continental Protestants, sharing more, both in structure and content, with Lutheran than with Reformed. From a later perspective, if the focus is on church life in general rather than on formal confessions of faith, the resemblance between Lutheran and English churches is striking. Yet the personal associations between English and Reformed, the strong Reformed convictions of an active body of English lay and clerical theologians and leaders, the formulation of the Eucharistic presence in the Articles of Religion, the use of various Reformed catechetical materials in schools and universities, and the priority given to doctrinal symbolics led continental Europeans, and many English as well, to perceive the Church of England as a part of the international Reformed community of churches. Popular report rather than ignorance or perversity led Pius V (1504–1572) to condemn Elizabeth and those “who cleave to her” in heresy as “Calvinists.”⁸

⁷ “Subtle Sacramentarians . . . talk our language very plausibly, . . . but under this plausible terminology they really retain the former crass opinion that in the Holy Supper nothing but bread and wine are present and received with the mouth”; Formula of Concord, Epitome, Article 7; *The Book of Concord*, Theodore G. Tappert, ed. (Philadelphia: Muhlenberg Press, 1959), p. 482. On the Sacramentarians or “sacramentaries,” see 2:336.16.n, below.

⁸ *Regnans in Excelsis*, 25 February 1570, in *Quellen zur Geschichte des Papsttums und des Römischen Katholizismus*, 4. Auflage, ed. Carl Mirbt (Tübingen: J. C. B. Mohr, 1924), pp. 348–349; for an English trans., see Thomas Fuller, *The Church History of Britain*, ed. J. S. Brewer (Oxford: The University Press, 1845), 4:360–364.

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The Elizabethan Religious Settlement

The essential elements of the religious settlement negotiated at the beginning of the reign of Elizabeth Tudor (b. 1533; reigned 1558–1603), were the 1559 Prayer Book, the liturgy within which English men and women regularly worshipped, with its prescribed lections from the vernacular Bible; the Supremacy Oath, tendered on appropriate solemnities to the clergy, which assured independence from papal authority and teachings; and the Queen's Injunctions, which regulated details of worship, teaching, and administration of church affairs.⁹ Four years later the clerical convocation produced the Thirty-nine Articles of Religion, which in 1571 received royal assent and were clothed with enforcement procedures by convocation and parliament, setting doctrinal boundaries for those who shouldered official teaching and disciplinary responsibilities in the church.¹⁰ Except for the few modifications in the vestiarian requirements for clerical garb promulgated (with the queen's tacit approval) by bishops of the Ecclesiastical Commission in 1566, these constituted the Elizabethan settlement of religion.¹¹

⁹ The 1559 Prayer Book was edited by John E. Booty in 1976: *The Book of Common Prayer, 1559: The Elizabethan Prayer Book* (Charlottesville: The University of Virginia Press for the Folger Shakespeare Library). The Uniformity Act, which authorized the Prayer Book, and the Supremacy Act, which imposed the oath are in *Statutes of the Realm*, vol. 4 (London, 1819), 1 Eliz. I, cap. 1 and 2; these and Elizabeth's Injunctions are in Henry Gee and William John Hardy, eds., *Documents Illustrative of English Church History* (1910; rpr. New York: Kraus, 1966), Nos. 78–80. For the Injunctions (STC 10095–10110), which were ordered to be read quarterly in English churches and were reprinted throughout Elizabeth's reign, see Walter Howard Frere and William McClure Kennedy, eds., *Visitation Articles and Injunctions of the Period of the Reformation*, Alcuin Club Collections, 14–16 (London, 1910), 3:8–29.

¹⁰ The Articles are usually printed in editions of the *English Book of Common Prayer*; the Latin and English forms of 1563 and 1571 are included in Charles Hardwick, *A History of the Articles of Religion*, 3rd ed. (London, 1895), Appen. 3.2. On their passage through the Convocation of Canterbury and the assent of the bishops of the Province of York, see Haugaard, *Elizabeth and the English Reformation*, pp. 62–64 and 247–257.

¹¹ These modifications, dubbed "Parker's Advertisements," which treated many matters besides the street dress and vestments of the clergy, otherwise enforced rather than modified the conditions of the settlement. See Frere, *Visitation Articles*, 3:171–180; Gee and Hardy, *Documents*, No. 81; and 1:12.5–11.n, below.

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The settlement did not create a new institution, but it did introduce teachings emphasized by continental Reformers, and it modified other important aspects of the life of a church that had existed in Britain for more than a thousand years. The traditional Catholic form of ordained ministry with bishops, priests, and deacons was retained, and the old ecclesiastical sub-divisions, now constituting some thirteen thousand parishes, twenty-six dioceses, and two provinces, with their officials, courts, patronage, and properties continued to define the legal corporealization of the national church. After four major changes in the twenty-five years previous to Elizabeth's accession, these stable standards provided the prescribed structures within which religion was to be practiced in the Church of England during the thirty-four years of Richard Hooker's schooling and ministry.

The elements of the settlement, variously revised, reflected the reigns of Henry and Edward: royal supremacy with its corollary, independence from Rome; English Bible; Prayer Book; royal Injunctions; a traditional episcopal ministry and polity; and, subsequently, Articles of Religion. Both independence from Rome and a vernacular Bible were policies to be accepted or rejected *in toto*, but the other key elements of liturgy, ministry, and doctrine were subject to diverse formulations. Whatever may have been the dynamics between queen and parliament in the tense initial months of her reign, the settlement which actually emerged contained elements that, in varying degrees, both pleased and dismayed the more conservative and the more militant reformers who favored the break with Rome and return of the English Bible.¹²

The 1559 Prayer Book was essentially that of 1552, with a few minor but significant changes in the direction of the earlier 1549 liturgy. Elizabeth's Injunctions were also closer to the terms of the

¹² See Neale, 1:33–84; "The Elizabethan Acts of Supremacy and Uniformity," *English Historical Review*, 65 (1950): 304–332; and Norman L. Jones, *Faith by Statute: Parliament and the Settlement of Religion, 1559* (London: Royal Historical Society, 1982). On Elizabeth's Parliaments more generally, see Neale's two volumes and Geoffrey R. Elton, *The Parliament of England, 1559–1581* (Cambridge: The University Press, 1986); Michael A. R. Graves, *The Tudor Parliaments* (London: Longman, 1985); and P. W. Hasler, ed., *The House of Commons, 1558–1603*, 3 vols. (London: History of Parliament Trust, HMSO, 1981).

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more conservative first stage of Edwardian reforms. In organization the polity of the church was unchanged, except for the more prominent role assigned to ecclesiastical commissions through whom the queen might exercise her supremacy. In the Thirty-nine Articles the bishops produced a doctrinal norm for the English church that was open to interpretations less rigorously Protestant than the earlier Forty-two Articles had allowed. To the dismay of militant reformers, instead of completing the reforms of the last years of Edward, aborted by the accession of Mary Tudor in 1553, the settlement stepped back slightly from their aggressively reformed stance.

The Settlement's Adversaries

From the first years of the reign, the settlement was subjected to pressures both from English Roman Catholics who sought to retrace the steps of Mary Tudor and from English advanced Protestants who sought to "complete" the reformation of the Church of England.¹³

Foreign Roman Catholic powers and local regicides hoped to replace both settlement and queen at one blow. A minority of English Roman Catholics might emigrate and/or plot against their queen, but most remained quietly in England wishing only to practice their religion according to what they judged to be the true faith. They faced increasingly difficult choices after Pius V excommunicated and deposed Elizabeth in 1570.¹⁴ Some welcomed fugitive priests for secret masses in their homes while they paid increasingly steep fines as recusants, while others attended their parish churches, making personal accommodations with their consciences. The campaign to maintain

¹³ The term "advanced Protestant" may eventually win its way as a replacement for "Puritan," but the latter is too firmly established in generations of scholarly commentary to be lightly displaced. For discussions, see Basil Hall, "Puritanism: The Problem of Definition," *Studies in Church History*, ed. G. J. Cuming, (1965), 2:283–296; Collinson, *E.P.M.*, pp. 24–28; Dent, *Protestant Reformers in Elizabethan Oxford* (1973), pp. 2–3; New, *Anglican and Puritan* (1964), pp. 1–4; Lake, *Moderate Puritans* (1982), pp. 10–11 and 279–286, and *Anglicans and Puritans?* (1988), p. 7; and Borden W. Painter, "Anglican Terminology in Recent Tudor and Stuart Historiography," *Anglican and Episcopal History*, 56.3 (1987): 237–249.

¹⁴ See above, n. 8.

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and to extend papal loyalties, launched from the émigré communities on the continent and increasingly under Jesuit leadership, coincided with signs of Philip's warlike intentions that included an abortive landing of Spanish troops in Ireland in 1579 and culminated in the campaign of the Armada ten years later. As loyal as most Catholics and even a number of the missionary priests might be to their queen, in the perceptions of most of their fellow countrymen, their dual loyalties rendered them suspect.¹⁵

Many English Protestants assumed that their religious interests coincided with the national welfare. Walter Travers (1548–1635), Richard Hooker's opponent at the Temple church, attempted to convict Hooker in the eyes of the privy council by the accusation that he taught that Roman Catholic teaching might sometimes lead its adherents to salvation. In his "Supplication" Travers judged that, in the face of the Catholic threat and the consequent need for Protestant unity, he only had to point out to the councillors the Catholic implications of Hooker's words, such as had "not ben heard in publick places, with in this land, synce Quene Maries daies" (5:208.8–10). When the defeat of the Armada exploded papal hopes that a foreign invasion might subdue Protestant England, the majority of people could hardly be faulted for concluding that a judicious divine providence underlay the English seamanship and the fortuitous winds that had won the victory.

It was this polarization of European religious politics that underlay the religious life of the Elizabethan church in which Hooker wrote and his contemporary audience read the *Lawes*. Inevitably, the genuine religious differences with Rome bore the additional weight of identity with a political rival and enemy, whereas differences with those continental "distinct societies" of the "Catholike Church," who had also repudiated Roman authority, carried only the discredit that English chauvinism might engender. "The favorers of the Church of Rome," Hooker wrote, "know how far we . . . differ and dissent from them" (IV.12.5; 1:323.11–12). Defending the traditional character of

¹⁵ On the growth of the Roman Catholic threat, see "The Historical Setting, 1580–1585," 5:619–629, this edn.

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Prayer Book liturgy, he preferred to follow “the perfections of [Roman Catholics] whome we like not, then in defectes resemble [Protestants] whome we love” (V.28.1; 2:121.26–28).¹⁶ The distinctive character of the English church and of Hooker’s understanding of it developed in the context of Roman Catholic attempts to return it to the papal fold.

Many reformers at the beginning of the reign understood the initial decisions about religion not as a firm “settlement” but as a way station towards more adequate reform. Although interpreters have widely ranging opinions about Queen Elizabeth’s motivations in religious matters, few would deny that it was her tenacity that lay behind the firmness with which the 1559 standards were maintained.¹⁷ In the words of Francis Bacon (1561–1626): “Within the compass of one year she did so establish and settle all matters belonging to the church, as she departed not one hair’s breadth from them to the end of her life.”¹⁸

When the terms of the settlement were laid down, most clergy and laity who accepted the break with Rome were prepared to obey. Yet on hearing of parliament’s action establishing the Prayer Book, Edwin Sandys the elder (1516?–1588), future archbishop of York and father of Richard Hooker’s student and patron, wrote to Matthew Parker (1504–1575), soon to be archbishop of Canterbury, concerning the rubric for traditional vestments, that “our gloss upon this text is, that we shall not be forced to use them.”¹⁹ By 1566, the vestitarian controversy had made the royal will in this matter abundantly clear.

¹⁶ On Hooker’s anti-Romanism, see Richard Bauckham, “Hooker, Travers and the Church of Rome in the 1580s,” *Journal of Ecclesiastical History*, 29.1 (1978): 37–50.

¹⁷ The more common historical judgment has labelled Elizabeth a *politique* who employed religion as a tool in the interest of her political objectives. For another view, see Haugaard, *Elizabeth and the English Reformation*, and “Elizabeth Tudor’s Book of Devotions: A Neglected Clue to the Queen’s Life and Character,” *Sixteenth Century Journal*, 12.2 (1981): 79–105.

¹⁸ *The Works of Francis Bacon, Lord Chancellor of England*, ed. Basil Montague (London, 1825–34), 3:477. For the original Latin, see *The Works of Francis Bacon*, ed. James Spedding, Robert Leslie Ellis, and Douglas Denon Heath (London, 1879–90), 6:302.

¹⁹ 30 April 1559; *Correspondence of Matthew Parker*, PS (1853), p. 65.

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Lawrence Humphrey (1527?–1590), a dominant figure in academic and ecclesiastical politics during Hooker's years at Oxford, just missed being deprived as head of Magdalen College for his refusal to wear the surplice; his counterpart at Christ Church, Thomas Sampson (1517?–1589), was ejected from his deanship. The two Marian exiles expressed the painful response of many of their former companions when they indignantly protested to Henry Bullinger (1504–1575) of Zurich against his advice to conform: "We must indeed submit to the time, but only for a time; so that we may always be making progress and never retreating. . . . Why should we receive Christ rather maimed, than entire, and pure, and perfect?"²⁰

Another Marian exile, William Cole (d. 1600), president of Hooker's own Corpus Christi College for thirty years, included his assessment of religion in England in a letter to one of Bullinger's fellow ministers in Zurich in 1579, the year Hooker was ordained deacon: "If you wish to know what is the state of religion throughout all England, it is precisely the same as it has been from the beginning of the reign of our most gracious queen Elizabeth. There is no change whatever."²¹

Cole's understated commentary reflected a wide range of Puritan frustrations. Militant attempts to achieve reforms in convocation and parliament had failed. Archbishop Parker had successfully established the hated vestiarian requirements as the official norm. The forthright demand of the 1572 Admonitioners for a presbyterian ministry modeled on that of Geneva had angered the queen and alienated some Puritan sympathizers. Elizabeth had dashed the hopes with which most reformers had greeted the nomination in 1576 of Edmund Grindal (1519?–1583) to Canterbury by suspending him the following year.

When Cole wrote in 1579, he could not have known that Grindal's death in 1583 would occasion a further setback. Instead of a cleric sympathetic to advanced Protestant concerns, Elizabeth named Whitgift, whose reputation for conformity rested administratively on his opposition at Cambridge to Thomas Cartwright (1535–1604) and

²⁰ July 1566, *The Zurich Letters*, PS (Cambridge, 1842–45), 1:161, 162.

²¹ 28 February 1579, to [Rudolph Gualter, Sr.], *The Zurich Letters*, 2:308.

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literarily upon his *Answer* to the *Admonition to Parliament* and his *Defense of the Aunswere* in response to Cartwright's *Replye*.²² Cartwright and Travers were the foremost theologians promoting the presbyterian cause, the "head" and the "neck" respectively, as Fuller described them,²³ and Whitgift, having launched a renewed campaign for clerical conformity, silenced Travers's well publicized exchanges with Hooker in the Temple church.

The reformers' frustration with their inability to bend the settlement to their will from within must not obscure their significant successes in the universities and in many parishes where they won the allegiance of a significant portion of religiously dedicated clerics, theological students, and lay persons in the church. Historians, however, occasionally write as if only Roman Catholics and Puritans took religion seriously in Elizabethan England. We need not be seduced by the polemics of sixteenth-century opponents of the establishment into judging that lukewarm devotion or sheer vocational opportunism inevitably characterized its supporters. In societies in which religion is established, dissenting groups typically claim a higher proportion of devoted adherents among their limited constituency than can those conforming to the establishment. The anti-establishment campaign left a large body of documentary evidence of commitment and fervor, the uncritical reading of which has sometimes led historians to take the indictment of the establishment and its adherents at face value.

In preparation for a radical program to be introduced into the House of Commons in 1587, Puritans drafted a "Supplication to the Parliament" in which they noted the "long time of patient endurance of all our griefs." They sought "some convenient remedie," clarifying for the legislators

how by meanes of the imperfections and intollerable abuses of the present lawes of the Church, not consonant in many things to the lawes of Allmightie God, the people of God within this land and hir majesties most faithfull and loving subjects are

²² See n. 152, pp. 71–72, below.

²³ *Church History* (1845), 4:468.

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furnished in most places, for the want of the sound and sincere preaching of the Word of God.²⁴

Puritans firmly believed that their programs would bring the English people closer to that pattern of a godly society that many had envisaged at the time of the seemingly miraculous accession of Elizabeth to the throne. In opposition to the call to arms of advanced Protestants, defenders of the establishment, as they lived within the terms of the religious settlement, forged a Christian tradition that was to prove distinct from those of Roman Catholic, Lutheran, and Reformed persuasions. Among those defenders, Richard Hooker was to be the most persuasive and, through succeeding years, the most influential.

The Character of the Militant Challenge

The problems of the definition of "Puritan" are legion, but the term may justly include a wide range of clergy and laity adhering firmly to Protestant principles of scriptural authority and of justification by faith who also pressed for changes in the settlement that would, in effect, bring the standards of the Church of England substantially closer to those of continental Reformed bodies.²⁵ This definition encompasses a wide spectrum: laity and clerics who conformed but actively supported certain reforms as highly desirable; those who scrupled from ceremonial or vestiarian requirements but supported an episcopal ministry; clergy and laity who with the Admonitioners sought a Genevan-like discipline; and even separatists, repudiated by the rest, whose frustrations with the establishment led them into schism. These groupings blended into one another, and individual Puritans moved from time to time from one sector of the spectrum to another.

Apart from their internal dissensions, a wide spectrum of Puritans shared a sense with one another that they were "*Gods owne*," recog-

²⁴ No. 204 in Albert Peel, ed., *The Seconde Parte of a Register* (1915), 2:71 and 73; see Neale, 2:146, and Collinson, *E.P.M.*, p. 304.

²⁵ See above, n. 13.

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nizing a “*separation betweene such and the rest of the world, whereby [they] are named The brethren, The godlie*” (Pref. 3.11; 1:18.13–16). Preaching, the ministry of the word, they would agree, was the most essential work of a Christian church. The presence of preaching ministers within the national church validated the decision of all but a tiny minority to remain while pressing for change. Earnestness, commitment, and sincerity characterized their religion, and, taken as a whole, they no more merited the frequently associated epithet of “hypocrite” than other groups dedicated to the serious practice of their religious principles. They courted the opprobrium, however, by indiscriminately designating establishment opponents as “*worldlings, timeservers, pleasers of men not of God*” (1:18.16–17).

Throughout Elizabeth’s reign Puritans played prominent roles at both Cambridge and Oxford, which, with their clerical administrative and professorial staffs, constituted the institutions of higher theological learning in the Church of England. Of the two, Cambridge, as in Henrician and Edwardian years, contributed a larger proportion of reforming leaders from among its teachers and graduates. The privy councillor Walter Mildmay (1520?–1589) founded Emmanuel in 1584 with the “one aim . . . that from this seminary the Church of England might have men . . . to instruct the people and undertake the duty of pastors.”²⁶ Its first Master, Laurence Chaderton (1536?–1640), served until 1622. Although circumspect in his opposition to the settlement, Chaderton contributed his theological learning to the presbyterian movement and nurtured generations of clerical alumni. Among the older houses, reformist influence was most heavily concentrated in St. John’s and Christ’s colleges, but every one of the Cambridge colleges could claim distinguished Puritan alumni.

At Oxford, Sampson’s leadership of Christ Church in the sixties and Humphrey’s at Magdalen and Cole’s at Corpus Christi for most of the

²⁶ From chap. 21 of the Statutes of Emmanuel, prepared by Mildmay; see H. C. Porter, ed., *Puritanism in Tudor England* (London: Macmillan, 1970), p. 186. Porter’s *Reformation and Reaction in Tudor Cambridge* (1958; rpr. Hamden, Conn.: Archon Press, 1972) focuses on the religious issues in the university from the early sixteenth through the first decades of the seventeenth centuries. Lake’s *Moderate Puritans* begins with Elizabeth; see esp. pp. 40–46 and 169–200.

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reign developed many advocates of advanced protestantism. Before the century was out, Brasenose, Queen's, and Exeter came to stand out as seminaries for "godly" parsons. The prescribed books for catechetical use in the 1579 revised heresy statutes at Oxford included, along with English works, authors drawn exclusively from continental Reformed churches.²⁷ The most prominent university theologians included three advanced Protestants who took moderate stands on episcopal polity: William Whitaker (1548–1595) and William Perkins (1558–1602) at Cambridge and John Rainolds (1549–1607) at Oxford. Rainolds was a slightly older companion of Hooker at Corpus Christi College, with whom he shared a brief period of expulsion from the college (see below, p. 53). A complex web linked sixteenth-century Oxford and Cambridge with the life and government of church and state throughout England, and the political and theological dimensions of academic controversies touched on issues raised by the terms of the religious settlement.

Puritans were not only successful in winning devoted adherents in parish and university; the movement, even divided as it was, proved immensely potent politically. Their influential supporters included a small but significant number of the nobility, tending to the conservative end of the spectrum, among them the earls of Leicester, Robert Dudley (1532?–1588), of Warwick, Ambrose Dudley (1528?–1590), of Bedford, Francis Russell (1527?–1585), and of Huntingdon, Henry Hastings (1535–1595). These were joined by reform-minded councilors drawn from the gentry. Mildmay and Francis Walsingham (1530?–1590), the latter with an able cadre of administrators and diplomats, stood out among these both for their administrative abilities and their

²⁷ S. L. Greenslade, "The Faculty of Theology," chap. 4.4, and Jennifer Loach, "Reformation Controversies," chap. 5 in James McConica, ed., *The History of the University of Oxford*, vol. 3, *The Collegiate University* (Oxford: Clarendon Press, 1986), pp. 327 and 388–389. These essays and those by G. D. Duncan and Penry Williams (chaps. 4.5 and 6), together with Dent's *Protestant Reformers*, provide a comprehensive survey of the religious scene at Oxford. The books include the catechisms of Geneva (Calvin), Zürich (Bullinger), and Heidelberg, Andreas Hyperius's commentary on the latter, and three English works: Nowell's *Catechism*, based largely on Calvin, Jewel's *Apology*, and the Thirty-nine Articles with explanations.

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devotion to the reforming cause. Even though the commitment of Cecil to the Puritan cause was more ambiguous, throughout the reign he often stood with the reformers in urging the queen to relax her commitment to the original terms of the settlement. When Whitgift campaigned for clerical conformity, local officials and regionally influential gentry from areas of Puritan strength petitioned in support of clergy threatened with deprivation from their pastoral posts, and the entire privy council, with the exception of Christopher Hatton (1540–1591), called on Whitgift to abate the campaign.²⁸ Because he knew that Elizabeth stood behind his policies, the archbishop persevered against the Puritan political phalanx.

When the militant reformers failed to gain their objectives in the 1563 Convocations, they turned to parliament. Puritan measures, ranging from mild modifications of the enforcement of the settlement to full-scale programs for a presbyterian ministry and a Genevan liturgy, were repeatedly proposed in the House of Commons where they received formidable support from many gentry. Privy councillors often sympathized with this legislation, linked as they were with the parliamentary “men of business” who managed legislative procedures and included a number, such as James Morice (1539–1597) and Thomas Norton (1532–1584), with deep commitments to the reformers’ cause.²⁹ Some of these initiatives might well have made their way successfully through the legislative process, had Elizabeth not repeatedly forbidden their consideration for touching matters that trespassed on her royal prerogative. With some limits, she recognized the right of free speech in Commons, as well as the right of the

²⁸ Collinson has carefully documented the extent of gentry support for the beleaguered ministers (*E.P.M.*, Parts 5–8).

²⁹ On Morice, see pp. 28–29, below; on Norton, see Michael A. R. Graves, “Thomas Norton the Parliament Man: An Elizabethan M.P., 1559–1581,” *The Historical Journal*, 23.1 (1980): 17–35. Norton translated reformed literature, including Calvin’s *Institutes* (STC 4415) and Alexander Nowell’s Latin Catechism (STC 18701); see Haugaard, “John Calvin and the Catechism of Alexander Nowell,” *Archiv für Reformationsgeschichte*, 61.1 (1970): 50–66. Neale’s two volumes document the story of Puritan initiatives, but his picture of an organized single-minded Puritan opposition in Commons requires serious modification; see Elton, *Parliament, 1559–1581*, Graves, *Parliaments*, and Jones, *Faith by Statute*.

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legislators to modify and to approve or to disapprove of legislation proposed in response to government initiatives. But when more radical members attempted to initiate legislation on governmental and social issues with religious implications, the proposals challenged the queen's understanding of the constitutional balance of king-in-parliament, and she refused to countenance them.

The reforming cause had an important alliance with common lawyers seeking to reduce the jurisdiction of the ecclesiastical and royal prerogative courts. The terms of the settlement were enforced in the traditional church courts, in the royal ecclesiastical commissions, and, on occasion, by privy councillors in the Star Chamber. Common lawyers coveted this extensive legal territory, and they opposed the civil law procedures that prevailed in courts of canon law. The oath *ex officio mero* required witnesses to testify against themselves: as Morice complained in the 1593 Commons, "wee are constrained to be both Accusers and Condemners of our selfs," and those who refuse to answer the court interrogatories are "comytted to hard and miserable imprisonment."³⁰ The oath became the common lawyers' symbol of the unjust procedures of the canonical and civil courts.³¹ Such lawyers were well represented in parliament.

Although the reformers were not able to replace the standards of the settlement with norms based on their own religious principles, they implemented bits and pieces, here and there, as opportunity permitted. Nonconformity in clerical dress and vestments and the omission of prescribed Prayer Book ceremonies were common. When authorities pressed for obedience to established law in such matters, the reformers debated among themselves the degrees of compliance that their conscientious understandings of scriptural prescriptions might allow. Liturgies other than those of the Book of Common Prayer were seldom used, but reform-minded ministers might eliminate portions they judged objectionable or superfluous to ensure that a larger proportion of the service might be dedicated to the preaching,

³⁰ "A Remembrance of certaine matters concerninge the Clergye and their Jurisdiction: Anno Domini 1593," pp. 106–107; Cambridge University Library, MS. mm.1.51, pp. 105–133; see also Cal. MSS, Hatfield House, 4:291.

³¹ On English law, see 1:41.1–14.y.n, below.

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which even the conforming Archbishop Grindal termed the "ordinary mean and instrument of the salvation of mankind."³²

Family chaplaincies and town or parish lectureships, either endowed or supported by subscription, provided posts in which advanced Protestants might dedicate their energies to the promotion of godliness and reform as they understood them. In sympathetic parishes churchwardens and sidesmen (their assistants) could be regarded as the ruling elders and deacons of reformed discipline. By declaring days of fasting, Puritan clergy deepened the piety of reform-minded laity; where town officials were sympathetic, such days could be sanctioned by the local government. The exercises or prophesyings provided opportunity for clergy to come together for scriptural study, sometimes with public sermons and discussions that included laity; to the extent that the exercises were dominated by reformers, they served as means of forwarding Puritan goals.³³

Zealots went further. Many establishment supporters, as well as Puritans, were dismayed when Elizabeth suspended and overruled Archbishop Grindal for refusing to obey her order to suppress the exercises, viewed by many as an effective means of what might be termed today continuing clerical education. The queen acted on advice that saw the exercises as "embryonic presbyteries" or "classes," by which the reformers sought to replace the traditional episcopal government of the church with the disciplinary structures of Geneva.³⁴ By the beginning of the last decade of the century, authorities had gained firm evidence of a network of secret regional "conferences" related to one another through the London group and its organizing genius John Field (1545–1588), one of the authors of the *Admonition*.³⁵ On occasion local

³² From Edmund Grindal's December 1576 letter to Elizabeth refusing to obey her order to suppress the "exercises" and to limit preaching licenses; see *The Remains of Edmund Grindal*, PS (1843), pp. 376–390.

³³ See Collinson, *E.P.M.*, Parts 2.2, 2.5, and 7.

³⁴ Cartwright's biographer so labels them, noting that they are "of the modern type," i.e., without coercive powers; see A. F. S. Pearson, *Thomas Cartwright and Elizabethan Presbyterianism* (Cambridge, 1925), p. 157.

³⁵ Richard Bancroft published the results of the investigations, as seen through the eyes of ecclesiastical authority, in two books published in the same year as the first part of Hooker's *Lawes: A Survey of the Pretended Holy Discipline* (1593; STC 1352),

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conferences sought ways to legitimize their members' clerical posts that the law had forced them to accept via "unscriptural" ordinations by bishops and deployment by patronage. But without any coercive means at hand, the attempts of a *classis* to exercise discipline over its members depended entirely upon an individual's willingness to accept group decisions.

In the early eighties representatives from the local *classes* attended regional or national conferences intended to determine and coordinate presbyterian strategy throughout the country. Imaginative Puritans and, later, scandalized church authorities might regard these as "embryo national assemblies," but the fragile structures of the network hardly merited such a dignified title.³⁶ At the times of the three Parliaments of the decade (1584/5, 1586/7 and 1589), national groups gathered in London to further their strategies for reform legislation. A "Book of Discipline" was prepared in London, with directions for the worship, discipline, and government of a national church patterned after that of the French and Scottish Reformed.³⁷ Distributed to *classes* about the country for discussion and possible subscription, the book whetted reformers' appetites for its implementation. Before the decade was out, the more eager were considering ways they might put the program into immediate practice. Extrapolating their experience

and *Daungerous Positions and proceedings, published and practised within this iland of Brytaine, under the pretense of reformation, and for the presbiteriall discipline* (STC 1344), the latter printed by John Windet (as was the *Lawes*). The documents seized by authorities are in the Public Record Office, and they are corroborated by others; see R. G. Usher, *The Presbyterian Movement in the Reign of Queen Elizabeth, as Illustrated by the Minute Book of the Dedham Classis, 1582-1589*, Camden Society, 3.8 (1905), and those in Dr. Williams's Library, London, calendared by Peel in *The Seconde Parte of a Register*. Collinson's *E.P.M.* draws on both. See below, pp. 24 and 30-32, and 1:50.28-31.n.

³⁶ Neale, 2:60.

³⁷ "The Book of Discipline," extant in various MSS, was printed for the 1645 Westminster Assembly as *A directory of church-government. Anciently contended for, and as farre as the times would suffer, practised by the first non-conformists in the daies of Queen Elizabeth. Found in the study of . . . Thomas Cartwright, after his decease, Wing T 2066*. Travers initially drafted it in 1585 with input from Cartwright and Field (Collinson, *E.P.M.*, pp. 293-296).

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with local unauthorized modifications in the religious settlement, some began to envision, in essence, a takeover from below, a “presbytery in episcopacy” in which what they judged to be scriptural order might prevail in the English church.³⁸

ii. The Nation and the Church in 1593

Setting the Scene for the 1590s

Four events in the late 1580s set the scene for the political and religious issues of the final decade of the century: the Armada, the Marprelate tracts, an increasingly aggressive defense of episcopacy, and the resurgence of separatism.

First, the reinvigorated Roman Catholicism of the Counter Reformation, with its renewed moral authority and political commitment, was able in the last four decades of the century to stop and, in some cases, to reverse the gains of the continental Reformation. The two most powerful nations, Spain and France, were both—with different and varying degrees of intensity—committed to the Roman Catholic cause. Although less of a military power than these two, England headed the list of Protestant powers considered individually, and the return of England to anti-papal ranks in 1558 significantly enhanced the fortunes of her continental brethren.

The Catholic powers recognized the importance of the recapture of England. After Elizabeth had unequivocally declared for independence, common wisdom proposed that her replacement by a Roman Catholic sovereign would be the most effective means to return the nation to papal obedience. Mary Stuart (1542–1587) had the best claim to succeed a childless Elizabeth. Until her execution in 1587, she was perceived, as Philip II (1517–1598) of Spain put it, as “the gate by which religion must enter the realm of England.”³⁹ European courts did not,

³⁸ Fuller described the plan as “the embryo of the presbyterian discipline, lying as yet, as it were, in the womb of episcopacy,” a design “to set up a discipline in a discipline, presbytery in episcopacy”; *Church History* (1845), 5:5 and 7.

³⁹ Philip to Cardinal Pacecco, October 1565, *Calendar of State Papers, relating to English Affairs, preserved principally at Rome* (1916), 1:182.

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by and large, initiate the repeated fanatical attempts to assassinate Elizabeth, but they did encourage home-grown rebellions and hinted at support by foreign invasion. By the mid-eighties Philip successfully gained French acquiescence in his "great enterprise" to reclaim England. National political and religious goals coalesced—as they had a hundred years earlier when the Spanish kingdoms had expelled the last Moslem rulers from the Iberian peninsula. On the day the Armada set sail, every soldier and seaman gathered in Lisbon harbor in 1588, from admiral to cabin boy, was shriven, communicated with the Blessed Sacrament, and given a papal plenary indulgence.

Even though English men and women joyfully celebrated the defeat of the Spanish fleet, most did not appreciate its long-range significance. In his opening oration to the 1589 Parliament in the queen's name, Lord Keeper Christopher Hatton reviewed Roman Catholic aggression against England, which had culminated when "the unchristian fury, both of the Pope (that wolfish bloodsucker) and of the Spaniard (that insatiable tyrant)" burst upon England "like thunder. God be thanked, he feared more than hurt us." Hatton reflected the wisdom of the day in judging the victory to have been that of a battle, not of the war. He urged Parliament to provide resources for the continued defense of the land: "We have lopped off some of [the enemy's] boughs; but they will sooner grow again than we think of."⁴⁰ Later, the defeat of the Armada would be recognized as a decisive turning point, but as the last decade of the century opened, the Roman Catholic powers remained an overwhelming threat in the minds of English Protestants.

Second, between October 1588 and September 1589, seven inflammatory writings of one "Martin Marprelate" and his associates appeared in support of those reformers who would replace episcopacy with a presbyterian ministry and discipline. The pamphlets changed the style, but not the substance, of the debate. Invective was typical enough of theological polemic of the age, but the pseudonymous writings brought a new weapon to the battle: memorably vigorous satire. The literate public at large, not just clergy or dedicated Puritans,

⁴⁰ Neale, 2:197 and 200, from Lambeth Palace MS. 178, fols. 75–81.

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read the pamphlets for literary entertainment. Bishops and the laws of the land were held up to public ridicule—not a reassuring prospect in the eyes of a queen and hierarchy for whom the censorship of writings inimical to ordered society was a self-evident responsibility of good government.⁴¹

The fruitless search for the authors and for the less elusive printing presses led in the fall of 1589 to the discovery of correspondence and other papers relating to the secret disciplinarian network that the recently deceased Field had established among scattered centers of Puritan strength throughout England. The evidence enabled the members of the Ecclesiastical Commission to begin legal interrogation and arrest of the participants.⁴² In the midst of the excitement generated by the tracts Hatton told the members of the 1589 Parliament that Elizabeth had never “looked for any better” than she had received from England’s enemies, but that she grieved that

amongst her friends . . . men of a very intemperate humour do greatly deprave the present estate and reformation of religion . . . whereby her loving subjects are greatly disquieted, her enemies are encouraged, religion is slandered, piety is hindered, schisms are maintained, and the peace of the Church is altogether rent in sunder and violated.

⁴¹ The later ecclesiastical ban in 1599 of *all* satires—not just those that pilloried the bishops—may have had its origins in “Martin’s” earlier abuse. See *The Renaissance in England*, ed. Hyder E. Rollins and Herschel Baker (Boston: D. C. Heath, 1954), p. 455.

⁴² For details of the publications, subsequent examinations, and the thorny question of authorship, see E. Arber, *An Introductory Sketch to the Martin Marprelate Controversy* (London, 1879); William Pierce, *An Historical Introduction to the Marprelate Tracts* (London, 1903), and *John Penry, His Life, Times and Writings* (London, 1923); D. J. McGinn, *John Penry and the Marprelate Controversy* (New Brunswick: Rutgers University Press, 1966); and, most convincingly, Leland H. Carlson, *Martin Marprelate, Gentleman. Master Job Throckmorton Laid Open in His Colors* (San Marino: Huntington Library, 1981). The Tracts themselves (STC 17453–59) were rpr. in facsimile (Leeds: Scolar Press, 1967). Collinson traces the story through the “Discovery, Prosecution, and Dissolution” of the disciplinarian movement in *E.P.M.*, Part 8. For Bancroft’s role, see n. 35, pp. 20–21, above.

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Hatton warned that Elizabeth doth

most straitly charge and command you . . . [that] you do not in this assembly so much as once meddle with any . . . matters or causes of religion, except it be to bridle all those, *whether Papists or Puritans*, which are . . . discontented [with the estate and government of this Church of England].⁴³

Never before on such a solemn occasion had Elizabeth's officials equated Puritan with Papist. The words must have disconcerted more than a few of the assembled legislators committed to reform. Elizabeth herself had come close in her closing speech to the 1585 Parliament: "[I mind not] to animate Romanists (which, what adversaries they be to mine estate is sufficiently known), nor tolerate new-fangledness."⁴⁴ The consequences of the Marprelate investigations could only heighten establishment determination and rhetoric against the church's would-be reformers.

Third, for almost thirty years, defenders of episcopacy in the Elizabethan church had been content to rest their case primarily upon the right of an independent church to determine the order of its own ministry. According to the theological standards they put forth, the form of ministry was an indifferent matter, and ancient tradition and English law had established an episcopal order in the national church.⁴⁵ However, in 1587 the arguments escalated in a massive volume by John Bridges (d. 1618), dean of Salisbury, and in 1589 a published sermon by Richard Bancroft (1544–1610), an increasingly prominent and active member of the Ecclesiastical Commission.⁴⁶

⁴³ My emphasis; Neale, 2:198–199.

⁴⁴ Neale, 2:100

⁴⁵ See below, Introduction to Book VII, pp. 310–323; also, Collinson, *E.P.M.*, pp. 101–105.

⁴⁶ Bridges, *A defence of the government established in the church of Englande for ecclesiasticall matters*, STC 3734; Bancroft, *A Sermon Preached at Paules Crosse the 9. of Februarie, 1588*, STC 1346; see also W. D. J. Cargill Thompson, "A Reconsideration of Richard Bancroft's Paul's Cross Sermon of 9 February 1588/9" in *Journal of Ecclesiastical History*, 20 (1969): 253–266, and "Sir Francis Knollys's Campaign Against the *Jure Divino* Theory of Episcopacy," in *Studies in the Reformation* (1980), pp. 94–130; also, Collinson, *E.P.M.*, p. 397.

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Comparing the antiquity of episcopal with presbyterian orders, both writers claimed little more than what the Preface to the Prayer Book Ordinal declared: "that from the Apostles tyme, there hath bene these orders of Ministers in Christes church, Bisshopes, Priestes, and Deacons."⁴⁷ Nonetheless, their tone was offensive to both English and Scottish presbyterians. The writings demonstrated that apologists for the establishment were gaining new self-confidence in the support of their episcopal form of ministry.

Fourth, a handful of advanced Protestants, increasingly frustrated by the lack of progress in modifying the religious settlement, urged separatism as the only means to a properly reformed church. The solution was not new to Elizabethan protestantism. While bishop of London in 1567, Grindal had suppressed a congregation of separatists in London that had formed within the parish that had also nurtured Field. At the beginning of the eighties, an English cleric, Robert Browne (1550?–1633), called for "*reformation without tarying for . . . the Magistrate*."⁴⁸ He temporarily emigrated with a congregation that settled in Holland and became the forerunners of the American Pilgrims. By the middle of the decade, Browne himself had abandoned his separatism and had returned to the national church, but new separatist voices soon emerged. Browne's writings caught the imaginations of a cleric, John Greenwood (d. 1593), and a lay lawyer, Henry Barrow (1550?–1593), whose own writings landed them in prison by 1587. Their literary output from prison for the next six years continued to fuel the separatist cause among frustrated fringe groups of English reformers.⁴⁹ Separatists were few in number, but, as the nineties opened, their cause provoked condemnation equally by estab-

⁴⁷ *The First and Second Prayer Books of Edward VI* (1910; rpr. 1949), p. 292.

⁴⁸ *A Treatise of reformation without tarying for anie, and of the wickednesse of those Preachers, which will not reforme themselves and their charge, because they will tarie till the Magistrate commaunde and compell them* (1582; STC 3910); see Peter Milward, *Religious Controversies of the Elizabethan Age* (1977), pp. 35–36 (hereafter, Milward), for the tangled bibliography of this tract, listed in the STC as *A booke which sheweth the life and manners of all true christians*.

⁴⁹ For separatism before Elizabeth, see nn at 1.36:23–26 and 36.30–39.2, and Collinson, *E.P.M.*, pp. 87–91.

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lishment supporters and by the majority of Puritans who were committed to the principle of a national church they wished to reform.

The Parliament of 1593

When Parliament assembled on 19 February 1593, the Roman Catholic threat, the Marprelate tracts and the secret disciplinarian network, the defense of episcopacy, and separatism all emerged in the course of the legislative proceedings. The House of Commons elected the scholarly lawyer Edward Coke (1552–1634), later the renowned jurist, to be their Speaker. When he was presented to the queen to be confirmed in office, the formal exchange between the Speaker and Lord Keeper Puckering (1544–1616), who responded for Elizabeth, reflected the political tensions of the government of king-in-parliament: to Coke's petition for "liberty of Speech," she granted such liberty "in respect of the I [Aye] and No, but not that every one should speak what he listed."⁵⁰

Hatton's 1589 warnings about the recovery of Spain's purpose and strength seemed to have been borne out. Puckering pointed to the renewed threat that Philip posed: on water, he was rebuilding his navy in the proven English design of warships; on land, in support of the Catholic League in France against Henry IV (1553–1610), he had brought his troops into nearby Brittany; and he was intriguing for Scottish support to encircle England. The Keeper of the Great Seal appealed for new taxation to respond to these new initiatives of the Spanish king, who "so far from seeing the hand of God that strake him . . . [was] more furiously enraged than ever."⁵¹

Accordingly, the government introduced two anti-Catholic bills, one in each house, one against lay recusants and the other against the missionary priests whom Hatton had earlier labelled "vile wretches, those bloody priests and false traitors, here in our bosoms . . . [who]

⁵⁰ Simonds D'Ewes, *The Journals of all the Parliaments during the reign of Queen Elizabeth, both of the House of Lords and House of Commons* (1682), p. 469; hereafter, D'Ewes.

⁵¹ Neale, 2:246–247; Sir William Upton later in the session similarly suggested that the malice of Pope and Spanish king could be quenched by nothing but "rivers of blood"; *Calendar of State Papers, Domestic Series, Elizabeth, 1591–94* (1867), pp. 333–334.

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will not cease to practice both at home and abroad.”⁵² Of the two bills, only the latter, begun in Lords, made its way through the legislative process, with both houses lightening the penal measures originally proposed.⁵³ The other anti-Catholic bill was lost in the lower house in the midst of vigorous arguments over the possibility that the penalties might be applied to Protestant recusants; as one member asked: “Whether those that came not to Church by reason of the dislike they had of Church Government, shall be in like Case as a Recusant Papist” (D’Ewes, p. 476). Although the final legislation fell short of initial government intentions, previous anti-Catholic measures remained in force and were in fact strengthened by the new act.

Balancing the threat to Catholic aggression from without with that of subversion of the religious settlement from within, the government also confronted the disciplinarian threat that the Marprelate investigation had revealed. Sympathizers with advanced Protestants threw down the gauntlet in the second week of Parliament. On 27 February James Morice introduced two bills to relieve “the hard Courses of the Bishops . . . and other Ecclesiastical Judges . . . used towards sundry learned and godly Ministers and Preachers of this Realm.” A member of parliament since 1584, Morice, Queen’s Attorney of the Court of Wards and Liveries, had become one of the small circle of “parliament men” on whose legal and legislative skills the business of the House depended. He was sufficiently prominent in his profession three years later to be elected treasurer, the principal executive office of the Middle Temple, a few months before his death. In that office, he succeeded Miles Sandys (d. 1601), the uncle of Hooker’s former student Edwin Sandys, who, with his uncle, also sat in the 1593 Parliament. The two laws that Morice proposed in 1593 would have outlawed various legal instruments of the church courts and commissions, including two targets of long-standing Puritan complaints, the *ex officio* oath, and the articles of subscription devised by Archbishop

⁵² Neale, 2:199; for the account of the bills, see 2:280–297.

⁵³ Elton has re-examined evidence in the 1581 Parliament that casts doubt on Neale’s contention (2:284) that, in contrast to earlier parliaments, the 1593 Commons had a new “more tolerant” spirit (*Parliament*, pp. 186–187). Rather, earlier parliaments had also tended to lighten penal measures proposed.

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Whitgift in 1583 to enforce clerical conformity. In a subsequent letter to Burghley, Morice suggested that unless such practices were curbed, “as heretofore wee praied, From the tyranny of the B[ishop] of Rome, good Lord deliver us [as in the Henrician Litany and Edwardian Prayer Books], wee bee compelled to pray, From the tyranny of the Clergy of England, good Lord deliver us.”⁵⁴ Any advanced Protestant in 1593 would have been especially aware of the recent investigation and imprisonment of those disciplinarians whose network had been uncovered in the Marprelate investigations.

The Ecclesiastical Commissioners had immediately begun to examine and prosecute those whose roles in the Marprelate writings had been revealed. Early in 1590 gentry convicted of hiding the actual press, both men and women, were passed on to the Star Chamber for sentences of fines and imprisonment. Job Throckmorton (1565–1601), the sometime lay parliamentarian and probable principal author of *Martin*, was examined and charged, but the case was suspended in 1591 and never resumed.⁵⁵ The cleric John Udall (1560?–1592) was examined in January 1590. The courts to whom Udall was committed for judgment deemed a tract he authored and printed on the Marprelate press to have been seditious.⁵⁶ Sentenced to death, he received a pardon in June 1592, but soon died, presumably from the rigors of his imprisonment. John Penry (1559–1593), another cleric even more deeply involved in the Marprelate productions, fled to Scotland. His writings had suggested a strong leaning towards separatism, and, on returning to London in 1592, his association with a separatist congregation led to his arrest the following March while Parliament was in session. Convicted of treason for seditious unpublished writings—a

⁵⁴ Morice includes the text of the letter of 1 March in his manuscript treatise on his misadventures in the 1593 Parliament, “A Remembrance,” pp. 122–123; Morice’s speech, pp. 105–112; full text of one bill and title of the second, pp. 112–117. D’Ewes, p. 474. For Morice’s election on 25 June 1596, see Charles Henry Hopwood, *Middle Temple Records* (London: Butterworth, 1904), 1:367; and see Neale, 2:268–276.

⁵⁵ See references at n. 42, p. 24, above.

⁵⁶ *A demonstration of the trueth of that discipline which Christe hath prescribed in his worde for the government of his Church, in all times and places, untill the end of the world* (1588; STC 24499); see 1:27.11–13.n and 247.8–248.6.g.n.

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conviction surely partly motivated by his role in the Marprelate adventure—Penry was to be executed two months later.⁵⁷

The Commissioners had given intense and extended attention to the newly uncovered network of disciplinarian activists.⁵⁸ Numerous witnesses were called, and by October 1590 nine clerics, including Cartwright, were imprisoned, examined by the Commission, and finally, in May 1591, sent on to the Star Chamber. Before the Commission, the accused all refused the oath *ex officio mero*, and this, together with their nonconformity, provided grounds for the deprivation of all but Cartwright from their church livings. Throughout both Commission and Star Chamber procedures, the prosecutors attempted to prove that the participants in the network intended, in violation of the law, by setting up their presbyteries and synods, either to subvert the episcopal regime from within by seditious conspiracy or to separate from the established church. As one of those arrested wrote from prison, “Judge you: the thing [the authorities] ayme at is a conventicle.”⁵⁹

The prosecutors in the Star Chamber trial benefited from the rise of emotional temperature in July 1591 when two laymen, partly motivated by the imprisonment of the ministers, announced a new messiah and divinely appointed king: one William Hacket, a mentally disturbed former serving-man, who, converted by Puritan preachers, had become convinced of his divine mission to seize power to bring in the new age. After his public outburst in London, government and courts dealt swiftly with Hackett and the other conspirators. Bancroft and his fellow commissioner, Richard Cosin (1549?–1597), both seized on the incident and, linking the deluded zealots with the disciplinarians,

⁵⁷ Popular report so explained Penry’s execution; see a letter of 1 May from a student at Clifford’s Inn to his brother in the Frere Papers, Historical MSS Commission, 7th report, 1879, p. 223a; see also William Pierce, *John Penry: His Life, Times, and Writings* (London, 1923), pp. 355–481.

⁵⁸ Detailed accounts of the trial are found in Pearson, *Thomas Cartwright*, chaps. 5 and 6; and in Collinson, *E.P.M.*, Part 8.2–3.

⁵⁹ Edmund Snape, 11 April 1590, from Bancroft, *Dangerous Positions*, p. 92; see note following. Fuller states that current custom had given the word “conventicle,” in spite of its being a neutral diminutive, the sense of “the meeting of such (how many soever) in a clandestine way, contrary to the commands of present lawful authority”; *Church History* (1845), 4:3.

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wrote of it to illustrate the way in which such teachings undermined the foundations of a stable society.⁶⁰ They hoped the incident would underline the seditious character of the disciplinarian conspiracy. The presbyterian defendants, however, insisted that their meetings and even their subscribed "Book of Discipline" were in the nature of proposals to which they hoped to win the consent of queen and parliament for peaceable and orderly change.⁶¹ True to their desire for reform of the established church, they consistently denied any intent to separate. The prosecutors lacked firm evidence of treasonous intent, and even though the clerical reformers' cases, like that of Throckmorton, were not resolved, all nine had been released from prison by the fall of 1592.

As the 1593 Parliament opened, the status of the released defendants was nebulous, and they could be recalled before the court at any time. Morice's proposals to relieve "the hard courses . . . used towards . . . godly Ministers" struck at the core of the charges and methods of the prosecutors. Lively debate followed the introduction of the bills, but the queen caught wind of the matter the same day. She called Speaker Coke and sent back a message by him to the House, stating that it was in her power "to call Parliaments, . . . to end and determine the same, . . . to assent or dissent to anything done. It was not meant that [parliament] should meddle with matters of State or in Causes Ecclesiastical." Morice himself was called before the Privy Council and remained confined to the home of a designated warden until the end of April.⁶² The disposition of the bills exemplifies both Elizabeth's consistent policy on church matters throughout the reign and the

⁶⁰ Bancroft made the Hackett "conspiracy" the climax of the account of secret Puritan plotting in his 1593 *Daungerous Positions*, chap. 12. In 1592, Cosin had published his *Conspiracie, for pretended reformation: viz. presbyteriall discipline. Discovering the late designments by W. Hackett, E. Coppinger, and H. Arthington gent. with the execution of the sayd Hackett*, STC 5823; see nn. 97 and 98, below. For a modern account, see John E. Booty, "Tumult in Cheapside: the Hackett Conspiracy," *Historical Magazine of the Protestant Episcopal Church*, 42.3 (1973): 293-317.

⁶¹ See n. 37, p. 21, above.

⁶² Heywood Townshend, *Historical Collections: or An exact Account of the Proceeding of the Four last Parliaments of Q Elizabeth* (London, 1680), pp. 62-63; Neale, 2:267-276; D'Ewes, pp. 478-479; Morice, "A Remembrance," pp. 117-118; CSP, Dom., 1591-94, p. 322 (244.52).

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reciprocal involvement of religion in issues of parliamentary privileges and rights.

A wide spectrum of Puritans retained their determined convictions and spiritual vigor, but the Commissioners had broken the back of the disciplinary movement that for at least a decade had provided the chief sinews of organization and the lines of communication for a wider body of advanced Protestants. Supporters of the establishment, however, were probably more impressed with the newly revealed strength of the presbyterian network than they were aware of the disarray which their attacks had caused in the reformers' ranks.

The recently strengthened claims advanced for episcopacy evoked a speech by a prominent Elizabethan who attacked bishops' rights to hold courts in their own names without special licence from the crown. Francis Knollys (1514?–1596), Elizabeth's cousin and an exile during Mary Tudor's Roman Catholic restoration, the senior privy councillor present who had sat in every House of Commons from the beginning of the reign, supported Morice: the lawyer had spoken not "ageinst Ecclesiasticall Jurisdiction, but ageinst abuses in the clergy." From 1588 Knollys had sought to persuade the queen that bishops were undermining the royal supremacy by implicit claim to a *jure divino* authority independent of that granted by queen and parliament. Speeches against Morice's bill had evoked Knollys's Puritan sympathies and had renewed his conviction that Archbishop Whitgift's policy and its defenders were reviving a prelatical hierarchy, free of government control, that he thought had been quashed with the repudiation of the pope. Knollys reported the incident to Burghley, commenting that the civil lawyers opposing Morice

would fayne have a kynde of Monarchie in the sayd Clergie government, as in the temporaltye, the which Clergie government they would have to be exempted from the temporall government, saving they speake not agaynst the Prynces government towching the supremacye.⁶³

⁶³ Morice, "A Remembrance," p. 118; Knollys to Burghley, 28 February 1593, in Henry Ellis, ed., *Original Letters Illustrative of English History*, 3rd ser., vol. 4

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From his standpoint, Knollys had reason to be concerned. Not only were Bridges' and Bancroft's defenses of episcopacy in print, but in the early nineties, English supporters of episcopacy gained further confidence in the strength of their theological and historical posture. A scholarly Dutch Reformed pastor and theologian, Hadrian Saravia (1531–1613), attracted to the English church, emigrated and published his argument that none other than Jesus Christ himself had first instituted episcopal order.⁶⁴

Before 1593 was out, the future bishop of Winchester, Thomas Bilson (1547–1616), published his defense of episcopacy, *The Perpetual Governement of Christes Church* (STC 3065), drawing heavily on Old Testament precedents.⁶⁵ Defenders of English episcopacy no longer hesitated to affirm the scriptural roots of their polity and were no longer content to rest their case solely on long tradition, the royal will, and the statutes of parliament.

Meanwhile, as parliamentary sessions proceeded, Greenwood and Barrow continued their advocacy of separatism from prison, were tried and convicted of sedition, and were executed on 6 April 1593. As though from the grave, their words were illegally spread abroad in a pamphlet which gave account of their witness to their principles and that of their fellow martyr, Penry, during interrogations.⁶⁶ The two separatist prisoners and the third on the brink of separatism were convicted under a 1581 anti-Catholic bill: any who might "devyse and wrighte, print or set forthe any . . . Writing, conteyning any false sedicious and slaunderous Matter to the Defamacion of the Queenes Majestie . . . shall suffer suche paynes of Deathe and Forfeytur as in case of Felonye." The 1581 legislators had qualified the description of

(London, 1896), p. 111; Neale, 2:271–272; and Cargill Thompson, "Sir Francis Knollys's Campaign."

⁶⁴ *De diversis ministrorum evangelii gradibus* (1590; STC 21746); translated the following year as *Of the diverse degrees of the ministers of the gossell* (STC 21749).

⁶⁵ On Hooker's use of Saravia and Bilson, see the Introduction to Book VII, pp. 321–322 and 336, below.

⁶⁶ *The examinations of Henry Barrowe John Greenwood and John Penrie. Penned by the prisoners themselves before their deathes* (STC 1519); Milward dates it 1593? (p. 98), the Rev. STC 1596? (1:68).

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the infraction with the phrase “advisedlye and with a malicious intent,” apparently to ensure that the measure would never be applied to loyal Protestants, but the phrase failed of its purpose twelve years later.⁶⁷ During these same weeks the members of Parliament, which sat until 10 April, debated legislative action that for the first time in Elizabeth’s reign would explicitly extend penalties for Protestant recusants beyond the largely unenforced mild fines of the 1559 Uniformity Act.

The anti-Catholic bill that began in the House of Commons on 26 February and ultimately failed of passage would have increased the severe penalties already levied against recusant Roman Catholics. An alert Puritan noted dangers in the wording of the new penal clauses. The statutes might be interpreted to apply to separatists “who pretend to be of our religion” or even to “godly and zealous” Protestants who chose to attend, in preference to their own parish, a neighboring church with a pious preaching parson. The member did not wish so stiff penalties against the former nor any penalties against the latter (Neale, 2:282–283). When the bill came back from committee on 12 March, the penalties were limited to “popish recusants.” In debate the next day, Miles Sandys led the attack by establishment supporters on the committee amendment. He urged “that the bill might be as it went first[,] Recustantes generally and not restrayned to Popish Recustantes only. . . . He thought it justice to include the Brownistes and Baroestes.”⁶⁸ In spite of these and other arguments, the House instructed the committee to reaffirm its action, limiting the application of the bill to “popish recusants.” The committee did so, but the proposed statute never went beyond a second reading and so failed of passage.⁶⁹ On the last day of the month the Lords sent to Commons

⁶⁷ 23 Eliz. I, cap. 2, *Statutes of the Realm*, 4:659; Neale, 1:397 and 2:291; Elton, *Parliament*, pp. 186–187.

⁶⁸ Anonymous Journal, 19 February–10 April, 1593, BL, MS Cotton Titus F.ii, as transcribed and kept at 34 Tavistock Square, London, p. 113.

⁶⁹ D’Ewes, pp. 500, 502; Neale, 2:284–285. Throughout the legislative reports, “Mr. Sands” with no given name attached designates a speaker or committee member. Both R. A. Houk and C. J. Sisson assumed that Edwin was the speaker (pp. 51 and 64, respectively; see nn. 76 and 77, below), and Neale confirmed this identifi-

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a bill curiously entitled "for explanation of a branch of a Statute made in [1581]." The bill applied the severe penalties of the earlier anti-Catholic bill to Protestant recusants.⁷⁰ "Obstinate" separatists would have been subject to execution as well as to banishment, and the wording was capable, by interpretation, of ensnaring nonconforming Puritans as well. As one member put it, speaking "against Non-Residents, Excommunication as it is used, or any other abuse in the Church . . . [would put one] in danger of the Law"; the clause against conventicles could be applied against a "Conference of any Persons together being of any number; the Prayers of Holy Exercise . . . is an assembling against the Laws" (D'Ewes, p. 517). More than Puritan paranoia underlay the fear of such an establishment weapon: the cases of Cartwright and his companions were still pending, and it would have been a fine legal point to determine whether or not a "Bill for Explanation" of an earlier statute might be applied retroactively. Surprisingly, in view of his long record of sympathy with the Puritans, Lord Burghley served as the Lords' chief spokesperson and manipulated the irregular procedures by which the bill passed from Lords to Commons.⁷¹ In the lower house Miles Sandys again spoke, support-

cation with his statement that the speaker was "probably Edwin." Subsequent commentators on Hooker have followed Neale; see Theodore K. Rabb, "The Early Life of Sir Edwin Sandys and Jacobean London," Ph.D. diss., Princeton University, 1961, pp. 21-22. P. W. Hasler and Alan Harding, however, assign the speech to Miles; see *The House of Commons, 1558-1603* (1981), 3:342. In conversation, Mr. Hasler, after again reviewing the evidence, concluded that the speaker must have been Miles for the clerk to have identified him in that fashion. Miles had sat in the House since 1563 and was a frequent speaker and active committeeman; Edwin was only in his second parliament, and his much later fame must not influence a twentieth-century student attempting to envision the perspective of a clerk in 1593. Michael A. R. Graves, who is preparing a study of the later Elizabethan parliaments, also agreed, in conversation, that the referent should be identified as Miles rather than Edwin.

⁷⁰ "An Explanation of a Branch of a Statute, made in the Twenty-third Year of the Queen's Majesty's Reign, intituled, An Act to retain the Queen's Majesty's Subjects in their due Obedience [23 Eliz. I, cap. 1], with some Addition to the same"; the three readings in Lords took place on 26, 28, and 31 March; on 31 March it was sent to Commons. *Journals of the House of Lords* (1846), 2:182, 184; Townshend, *Collections*, p. 76; D'Ewes, p. 513.

⁷¹ Neale comments: "Though Burghley sponsored the measure, he cannot have

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ing the new anti-Brownist measure.⁷² Vigorous opposition in Commons to the severity of the Lords' bill led to a committee decision to write what was in effect a new bill, reducing its severity and carefully limiting its application to avowed separatists. In conference with Lords, the proposals of Commons were substantially substituted for the original measure. On the day after the execution of Barrow and Greenwood, Commons passed the statute and Lords promptly expedited it.⁷³ Any who "shall obstynatlye refuse" to attend Common Prayer might be imprisoned until they submitted and promised to conform; after three months of refusal, such separatists were subject to banishment and those who sheltered them to stiff fines. A banished separatist who returned was to be "adjudged a Felon."⁷⁴

Zealous defenders of the establishment had not won all they had sought. Although the queen had blocked Morice's attempt to set back their anti-Puritan campaign, they had not won from parliament any measures which they might effectively employ against the disciplinarians who strove to reform the established church from within. The fact remained, however, that for the first time, parliament had established substantial penalties for Protestants as well as for Roman Catholics who separated from the national church. Two years earlier Knollys had written in exasperation to Burghley over the royal support for the proceedings against Cartwright and the other imprisoned ministers:

been happy about it. He seems at this time to have been outcountenanced in Court and Council by Whitgift" (2:288). Burghley had secured a reprieve for Barrow and Greenwood, and when they were executed during the Commons' consideration of the bill, he was seen speaking "sharply to the Archbishop of Canterbury, who was very peremptory"; see *CSP, Dom.*, 1591-94, pp. 341-342 (244.124, letter of Thomas Phelippes to Wm. Sterrell). Neale further suggests that although Burghley's sympathies were with the Puritans rather than with Whitgift, he was "plagued by the godly importunities of the Puritans and perhaps [was] tiring of them" (Neale, 2:242). Clearly Burghley and Whitgift teamed up in the 1593 parliamentary proceedings. This was the first Parliament since the death of the devoutly Protestant Lady Mildred Cecil in 1589. Perhaps Burghley found it easier to support anti-Puritan legislation if he did not have to account to his wife for its passage; see Cal. MSS, Hatfield House, 5:71.

⁷² D'Ewes, p. 517; Townshend, *Collections*, p. 76; Neale, 2:288-289.

⁷³ D'Ewes, pp. 519-520; *Lords Journal*, 2:190; Neale, 2:286, 290-294.

⁷⁴ 35 Eliz. I, cap. 1; *Statutes of the Realm*, 4:841-842.

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I do marvell how her Majestie can be persuaded that she is in as much danger of such as are called Purytanes as she is of the Papysts, and yet her Majestie cannot be ignorant that the Purytanes are not able to change the government of the clergie, but only by petition of her Majestie's handes.⁷⁵

The early months of 1593, then, mark the point at which not only the queen but parliament as well formally recognized that unity of the English people within the national church might be endangered from its Protestant as well as from its Roman Catholic critics. And it was at this turning point in the struggles over the religious settlement that Richard Hooker's *Lawes* appeared.

iii. *The 1593 Publication*

Books I-IV: The First Edition

The immediate circumstances surrounding the publication of the first books of Richard Hooker's major work have come to light only in the last half-century. Until R. A. Houk's 1931 edition of Book VIII established 1593 as the year of the appearance of the Preface and Books I-IV of the *Lawes*, scholars followed Hooker's seventeenth-century biographer, Isaak Walton (1593-1683), in assigning it to 1594.⁷⁶ C. J. Sisson in 1940 discovered, sifted, and interpreted court documents illuminating the whole scene of the author's family and home, his printer and patron, and the economic trials of publication.⁷⁷ Subsequent studies have built on these foundations together with those provided by the parliamentary studies initiated by Neale and the

⁷⁵ Thomas Wright, ed., *Queen Elizabeth and her Times* (London, 1838), 2:417; Neale dates this letter in May 1591 (2:325-326).

⁷⁶ Isaak Walton, *The Life of Mr. Rich. Hooker* (London, 1665; Wing W 670); rpr. in *Works of . . . Mr. Richard Hooker*, ed. John Keble, 7th ed. rev. R. W. Church and F. Paget (1888), 1:69 and 91, hereafter, Keble; see 1:xiii-xiv; Ronald Bayne, ed., *The Fifth Book* (1902), p. xxxix, hereafter, Bayne; Raymond Aaron Houk, ed., *Book VIII* (1931; rpr. 1973), pp. 53-59. For a critique of Walton's *Life*, see David Novarr, *The Making of Walton's "Lives"* (1958), pp. 197-298.

⁷⁷ *The Judicious Marriage of Mr. Hooker and the Birth of "The Laws of Ecclesiastical Polity"* (1940); hereafter, Sisson.

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investigations of Elizabethan Puritanism nurtured by Collinson.⁷⁸

An entry in the Stationers' Register of 29 January 1593 (N.S.) is the first record we have of the *Lawes*. It describes the work as "Eight bookes by Richard Hooker . . . Authourised by the lord archbishop of Canterbury his grace under his hand," and the title page of the volume begins: *Of the Lawes of Ecclesiasticall Politie. Eyght Bookes* (1:[xxxix]).⁷⁹ Although the published volume contained only the Preface and the first four books, a reader would most naturally conclude that the author had substantially completed eight books, that the archbishop had perused and approved them, and that the subsequent four would appear in the very near future.

The reader's expectation would be reaffirmed on reading the Preface. Chapter 7 is entitled "*The matter conteyned in these eyght bookes,*" and Hooker wrote of the contents of all eight in present and perfect tenses, suggesting their completion.⁸⁰ In chapter 8, mentioning the royal prerogative, Hooker affirmed its significance, "*as in the last [eighth] booke of this treatise we have shewed at large*" (§ 2; 1:39.11). Following chapter 9, the reader encounters a second summary of "*What things are handled in the Bookes following,*" outlining the unpublished books as well as the four published in 1593. And in the opening chapter of Book I, referring to the general character of the first four in contrast to the "*specialities*" of the latter four books, Hooker wrote:

I have endeoured throughout the bodie of this whole discourse, that every former part might give strength unto all that followe, and every later bring some light unto all before. So that if the judgements of men doe but holde themselves in suspence as touching these first more generall meditations, till in order they have perused the rest that ensue: what may seeme darke at the

⁷⁸ See nn. 12 and 13, above.

⁷⁹ *A Transcript of the Registers of the Company of Stationers of London, 1554–1640* (1875–1894), 2:625; on its publishing history, see 1:xiii–xx, this edn.

⁸⁰ "*I have . . . set downe. . . I have spent the second booke. . . The first three bookes being thus ended, the fourth proceedeth from the generall grounds . . . [unto] generall accusations . . . Of those foure bookes which remaine and are bestowed about the specialities . . . the first examineth. . . The second and third are concerning . . . the eight booke we have allotted . . . and have sified. . . Thus have I layd before you . . . and presented*" (1:34.29, 35.8, 17, 27–28, 29, 33–34, and 36.7–10).

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first will afterwarde be founde more plaine, even as the later particular decisions will appeare, I doubt not more strong, when the other have beene read before. (§ 2; 1:57.24–33)

It was to be some years before readers would be able to follow his advice: Book V did not appear until 1597, and, with only imperfect manuscripts of Books VI and VIII surviving Hooker's death in 1600 (VII seems complete), not until 1662 were readers able to acquire published editions of eight books of the *Lawes* substantially as we have them today.⁸¹ The only hint in the 1593 edition of a possible delay appeared after Book IV in an appended "*advertisement to the Reader*":

I have for some causes (gentle Reader) thought it at this time more fit to let goe these first foure bookes by themselves, then to stay both them and the rest, till the whole might together be published. Such generalities of the cause in question as here are handled, it will be perhaps not amisse to consider apart, as by way of introduction unto the bookes that are to followe concerning particulars. (1:345.1–7)

Even the most gentle reader might have been expected to find excessive a delay of four—and finally of sixty-five—years.

There are signs of haste in the Preface of the 1593 volume that are confirmed by the chronology of its publication. Barely six weeks passed from the entry of the *Lawes* in the Stationers' Register to a letter of 13 March from Hooker to Burghley, accompanying a presentation copy of "these writings concerning the nobler part of those laws under which we live" (1:xviii). Georges Edelen has determined that, assuming John Windet, the printer and Hooker's cousin, added two additional compositors to the two who had begun to set the type, the printing could have been completed in three working weeks (1:xxix–xxx, 359–372). An interrogatory in the court records uncovered by Sisson, which included the phrase that the work had been "hastened by such eminent persons whome the cause did moste speciallie concerne" (Sisson, p. 145), confirms the haste in printing.

The Preface comes to a natural end with chapter 7, which summa-

⁸¹ Books VI and VIII were published in 1648, Book VII in 1662; for accounts of their publication, see 3:xiii–xxx and xlv–lxix, this edn.

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rizes the topics to be discussed in the forthcoming eight books. Instead of proceeding to Book I, however, Hooker continues with a chapter 8, adds a brief concluding chapter 9, and then provides the second summary of the contents of the eight books. The awkwardness of the unexplained transition between chapters 7 and 8 belies Hooker's usually careful craftsmanship.

More than half again larger than any previous chapter, chapter 8 introduces a polemic of a different character from the arguments deployed in earlier chapters,⁸² and it contains a glaring exception to the author's usual careful use of his opponents' texts. In a quoted phrase from a recent Puritan pamphlet, Hooker turns its meaning upside down (1:50.2–5).⁸³ The carelessness invited an attack on his accuracy and integrity. Chapters 8 and 9 with the table of contents following have the marks of a hasty addition.

Two explanations have been given for the discrepancy between the actual publishing record and the apparent assumption in the initial volume that all eight books were substantially completed.⁸⁴ One, a natural conclusion from Walton's narrative, holds that Hooker, publishing Books I–V as he finished them and dying before he had completed the task, wrote his work serially during the decade of the nineties.⁸⁵ Overly optimistic about the pace of his production while

⁸² The integrity of this polemic is reflected in the publication of chapters 8 and 9, together with parts of chapter 79 of Book V, as a royalist tract in 1642: *The dangers of new discipline, to the state and church discovered, fit to be considered by them who seeke (as they tearme it) the reformation of the church of England* (Wing D 199).

⁸³ The quotation came from one of the pseudonymous Martin Marprelate pamphlets; see pp. 23–24, above. Assuming that episcopal polity were abolished in England, Martin had tauntingly asked the bishops, would they insist on their offices "whether her Majesty and the Counsell wil or no?" Reversing the sense of Martin's words, Hooker claimed that he had written that the *disciplinarians*—not the bishops would—impose *their* polity "whether hir Majestie and our state will or no"; see 1:50.4–5.r.n. In his narrative of the Anabaptists, Hooker also follows his source De Brès in two incorrect citations of biblical verses (incorrect, at least, for the English Bibles); see 1:43.21–24.g.n and 44.7–17.l.n.

⁸⁴ W. Speed Hill first laid out these alternatives in "Hooker's Polity: the Problem of the 'Last Three Books,'" *The Huntington Library Quarterly*, 34 (1971): 320.

⁸⁵ Walton does not address the Preface's inconsistency, but his account implies a serial production (Keble, 1:66–70, 84, and 91–97). Three modern critics who have

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writing the first volume, he proleptically anticipated the completed work. A corollary of this explanation requires the archbishop's approval to have been based on little more than the initial volume in manuscript and, perhaps, a prospectus of the remainder.

A theory of serial production runs counter, however, to evidence provided by a manuscript known to Walton, printed by Hooker's principal nineteenth-century editor, John Keble (1792–1866),⁸⁶ and reprinted in volume 3 of this edition (105–140). George Cranmer and Edwin Sandys, Hooker's former pupils and junior colleagues at Oxford, had prepared detailed criticisms of a draft of Book VI. In Cranmer's critique he referred to what Hooker had "done" already in "the booke of B[ishops]"; Book VII, apparently, was in draft at the time (3:126.6–7). Sandys's mention of "your printed bookes" establishes a *terminus a quo* for his, the second, part of the manuscript, namely, the publication of the first volume in March 1593 (3:130.29). His reference to a speech by "Mr Speaker in the Parliament" (Edward Coke), together with other circumstantial details, suggest a *terminus ad quem* not too far removed from Parliament's adjournment on 10 April (3:133.27).⁸⁷ The existence of a draft of Books VI and VII at this

judged Hooker to have attempted to unify irreconcilable principles have also implicitly attributed the incompletion of the work to his struggles in composing the final books: H. F. Kearney, "Richard Hooker: A Reconstruction," *Cambridge Journal*, 5 (1952): 300–311; Peter Munz, *The Place of Hooker in the History of Thought* (1952; rpt. 1970); and Gunnar Hillerdal, *Reason and Revelation in Richard Hooker* (Lund: C. W. K. Gleerup, 1962). Sisson explicitly argued for serial writing (pp. 79–91). Rudolph Almasy, disagreeing with motivations proposed by Craig and Hill for Hooker's revision of the treatise, provides a case which is consistent with either serial production or a revision from different motives in "The Purpose of Richard Hooker's Polemic," *Journal of the History of Ideas*, 39 (1978): 251–270 (see n. 88, below, for references to Craig and Hill). P. G. Stanwood judges that the autograph working notes for Books VI and VIII suggest that Hooker wrote the books serially; it does not preclude an initial draft of all eight books (3:xx–xxiv). McGrade concludes from the evidence of these notes, however, that Book VI was undergoing substantial revision at Hooker's hands, and Gibbs reconstructs that revision; Booty argues that Book V as we have it was revised (pp. 237–242, 253–255, and 187–193, below).

⁸⁶ Keble, 1:xxxiv–xxxvii and 3:108–139.

⁸⁷ See also 3:xxxii, and below, p. 260. Keble assumed the reference was to Speaker Yelverton in 1597, but he presented no evidence, such as Stanwood and Gibbs present

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early stage suggests that the clear implication of Hooker's words in the

for Coke, to relate Sandys's topical content with that of Yelverton's utterances in Parliament. Sandys was almost certainly abroad at the time of the 1597 Parliament and the publication of Book V, as Nicholas Eveleigh, Sandys's steward and brother-in-law, deposed in 1614; see Sisson, p. 139. Keble's dating presumed that Cranmer and Sandys were working on the draft of VI in the last two or three years of Hooker's life (3:132n, and 2:598n).

Further help in dating the manuscript is found in the absence of Cranmer and Sandys from England from mid-1596 to mid-1599 on a journey that inspired Sandys to propose the reconciliation of the churches in *A Relation of the State of Religion*; see n. 4, above. Entering the Middle Temple in February 1589, Sandys was admitted to new chambers on 26 November 1591 and on 1 December 1595 relinquished his place in the latter on 18 May 1596 to Nicholas Eveleigh, who had been admitted to the Temple on 11 November 1590; see Hopwood, *Middle Temple Records*, 1:312, 316, 325, 359, and 364. On 26 June 1596, the Privy Council, in a communication regarding a law suit in which Sandys was involved, noted that he had been "expresslie comaunded by her Majestie to attend upon . . . the Earle of Lincoln in his purposed Ambassage into Germany" and was "licensed afterwarδες to travaile into other forreyn partes"; see John Roche Dasent, *Acts of the Privy Council of England*, N. S., vol. 25 [1595-96] (London, 1901), p. 497. Cranmer was at The Hague on 27 July 1596, according to a letter from the Earl of Lincoln to Robert Cecil, and at Padua, Italy on 26 May 1597, according to a letter from Cranmer himself to Cecil; see Historical Manuscripts Commission, *Calendar of the Manuscripts of . . . the Marquis of Salisbury Preserved at Hatfield House* (1883-), 6:289-290 and 7:217. Sandys and Cranmer were registered at the Genevan Academy on 6 November 1597; see S. Stelling-Michaud, *Le Livre du Recteur de l'Académie de Genève (1559-1878)* (Geneva: Droz, 1959), 1:126. Cranmer wrote to an unidentified correspondent from Orleans, France on 22 July 1598 seeking employment; see Cal. MSS, Hatfield House, 8:270. Sandys dated the manuscript of his treatise 9 April 1599 at Paris; *Europæ Speculum* (The Hague: 1629, STC 21718), p. 248. Cranmer was in England in time to leave with Lord Mountjoy for Ireland on 26 February 1600, where he was killed in battle on 13 November, eleven days after Hooker himself died; see Fynes Moryson, *An Itinerary . . . Containing [Fynes Moryson's] Ten Yeeres Travell . . . Divided into III Parts . . . The II. Part. Containeth the Rebellion of Hugh, Earle of Tyrone* (1617; STC 18205), 2:54 and 83-84; Keble, 2:598; and Bayne, pp. xxxiii-xxxiv and 577-579. In his expansion of his translation of Camden's *Annales*, Robert Norton commented that Cranmer accompanied Sandys "in his travels into France, Germany, Italy, and other parts by the space of three yeeres"; *Annals, or, the historie of . . . Elizabeth*, trans. R. N. (London, 1635; STC 4501). Walton followed Norton in the 1670 edition of Hooker's *Life*; both Norton and Walton had access to the Cranmers; see Bayne, p. 577n, and compare Houk, p. 95. If Sandys and Cranmer left and returned together, the journey for both began early summer 1596 and was concluded in the summer or fall of 1599, making it unlikely that they read manuscripts of Books VI or VII while abroad.

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first volume are to be taken at face value: he had prepared a substantial (if imperfect) draft of eight books by the opening months of 1593.

The second explanation for the discrepancy between the plain sense of the first volume and the actual publication record is consistent with the existence of such a draft: the advice of Hooker's friendly critics together with whatever may have been his own dissatisfaction with the state of the work led him to recast and expand the four later books.⁸⁸ By the time he had finished Book V, he had a manuscript more than five times as long as Book I, the longest of the first four books; the present Book VII is almost twice, and VIII, one and one-half times the length of I. If completed in the manner that McGrade and Gibbs suggest below, Book VI would have been at least as lengthy as these.⁸⁹ Newly discovered autograph notes demonstrate the care with which Hooker constructed his arguments and incorporated new material as he revised his work.⁹⁰ The question to be asked: why did Hooker decide that the first four, with the Preface, would go forward to publication in the first months of 1593?

The signs of haste in the printing of the 1593 volume of the *Laws*, the indications of a last-minute addition to the Preface, and the evidence for a draft of all eight books together suggest that particular circumstances of the moment must have led Hooker to publish the Preface and only four books in the opening months of 1593. A letter to Hooker from George Cranmer, who with Edwin Sandys vetted some if not all of the books of the *Laws*, suggests why it was Hooker decided to expand the Preface. The record of the 1593 Parliament suggests why he decided to advance its publication together with Books I-IV.

⁸⁸ Those scholars who have opted for an initial completed draft in 1593 include Bayne (p. xxxix), Houk (as a possibility, but certainly by 1596; pp. 76-79, 82-86, and 91-104); Hardin Craig, "Of the Laws of Ecclesiastical Polity—First Form" (1944); hereafter, Craig; Hill, "The Evolution of the *Laws of Ecclesiastical Polity*," *S.R.H.* (1972), pp. 117-158; Olivier Loyer, *L'Anglicanisme de Richard Hooker* (1979), 1:49-62, hereafter, Loyer; John Booty (below, pp. 187-193); and Lee W. Gibbs (below, pp. 260-261).

⁸⁹ For Book VI, see below, pp. 237-242 and 253-255.

⁹⁰ See 3:xx-xxiv and 462-554, and below, pp. 237-246.

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The Preface: Contents and Audience

Cranmer's letter is reprinted in the Commentary just before notes on chapter 8 (1:36.15–53.15.n). Like chapters 8 and 9 of the Preface, it first appeared publicly as a 1642 royalist pamphlet.⁹¹ Walton, followed by Keble, dated it February 1598, but more recent studies link it more plausibly to the circumstances of 1593.⁹² Although the "excellent letter" is more a formal essay than a personal missive, there are direct addresses in which Cranmer urges Hooker to revise the present draft: "What further proofes you can bring out, . . . I leave to your better remembrance. . . . One of those points, which I am desirous you should handle. . . . From hence you may proceed. . . . You may exhort. . . ." (see §§ 4, 6, 8, and 10, in 1:36.15–53.15.n, below). If the postulate of a completed 1593 draft is accepted, it is possible to

⁹¹ *Concerning the new church discipline, an excellent letter, written by Mr. George Cranmer to Mr. R. H.* (1642; Wing C 6826; see n. 82, above).

⁹² No date of inscription appeared in the 1642 publication. The letter appeared as an appendix in Walton's first (1665) edition of the *Life* with the assigned date, "February 1598" (p. 175) and was reproduced the following year in the 1666 edition of Hooker's *Works* (Wing H 2631), p. 31. Keble noted that the seventeenth-century archivist of the Corpus Christi College Library, William Fulman (1632–1688), had written this date on a copy of the 1642 pamphlet; either Fulman or Walton, who were in touch with one another, could have been its source (Keble, 2:598n and 598–610; 1:xxvii–xxviii and [cxvii]). Cranmer's mention of what Hooker handled "in the beginning of the fifth book" may have suggested the date to those who thought only of a printed work, not of a possible draft. Bayne pointed out that Hooker included material that Cranmer had proposed in the Dedication to Book V: it would hardly make sense for Cranmer to have made these suggestions if the book had already been published; consequently, Bayne proposed a date shortly before the publication of the complete Book V (pp. xxxiii–xxxiv, 578n, and 577–588). Novarr concluded, in opposition to Keble, that Walton had used the 1642 pamphlet as a copy text rather than an independent, and perhaps original, manuscript, but he accepted Keble's dating (*Walton's "Lives,"* pp. 247–248 and n. 92). Craig was the first to argue for placing the letter in 1593, as a stimulus to an addition of chapter 8 to the Preface ("First Form," pp. 100–101). Hill supported Craig, arguing that Cranmer's letter, together with the Cranmer-Sandys critique of VI, were the keys to understanding the whole process by which the publication of the *Lawes* was delayed and its parts expanded; see "The Problem," pp. 331–334, and "The Evolution," pp. 137–145.

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trace the ways by which Hooker responded to some of the Cranmer's concerns in revising the *Lawes*.⁹³

Cranmer's opening words, "What posterity is likely to judge . . .," allude to the opening of Hooker's Preface, quoted above (p. 1), and he later refers to "the beginning of the fift booke" (§§ 1 and 6; compare 1:1.9). He outlines the growth of the "favourers and fathers of the Discipline" in Elizabeth's reign, from the vestiarian controversy to the Marprelate pamphlets, crowning the survey with an extended account of the crazed Hacket and his two companions in the summer of 1591. The importance assigned to the incident is appropriate for one writing in the aftermath a year and a half later but less so after six or seven years have passed.⁹⁴

Although Cranmer had before him a draft of a major part of the *Lawes*, if not of all eight books, two comments suggest that he was addressing a particular section of the treatise. In referring to the "cursed crew of Atheists," Cranmer proposed that "although you handle [the causes] in the beginning of the fift booke, yet here againe they may be touched" (§ 6). After discussing the atheists, Cranmer advised: "From hence you may proceed . . . to another discourse, which I think very meet to be handled either here or elsewhere at large" (§ 8). In both cases, Cranmer wrote of "here" and a different part of the work under consideration as if both he and Hooker were well aware of the section to which "here" referred. The larger context of the letter suggests that "here" was the Preface.

W. Speed Hill has described Cranmer's purpose aptly: the letter "was meant to persuade, not to inform. He is not telling Hooker things he did not know; he is urging upon him a role Hooker was

⁹³ Bayne cites parallels in V.Ded.; see pp. xxxiii and 578–582nn.

⁹⁴ When Cranmer implicated the disciplinarians in the Hacket incident, he followed Cosin's account in the 1592 *Conspiracie, for Pretended Reformation*. Bancroft made a similar use of the incident in his 1593 *Daungerous Positions and Proceedings*, 4.5–14. When Hooker finally discusses the incident in 1597 (Ded.V; 2:3.15–4.30), he used it not as the culmination of the Puritan movement, but simply as an example of how "a sparke of error" may lead "in a cause of Religion to . . . desperate adventures" by those who "imagine infallible truth where scarce any probable show appeareth."

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reluctant to assume.”⁹⁵ Cranmer urged Hooker to criticize his opponents not only for convictions they had openly owned, but also for possible consequences of their program. The degree of Hooker’s reluctance to assume this role may be argued, but even a rapid reading of the Preface demonstrates that Hooker did not assume such a role in chapters 1 to 7 and that he vigorously exhibits it in chapter 8. If the break between chapters 7 and 8 is rightly judged to mark an addition, then surely Cranmer’s letter explains it.⁹⁶

The concerns of Cranmer’s letter match the contents of chapter 8, whereas little in the early chapters does. After the brief introductory first chapter, Hooker proceeds in the second to discuss the origins of the presbyterian “new discipline” in Geneva, rooting it in the social and political circumstances of Calvin’s leadership rather than in the scriptural grounds which the disciplinarians claimed for it. He ends the chapter with a brief historical survey of Puritan development, similar to Cranmer’s except that Hooker’s culminated, not with the scurrilous Marprelate and the psychotic Hacket, but with the theological polemic of Cartwright (Pref. 2.10; 1:12.11–12).⁹⁷

⁹⁵ “The Problem,” p. 334; compare “The Evolution,” p. 140.

⁹⁶ Hill, “The Problem,” p. 331.

⁹⁷ Cranmer concluded his historical account: “Hereof read Doct. Bancrofts book” (§ 3). Craig judged that Cranmer referred to Bancroft’s 1589 published sermon, where Bancroft spoke of incidents involving militant reformers and two apocalyptic preachers who had caused two recent incidents comparable to that of Hacket (“First Form,” p. 101; *A Sermon Preached at Paules Crosse*, pp. 7–8; see above, note 46). Since English custom changed years on 25 March, if Cranmer were writing before the publication of *Lawes*, he could not have been referring to the 1593 published work, *Daungerous Positions*, which included an account of the Hacket incident. However, in the London circles in which Cranmer traveled, he might well have seen a manuscript of Bancroft’s forthcoming work. This is the most probable candidate for the reference, but there are three other possibilities. If Cranmer intended the reference to refer, not specifically to Hacket, but to the larger historical survey, he could have been referring (1) to Bancroft’s 1589 sermon, as Craig thought, or (2) to a manuscript of Bancroft’s other 1593 publication that also appeared without the author’s name, *A Survey of the Pretended Holy Discipline*. If Cranmer intended to refer specifically to the Hacket incident, candidates include (3) the manuscript of *Daungerous Positions* or, just possibly, (4) the 1592 *Conspiracie, for Pretended Reformation*, attributed to Richard Cosin; this latter book appeared anonymously, and Bancroft referred to it in *Daungerous Positions* (p. 168).

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Recognizing that Puritan militancy attracted many religiously committed men and women, Hooker discusses in chapter 3 the psychological process that has moved “*the common sort so much to favour this innovation*” (§ 5; 1:15.6). He then turns in the next chapter to the “*learneder sort,*” and, scrutinizing the authorities on which they base their claims for the discipline, he suggests that they have “*too much authorized the judgements of a few*” (§§ 1 and 8; 1:21.10 and 26.32–33). Since the disciplinarians, confident of the scriptural mandate for their cause, are “*earnest chalengers . . . of tryall by some publique disputation,*” Hooker accepts the challenge in chapters 5 and 6 and describes appropriate conditions for such a disputation. Above all, he insists that both sides agree that they will abide by a final “*definitive sentence, without which almost impossible it is that eyther we should avoyd confusion, or ever hope to attaine peace*” (5.1 and 6.3; 1:27.12–13 and 32.1–2). Underlying Hooker’s demand for a process to arrive at a decision is a basic assumption: “*A lawe is the deed of the whole bodie politike, whereof if ye judge your selves to be any part, then is the law even your deed also*” (5.2; 1:27.33–28.2). Hooker concludes these chapters with his summary of “*the matter conteyned in these eyght bookes*” to convince his adversaries

Cranmer may have mistaken Cosin’s colleague Bancroft for the author of this last work, for Cosin’s authorship was not affirmed by either of the two writers who might have been expected to mention it. Camden later described the incident but did not refer to the book, although he identified Cosin as an opponent of the disciplinarians; in his obituary of Cosin, he similarly made no mention, although he indirectly referred to another of Cosin’s works: *An Apologie: of, and for sundrie proceedings by jurisdiction ecclesiasticall* (STC 5820); see Camden, *Annales rerum Anglicarum, et Hibernicarum regnante Elizabetha . . . pars quarta* (1627; STC 4496.5), pp. 34–39 and 171. Nor did William Barlow mention it in his 1598 biography of Cosin, although he did refer to Cosin’s two other known works (*Vita et obitus . . . Richardi Cosin*, STC 1460, p. 27). In his 1612 biography of Whitgift, George Paule identified Cosin as the book’s author (*The life of the most reverend prelate J. Whitgift*, STC 19484, pp. 42–43). Accordingly, in 1592 or 1593 Cranmer might well have ascribed the *Conspiracie* to Bancroft. In any case, the reference to “*Doct. Bancrofts book*” in the singular is additional evidence for the earlier date for the letter. By 1597, he would be expected to identify which among Bancroft’s three published works provided the appropriate example. Cranmer would certainly have known by then of Bancroft’s authorship of his two significant polemical 1593 works as well as of the acknowledged sermon published in 1589.

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that “*for the ecclesiasticall lawes of this land, we are led by great reason to observe them, and yee by no necessitie bound to impugne them*” (7.1; 1.34. 14–18). In none of these seven chapters does Hooker directly suggest that the implementation of disciplinary program might disrupt or destroy beneficent structures of English society.

The title of chapter 8 signals the change in tone: “*How just cause there is to feare the manifold dangerous events likely to ensue upon this intended reformation, if it did take place*” (1:36.15–17; emphasis added). Cranmer had suggested that four groups had been at least strengthened by the would-be reformers: separatists (Brownists), “godless” *politiques*, atheists, and Roman Catholics; of these, he identified the Brownists as the “first rank” of those who had built upon disciplinarian foundations.

If the positions of the Reformers be true, I cannot see how the maine and generall conclusions of *Brownisme* should be false. . . . Above all points, I am desirous this one should be strongly inforced against them, because it wringeth them most of all, and is of all others . . . the most unanswerable. You may . . . be heartily glad . . . [that] the *Brownists* might not appeare to have issued out of their loines: but untill that be done, they must give us leave to thinke that they have cast the seed whereout these tares are growen. (§ 4)

Hooker opens chapter 8 with an argument put into the mouth of an imagined separatist addressing the reformers:

From your breasts . . . we have sucked those things which . . . ye tearmed that heavenly, sincere, and wholesome milke of Gods worde, howsoever ye now abhorre as poison that which the vertue thereof hath wrought and brought forth in us. (§ 1; 1:36.32–37.3)

After elaborating on this theme, he comments in his own voice: “*Thus the foolish Barrowist deriveth his schisme by way of conclusion, as to him it seemeth, directly and plainly out of your principles*” (1:39.2–4).

Cranmer had further urged Hooker to distinguish the “proper and essentiall points” from the “accidentall,” identifying the former as “these two, overthrow of Episcopall, erection of Presbyteriall authority.” Opening the next section, Cranmer had identified a point “of

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great regard . . . which I am desirous to have enlarged . . . when they strike at the state Ecclesiasticall, they secretly wound the Civill State" (§§ 8 and 9). Although in chapter 8 Hooker does not reiterate Cranmer's two principal points as such, he stresses the consequences he foresees if presbyterian discipline were to be established.⁹⁸ The "changes likely to insue throughout all states and vocations within this land" will (1) diminish the authority of crown and nobility, (2) overthrow learning in "all commendable arts and sciences" by attacking their institutional structures at the two universities, and (3) abolish the need for civil lawyers, drastically reduce the need for common lawyers, and—at least potentially—transfer from English courts to local presbyteries "the most things handled in them" (§§ 2–4; 1:39.7–8, 40.4–5, 41.29).

To drive home the dangerous character of the militants' program, Hooker draws on the example of the Anabaptists, the *bêtes noires* of sixteenth-century Europe (1:42.15–49.30.n). As did most of his contemporaries, Hooker used the excessive fanaticism of a radical fringe, who had had the most tenuous relations with the peaceful continuing body of Anabaptists, to characterize the whole movement. After reforming their own personal practices, they had "proceeded unto publike reformation, first Ecclesiasticall, and then Civil" (Pref. 8.7; 1:44.3–4). He concludes by advising the disciplinarians that since the world had had this "fresh experience" of radical religion, they must not be offended if "the sequele of your present misperswasions much more be doubted, then your owne intents and purposes doe happily ayme at" (§ 13; 1:49.31–50.2). In the final clause of chapter 8, Hooker summarizes the distinctive arguments there presented:

there is in everie of these considerations most just cause to feare least our hastines to embrace a thing of so perilous consequence should cause posteritie to feele those evils, which as yet are more easie for us to prevent then they would be for them to remedy. (§ 14; 1:51.19–22)

⁹⁸ Hooker did highlight these two in the corresponding introduction to his next publication, the Dedication to Whitgift of Book V (§ 8; 2:5.26–31). He also included the Hacket incident and the Marprelate campaign in his historical account of the development of Puritanism—neither of which he had included at the end of chap. 2 of the Preface (§§ 6 and 7; 2:4.2–5.24).

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Hooker had driven home two related points which Cranmer had urged: the logic of separatist conclusions from disciplinarian foundations and the threat of the reforming program to the stability of English society. Cranmer would not have had reason to write his letter to the author of the *Lawes* had this chapter already been before him.

In the brief concluding chapter 9, Hooker returns to a conciliatory tone reminiscent of the earlier chapters, urging his opponents to re-examine and sift their arguments. Although, as he had demonstrated in chapter 8, "*with us contentions are now at their highest floate,*" he trusts that "*the passions of former enmitie*" may be allayed so that with "*ten times redoubled tokens of our unfainedlie reconciled love,*" he and they may "*shewe our selves each towards other*" as Joseph and his brethren had in Egypt (§ 4; 1:53:5–11). Since chapter 7 was now buried in the midst of the Preface narrative, Hooker added an explanatory table of contents of all eight books before beginning the formal treatise.

What then was the relation between Cranmer's letter and his critique of Book VI? Sandys's comments came after March 1593 as a supplement to Cranmer's, but how long after is uncertain.⁹⁹ In one comment, Cranmer began: "I could wishe that something were sayd to this effect concerning their Lay elders" (3:128.19–20). He proposed that Hooker challenge his opponents to admit that their presbyterian polity began at Geneva with Calvin so that they might enter into a "politique conference" rather than entering such a meeting convinced that their system alone was "commaunded of God." This judgment of the origin of Genevan polity is the topic of chapter 3 of the Preface, and Hooker lays down the terms of such a "*disputation*" in chapters 5 and 6. Cranmer then briefly suggested, as he proposed at length in his letter, that the disciplinarians might be told of the dangerous social consequences of their platform: "contempt of the prince and nobility, insolvency of the base people, etc. and such other as at your leasure you may conceave." Hooker did just that in chapter 8. Cranmer's suggestion sounds as if he had read neither the initial draft of the

⁹⁹ Sandys refers to "your printed bookes" at 3:130.29 and to "your objection against the præcisians in your preface" (3:133.5); compare Pref. 8.4 (1:41.19–29).

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Preface nor its revision when he wrote the critique of Book VI. Perhaps the explanation is that Hooker, like many scholars, saved the Preface for last.

If these interpretations of Cranmer's comments are correct, a chronological succession of the hypothetical and extant documents would be as follows:

1. [Hooker's completion of a draft of eight books.]
2. [Cranmer's and Sandys's comments on Books I-V.]
3. Cranmer's comments on VI (extant).
4. [Hooker's initial draft of the Preface—that is, chapters 1-7].
5. Cranmer's letter (extant).
6. [Hooker's revision of the Preface—that is, the addition of chapters 8 and 9]; publication of Preface and I-IV.
7. Sandys's comments on VI (extant).
8. Hooker's revision of Book V and its publication in 1597.
9. [Hooker's revisions of VI-VIII] (manuscript copies of part of VI and most of VIII extant).

The Lawes: Sponsorship and Publication

Hooker became known as a public opponent of the Puritans only after, as master of the Temple church, he had been challenged by Travers, his predecessor's deputy and the continuing reader.¹⁰⁰ Prior to his appointment and probably in 1584,¹⁰¹ in a sermon at the invitational pulpit outside London's St. Paul's Cathedral, Hooker's treatment of predestination had caught Travers's attention and evoked his disapproval: Hooker had taught "otherwise then the word of god doeth." This incident foreshadowed Hooker's eventual theological stance.¹⁰² Apart from this sermon, however, what little is known

¹⁰⁰ For accounts of the Hooker-Travers Controversy, see 5:261-269, 628-629, and 641-648, this edn.; for a selection of contemporary documents, see Supplement I, 5:271-292.

¹⁰¹ Walton dated it "in or about the year 1581" (Keble, 1:22); Georges Edelen dates it in 1584; see Chronology, p. xxii, above.

¹⁰² See Travers's *Supplication* (5:198.14-20) and Hooker's *Answer*, §§ 7-8 (5:235.29-236.19). No other contemporary references to the Paul's Cross sermon have come

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about Hooker's early career contains no hint of his later role as establishment apologist.

Hooker's early patron, John Jewel, had spent most of Mary's reign in Zürich. Obedient as bishop in "things indifferent," Jewel's polemical writings against Rome emphasized the congruity of the English church with patristic tradition in ways that ultimately contributed to the development of what has come to be known as "Anglicanism."¹⁰³ Nonetheless, Jewel had drawn no clear lines to distinguish English teaching and church life from that of the continental Reformed communities with whom he had lived during Mary's reign.¹⁰⁴

Corpus Christi College had strong Puritan associations during Hooker's years at Oxford. During Mary's reign, William Cole had resided successively in Zürich, Frankfurt, Basel, and Geneva.¹⁰⁵ Before assuming the college presidency, he had ministered in the English congregation at Antwerp, which had been largely assimilated to the surrounding Reformed congregations (Travers had served the same congregation before he came to the Temple, and Cartwright had succeeded him). When Hooker became a probationary fellow of Corpus in 1577, one of his senior associates was the future successor to Cole, John Rainolds, already on his way to becoming the most prominent Puritan theologian in the university.¹⁰⁶

Rainolds was much more the scholarly academic than an ecclesias-

to light. In two sermons on Jude, now dated in 1582–83, Hooker's strong condemnations of Rome would have been cheered by Puritans and establishment supporters alike (5:13–57).

¹⁰³ See pp. 2ff., above.

¹⁰⁴ In 1559 and 1562 letters to Peter Martyr, Jewel affirmed that the English differed not "in the slightest degree" nor "by a nail's breadth" from Zürich's and Martyr's doctrine. In a 1566 letter to Bullinger and his son-in-law, Lewis Lavater, in Zürich, Jewel acknowledged that English use required clergy to wear the surplice, but expressed his wish that this with "all vestiges of popery" might be abolished; *The Zurich Letters*, PS (1842–45), 1:21, 101 and 149. See John E. Booty, *John Jewel as Apologist of the Church of England* (1963).

¹⁰⁵ Christina Hollowell Garrett, *The Marian Exiles* (1938; rpr. Cambridge: The University Press, 1966), p. 123; see pp. 13 and 16, above.

¹⁰⁶ For Hooker's appointment, see Chronology, p. xx, above.

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tical leader. Although he advised conformity when it was demanded by authority, he advocated a “starkly supralapsarian” doctrine of predestination and was named in the 1591 Star Chamber investigations by a witness as one who had participated in the Oxford *classis* in the eighties.¹⁰⁷ In a 1580 letter to Knollys, Rainolds reported that “both me and Mr. Hooker, and three other of our fellows” had been expelled from the college. In erroneous expectation of an imminent departure of the president, they had opposed a maneuver intended to replace Cole with an establishment rigorist. Hooker may have been motivated by personal and collegiate statutory rather than by ecclesiastical considerations; Rainolds wrote of the action as an “unrighteous dealing . . . against all law and reason.” Nonetheless, on this only known occasion of Hooker’s participation in a university issue with a religious dimension, Hooker was aligned on the Puritan side.¹⁰⁸

Correspondence has survived to suggest that Hooker and Rainolds maintained their friendship after Hooker left Oxford for London at the end of 1584.¹⁰⁹ In his notes on Book VI, Cranmer referred to “D. Raynoldes note in the former bookes,” advising Hooker to seek information on a detail of patristic history from him “when you send your booke” (3:108.32 and 112.3). It would seem that Hooker had asked for the scholar’s comments on his manuscript and intended to send him a copy of the first volume. The relationship reminds us that disagreement, in and out of the academic community, need not have precluded mutual respect and personal friendship and that the disputes between Puritans and supporters of the establishment were fundamentally family disagreements whose lines of division often refuse to fit the neat divisions of their later interpreters.

¹⁰⁷ Collinson, *E.P.M.*, p. 320; for Rainolds, see Dent, *Protestant Reformers*, pp. 106, 132–133 (and, more generally, chaps. 5 and 6).

¹⁰⁸ Walton included the letter, which remains among the Fulman MSS (Keble, 1:19–21); see Novarr, *Walton’s “Lives,”* pp. 285–286.

¹⁰⁹ A letter of 4 December 1584 from the London printer George Bishop to Rainolds tells of Hooker’s acting as an agent for the publication of a Rainolds manuscript (Fulman MSS. IX, 214^r; see Sisson, p. 21). There are two letters from Hooker to Rainolds while the latter was in residence at Queen’s College, Oxford, between 1586 and 1598 (Keble, 1:109–114). Another letter, of uncertain date, in Latin, is printed and translated in this edition, 5:421–434.

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The immediate setting for the *Laws*, however, was not Oxford but the Temple, as Walton wrote: "the foundation of these books was laid in the Temple" (Keble, 1:66). The dispute there with Travers forced Hooker to articulate, for the first time to a wide public audience, some of the more technically theological implications of the Elizabethan settlement, and Travers's challenge to his authority as master prompted him to think through his own reasons for supporting the ecclesiastical structures that in turn supported him. Though the connections are indirect, the continuity of the content of the *Laws* with that of the Temple dispute is patent.¹¹⁰ However, no firm evidence supports Walton's assumption that, with the unequivocal blessing of Archbishop Whitgift, Hooker maintained a continuous single-minded trajectory from 1586 to 1593 and beyond as he worked on his treatise. Even less evidence sustains the hypothesis of an explicit commission from the ecclesiastical hierarchy that had begun before Hooker was appointed to the mastership.¹¹¹

An observer today can only speculate when Hooker conceived and initiated the project. He married Joan Churchman (d. 1603) in 1588, had fathered four of his six children by 1593, and in 1591 resigned the Temple in exchange for three joined livings in the diocese of Salisbury.¹¹² Although he probably spent some time in Salisbury and

¹¹⁰ See Hill, "Doctrine and Polity in Hooker's *Laws*," *English Literary Renaissance*, 2.2 (Spring 1972): 173-193.

¹¹¹ Sisson clarified many of Walton's errors regarding Hooker's career as well as his family life, but he went beyond his own skilfully assembled evidence in suggesting that Hooker undertook his work "as the deputed spokesman of the Church," an assignment which had, in fact, determined his earlier appointment to the Temple (pp. 4-6). Novarr's clear analysis of Walton's ability to make "the wish or thesis the father of the fact" lessened the evidential value of Walton's account of Hooker's plea to Whitgift for a place of "peace and privacy" to complete his treatise (Keble, 1:67; Novarr, *Walton's "Lives,"* pp. 266 and 287-289). Craig proposed that Whitgift "possibly encouraged Hooker to proceed with his work" ("First Form," p. 96). Hill pointed out that Hooker's "own desire" to respond to the issues raised at the Temple is sufficient to account for the origin of the work, a view which is "not incompatible with," but does not "require" an archiepiscopal commission; "Evolution," *S.R.H.* (1972), p. 130. See also Richard Bauckham, "Hooker, Travers and the Church of Rome in the 1580s," *Journal of Ecclesiastical History*, 29.1 (1978): 50.

¹¹² Sisson, pp. 21-22 and 124-125. The Salisbury livings included the subdeanery

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Boscombe after 1591, his principal residence after his marriage remained the London house of his father-in-law John Churchman (1534–1614), a prominent and wealthy city merchant.¹¹³

His residence with the Churchman family provides a continuing link with Sandys, who was on intimate terms with the Churchmans, and another less certain one with Cranmer. As their former tutor, Hooker was seven to nine years their senior, but the frank language of their comments on Book VI bespeaks a developed mutuality in their friendship. Circumstantial evidence links Sandys's family and associates with the Churchmans, and it may well be that Sandys originally introduced Hooker to the family, perhaps on the occasion of Hooker's Paul's Cross sermon.¹¹⁴ Sandys's family had extensive ties with the Middle Temple, one of the two neighboring lawyers' Inns of Court to which Hooker was chaplain from 1585 to 1591.¹¹⁵

and a prebend of the Cathedral and the rectory of Boscombe; see John Le Neve, *Fasti Ecclesiae Anglicanae*, ed. T. Duffus Hardy (Oxford, 1854), 1:273, 2:621, and 624, and the new University of London edn. for 1531–1857, Vol. 6, Salisbury Diocese, ed. Joyce M. Horn (London: Institute of Historical Research, 1986), p. 60.

¹¹³ Sisson, pp. 21–22, 25–26, 124–125, and 145. Hooker also spent some time at Churchman's country house in Enfield, Middlesex (pp. 30, 46, and 125–126). Hooker's presence in Salisbury for his installation on 23 July 1591, for an episcopal election on 30 November, and to preside at the subdean's court on 1 December suggest that, between his institution and his resignation in 1595, he either resided there or at Boscombe for longer or shorter periods or that he travelled to Salisbury from time to time; see *Chronology*, p. xxiv, above.

¹¹⁴ Sisson, pp. 25–28, 44 and n., and 124–125.

¹¹⁵ Edwin's uncle, Miles, served as the principal officer of the society for the unusually long term from 1588 to 1596. Four of Edwin's brothers and five of his cousins, sons of Miles, were also admitted to the Middle Temple. Edwin was admitted without payment of the usual fee "because he is nephew of the Treasurer"; Cranmer, admitted on the same occasion and bound with Edwin, paid three pounds. Miles' sons and years of admission: Edwin, 1579; William and Miles, 1584; George and Henry, 1594; Archbishop Edwin Sandys' sons: Samuel, 1579; Thomas, 1588; Edwin, 1590; Henry, 1591; and George, 1596; see Hopwood, *Middle Temple Records*, 1:230, 303, 311–312, 318, 336, 365, 367, and 368; also Herbert A. C. Sturgess, *Register of admissions to . . . the Middle Temple, from the fifteenth century to . . . 1944* (London, 1949), 1:45, 53, 60, 61, 65, and 70; Sturgess does not distinguish the two Edwins. The entry for Edwin and George Cranmer: "12 Feb., . . . Mr. Edwin, second son of

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Later court depositions establish that Sandys, who entered the Middle Temple in 1590, himself lived the better part of three to five years at the Churchman house beginning in 1588, and that he was certainly there at the time of 1593 Parliament and the publication of the *Lawes*.¹¹⁶ The depositions paint a picture of a hospitable household in which the residents' circles of friends were welcome: "diverse of [Sandys's] Friends that did many tymes come thither unto him and weare entreated to dyne or suppe there before they went."¹¹⁷ Cranmer, Sandys's companion at Oxford, the Temple, and in later European travels, would likely have been a frequent guest (see n. 87, above).

Hooker wrote the *Lawes* at the Churchman home, and Benjamin Pullen, "the man that wrote owte the sd M^r Hokers Bookes faire," was a clerk in Churchman's employ.¹¹⁸ Household conversation, involving Sandys as well as the family and such visitors as Cranmer, would naturally have included some discussion of Hooker's progressing work. The surviving critiques demonstrate that, at some stage, Hooker asked his two former students for more serious and detailed involvement in the *Lawes*. In Cranmer's critique of Book VI, he referred to Sandys' judgment on Hooker's "second booke" (3:121.30); he also reminded Hooker that he well knew "Mr Sandes mynd and myne" of a word ("*Th'aforsayd*") employed in the draft (3:116.28).

Edwin Sandis archbishop of York, deceased, specially, no fine, because he is nephew of the Treasurer. Bound with Mr. Cranmer. George son and heir-apparent of Thomas Cranmer of Canterbury, gent. specially; fine 3^l (Hopwood, 1:312).

¹¹⁶ Eveleigh established the year 1588 as the beginning of Sandys's "soujourne" with the Churchmans (Sisson, p. 140). Phillip Culme, servant to Churchman at the time of Sandys's residencies, established the presence of both Hooker and Sandys when the books were "sett forth," identifying periods of "two yeares," a "yeare or thereabouts," and after a time in Yorkshire, "one yeare and more" (pp. 145 and 147); see also pp. 28–33, 131 (John Churchman), and 142 (interrogatory), and 135 and 149 (Robert Churchman, Joan's brother). Sandys was probably not in London for the 1586 Parliament; although the son of the archbishop has usually been considered the Edwin Sandys elected from Andover, Hasler and Harding assign the seat to the son of Miles Sandys, who bore the same name (*The House of Commons, 1558–1603*, pp. 339 and 341).

¹¹⁷ Sisson, p. 150 (Robert Churchman); also pp. 32–33 and 142; and 147 (Culme).

¹¹⁸ Sisson, pp. 48, 130 (John Churchman), and 135 (Robert Churchman).

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The comments suggest a background of more extended critical discussions and written commentaries that have not survived.

Were Cranmer's and Sandys's contributions to the inception of the *Lawes* extensive enough to describe the project as a collaboration? Or are the two critiques of Cranmer and Sandys simply specimens of a wide range of comments that Hooker sought and received as well from Rainolds and others?¹¹⁹ Responding later to a suggestion in *A*

¹¹⁹ Rainolds's involvement is noted above (pp. 53–54). The possibility of Whitgift's is circumstantial, resting on his role as archbishop, his previous role as the principal literary opponent of the Puritans, his support of Hooker at the Temple, Hooker's fulsome dedication of Book V to him, and the likelihood that he would have put his library at Hooker's disposal. In his commentary on Book V, having consulted sixteenth-century volumes in the archiepiscopal Lambeth Palace Library cited by Hooker, Bayne identified contemporary underlining of relevant passages in three volumes (pp. 46, 85–86, and 341), four such volumes with Whitgift's arms (pp. 85–86, 78, 308, 341, and 556), and two other volumes (pp. 85 and 531). Although no explicit evidence links John Spenser, Rainolds's successor as president of Corpus, with Hooker in the years after their collegial relationship at Corpus, Spenser was Hooker's principal literary executor (see 5:xiv–xvii), responsible for the publication of the *Tractates and Sermons* and preparing the introductory address "To the Reader" for the 1604 edition of the *Lawes* (rpr., this edn., 1:346–348). In a 1615 posthumously published sermon of Spenser, the editor, Hamlett Marshall, "his Minister for a space of five yeares," indirectly suggested Spenser's contributions to the *Lawes*: "he had taken extraordinary paines, together with a most judicious and complete Divine, . . . about the compiling of a learned and profitable worke now extant, yet would hee not be moved to put his hand to it, though hee has a special hand in it, and therefore it fell out, that *tulit alter honores* [another took the honors]" (*A Learned and Gracious Sermon Preached at Paules Crosse* (STC 23096), fol. 3^v; see also DNB, s.v. John Spenser). If the comment applies to Hooker, the implication of literary piracy may be the product a protégé's biased loyalties, but consultations in the production of the *Lawes* could well underlie the information on which Marshall based his statement. The sermon itself strikingly parallels Hooker's essay on ecclesiology in III.1.4–13 (1:196–204). Another possible consultant was Robert Some, master of Peterhouse, Cambridge, generally identified with advanced Protestant causes, who attacked Penry for his separatist tendencies and was in turn answered by both Penry and Throckmorton (see Collinson, *E.P.M.*, pp. 124 and 257; STC 22908, 19604, 11909, and 12342; see also 2:107.8–12.g.n, below); in his notes on Book VI, Cranmer comments: "I could wishe for more perspicuity (for that is it which D. Some requireth in your booke) . . ." (3:112.4–5). The Cranmer-Sandys critique of Book VI is analyzed below, pp. 260–261, 267–270, and 303–308.

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Christian Letter, the anonymous 1599 attack on Books I–V of the *Lawes*, that he “peruse [his work] advisedlie,” Hooker noted in the margin:

The bookes you mention have bene perused. They were seen and judged of before they came abroad to the open view of the world. . . . As learned as any this realme hath saw them and red them before they ever came to your hands. (4:69.7, 15–19)

The congenial atmosphere of the Churchman home in the city of commerce, government, legal studies, and intellectual ferment provided an appropriate setting for the creation of a treatise that would incorporate in a single argument the abstractions of what we would call political theory, the practical public issues of what Hooker called “politie,” and the inward yearnings of individual believers for assurance and “Certaintie . . . of Faith.”

By the beginning of 1593, Richard Hooker had progressed far enough in his work to begin to search out a printer to publish it. His initial efforts were discouraging, for, unless subsidies were provided, “dyvers Printers” refused to undertake the project because “bookes of that Argument and on that parte were not saleable.”¹²⁰ Sandys, “who was then daily Conversant” with Hooker, “at length fyshed owte the Cause of his malencholy” and offered to print the book “at his owne Charges.”¹²¹ On 26 January 1593, Sandys and the printer

¹²⁰ In the 1613 court depositions, Spenser had “credibly herd” of such results of Hooker’s dealings with the printers (Sisson, p. 134). John Bill, a stationer, reported that “dyvers Stationers dyd refuze to printe the sd bookes at their Charges”—one of the most prominent, William Norton, expressly “for feare of losse” (p. 132). William Stansby, the printer who succeeded to Windet and who printed the *Lawes* in 1611, testified that he had heard that “some dyd denye to deale with printing the sd bookes because the Charge was thought to be to greate” (p. 137). Eveleigh reported that printers had been “fearfull” of the venture “for that the bookes of a reverent man being then newly printed were badly sould” (p. 138), whom Sisson identified as Dr. Henry Smith (pp. 51–52).

¹²¹ See Spenser’s 1613 deposition (Sisson, p. 134). Eveleigh reported that Sandys undertook the charges “principally for the love and good respect” which he bore to Hooker (p. 138). See pp. 130 (John Churchman), 134–135 (Robert Churchman), 145 (Culme); also, pp. 52–53.

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John Windet signed a formal agreement for the publication by which Sandys paid the expenses of printing and, in turn, received ownership of the printed copies for sale.¹²² Sandys and Hooker agreed that Sandys, in addition to providing Hooker with a specified number of copies, would pay him "ten pounds for the fyrst fower bookes . . . [and] forty pounds for the fower later bookes."¹²³ (If Sandys intended the payments to reflect the length of the works, the figures suggest that he expected Books V–VIII to be four times the length of I–IV.) If the books sold well, the terms appear to have been a fair investment for Sandys, but the printers remained dubious. As the matter turned out, sales were slow, and, after a careful financial analysis, Sisson judged that "Sandys probably did little more than at best to balance his account upon the book" (p. 78).¹²⁴

Since establishing the year of publication of the first volume, scholars have proposed that the appearance of Hooker's *Lawes* was related to the parliamentary proceedings of 1593. As they relied on the judgment that it was Edwin Sandys who took an active role in the promotion of legislative action against separatists, the connection appeared thoroughly reasonable (see n. 69, above). "Mr. Sandes" was a member of the committee assigned to consider the original government legislation that threatened advanced Protestant recusants as well as the "papists" identified in the preamble as the targets of the proposal.¹²⁵ He spoke on 13 March in favor of the original form of the bill that would not have limited it to Roman Catholic recusants (n. 68, above). After that bill died, three weeks later on 4 April he spoke again to the new bill the Lords had devised and Burghley had presented for consideration, the "Bill for Explanation of a Branch of a Statute" that had originally applied only to Roman Catholics. He was

¹²² Sisson, pp. 128 (interrogatory), 130 (John Churchman), 132 (Spenser), 135 (Robert Churchman), 137 (Stansby), 139 (Eveleigh), 145 (Culme), and pp. 49–60; also, 1:xvi–xvii, above.

¹²³ See Eveleigh's 1613 deposition (Sisson, p. 139); pp. 133–134 (Spenser) and 140 (interrogatory).

¹²⁴ For detailed discussion, see Sisson, pp. 53–60 and 66–78; also, 1:xvi–xvii and xx–xxii, this edn.

¹²⁵ D'Ewes, p. 477.

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again named to the committee to whom the bill was committed, and was undoubtedly involved in the negotiations that led to the careful distinction between openly avowed separatists and other advanced Protestants. Although more recent scholarship identifies "Mr. Sandes" as Edwin's uncle, Miles (n. 69), the link between the publication of the *Laws* and the parliamentary session remains firm. The records of the Middle Temple suggest the network of relationships among the members of the Sandys family there, and the terms of Miles as treasurer (principal officer) of the Inn and Hooker as master of the Temple overlapped for three years. Miles and Edwin both sat in the 1593 House of Commons, and Miles's championing the legislation against Protestant recusants matches the concerns of the Preface and body of the *Laws*.¹²⁶

The first volume of the *Laws* attacked the claims to divine sanction that Puritans, in and out of parliament, claimed for their platform. Chapter 8 of the Preface spoke directly to the two-pronged cause that Miles Sandys was championing in the national legislature. First, it identified out-and-out separatists as potentially dangerous to the stability of English society as the Anabaptists had been to Münster, and, consequently, worthy of the penal measures which were to emerge from the current parliamentary sessions. Second, the chapter placed responsibility for the growth of English separatism squarely on the shoulders of militant Puritans, providing a clear case for the unsuccessful proposals urged by Whitgift and his supporters which might be employed against the disciplinarians. The character of these issues in the 1593 Parliament provides a most reasonable context for the otherwise puzzling statement of Hooker in the concluding chapter

¹²⁶ D'Ewes, p. 517, and see n. 115, above. The second speech and the committee assignments would be more likely to have been held by the member active in the issue, especially for one in favor of the government position. Hasler and Harding consistently credit Miles, and not Edwin, with these roles (*The House of Commons, 1559-1603*, 3:339-343). Rabb assumes that the leave of absence given to Miles on 17 March meant that he went home and did not return to the session; if so, Edwin must have given the 4 April speech and served on the committee. Hasler and Harding, however, conclude that Miles did return (Rabb, "Sandys," p. 24; Hasler and Harding, 3:342).

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9 that “*with us contentions are now at their highest floate*” (§ 4; 1:53.6). If Lord Burghley read the Preface in his presentation copy, it would have steeled him for the leading role he played in promoting the anti-Puritan legislation two weeks later (see n. 71, above).

Commenting on the failure of one pro-establishment publication to appear in time for the parliamentary session, Morice noted that it “should have bene published so as it might have concurred with the Parliament, as *many other* concerninge the government of the Churche.”¹²⁷ “Many other” would certainly include the *Lawes*, and if Bilson’s work on episcopacy and Bancroft’s two 1593 volumes on the disciplinarian movement had appeared in time, Morice may have pointed to a major thrust by establishment supporters to provide literary support for their parliamentary plans. Sandys’s subsidy ensured that Hooker’s work might be among them.

An expectation of financial success seems unlikely to have played a part in Sandys’s offer. The later court depositions speak only of his “love and respect” for Hooker, or as another put it, his “much beholdinge . . . for the learninge and Instructions that he . . . received from and by” his former tutor.¹²⁸ Yet the investment was more than a personal favor. Sandys’s probable role in concert with his uncle in parliament is consistent with his critiques of Book VI: he shared Hooker’s concern to defend the terms of the Elizabethan settlement equally from attacks of the disciplinarians and the separatists.

One of the interrogatories in the 1613 court depositions suggests an official interest in the publication: it had been “hastened by such eminente persons whome the cause did moste speciallie concerne” (Sisson, p. 145). The phrase does not seem to describe either Cranmer or Sandys. Both were young men partly engaged in their law studies,

¹²⁷ “A Remembrance,” pp. 132–133 (my italics). Morice referred to a new and much expanded version of Richard Cosin’s *An Apologie: of, and for Sundrie Proceedings* (London, 1593; STC 5821). The first edition (STC 5820) had appeared two years earlier in response to Morice’s own *A Briefe Treatise of Oathes Exacted by Ordinaries and Ecclesiastical Judges* ([Middelburg: R. Schilders, 1590?], STC 18106). Morice suggests that his parliamentary speech had motivated Cosin to produce the revision “though somewhat to late” (p. 132).

¹²⁸ Sisson, p. 151 (Robert Churchman), and see n. 121, above.

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with the extended tour of the continent still ahead of them. Cranmer, the great-nephew of the martyred archbishop of Canterbury, and Sandys each came from well-known ecclesiastical families, but their own careers were just beginning. Already familiar with Hooker's developing treatise, Sandys and Cranmer were surely part of the London circle that generated a concern on the part of Whitgift and other "eminent persons" that Hooker's manuscript essays be printed in time for the legislative campaign. In the winter of 1592–1593, the urgings of Cranmer for the particular arguments that emerged in the addition of chapters 8 and 9 of the Preface are of a piece with the legislative plans being laid out for the coming parliamentary session.

Even if Hooker had himself been able to find a publisher for his work, he might still have been pressured by Sandys and others to hasten its publication. Yet Sandys's offer made him beholden in a way which made it difficult for him to refuse to cooperate. No evidence reveals the extent to which, if at all, Hooker regretted the awkward seam between chapters 7 and 8 and the misuse of the Marprelate quotation (see n. 83, above). If he was aware of them, however, and if he attributed them to the haste with which he was forced to produce the volume, it may have made him determined to take whatever time was required to bring the remaining four books to the perfection he envisioned for them.

iv. The Preface: Sources and Style

While the *Lawes* may be considered a timeless classic, its Preface is explicitly a *pièce d'occasion*. Using the rhetorical device of direct address to "*them that seeke . . . reformation,*" it is printed in italics with quotations in roman type, typographically the reverse of the body of the treatise. Whether the contemporary readers were the Puritans to whom the Preface was addressed, the supporters of the establishment, the undecided, the confused, or the indifferent, they would all have had some first-hand experience of the issues addressed in it, and most would have recognized the sources, assumed as well as cited, that underlay the text.

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Hooker's Use of Sources

These sources fall into categories typical of late sixteenth-century theological writings: biblical, classical, patristic, and contemporary Protestant (both continental and English). Missing are citations of medieval theologians, of contemporary Roman Catholics, or of other English writers who supported the church as established. In the treatise proper Hooker often cited medieval and contemporary Roman Catholic writers. His omission of any direct citation of English predecessors, however, is characteristic, not only of the Preface, but of the whole work, for only when his adversaries claimed an English Reformation authority for their side did Hooker explicitly cite and treat the earlier text. Yet it must be assumed that Hooker was aware of writings that had upheld the terms of the settlement.

The Preface echoes anti-Puritan arguments that others had already laid down.¹²⁹ Later in 1593 Richard Bancroft anonymously set forth two books which were the fruit of the investigations of the Puritan network by the Ecclesiastical Commission in which he had taken a leading role, *A Survey of the Pretended Holy Discipline* and *Dangerous Positions and Proceedings*.¹³⁰ The timing of their publication may have

¹²⁹ Both Bancroft and Matthew Sutcliffe (1550?–1629), dean of Exeter, had argued that the disciplinarian polity originated in sixteenth-century Geneva, not first-century Palestine. Hooker applied the same ironical adjective “strange” that Bancroft had employed in 1589 to describe the fifteen-hundred-year gap in the church’s observance of a presbyterial discipline that Christ, according to militant Puritans, had commanded (Pref. 4.1; 1:21.23; 21.23–28.n and 24.19–22.n). The erroneous application of the Marprelate quotation may have had its origin in Hooker’s misreading of that same sermon (1:50.4–5.n). Saravia had suggested that the authority of sixteenth-century reformers might be questioned in the same way that they had put down patristic authority: they were “but men” (1:10.7.n). Hooker’s suggestion that local presbyteries might take over the responsibilities of the law courts had been voiced by Thomas Cooper (1517?–1594), bishop of Winchester, Dean Sutcliffe, and an anonymous third author (1:41.20–26.n). Cosin and Sutcliffe had both argued, as Cranmer had urged Hooker, that the advanced Protestants were responsible for the emergence of the separatists (1:39.4–5.r.n), and Sutcliffe had warned of dangers inherent in judicial authority exercised by inadequately skilled presbyteries and in changes of clerical deployment that would eliminate university privileges (1:39.12–21.n and 39.21–41.1.n).

¹³⁰ See n. 35, above. Since the books both bear the date 1593, they would have been published after 25 March, and, therefore, after the *Laws*.

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been dictated, as Morice hinted, like that of the *Lawes*, by Whitgift's legislative plans (see p. 61, above). There are parallels in the interpretation of Calvin's reforms in Geneva.¹³¹ Either might have seen the manuscripts of the other before publication, or their similarities could derive simply from their common involvement in discussions among members of London establishment circles.

Hooker's text is saturated as well with quotations or citations from Scripture.¹³² Eleven from the Old Testament and thirty-one from the New appear in the Preface, including those introduced by other writers. Thirteen other passages suggest further biblical allusions.¹³³ Hooker used the more popular Geneva Bible, beloved of advanced Protestants, rather than the unevenly prepared Bishops' version authorized for liturgical readings. His Old Testament renderings follow the Geneva version, and his frequent New Testament departures from contemporary translations suggest that he commonly worked directly with the Greek.¹³⁴ Hooker's biblical quotations established common ground with his adversaries and lent impeccable authority to his arguments. When he declared that "*the force of [one's] owne discretion*" provides the natural human means for distinguishing good from evil, the New Testament provided a catena of four passages confirming that both Paul and Jesus expected their readers and listeners to exercise

¹³¹ They interpret in similar ways the course of Calvin's reforms in Geneva (see nn to 1:6.31–7.1, 7.26–8.4., 9.1–12, 10.10–13, and 10.13–23). In one instance Bancroft and Hooker similarly employ the same set of biblical quotations, and, in another, they cite the same set of Puritan passages (1:2.12–15.n and 50.5–7.n). Bancroft's views about the origins of separatists and the disciplinarians' threat to social stability match those Hooker set forth in chapters 8 and 9 (nn to 1:39.4–5 and 50.28–31; also nn to 1:10.7, 11.35–12.5, 12.5–11, 18.15–17, 25.13–16, and 50.31–51.7).

¹³² On Hooker's use of the Bible in his *Tractates and Sermons*, see ISR, 5:851–909, this edn.; those in the *Lawes* are collected below, pp. 1101–1156.

¹³³ See references in the ISR below at 1:2.12–15, 12.27–13.1, 18.27–28, 23.1, 23.8–9, 27.5–6, 31.4–5, 31.12, 31.32, 32.5, 32.32–33.1, 39.28, and 53.9–11.

¹³⁴ For example, in the lengthy quotation in Pref. 6.2 from Deut. 17:8–12 (1:30.11–25), except for the indicated ellipsis ("etc.") and an omitted "nether" before "to the right hand," Hooker follows the GB. In Pref. 3.10, his translation from ἐνέργειαν πλάνης as "fraud" differs from both the common sixteenth-century translation "strong delusion" and from the Rheims's literal "operation of error" (1:18.7). In Pref. 3.14, his rendering of μωρὰ (or *stulta*) as "simple" differs from the "foolish things" of the contemporary translations (1:19.31).

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their God-given power of judgment (Pref. 3.1; 1:12.24–13.5). Biblical texts provided a range of human illustrations that linked both the sixteenth-century reader and the church with the stories they judged to be vehicles of God's special revelation. For example, in urging would-be reformers to accept a "*definitive sentence*" in any future disputation over church polity, Hooker drew on precedents from ancient Israel and the apostolic church (6.2; 1:30.10–31).

The Old Testament texts span the whole body of the Hebrew Scriptures, including the Pentateuch and both prophetic and wisdom literature. Three quotations are from the Apocrypha, which, in spite of Puritan protests, "we read in our Churches . . . yeat as the scripture we read them not."¹³⁵ The New Testament texts are more concentrated; the epistles of St. Paul, the Pauline pastoral epistles (1 and 2 Timothy and Titus),¹³⁶ and those of James, Peter, John, and Jude account for three-quarters of the texts quoted and cited by Hooker, although these books represent less than a third of the New Testament text. Only Matthew and Luke are included in the four Gospel references. There are three uses of Acts; Hebrews and Revelation do not appear. (Not included in the figures above are the four instances in which New Testament texts are determined by sources cited by Hooker.) The practical issues of church life on which the Preface centered dictated the selection of material describing church life in the years after the death of Jesus.

Although references to pagan authors, especially Aristotle, are prominent in Book I, in the Preface Hooker refers directly on only four occasions to classical works.¹³⁷ His fourteen references to patristic works from five Greek and four Latin authors testify to his familiarity with the writings of the early Christian Fathers that continental scholars and printers had made available by the end of the sixteenth century.¹³⁸

¹³⁵ V.20.10; 2:80.11–13; the quotations are at Pref. 3.14 and 8.3; 1:20.1, 39.24 and 26.

¹³⁶ Modern biblical critics distinguish these letters, as well as Hebrews, from the rest of the Pauline corpus, and most would assign authorship to a later writer.

¹³⁷ Twice to Galen, and once each to Aristotle and to the Hermetic corpus; he alludes to Cicero and Plutarch. See Pref. 2.3; 3.2, 9, and 14; and 4.8 (1:6.9; 13.18–23, 16.12–16, and 20.2–3; and 26.7–9).

¹³⁸ He may have referred to the Greek texts of Clement of Alexandria and of the

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Nearly all the citations of continental Protestant writers in the Preface provide documentation to the historical narratives of Geneva and the Anabaptists in chapters 2 and 8. In Hooker's account of the development of Genevan presbyterian polity, he claimed that he had "collected" his narration out of the "bookes and writings" of the Genevan "learned guides and Pastors" themselves (Pref. 2.7; 1:9.29–10.3). These boil down to only one source: Calvin's collected letters, a volume which included letters to and from his Genevan associates and Beza's biography of Calvin prefixed to the collection (1:3.31–32.n). All the specific information in Hooker's narration could have been drawn from this source.

Hooker's treatment of Calvin and the Genevan reforms in the Preface have been variously judged. The author(s) of *A Christian Letter* were offended that Hooker made "choyse of that worthie pillar of the church above all other, to traduce him and to make him a spectacle" (4:57.13–15). W. D. J. Cargill Thompson concluded that Hooker had used "smear tactics" in a "calculated piece of misrepresentation."¹³⁹

historians Eusebius and Socrates, but only a Latin translation for the selection from John Chrysostom was available at the time. Although elsewhere in the *Laws* he clearly used the Greek text of Gregory of Nazianzus, he seems to have used a Latin translation in the two quotations in the Preface; see Pref. 3.2, 4.2 and 4, and 9.3 (1:13.29–14.7; 22.12–16, 16–19, and 19–22; 24.i; and 52.18–53.5). The Latin authors included six different works from the widely quoted and available texts of Tertullian (2) and Augustine (2), the principal work of Lactantius, and the *Octavius* of Minutius Felix, preserved as part of the work of Arnobius; see Pref. 3.2 and 15 and 4.4 (1:13.9–12, 20.10–25 and n. z, 24.1–2, and nn. g, h, and i). Hooker makes a third reference to Augustine in using the example of his book, *Retractions*, by title (9.2; 1:52.3–6). The references to Clement of Alexandria and the two historians appeared in a passage from Cartwright to which Hooker was responding. On Hooker's use of patristic literature, see John K. Luoma, "Who Owns the Fathers? Hooker and Cartwright on the Authority of the Primitive Church," *Sixteenth Century Journal*, 8 (1977): 45–59; and William P. Haugaard, "Renaissance Patristic Scholarship and Theology in Sixteenth-Century England," *ibid.*, 10 (1979): 37–60.

¹³⁹ "The Philosopher of the 'Politic Society': Richard Hooker as a Political Thinker," *S.R.H.* (1972), pp. 14–15; rpr., *Studies in the Reformation* (1980), pp. 131–191. In a rejoinder, P. D. L. Avis asserted that Hooker attempted to make "an impartial evaluation of an episode in recent history," and Richard Bauckham responded that although "impartiality hardly describes" Hooker's procedure, he "probably believed" his explanation of the origin and influence of Calvin's discipline; see pp. 19,

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Clearly the principal purpose of chapter 2 was to show that the presbyterian polity had its origin, as Bridges, Bancroft, and Saravia had already argued, in Calvin's Geneva and that, as Bancroft also argued in his *Survey* (pp. 22–23), Calvin was guided more by the present circumstances of the city than by his understanding of the apostolic church. Modern Calvin scholarship would agree that Calvin conceived his polity "in close connection with the pastoral needs of the Genevan Church."¹⁴⁰

Although "smear tactics" overstates the character of Hooker's polemic, he did ignore the possibility of a theological dialogue between Calvin's reading of the New Testament and the needs of a Reformed Geneva. And Bancroft emphasized, as Hooker had not, that it was Calvin's followers, rather than Calvin himself, who insisted on conformity to the Genevan discipline (10.13–23.n). Hooker underlined the advantage "of glorie" to those who, following Calvin, "contented" to the Genevan discipline, commenting that its founder in his writings had never omitted "the least occasion of extolling the use and singuler necessitie thereof" (2.8; 1:10.33–11.4). Extracting the events of Genevan reforms more or less accurately from his sources, Hooker attributed motives to continental Reformers that were, at best, shrewd guesses, not judgments clearly demanded by the evidence at hand.¹⁴¹ A modern historian cannot refute these simplified hypotheses, as they rest on interpretation not evidence. But the author(s) of *A Christian Letter* were quite justified in questioning the "might lead and may bees" of Hooker's narrative (4:60.14–15), and the motivations he attributes to the Genevans assuredly fulfill his polemical purpose in proving that

27, and 31–32 from Avis, "Richard Hooker and John Calvin," pp. 19–28, and Bauckham, "Richard Hooker and John Calvin: a Comment," *Journal of Ecclesiastical History*, 12.1 (1981): 29–33; also, Avis, *Anglicanism and the Christian Church* (Minneapolis: Fortress Press, 1989), pp. 53–57.

¹⁴⁰ Avis, "Hooker and Calvin," p. 27. Harro Höpfl summarizes Calvin's "rounded scheme of ecclesiastical polity": by 1542, he had formulated it as "the digest of his pastoral experience at Geneva and Strasbourg as mediated by reflection upon Scripture and discussion with the leading evangelical theologians and organizers of his day; had buttressed it by scriptural legitimation; and had rendered it more or less coherent with the guiding themes of his theology"; *The Christian Polity of John Calvin* (Cambridge: The University Press, 1982), p. 128.

¹⁴¹ See 1:10.10–13.n, below.

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what “*Calvin did for establishment of his discipline, seemeth more commendable then that which he taught for the countenancing of it established*” (§ 7; 1:10.8–9).

While Hooker is clear in his judgment of the reforms Calvin instituted in Geneva, he is much more guarded in his judgment of Calvin as a theologian. His statements in the Preface are all touched with irony. Calvin was “*incomparably the wisest man that ever the french Church did enjoy,*” but only “*since the houre [1536] it enjoyed him.*” He gained his divine knowledge “*not by hearing or reading so much, as by teaching others*”; “*thousands were debtors to him, . . . yet he to none but onely to God*” (2.1; 1:3.13–18). Calvin was a man of “*great capacitie,*” but he used it to find in Scripture evidence that “*divine authority . . . [was] somewhat inclinable*” to the discipline he had established (§ 7; 1:10.13–17). Calvin “*deservedly procured . . . honour throughout the worlde*” for two achievements, the “*Institutions of Christian religion*” and his “*exposition of holy Scripture,*” but the latter was expressly designed to undergird the former (§ 8; 1:10.28–34). Calvin had won the same credit in the Reformed churches that Peter Lombard had had in the Roman church, but the compliment was a mixed one, given the widespread Protestant repudiation of a theology based on the *Sentences* (§ 8; 1:11.5–8).

What is not at all ambiguous is Hooker’s repudiation of the singular authority with which Calvin had been endowed by many within the Reformed tradition.

The perfectest divines were judged they, which were skilfullest in Calvins writings. His bookes almost the very canon to judge both doctrine and discipline by. French Churches . . . all cast according unto that mould The Church of Scotlande . . . tooke the selfe same paterne. (§ 8; 1:11.7–12)

Among some the adulation passed all measure. Responding to the protests of *A Christian Letter* to this chapter, Hooker jotted in his copy: “Safer to discuss all the saints in heaven then M. Calvin” (4:57.30).¹⁴² It was against this background that Hooker summed up

¹⁴² For other such spontaneous comments about Calvin, see 4:3.7–14, 55.4–6, 55.15–12, 57.30–58.6, 58.30–59.10, 60.8–10, and 67.11–15, this edn.

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his judgment of Calvin as a theologian: “*wise men are men, and the truth is truth*” (§ 7; 1:10.7). Although Whitgift quoted Calvin extensively as an authority and predicted that were Calvin alive in England he “would utterly condemn” disciplinarian efforts, he too had written: “I use *M. Calvin*es judgment, as I use the judgement of other learned men.”¹⁴³

To what extent did Hooker owe his own theological formation to Calvin? With Cole as president and Rainolds as his friend and probable tutor at Corpus, Hooker would have read Calvin diligently.¹⁴⁴ In the Commentary to Hooker’s *Tractates and Sermons* in volume 5 of this edition, Egil Grislis argues persuasively that Calvin stands alongside Augustine and Thomas Aquinas as one of Hooker’s primary mentors.¹⁴⁵ However, on those issues of sixteenth-century debate in which Hooker can be identified as agreeing with him, a range of significant writers of Reformed persuasion, both English and continental, could equally have supplied Hooker’s theological armatorium.

In spite of the failure of Prayer Book and Articles to embrace an unequivocally Reformed stance, “Calvinism” was regarded by friend and foe alike of the Elizabethan church as constituting its orthodoxy.¹⁴⁶ As early as his Paul’s Cross sermon, Hooker took issue with

¹⁴³ See *The Defense of the Aunswere to the Admonition, against the Replie of T. C.* (1574), 2.4, “The opinion of M. Calvin of things indifferent,” p. 113; rpr. as *The Works of John Whitgift*, PS (1851–53), 1:251. Whitgift also wrote: “I reverence *Master Calvin* as a singular man, and worthy instrument in Christes Church: but I am not so wholly addicted unto him, that I will contemne other mens Judgements that in divers poyntes agree not fully with him, especially in the interpretation of some places of the Scripture, when as in my opinion they come nearer to the true meaning and sense in those poyntes, than he dothe”; *Defense*, p. 201 (PS, 1:436). See n. 152, below.

¹⁴⁴ Walton noted that Rainolds was “said to be” Hooker’s tutor. An extract of a letter of Rainolds has been preserved in which he directs a student to “travaile painfully in Calvin’s Institution of Christian Religion” (Keble, 1:11 and n).

¹⁴⁵ Grislis, “Introduction to the Commentary,” § ii (5:630–634) and *passim*; see also 4:xli–xliii, where Booty concludes that Hooker’s attitude towards Calvin in his later writings is consistent with that expressed in the Preface: “he both revered Calvin and viewed him as a danger” (4:xli).

¹⁴⁶ Although Nicholas Tyacke has demonstrated the dominant role of Calvinist teaching in the later sixteenth and early seventeenth centuries, his statement that “Calvinism was the *de facto* religion of the Church of England under Queen Eliza-

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what Travers judged to be the Calvinist orthodoxy of “all the churches professing the gospel.”¹⁴⁷ Although he did not accord Calvin the same degree of theological authority that Whitgift did, Hooker could sincerely deem Calvin “wise,” “of great capacity,” and “deserving of honors,” just as he might so have judged several dozen other theologians of past or present ages. In light of the infallibility accorded Calvin’s writings by some of Hooker’s compatriots, he qualified his words of praise as a reminder that Calvin’s theological acumen, like that of other able divines, had its limitations.

Just as Hooker based his account of Geneva on one book, so he drew his narrative of the Anabaptists from a single source: *La Racine, Source et Fondement des Anabaptistes . . . de nostre Temps* by Guy de Brès (1522–1567), a Reformed Belgian pastor who had spent four years exile in England under Edward VI and who was killed by troops of the Spanish crown. He was principal author of the Belgic Confession, which explicitly expressed detestation of “the error of the Anabaptists and other seditious people” and was one of the few Reformed confessions of faith to include “discipline” as an essential mark of the church.¹⁴⁸ De Brès’s impeccable credentials as martyr and orthodox Calvinist made him an ideal authority for Hooker to cite in addressing England’s own advanced Protestants, and his citations are drawn from all parts of the nine-hundred page volume (1:42.26–49.30.d.n).

It has been justly observed that until recent years, “anabaptist historiography was . . . the privilege of its enemies.”¹⁴⁹ Both Hooker

beth” needs qualification in the light of the nurturing consequences of the *de jure* formularies. H. C. Porter’s contention that “the story of the theology of the Elizabethan Church . . . was that of a debate, and not of an unchallenged Calvinist oration” is still valid. See, respectively, *Anti-Calvinists: The Rise of English Arminianism, c. 1590–1640* (Oxford: Clarendon Press, 1987), p. 7, and *Reformation and Reaction in Tudor Cambridge* (1958; rpr. 1972), p. 287. And see pp. 2–7, above.

¹⁴⁷ Travers’s *Supplication*, 5:198.16–17; see above, p. 51, n. 102, above. For a discussion of Hooker’s views of predestination as developed in the *Lawes* and later, see 4:xxv–xliv, this edn., and Lake, *Anglicans and Puritans?*, pp. 182–197.

¹⁴⁸ E. M. Braekman, *Guy de Brès, Première Partie: Sa Vie* (Brussels: Librairie des Eclaireurs Unionistes, 1960), pp. 43–44, 61, and 159; Philip Schaff, *The Creeds of Christendom*, (New York, 1877), 3:419 and 433.

¹⁴⁹ *The Mennonite Encyclopedia* (Scottsdale, Penn.: Mennonite Publishing House,

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and his disciplinarian opponent Thomas Cartwright stand in the tradition of English reformers from the days of Henry VIII, in company with Jewel, Whitgift, and Bancroft, when they employ the epithet as an accepted calumny (1:42.15–49.30.n). Stressing the parallel with the disciplinarians, Hooker highlights the element of “discipline” as an Anabaptist objective, showing how the innocent beginnings culminated in sinister outcomes.¹⁵⁰

Throughout the *Lawes* Hooker cites and quotes from the writings of his Puritan opponents, and whether cited or not, such writings form the background of his arguments. The Commentary below sometimes suggests this silent background material, but these notes are by no means exhaustive.¹⁵¹ Among seven of their publications cited in the Preface, Cartwright’s was the most significant, and throughout the *Lawes*, “T. C.” was to appear more frequently than any other Puritan writer. The engagement between Cartwright and Whitgift, which the latter had begun with his *Answer* to the 1572 *Admonition to the Parliament*, had provided the most sustained literary debate over the issues raised by the Puritans.¹⁵² In many cases Hooker’s citations of

1955–1959), 2:751. On Anabaptist history, see George H. Williams, *The Radical Reformation* (Philadelphia: Westminster Press, 1962), and the essays in *The Anabaptists and Thomas Müntzer*, ed. J. M. Stayer and W. O. Packull (Dubuque and Toronto: Kendall/Hunt, 1980).

¹⁵⁰ Pref. 8.8, 9, and 12 (1:46.14–19, 46.26–47.4, and 49.2–30).

¹⁵¹ See, for example, nn to 1:27.11–13, 39.21–41.1, and 50.5–7. In the Preface Hooker explicitly cited nine significant Puritan publications, including the *Admonitions* (2) and those by Cartwright (4), Dudley Fenner, Udall, Marprelate, and three anonymous works, *A Briefe Discovery of the Untruthes and Slanders contained in Bancroft’s 1589 sermon, A Petition Directed to her Most Excellent Majestie* (3), and *An Humble Motion . . . unto . . . [the] Privie Counsell* (2); see nn to 1:12.5–11 and 11–12, 15.2–5.r, 16.25–17.8, 22.8–23.b, 23.22–24, 26.25–28.k, 33.33–34.3, 37.19–22.u, 41.1–14.y and 20–26.a, 41.31–42.4.b, and 50.4–5.r and 7–12.s.

¹⁵² (1) Anonymous [John Field and Thomas Wilcox], *An Admonition to the Parliament* (1572), STC 10847–49; (2) Whitgift, *An Answer to a certain libel intituled, An admonition* (1572), STC 25427; (3) T. C. [Thomas Cartwright], *A Repleye to An Answer made of M. doctor Whitgiste* (1573), STC 4711–12, “T.C. lib. 1” in Hooker’s marginal notes; (4) Whitgift, *The Defense of the Aunswere to the Admonition, against the Replie of T. C.* (1574), STC 24530; (5) Cartwright, *The Second Replie of Thomas Cartwright: agaynst maister Whitgistes second Answer* (1575), STC 4714, “T.C. lib. 2”;

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Cartwright can only be understood by tracing the arguments back through the necessary layers to the *Admonition* itself.¹⁵³ Missing in the Preface is any explicit reference to Travers, Hooker's opponent at the Temple. Hooker's target in *the Lawes* was not one writer, but the movement to whom the Preface is addressed, and his topics determined the works he engaged.

The Character of the Polemics

Two series of exchanges—between Jewel and Thomas Harding (1516–1572) and between Whitgift and Cartwright—had produced the most significant Elizabethan theological polemic before Hooker.¹⁵⁴ In both, an initial thrust called forth a response which, in turn, evoked a rejoinder, and the alternation of continued literary argumentation focused more and more on massively detailed analyses of details of the opponent's text and citations, section by section: the pattern essentially replicated that of a medieval *quaestio et responsio*. Even in the sixteenth century, the reading of these works would have been wearisome, and as for subsequent generations, none of the works were republished until nineteenth-century historical studies and theological debates prompted a return to source materials for a more accurate interpretation of Reformation history.

In the course of the *Lawes*, Hooker retraced many of the same issues that Whitgift had debated with Cartwright. His debt to the

(6) Cartwright, *The Rest of the Second Replie of Thomas Cartwright: agaynst Master Whitgifts second Answer* (1577), STC 4715 ("T.C. lib. 3"). (1) is rpr. in W. H. Frere and C. E. Douglas, eds., *Puritan Manifestoes* (1907; rpr. London, 1954; hereafter, *P.M.*), pp. 5–19, with accompanying "A View of Popishe Abuses" and appended letters (pp. 20–55). Nearly all of (1), (2), and (3) are reproduced in (4), and (4) is rpr. in Whitgift, *Works*. The editor of the latter also includes in notes some, but by no means all, relevant passages from (5) and (6).

¹⁵³ See, for example, 1:22.8–23.b.n and 33.33–34.3.n; and see illustrations 5–8, pp. 384–391, below.

¹⁵⁴ See n. 152 above on the *Admonition*-Whitgift-Cartwright series and 1:171.1.n and 171.2–4.n on the two Jewel-Harding debates begun by Jewel's challenge sermon and *Apologia*.

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archbishop is patent, but the context is sufficiently different to alter the perspective. The author(s) of *A Christian Letter* complained that, whereas Whitgift gave sensible answers and citations that could be directly applied so that the reader might "beare away what hee saith and what hee intendeth," in Hooker, "wee are mightely incombred; we walke as in a labyrinth, and are suddenlie overwhelmed as in the deepe sea" (4:73.6–19). Nonetheless, had Hooker not adopted a polemical style distinct from that of Jewel and Whitgift, it is difficult to imagine that an interest in the *Lawes* would have survived the sixteenth century.

Hooker's treatise effectively deploys the sophisticated resources of classical rhetoric.¹⁵⁵ The structure of the Preface itself (its *dispositio*) reflects Hooker's grounding in the rhetorical studies that formed an essential part of the university curriculum. By addressing the reformers in the second person with italics throughout, Hooker emphasizes its persuasive character. The rhetorical mode is deliberative rather than judicial or demonstrative; he is concerned, in terms of the categories of Aristotle, "to establish that a course of action will be expedient for the audience, or at least not harmful to it":¹⁵⁶ "*For the ecclesiasticall lawes of this land, we are led by great reason to observe them, and yee by no necessitie bound to impugne them*" (Pref. 7.1; 1:34.16–18).

Both ancient classical and Renaissance writers laid down infinite variations in the structural shape of an oration, but a traditional pattern following Cicero's six parts can be discerned in the first seven chapters of the Preface. The exordium, chapter 1, seeks to make the reader "well-disposed to the speaker, attentive, and receptive." As Hooker says, he "*desireth even to embrace together with you the selfe same truth*" (§ 3, 1:3.3–4). The narration, chapter 2, in its description of the Genevan origins of the discipline, is an appropriate "*digression extra causam*," which strikes at a central conviction of Hooker's opponents. The confirmation, chapters 3 and 4, concerned with the attributes of

¹⁵⁵ See also P. E. Forte, "Hooker as Preacher," 5:657–682, this edn.

¹⁵⁶ George A. Kennedy, *Classical Rhetoric and its Christian and Secular Tradition from Ancient to Modern Times* (Chapel Hill: University of North Carolina Press, 1980), p. 73.

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persons, secures "credence, authority, and strength" for Hooker's case, describing how both "*many of the people*" and "*the learned sort*" are drawn to the discipline (1:12.22 and 21.10). The refutation, chapters 5 and 6, demonstrates that "the form of [the Puritans'] argument is invalid": "*A lawe is the deed of the whole bodie politike . . . even your deed also*" (5.2; 1:27.33–28.2). Therefore, the Puritans either at present or in a future disputation are bound to obey that which is established by "*publique consent of the whole*" (6.6; 1:34.4). Finally, the peroration, chapter 7, summarizes the intention of his "*whole endeavor*," as contained both in the previous chapters and in the ensuing treatise (§ 1; 1:34.20). The partition, Cicero's sixth part (a "brief, complete, and concise" statement of the issues in dispute), normally placed between the narration and refutation, is not given a separate place by Hooker, but contained in introductory exordium and concluding peroration (1.2 and 7.1).¹⁵⁷

The addendum to the Preface in chapter 8 would fall into the category of additional material for the confirmation, and chapter 9 represents Hooker's attempt to enclose this new material within an appropriate peroration. Rhetorical analysis simply confirms the observation from the sense of the argument that chapter 7 was designed to conclude the preceding discussion.

The effectiveness of Hooker's polemic owes much to the organization and sentence configuration of its carefully crafted prose style. The structure of the prose, as Georges Edelen has suggested, imparts a "syntactical distance" characterizing Hooker's writing that

can be defined as an emphasizing of larger structural patterns in place of individual elements. The syntactical whole is more important than the parts, or, more accurately, the parts are significant only as they contribute to the whole.¹⁵⁸

¹⁵⁷ The descriptions of Cicero's parts are taken from Kennedy, pp. 92–95. The application of a particular set of categories to the Preface is inevitably arbitrary. Rudolph Agricola, for example, preferred a four-fold division of an oration: exordium, narration, confirmation, and peroration (p. 209). Hooker's chapters would accordingly be divided, telescoping confirmation and refutation: 1, 2, 3 to 6, and 7.

¹⁵⁸ "Hooker's Style," *S.R.H.* (1972), p. 275.

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Edelen has demonstrated that this syntactical form was not unrelated to Hooker's philosophical perspective (p. 262). Hooker imposed the same structural priorities throughout the *Lawes*, on the larger shape of the treatise as well as on smaller prose units. This, more than any other single element of his style, provides a vehicle for the original and creative theological analysis that underlies the *Lawes*.

In a discussion of conditions for a possible disputation, Hooker lays down a requirement that describes his own approach to theological polemics:

because the questions in controversie between us are many, if once we descend unto particularities, that for the easier and more orderly proceeding therein, the most generall be first discussed, nor any question left off, nor in each question the prosecution of any one argument given over and another taken in hand, til the issue . . . be collected, red and acknowledged aswel on the one side as on the other to be the plain conclusion which they are grown unto. (Pref. 5.3; 1:28.21–28)

Within the *Lawes* Hooker attempted to carry on just such a debate with his opponents as he identified and reconstituted their arguments. He described the larger structure of the treatise in his outline of "*the matter conteyned in these eyght bookes*" in chapter 7 (1:34.14). The first four books concerned the larger "generall" issues raised by the Puritans; the last four, the "*specialities of that cause which lyeth in controversie*" (§ 6; 1:35.28). Employing the concept of "law" as the basic category for describing the creation, he began the treatise with a discussion of its most fundamental underpinnings: "*the nature, kindes, and qualities of lawes in generall*" (§ 2; 1:34.27). Then, rather than treating issues in the perspective with which his opponents had discussed them, he proceeded to identify what he regarded as the broadest underlying principle that distinguished their arguments, "*the very maine pillar of your whole cause,*" namely, the omnicompetence of scriptural authority (§ 3; 1:35.4–5). Then he turned to that principle which he judged to be "*next in degree*" as a foundation of the disciplinarian position, a fixed, unchanging form of church government prescribed by the New Testament (§ 4; 1:35.10). Having considered these first three levels of groundwork, he then moved "*from the generall grounds and foundations of your cause unto your generall accusations against us*": unlike truly Re-

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formed churches, the English church had retained corrupted Roman practices and structures (§ 5; 1:35.18–19). Only then was he prepared to turn to the particularities which constituted the final four books of the treatise: religious “*publique duties*,” the power of jurisdiction, both local and episcopal, and the “*Ecclesiasticall Dominion*” of the crown (§ 6; 1:35.27–36.7).

Because it was designed to link the formal treatise to the immediate controversy with which the reader was familiar, the Preface stands outside of this outline. Yet, even here, rather than accepting the terms of the argument already laid down, Hooker selected what were, from his perspective, the fundamental, most “*general*,” axioms of the argument. In chapters 1 to 7, Hooker explains how what he regards as an expedient plan of local church reform originated (chapter 2), how it captured the minds and hearts of so many, both unlearned and scholarly (chapters 3 and 4), and how, using the proposal of a disputation, it might be resolved (chapters 5 and 6). Hooker frames this argument with a brief introductory chapter expressing his desire for peaceful unity with “*such numbers of otherwise right well affected and most religiouslie enclined mindes*” and with a final chapter presenting a “*briefe of these my travailes*” in the treatise to follow (1.2 and 7.7; 1:2.8–9 and 36.10). Chapters 8 and 9, describing why “*the wisdom of governors*” had led them to “*withstand [disciplinarian] endeavors*,” can be best understood, structurally, as an appendix to what went before (8.1; 1:36.18–22). Since these chapters were not clearly identified as an appendix, their addition partially obscures the structure of the Preface.

The manner in which Hooker carried on his polemic resulted in a work of constructive theology that rose above the controversial issues that gave it birth. Here, a demonstration of the constructive character of the *Lawes* must be limited to the outline of the entire work that Hooker presents in chapter 7. In giving priority to “*generall grounds and foundations*,” Hooker was not content to shred into still finer fragments the arguments of his opponents as they had raised them. He had rather to uncover the roots that he believed underlay the English church as it had been established in the Elizabethan settlement. He set out to demonstrate that the institution possessed foundational ligatures such “*as no lawe of God, nor reason of man [has been] alleaged of force sufficient to prove they do ill, who to the uttermost of their power*

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withstand the alteration thereof." His ability to show that the disciplinary program "is only by error and misconception named the ordinance of Jesus Christ" depended, as he chose to argue the issue, on his constructive exposition of foundations of the Church of England (Pref. 1.2; 1:2.18-21). John S. Marshall described "Hooker as the Author of a Summa," but he confused the issue by attempting to distinguish parts of the treatise proper as "primarily polemical" from those that formed "a continuous and coherent . . . philosophy and theology."¹⁵⁹ More accurately, the polemical and the constructive are intertwined throughout the *Lawes* precisely because the character of Hooker's polemics itself demanded constructive analysis.

In Christian apologetic, polemic and construction have typically been so intertwined. St. Paul wrote to the Galatians to counter those who would turn them "to a different gospel" (Gal. 1:6). In the *Summa* of Thomas Aquinas polemics are built into the very structure of the scholastic arguments, and Calvin's *Institutes* contain polemic in every chapter. Although anti-Aristotelians and Roman Catholics loomed large in the minds of Aquinas and Calvin, neither designed the overall structure of his major works as a confutation of his opponents. With his concern to counter a particular set of adversaries, Hooker did, to be sure, establish an organizational structure in the *Lawes* that responds to what were, in his judgment, the primary questions that they had raised. The requirements that Hooker set down for himself in that response, however, demanded an approach that was constructive to its core.

Both the moderate tone and the temperate diction of the *Lawes* contrast with much of the language in sixteenth-century theological literature. One would like to think that as a person Hooker, like his imagined future generation, himself valued "three words uttered with charitie and meekenes" more than "three thousand volumes written with disdainfull sharpnes of wit" (Pref. 2.10; 1:12.13-15), but the critic must recognize that precisely by incorporating such a value into his writing he was also producing a more effective polemic. Although

¹⁵⁹ *Hooker and the Anglican Tradition* (Sewanee: Press of the University of the South; London: A. & C. Black, 1963), p. 66.

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such phrases are part of the ethical appeal of a skilled rhetorician and a recognized “language of literary convention” (n. 139, above), the fact remains that Hooker chose this rhetorical *persona* far more frequently than his theological contemporaries.

Hooker phrased his appeals to his opponents in the context of a common understanding of the corporate character of human life. Since a “*lawe is the deed of the whole bodie politike*,” if Puritans judge themselves to be its members, “*then is the law even [their] deed also*” (Pref. 5.2; 1:27.33–18.2). In the apostolic church, the decisions of the Council of Jerusalem provided “*ground sufficient for any reasonable mans conscience to build the dutie of obedience upon, whatsoever his owne opinion were . . . before*” (6.3; 1:32.2–11). So it was in the Elizabethan church: the body politic had made certain determinations about the way that the national community would practise the Christian religion. Of course Christians were obligated not to observe laws “*which in their hearts they are stedfastly perswaded to be against the law of God*”—a significant but necessary concession—but short of “*reasons demonstrative*,” which Hooker judged the Puritans to lack, an individual had a moral obligation to accept the decisions made by the appropriate authorities of their “*bodie politike*.” The disciplinarian program comprised, at best, “*meere probabilities*,” insufficient to sanction disobedience to established law (6.6; 1:33.12–18). The Preface was aimed not only at those who might be persuaded to favor the whole scope of the settlement, but also at those who ought at least minimally to recognize that its supporters were “*led by great reason to observe*” the ecclesiastical laws and that those who opposed them were “*by no necessitie bound to impugne them*” (7.1; 1:34.17–18).

The appeal to human reason was a principal tool in Hooker’s polemic throughout the *Lawes*, and it appears in the Preface as well. Hooker confronted the claim of disciplinarians that “*the speciall illumination of the holy Ghost*” enabled them to discern the true meaning of Scripture. Accepting, with them, the role of the Holy Spirit in godly exegesis, a teaching emphasized in Calvin’s theology, Hooker turned the common Calvinist interpretation of that “*illumination*” upside down. He challenged the claim of “*speciall illumination*” by arguing that “*there are but two waies whereby the spirit leadeth men into all truth: the one extraordinarie, the other common*”: revelation and reason. Since he might assume that Puritans were not claiming to be prophets, “*reason*

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[must] *be the hand which the Spirite hath led them by*" (Pref. 3.10; 1:17. 10–23). It was, therefore, not "*the fervent earnestnes*" of their persuasions, but "*the soundnes of those reasons*" they put forth that must serve as the test of their truth (1:18.4–8; see pp. 136–137 and 156–157, below).

By its nature, then, the Preface is the most explicitly polemical section of the *Lawes*. The Church of England was struggling to determine its identity within a fractured Christian West. An articulate and dedicated body of clerical and lay leaders understood that identity to be defined by Reformation doctrines of their own century, the symbols and structures of which were best represented by the continental Reformed churches and, for some, most purely by Geneva. Another group of leaders, less well defined and only gradually becoming as articulate as the first group, understood the terms of the settlement to have established an identity which they judged to be faithful to Scripture, to the central insights of Reformation doctrine, and to a critically examined heritage of the intervening centuries. Numbering himself among the latter, Hooker sought to persuade others to accept that identity. His understanding of the structures of authority in human society, especially as they were related to the role of an established religion, led him, in the addition of chapters 8 and 9 to the Preface, to encourage the efforts of church leaders and government officials to suppress the efforts of the disaffected to alter or defy those agreed-upon laws.

Two elements in the substance of Hooker's understanding sustain the irenicism of his style. First, both the inclusive character of the church as he understood it and the concrete reality of that inclusiveness in his university and other personal relationships meant that he always regarded opponents as members of one corporate body (indeed, Travers was his cousin-in-law).¹⁶⁰ Second, his dedication to reason as a God-given gift, requiring him to sound "the depth from whence [truth] springeth," precluded narrow dogmatism (I.1.2; 1:56.28). When he judged them to be in the wrong, Hooker did not suffer fools gladly. But as Olivier Loyer summed it up:

¹⁶⁰ Hooker's cousin "Alys" married John Travers; see genealogical chart, Keble, facing 1:cxvi. John was a younger brother of Walter; see S. J. Knox, *Walter Travers: Paragon of Elizabethan Puritanism* (1962), p. 14.

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The irenicism is real with Hooker, but it is an irenicism which will not be satisfied with a patched-up agreement; it is an irenicism nourished with the certainty that the adversary is holding a part of the truth that needs to be brought to light and put into a better context.¹⁶¹

Irenicism and polemics, constructive theology and rhetoric: each pervades the *Laws*. Such mixtures, Hooker might have said, comprise the inevitable character of fellowship among fallen human beings and pervade the intellectual constructs of their thoughts.

¹⁶¹ *L'Anglicanisme de Richard Hooker*, 2:678–679 (trans. mine).

Book I

Lee W. Gibbs

“THE FYRST BOOKE *Concerning Lawes, and their severall kindes in generall*” is the best known and most often quoted from of all Hooker’s works. It is different in character from all the other books of the *Lawes*, and it has no English parallel in the sixteenth century. Although couched in noncontroversial language, it lays the foundation for all the antidisциплиinarian arguments of the later books. Introduced as a general exposition of the nature and kinds of law, it becomes in fact a treatise within a treatise, on metaphysics, theology, philosophy of nature, education, moral philosophy, and politics.

In describing Book I to his disciplinarian opponents at the end of his original draft of the Preface (see above, pp. 38–43), Hooker sets out to carry the still disputed issue of the character of the English Reformation to a higher level of general first principles:¹

Wherefore seeing that lawes and ordinances in particular, whether such as we observe, or such as your selves would have established; when the minde doth sift and examine them, it must needes have often recourse to a number of doubts and questions about the nature, kindes, and qualities of lawes in generall, whereof unlesse it be thoroughly enformed, there will appeare no certaintie to stay our perswasion upon: I have for that cause set downe in the first place an introduction on both sides needefull to be considered. Declaring therein what lawe is, how different kindes of lawes there are, and what force they are of according unto each kind. (Pref. 7.2; 1:34.23–35.2)

¹ For Aristotle and Thomas Aquinas, a first principle is something from which something else either exists, becomes, or is known: Aristotle distinguishes between arguments from and those to first principles in *Nicomachean Ethics*, 1.4 (1095^b); Aquinas states that “when investigating the nature of anything, one should make the same kind of analysis as he makes when he reduces a proposition to certain self-evident principles” in *Quaestiones disputatae de veritate*, 1.1.

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Book I is thus a general introduction to a work that is (1) a practical polemic written to defend the constitution and practices of the Church of England as established by the Elizabethan settlement against the attacks of critics who desired further reform and (2) a definitive expression of the balanced reformed-catholic theology that was being formulated in England during the sixteenth century by such figures as Thomas Cranmer and John Jewel.²

Scholars have often opposed these diverse aspects of Hooker's thought as antithetical to one another or have emphasized one of them at the expense of the other. Older historians who viewed Hooker as a great irenic figure who rose above the ephemeral party conflicts of his own time neglected the polemical origin and place of the *Laws* in the controversies of the Elizabethan church.³ More recent scholars have emphasized the frankly apologetic nature of Hooker's work, discounting the irenic intent Hooker claims for his treatise as a rhetorical tactic designed to lay claim to the high ground within the controversy.⁴ Recognition of the practical origin and

² John Booty has argued that the aim of the Elizabethan settlement, which Hooker was defending, was not political compromise or the mere balancing of opinions between two opposing parties but philosophic comprehension, that is, the rejection of error whatever its source and the affirmation of truth wherever it might be found, characterized by measure, moderation, and restraint; the question of what is true and beneficial in religion is to be settled according to the tests of Scripture, tradition, and reason, and to exclude all to the contrary; see "Hooker and Anglicanism," *S.R.H.*, pp. 207-211.

³ The argument that Hooker rises above the contentions of sixteenth-century polemic is as old as Henry Hallam, who described Hooker as a knight of romance among the vulgar brawlers of the religious controversy; *The Constitutional History of England from the Accession of Henry VII to the Death of George II*, 5th edn. (London, 1846), 1:214; and as recent as Alfred Pollard, who has written that Hooker goes "beyond the bickering world of wrangling about ecclesiastical power and scriptural interpretation into the majestic realm of eternal verity"; *Richard Hooker, Writers and Their Work*, 195 (London: Longmans, Green, 1966), p. 15.

⁴ The emphasis upon understanding Hooker's *Laws* in terms of its polemic against the Elizabethan presbyterians is found in W. D. J. Cargill Thompson, "The Philosopher of the 'Politie Society,'" *S.R.H.*, pp. 3-76, *repr.*, *Studies in the Reformation*, ed. Dugmore (1980), pp. 131-91; Brian Vickers, Introduction 2, *Of the Laws of Ecclesiastical Polity: An Abridged Edition* (London: Sidgwick & Jackson, 1973), pp. 41-59; Rudolf

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intent of the *Lawes*, including Book I, does not minimize the distinctiveness of Hooker's moderation in the heat of debate, the uniquely lofty level of his discourse about the first principles underlying the disputed issues, the genuineness of his appeal to persuasive reason rather than to truth claims made on behalf of the established order, or the sincerity of his belief that the program of the disciplinarians really was truly at odds with his perception of a lawfully ordered cosmos.⁵

The fundamental problem in the interpretation of Book I is therefore that of setting an apparently serene essay in philosophical theology within the context of the practical crisis faced by the Elizabethan church during the closing decades of the sixteenth century (see above, pp. 8–26), for it is the distinction of Book I, both within the *Lawes*

Almasj, "The Purpose of Richard Hooker's Polemic," *Journal of the History of Ideas*, 39 (1978): 251–270; Robert Eccleshall, "Richard Hooker and the Peculiarities of the English," *History of Political Thought*, 2 (1981): 63–117; Stanley Archer, *Richard Hooker*, Twayne's English Authors Series (Boston: Twayne, 1983), Preface; and John N. Wall, "Hooker's 'Faire Speeche': Rhetorical Strategies in the *Lawes of Ecclesiasticall Polity*," in Donald S. Armentrout, ed., *This Sacred History: Anglican Reflections, for John Booty* (Cambridge, Mass.: Cowley Publications, 1990), pp. 125–143.

⁵ The contemporary school of social historians who oppose the "essentialist" valuation of abstract ideas as if they were not related to "materialist" (that is, economic, social, and political relations), and who therefore interpret theological and philosophical doctrines as epiphenomena, understand Hooker's explication and defense of "the Elizabethan world view" as an example of an ideological attempt to maintain the status quo for privileged aristocratic classes in England, including bishops and the crown. Hooker is well aware of this practical socio-economic aspect of sixteenth-century English polity, and there are passages scattered throughout Book I and the *Lawes* that self-consciously demonstrate how intimately his description of order grounded in the universal rule of law is bound together with his attempt to defend a particular political and religious establishment. Nevertheless, these arguments in support of conformity do not negate the philosophical character of Hooker's social thought, which, with regard to human affairs, views the whole community as the ultimate source of political power and of any changes thereof; see Introduction to Book VIII, pp. 380–383, below; see also W. Speed Hill, "The Evolution of Hooker's *Laws of Ecclesiastical Polity*," *S.R.H.*, pp. 152–53; Christopher Hill, *Economic Problems of the Church: From Archbishop Whitgift to the Long Parliament* (Oxford: Clarendon Press, 1956; rpr. 1965), pp. ix–xii; and Christopher Morris, *Political Thought in England: Tyndale to Hooker*, University Library of Modern Knowledge (London: Oxford University Press, 1953; rpr. 1965), pp. 69, 74–77, 176, 195.

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and as compared to the works of contemporary controversialists, that Hooker's roles as detached philosophical theologian and engaged polemicist writing on behalf of an established church appear to have seamlessly coalesced.

Book I as Polemic

Although it is typically read in isolation from the treatise of which it is a part,⁶ Book I is not an abstract essay in philosophical theology or political theory, somehow set apart in tone and intent from the treatise it introduces. Here, as in the more explicitly polemical Preface, Hooker both attacks a powerful opposition and defends a particular religious settlement. Hence, even though he seeks to provide a basis for the negative and positive phases of this apologetic task by placing them in the broader normative context of a systematic examination of "*Lawes, and their severall kindes in generall,*" every subject he discusses—even at this very abstract level—has to be considered in terms of its polemical overtones and implications.

One of the clearest examples of negative polemic in Book I occurs near the end, where Hooker makes an *ad hominem* argument that castigates the disciplinarians' individualism and trust in private judgment when they refuse to obey laws made for the common good to which the whole society had consented:

It is both commonly sayd, and truely, that the best men otherwise are not alwayes the best in regard of societie. The reason wherof is for that the law of mens actions is one, if they be respected only as men; and another, when they are considered as parts of a politique body. Many men there are, then whom nothing is more commendable when they are singled. And yet in societie with others none lesse fit to answeere the duties which are looked for at their handes. Yea, I am perswaded, that of them with whom in this cause we strive, there are whose betters

⁶ It was edited as a school text by R. W. Church ("English Classics") at Oxford in 1866 (rpr. 1868, 1873, 1882, 1896, and 1905); Keble's 1888 text was excerpted and reprinted by the University of Chicago Press in 1940 and 1949.

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amongst men would bee hardly found, if they did not live amongst men, but in some wilderness by themselves. (16.6; 1:139.32–140.9)

Hooker's seemingly dispassionate explication of the general theory of the nature and kinds of law also has a polemical aim, albeit a positive one. It was designed to provide a philosophical foundation for the two basic principles on which his and other Elizabethan defenses of the established church rested: (1) the distinction between necessary matters of faith, essential to salvation and clearly expressed in Scripture, and contingent "external" matters of religion, "not commended or prohibited in Scripture," and therefore to be regarded as "things indifferent" (*adiaphora*);⁷ and (2) the correlative claim that each individual branch of the church universal has the right to determine or regulate its own external or "indifferent" forms of worship and government.

These two principles were at the very heart of the debate between the supporters of the church as established in England and those who sought reform of its "discipline" or "politic" along the lines established in Geneva—a debate that pivoted around the issue of whether or not the ecclesiastical laws and orders established by governmental authority ought to be accepted and obeyed by all citizens. Along with other early apologists of the established church, Hooker contended that the content of these laws and orders dealt with "things indifferent"—such matters, for example, as clerical vestments, church ceremonies, and ecclesiastical polity in general, including episcopacy and royal supremacy. He argued that in such "things indifferent" it was not only permissible but desirable to follow the combined authority of tradition and reason; in disobeying ecclesiastical law the disciplinarians

⁷ Cargill Thompson argued that it was John Whitgift who first appropriated Philip Melancthon's concept of "adiaphora" and related it to these two principles of church government (*S.R.H.*, p. 16; *Studies in the Reformation*, p. 143). But Quentin Skinner points out that Thomas Starkey had anticipated Whitgift (and Hooker) in his *An exhortation to the people, instructyng them to unitie and obedience* ([1536]; STC 23236); see *The Foundations of Modern Political Thought* (Cambridge: The University Press, 1978; rpr. 1979), 2:103–105, and Introduction to Book VIII, p. 351, n. 21, below. For Hooker, as for Whitgift and Melancthon, "indifference" is the indetermination of the means chosen to attain the end proposed.

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were undermining the whole of society without having good reason or cause of conscience, for it was only in external “things indifferent” that they were being asked to conform.

The Elizabethan presbyterians, however, did not agree. God would not, they argued, remain silent or ambiguous in his Word about matters that are so important for the life of his church as proper ceremonies of divine worship or the proper form of ecclesiastical government. The reformers therefore challenged what they regarded as the arbitrariness of all the positive, human-made laws concerning the religious establishment by setting them over against the eternal law of God revealed once and for all times in Scripture. The terms of the debate were nicely put by J. E. Neale (the context is the vestiarian controversy of 1565–1566, but they apply equally to the later debate):

all were agreed . . . that the quarrel was over ‘matters indifferent.’ Since we have the essentials of a true Church, why be so stiff-necked over inessentials? asked the bishops who found themselves obligated to carry out the Queen’s demand for uniformity. Since these things are ‘indifferent’ retorted their opponents, why force them upon us?⁸

Book I as a Work of Systematic Philosophical Theology

While Book I functions as the general introduction to a sustained polemic, it also lays the foundations for a coherent philosophical theology. And while its logical consistency has been questioned,⁹

⁸ Neale, 1:179–180 (I owe this reference to Wallace Galloway).

⁹ H. F. Kearney argued that Hooker’s fundamental inconsistency is to be found in his failure to reconcile the dichotomy between a “rationalist” and a “voluntarist” conception of law (“Richard Hooker: A Reconstruction,” *Cambridge Journal*, 5 [1952]: 300–311); Peter Munz concluded that Hooker’s argument is flawed because his Thomist theory of church and state in Book I is inconsistent with the Marsilian position taken in Book VIII (*The Place of Hooker in the History of Thought*); Gunnar Hillerdal pointed to Hooker’s failure to reconcile his Aristotelian-Thomist philosophy of reason with his Protestant theology of grace and predestination (*Reason and Revelation in Richard Hooker*). Against the positions of Kearney and Munz, Arthur S. McGrade argued the coherence of Hooker’s thought in “The Coherence of Hooker’s Polity: The Books on Power,” *Journal of the History of Ideas*, 24 (1963): 163–182, and

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Hooker clearly asserts his own understanding of how its diverse parts constitute a coherent whole:

For as much helpe whereof as may be in this case, I have endeavoured throughout the bodie of this whole discourse, that every former part might give strength unto all that followe, and every later bring some light unto all before. So that if the judgements of men doe but holde themselves in suspence as touching these first more generall meditations, till in order they have perused the rest that ensue: what may seeme darke at the first will afterwards be founde more plaine, even as the later particular decisions will appeare, I doubt not more strong, when the other have beene read before.¹⁰

From the beginning Hooker saw his work as a logically consistent whole, in which the arguments of the last four books presupposed the general principles and arguments laid down in the first four.

Hooker launches his defense with a thoroughgoing re-examination of the nature of law, arguing that the quarrel with the disciplinarians over the nature of authority was ultimately rooted in an inadequate understanding of the general nature of law, combined with a confusion of the different orders of law. By choosing law as the master idea of his treatise, and by defining law in a uniquely nonauthoritarian fashion,¹¹ Hooker fundamentally reshapes his classical and medieval sources and precipitates a basic shift in metaphysical principles. Because his predecessors had given priority to the realm of being rather than to the realm of becoming, law conceived of as a rule of action played a relatively subordinate role within their broader speculative systems.

"The Public and the Religious in Hooker's *Polity*," *Church History*, 37 (1968): 404–422. Egil Grisliis challenged Hillerdal in "Richard Hooker's Image of Man," *Renaissance Papers 1963*, ed. S. K. Heninger, Jr. (The Southeastern Renaissance Conference, 1964), pp. 73–84.

¹⁰ I.1.2; 1:57.24–33; compare the outline in the Preface 7.2–3 (1:34.23–36.9) and the summaries in "*What things are handled in the Bookes following*" (1:54.2–22).

¹¹ First noted by McGrade, Introduction 1, *An Abridged Edition*, pp. 18–19; see also Paul E. Forte, "Richard Hooker's Theory of Law," *Journal of Medieval and Renaissance Studies*, 12 (1982): 135–141.

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The choice of law as the first principle of Hooker's Christian philosophy reflects the profoundly social nature of his thought and gives a *de facto* priority to the practical function of reason—as opposed to its theoretical and productive functions,¹² simultaneously emphasizing the practical areas of ethics and politics.¹³ Hooker's emphasis upon the realm of becoming and process provides the foundation for a more dynamic view of the physical cosmos and for taking more seriously the authority of evolving historical traditions. In the realm of practical human action, where probable rather than necessary reasoning prevails, the criteria are precedence, convenience, and expediency—criteria taught not by pure logic but by dialectic, rhetoric, and historical experience. It is this practical dimension of Hooker's thought, reflected in the selection of law as his key category, that helped to shape the distinctive moral divinity of the seventeenth-century Caroline divines and all subsequent Anglican theology.¹⁴

Hooker distances himself still further from his classical and medieval forerunners, and especially from all proponents of philosophical and theological voluntarism, with his initial definition of law as “that which doth assigne unto each thing the kinde, that which doth moderate the force and power, that which doth appoint the forme and measure of working” (I.2.1; 1:58.26–29). By defining law as a rule or measure guiding an action to its appropriate end rather than as a command coercively imposed by a sovereign, Hooker omitted from

¹² Aristotle distinguishes between the speculative, practical, and productive sciences in *Metaphysics*, 6.1 (1025^b–1026^b). Unlike Hooker, however, Aristotle goes on to argue that metaphysics is superior to all other speculative sciences and that the speculative sciences are superior to the nonspeculative.

¹³ Hooker's theoretical choice of law as the key category of his thought must not be divorced from the practical setting of his original controversy with Travers at the Temple or from his writing against Cartwright and the other disciplinarians in the London home of his father-in-law, John Churchman, located only a few blocks away from the Inns of Court; see above, Introduction to The Preface, pp. 56–58; see also C. M. A. McCauliff, “Law as a Principle of Reform: Reflections from Sixteenth-Century England,” *Rutgers Law Review* (1988): 429–435.

¹⁴ See Henry R. McAdoo, *The Spirit of Anglicanism: A Survey of Anglican Theological Method in the Seventeenth Century* (New York: Charles Scribner's Sons, 1965), p. 38, and *The Structure of Caroline Moral Theology* (London and New York, 1949).

his definition what many thinkers, including his disciplinarian opponents, regarded as its most essential property. Well aware of his innovative usage, he speaks about his “somewhat more enlarging the terme” as a departure from what “the learned for the most part” mean by law.¹⁵ This departure allowed Hooker to apply the idea of law not only to the created order but also to the operations of God, in which he found a two-fold eternal law. Applying the concept of law to all external operations had the inevitable consequence of enhancing the status and observance of law throughout the rest of the cosmos, not excluding the human society of England in the 1590s.

i. Date and Occasion

Book I was published with the Preface and Books II–IV in March 1593 as the initial installment of the *Lawes*, and its setting is identical to that of the Preface and Books II–IV. Its date and occasion, however, continue to raise the question concerning the identity of Hooker’s antagonist when he first conceived of and began to write the *Lawes*.

While Thomas Cartwright emerged as Hooker’s primary adversary in the *Lawes*, there is internal evidence that the thesis of Book I arose out of the controversy with Walter Travers at the Temple. The central issue underlying all of the individual disputes between Hooker and Travers was that concerning the nature of authority, which in turn raised the related problems of the nature of law and the role of human reason in discerning theological truth. When Travers objected that Hooker’s teaching about the doctrine of predestination in the sermon at St. Paul’s Cross (now lost but probably delivered in 1584) was at variance with that of Calvin and other “good writers,” Travers claimed that Hooker answered, “*his best aucthor was his owne reason.*”¹⁶ Travers’s contention was that Hooker was presumptuous in appealing

¹⁵ I.3.7 (1:63.6–14); see nn on this passage and on 1:63.6–64.3.

¹⁶ Travers, *Supplication*, 5:198.24, this edn.; compare Hooker’s *Answer*, 5:255.3–11: “I alledged . . . a reson not meaninge thereby *myne owne reason* as nowe it is reported, but true sounde divyne reason, . . . theologicall reason which out of princyple in scripture that are playne soundly deduceth more doubtfull inferences. . . .”

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to his own judgment against an authoritative interpretation of Scripture by leading Protestant Reformers.

Travers made a similar critique of Hooker's *Sermon of the Certaintie and Perpetuitie of Faith in the Elect*, strenuously objecting to Hooker's statement that "the assurance of that we beleve by the word, is not so certeyne as of that we perceyve by sense."¹⁷ Close examination of the disputed text reveals that Hooker actually agreed with Travers in holding that, *in themselves*, "the thinges which God doth promys in his worde are surer unto us then any thinge we touche handle or see" (5:236.24–26). Travers refused, however, to accept Hooker's subsequent argument that, with regard to the "certaintie of evidence" (5:70.24), sense experience reflected upon by natural reason ("the light of nature") is more certain than divine truth disclosed in the Bible, even though that divine truth may only be apprehended by reason illuminated by "the light of grace" (5:70.17). Travers had to reject these incipient appeals to natural reason and to sense experience because they challenged the Calvinist and disciplinarian thesis that Scripture is the only rule of all ecclesiastical law. On the other side, Hooker's discussion here points clearly to his central line of argument in Book I that law can be discovered by the light of natural reason and that human laws can and must regulate affairs in the church; it also anticipates his position on the relation of Scripture and reason in chapter 14 (1:126.5–13).¹⁸

It is in the *Sermon of Pride*, however, that Hooker first reflects on the general concept of law and the system of laws. Justifying the authority of law on the basis of its reasonableness rather than in terms of its simply being the command of a sovereign sanctioned by coercion,¹⁹ he speaks there of law as "that exact rule wherby humane actions are measured," and identifies this rule as the law of God.²⁰ In Book I he elaborates this distinction between revealed divine law and

¹⁷ *Supplication*, 5:200.6–7; see Hooker, *Certaintie*, 5:70.24–25, and *Answer*, 5:236.20–237.14.

¹⁸ See W. Speed Hill, "Doctrine and Polity in Hooker's *Laws*," *English Literary Renaissance*, 2 (1972): 173–193.

¹⁹ *Pride*, 5:309.11–23; compare *Lawes*, I.2.5 (1:61.18–28).

²⁰ *Pride*, 5:312.8–9; compare *Lawes*, I.2.1 (1:58.26–33).

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the law of reason: "Under the name of the law we must comprehend not only that which god hath written in tables and leaves but that which nature hath *ingraven in the hartes of men*" (5:312.12–15).

Most importantly of all, in the context of a general discussion of justice as "a vertue wherby we have our own in such sort as law prescribeth," Hooker makes the crucial distinction between natural immutable law on the one hand and human variable law on the other (5:334.31–335.6), anticipating the argument that the root of the disciplinarian error is the false idea that all laws made by humans are positive and all those given by God are immutable. And when he observes that even some laws revealed in Scripture are alterable ("All Canons apostolicall touching the forme of church government though receyved from god him selfe yeat positive lawes and therefore alterable"; 5:335.25–27) while some human laws are unchangeable, he identifies the key issue at stake in the struggle with Travers and the disciplinarians over the nature of authority in "ecclesiastical politie."²¹

ii. Sources

It may come as a surprise to a more secular age to learn that Hooker's primary source for Book I—philosophic as it is—is the Holy Bible. There are fifty references to the Old Testament (quoted from the Geneva Bible), ninety-seven to the New (usually translated by Hooker himself from the Greek or the Vulgate), and six to the apocryphal Wisdom of Solomon. It is hard to overemphasize how different an impression one has of the character of Book I when one has in hand *all* the biblical references and reads them in context. Without an active awareness of them, one can understand neither Hooker's biblical hermeneutics nor his foundation of the overall structure and argument of Book I upon the authority of the Scriptures as the Word of God.²²

²¹ Cargill Thompson identified the application of the concept of mutable human law to the sphere of ecclesiastical law as one of the two most significant aspects of Hooker's theory of human law, the other being his insistence that all human laws derive their ultimate validity from consent; *S.R.H.*, p. 33; *Studies in the Reformation*, p. 159.

²² See, for example, the dense series of citations on angelology in chap. 4, where

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After the Bible, and in spite of the fact that there are only three direct references and two probable paraphrases, the second most important source for Book I is Aquinas's *Summa theologiae*, especially that part known as "The Treatise on Law" (1a2ae.90–97).²³ Hooker adopts as his own the Thomistic dictum that *gratia non tollit naturam, sed perfectit*, a doctrine which has far-reaching polemical implications with respect to the more pessimistic stance of his disciplinarian opponents on the relation of reason and faith, on the disabilities of fallen human nature, and on the necessity of the political state and its laws. Moreover, the basic outline of Book I is derived from Aquinas's discussion of the various kinds of law (eternal, natural, human, and divine), as is the basic conception of law as rational in its essence (*aliquid rationis*) and his emphasis upon the directive power of law (*potestas directiva*) over its coercive power (*potestas coactiva*).

Nevertheless, Hooker did not hesitate to modify Aquinas's scheme of law to suit his own philosophical-theological needs. Hence, although Aquinas distinguishes between "eternal law" and "divine law," there is nothing in his writings that corresponds to Hooker's distinction between the "First" and "Second Law Eternal." Hooker is also unique in adding a special category of "celestial law" for angels and in distinguishing between "the law of reason" and "the law of [physical] nature" in the created world.

Behind the authority of Aquinas stands that of "the Arch-Philosopher," Aristotle (I.10.4; 1:99.28).²⁴ However, Hooker does not hesi-

Hooker documents from Scripture their praise of God, their obedience to the divine will, and their submissive role as messengers and servants to humankind—a series that closes with references to the insubordinate angels who became demons cast into hell with their prince, the Devil. See also nn at 1:70.20–22, 70.22–71.15, and 71.10–11, and the ISR, this volume and volume 5.

²³ Hooker also makes one reference each to Aquinas's *Compendium theologiae* and to his commentary on Aristotle's *Metaphysics*. The only other medieval scholastic represented in Book I is Duns Scotus, "the wittiest of the Schoole divines" (I.11.5; 1:117.19), whose commentary on Peter Lombard's *Sentences* Hooker cites twice.

²⁴ There are twenty-two references in all to works by Aristotle, including six to the *Nicomachean Ethics*, five to the *Politics*, three each to the *Rhetoric* and *Metaphysics*, two to *On the Soul*, and single citations to the *Physics*, *On the Heavens*, and the

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tate to modify his source material to suit his own purposes. For example, the important distinction in Book I between "the law of reason" and "human positive law" is ultimately grounded in Aristotle's distinction in the *Nicomachean Ethics* between the two kinds of political justice, natural and conventional, but while Hooker's elaboration of "the law of reason" plays a prominent role in Book I, Aristotle only briefly discusses "natural justice" on an obscure page of the *Ethics*. Or again, Hooker immediately modifies his appropriation of Aristotle's teaching about the natural and rational origin of the state as set forth in the *Politics* by setting it side by side with a theory of the voluntary origin of socio-political institutions in the consent of the governed and the Christian-Augustinian doctrine that the state is a divinely appointed punishment and remedy for human sin.

Although Hooker specifically denies the Platonic doctrine of innate ideas (I.6.1; 1:74.17–28), the references in Book I to the works of Plato and the neoplatonists further show that he was by no means exclusive in his appropriation of the Aristotelian-Thomistic synthesis.²⁵ There are references to four of Plato's dialogues, although one or more of these was probably derived from the *Eclogues* of Stobaeus. There is one reference to the *De dogmatibus Platonis* of "Alcinous" (apparently a misnomer for Albinus). He refers six times to the so-called Hermetic literature, *The Poemander* or *The Shepherd*, attributed by Hooker and his contemporaries to the legendary Egyptian sage Hermes Trismegistus as the earliest teacher of universal human wis-

spurious *Rhetoric to Alexander*. There are two further references to the commentary on Aristotle's *Metaphysics* written by his disciple and successor, Theophrastus.

²⁵ Olivier Loyer noted that this fusion of Platonic with Aristotelian sources illustrates Hooker's characteristic holding of two opposed traditions in suspension; see *L'Anglicanisme de Richard Hooker*, 2:684–685, and 741, n. 46. Paul Oskar Kristeller has established the continuing importance of the Aristotelian tradition alongside the revival of Platonism during the Renaissance, together with the thoroughgoing eclecticism in method and content of both these traditions, in *Renaissance Thought: The Classic, Scholastic, and Humanistic Strains* (New York: Harper & Row, 1961), esp. pp. 24–69. See also Charles B. Schmitt, *Aristotle and the Renaissance* (Cambridge: Harvard University Press, 1983), and James McConica, "Humanism and Aristotle in Tudor Oxford," *English Historical Review*, 94 (1979): 291–317.

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dom, and to the *Carmina Orphei* or *Orphic Hymns*—all works written by neoplatonist philosophers during the second and third centuries. There is also an important footnote (1:84.m) where Hooker cites, in the midst of several other authorities, *De religione Christiana* by the Florentine Platonist, Marsilio Ficino, and the *Compendium* by the German Cardinal Nicolas of Cusa, whose mystical theology was heavily influenced by neoplatonism (see 1:84.2–3, m, and n).

In addition to works by Aristotle and Plato and their disciples, Hooker's other classical sources in Book I include Homer's *Iliad*, Sophocles's *Antigone*, Hesiod's *Theogony*, Hippocrates's *Regimen*, Strabo's *De situ orbis*, Stobaeus's *Eclogues*, Virgil's *Aeneid*, and Sallust's *Bellum Catilinae*. The quotations from Homer and Virgil may be directly recalled from his own early reading, but the quotation from Sophocles is from Aristotle's *Rhetoric* (see 1:90.9–11, e, and n), the reference to the ancient Greek sage and dictator, Pittacus of Mitylene in Lesbos, is probably also at second hand (1:66.7.n), and he acknowledges that the reference to the celebrated Athenian sculptor Phidias is borrowed from Aristotle's *Politics* (1:103.33–104.4, h, and n). Whatever the origin of Hooker's acquaintance with these particular writers, Basil Willey has demonstrated how skilfully Hooker employs them to shore up the foundation for his argument against the disciplinarians.²⁶

Hooker's classical sources also include four references to Cicero's *De legibus*, *De officiis*, and *Libri . . . Tusculanarum quaestionum ad M. Brutum*. Not only does Cicero the orator lie behind Hooker the literary stylist, but he is an essential part of the specific philosophical content of Book I as well. In concert with other Renaissance humanists who idealized Cicero, Hooker attempted to imitate his synthesis of the oratorical art of persuasion with the wisdom of the philosophers.²⁷ It was Cicero

²⁶ See "Humanism and Hooker" in *The English Moralists* (New York: W. W. Norton; London: Chatto & Windus, 1964), pp. 100–123. Robert K. Faulkner showed how Hooker shapes his pagan sources to create more agreement than actually existed; see *Richard Hooker and the Politics of a Christian England* (Berkeley and Los Angeles: University of California Press, 1981), pp. 26–27.

²⁷ On the origins and significance of this synthesis, see Jerrold E. Seigel, *Rhetoric and Philosophy in Renaissance Humanism: The Union of Eloquence and Wisdom, Petrarch to Valla* (Princeton: Princeton University Press, 1968); see also McGrade, *An Abridged*

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more than any other who gave to the Stoic doctrine of "natural law" the formulation in which it was to become universally known throughout Western Europe and from whom it passed to Roman lawyers and to the church Fathers.

Hooker cites the works of two ancient Jewish scholars, Josephus's *Jewish Antiquities* and Philo's *Life of Moses*. Among the works of the church Fathers, those by Augustine clearly predominate, although there are single references to Tertullian, Ambrose, Lactantius, Theodoret, Clement of Alexandria, and Boethius. He does not acknowledge the derivation of the well-known passage, "Now if nature should intermit her course . . .," from *Adversus Gentes* by Arnobius of Sicca (3.2; 1:65.20–66.6.n).

Hooker also alludes to an ancient legend about Dionysius the Areopagite, the Greek who was supposedly converted and then appointed first bishop of Athens by the Apostle Paul and who was said while in Egypt to have observed and commented upon an eclipse of the sun at the time of the crucifixion. A number of mystical works were later pseudonymously attributed to him, including *The Celestial Hierarchy*, a work which sets forth a world view presupposed by Hooker not only in his elaboration of the nature and kinds of law in Book I but throughout the remaining parts of the *Lawes* as well.

That the *Lawes* is a product of the Temple law schools, where Hooker was master of the Temple church from 1585 to 1591, is confirmed by the number and variety of his legal sources. He has drawn upon the political philosophy of Plato, Aristotle, Augustine, and Aquinas, upon the digests of Roman law, the canons of the church, the political theories derived from the growth of nationalism and Protestantism, and the whole history of English law from the Norman Conquest and Magna Carta to the statutes of the realm and the Acts of Supremacy and Uniformity.

In Book I there are five references to the Roman law (*Corpus juris civilis*). Such familiarity is especially significant because the concept of "natural right" (*jus naturale*) is invoked in the introduction to justify

Edition, pp. 37–38, Forte, "Hooker as Preacher," 5:657–682, this edn., and Archer, *Richard Hooker*, p. 124.

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the reasonableness and universal value of the Roman system as the law of an international civilization (*jus gentium*). Although Hooker has only a single reference to canon law, from the beginning of Gratian's *Decretum*, and that probably derived from Aquinas, who twice quotes the text in his discussion of law in the *Summa theologiæ*, the reference makes the crucial identification of "the law of reason or nature" with the law of the prophets of ancient Israel and the Gospel itself.²⁸ Hooker makes but one indirect reference to an Elizabethan statute—one regulating trade and diet. He also cites a digest of criminal law published by the sixteenth-century judge William Staunford under the title *Les Plees del Coron* (1557), as well as the anti-Roman *Disputations against Bellarmine on Holy Scripture* (1588) by the Calvinist professor of theology at Cambridge, William Whitaker. Among other works Hooker does not acknowledge that almost certainly influenced the structure and content of Book I, special mention must be made of *Doctor and Student, or Dialogues between a Doctor of Divinity and a Student in the Laws of England* by the barrister of the Inner Temple, Christopher Saint German (see n. 34, below); the 1574 homily, "An Exhortacion concernyng Good Ordre and Obedience to Rulers and Magistrates" (see n. 32, below); and the *Answer to . . . an Admonition* (1572) and the *Defense of the Aunswere* (1574) by John Whitgift.

iii. *The Argument*

Having determined that the basic difference between the supporters of the established church and the disciplinarians was ultimately grounded more in a different understanding of the nature and authority of law than in a disagreement over specific regulations having to do with the particular rites, customs, and orders of the Church of England, Hooker states in the opening chapter the rationale for writing the first book, namely, that the resolution of controversy can be attained only by going to the foundation or root of the subject matter under dispute (§ 2; 1:57.6–20). Hooker thus attempts in subsequent chapters to identify broader and more sufficient principles which, if

²⁸ Hooker also cites a work on the Apostolic Councils written by the twelfth-century Byzantine canonist and historian, Johannes Zonaras.

mutually agreed upon, could provide a surer foundation for peaceful coexistence. The search for such common first principles leads him into a discussion not only of the general nature and different kinds of law but also of the potentialities of human nature (even after the fall into sin) and of the origins and nature of political societies. Behind the exposition of all these interrelated themes there can be discerned a conjunctive view of the relation between grace and nature, between reason and will, and between Scripture and reason that is closer to the position of Aquinas than to the more disjunctive perspective of his Calvinist antagonists.²⁹

Eternal Law

Beginning with the teleological premise derived from Aristotle and Aquinas that everything that exists has "some foreconceived ende for which it worketh" (2.1; 1:58.24), Hooker sets forth his general definition of law as "that which doth assigne unto each thing the kinde, that which doth moderate the force and power, that which doth appoint the forme and measure of working" (1:58.26–29). This definition emphasizes the rationality of law, for its essence is conceived of not so much as a series of promulgations as an inherently appropriate pattern of behavior whereby all things are directed "in the means whereby they tend to their own perfection." It is therefore not surprising to find Hooker formally and explicitly rejecting the voluntarist and nominalist emphasis on God's will at the expense of God's reason: "They erre therefore who thinke that of the will of God to do this or that, there is no reason besides his will" (2.5; 1:61.18–19). For Hooker, as for Aquinas, law is grounded on reason (*aliquid rationis*); the divine will always acts following the divine reason, and all law has its origin in an ultimate law sustained by the divine will because it is rational.

Hooker's initial broad definition of the general nature of law is distinctive in that it does not presuppose the traditional idea of a superior imposing his will upon inferiors and the coercive sanctioning

²⁹ But see Egil Grislis, Introduction to the Commentary, *Tractates and Sermons*, 5:630–634, this edn.

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of the imposition of that will by reward and punishment (see n. 11, above). Its most important consequence is that it enables him to apply the notion of law not only to the external activity but also to the being of God, whose perfect nature is conceived of as "a kinde of lawe to his working." That God himself is a rational being who *voluntarily* chooses to observe the law of his own inner nature was intended to imply that the perceived inclination of the disciplinarians toward civil disobedience and finally rebellion is not only against a legitimately established social order but against the metaphysical order as well.

The initial nonauthoritarian definition of law is important for the distinction Hooker makes between the first and the second eternal laws,³⁰ for it is broad enough to apply to his conception of the *first*

³⁰ The distinction is not found in traditional Augustinian or Thomist teaching; Hooker introduces it primarily to show that contingent natural events and human sin when they occur are somehow ordered within the first eternal law even though they are not conformable to the second (3.1; 63.26–64.3 and *s*). The distinction may reflect that of the scholastics between God's absolute power (*potentia absoluta*) and his ordained power (*potentia ordinata*); see McGrade, *An Abridged Edition*, p. 17, and Loyer, 2:675–676. That distinction had its origin in the late eleventh century and was the common property of the schools from the twelfth century on, included in the works of Albert the Great and of Aquinas; it was used to make the point that the present created order that God has established was not necessarily determined but freely chosen by the divine will. From the late thirteenth century onwards, beginning with Duns Scotus, who elevated to the status of a metaphysical principle the Augustinian emphasis on the primacy of the divine will over the divine intellect, and continuing through William of Ockham and Gabriel Biel to Luther and Calvin, the voluntarist and nominalist tradition used this distinction to stress the omnipotence and sovereignty of God and the conception of law as *imposed* upon the world by the divine will; see Heiko A. Oberman, *The Harvest of Medieval Theology* (Cambridge: Harvard University Press, 1963), pp. 30–56, 90–119.

One interpretation of the scholastic distinction between God's *potentia absoluta* and his *potentia ordinata* holds that all that happens in the created order (including miracles) falls under God's *potentia ordinata*; in this framework, Hooker's first and second eternal laws belong to this order. Another interpretation of this distinction, however, argues that God's *ordained power* determines what normally does or should occur in creation, while occurrences outside the natural order are ascribed to God's *absolute power*; see William J. Courtenay, "Nominalism and Late Medieval Religion," *The Pursuit of Holiness in Late Medieval and Renaissance Religion*, ed. Charles Trinkaus with Heiko Oberman (Leiden: Brill, 1974), pp. 37–43. Hooker appears to have this latter interpre-

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eternal law as that which guides all the external operations by which God has voluntarily chosen to govern the world. Hooker assumes these rationally grounded operations freely affirmed by the divine will under his final definition of eternal law as "*that order which God before all ages hath set down with himselfe, for himselfe to do all things by*" (2.6; 1:63.2-3). However, Hooker immediately reintroduces the notions of superior authority into his conception of law when he discusses the more traditional understanding of the (*second*) "law eternal" as that order which God has determined to be most "expedient to be kept by all his creatures, according to the severall condition wherwith he hath indued them" (3.1; 1:63.9-10). It is this aspect of the second eternal law that pertains to the sphere of human political activity and, more specifically, to the legislative power of the whole community over the individuals who constitute its members, where Hooker later emphasizes the exercise of constraining force by legitimate authority as an essential property that distinguishes law from "counsel" or "monition" (10.7-8; compare VIII.6.11).

Hooker concludes his discussion of eternal law by dividing the second eternal law, which is itself ordered by the first, into subcategories that set forth the basic outline of the remaining chapters of Book I, namely: the law of nature, which orders nonintellectual and nonvoluntary natural agents (the remainder of chap. 3); celestial law, which orders the angels (chap. 4); the law of reason, which orders human beings in this world as reasonable and morally responsible creatures (chaps. 5-9); human law, which is derived from the law of reason and expediency (chap. 10); and divine law, which also orders human beings in this world but which is known by God's special revelation in the Scriptures (chaps. 11-15).

tation in mind when he describes the traditional idea of eternal law ("*this second law eternall*") as "that which . . . [God] hath set downe as expedient to be kept by all his creatures" (3.1; 63.8-9), but finds a more basic law ("*the first eternall lawe*") to which "even those things which to this [second] *eternall* law are not conformable, are notwithstanding in some sort ordered" (63.27-29). This more basic law (Hooker's first eternal law) is that in accordance with which "God doth worke," while "the lawe which God hath imposed upon his creatures" (the traditional idea of eternal law) becomes for Hooker a second eternal law.

The Law of (Physical) Nature and Celestial Law

Hooker further departs from Aquinas by introducing notions of “the law of nature” and “the celestial law” as distinct from “the law of reason.” For Aquinas, “natural law” is the participation of intellectual creatures (angels and human beings) in God’s eternal law; other creatures can be said to keep law only by analogy (*per similitudinem*).³¹ But in chapter 3, Hooker defines “the law of nature” or “natures law” as the keeping of the second eternal law by “naturall agents, which keepe the law of their kind unwittingly” (1:64.6–7). Although this usage is peculiar and restricted to Book I, it is among the earliest modern uses of the concept of “the law of nature” to refer to the regularity of the physical universe—a usage which contributed to the emergence of a more dynamic view of the cosmos and predisposed subsequent Anglican theologians to assimilate the work of natural scientists.

Hooker’s main point in the section on “natures law” is that *all* created things in the cosmos, including nonintellectual and nonvoluntary entities, are ordered in their behavior by a rational law that has been implanted as a directive throughout the universe. He acknowledges that there are in nature what appear to be “defects” which even the heathen have often observed; but their true cause in the divine malediction of nature because of human sin, revealed by God in Scripture to the church as an article of saving truth, eluded “their meere naturall capacitie and understanding” (3.3; 1:66.15–22).

In an especially important passage where he is elucidating “the law of [physical] nature,” Hooker distinguishes his teleological view based upon Aristotelian and Thomistic premises from any Platonic theory that finds the order in nature rooted in the “imitation of” or “participation in” the eternal ideas (*exemplary draughts*) by individual things (3.4; 1:66.31–67.9). And in an often quoted passage, which paraphrases a section from Arnobius’s *Adversus gentes*, Hooker speculates upon the chaos that would ensue “if nature should intermit her course, and leave altogether, though it were but for a while, the observation of her own lawes” (3.2; 1:65.20–66.6). The polemical implications of this

³¹ S. T., 1a2ae.91.2.

discussion of nature's law are revealed when Hooker distinguishes between the law of "naturall agents considered in themselves . . . which directeth them in the meanes whereby they tende to their owne perfection," and "another law . . . which toucheth them as they are sociable partes united into one bodie, a lawe which bindeth them each to serve unto others good, and all to preferre the good of the whole before whatsoever their owne particular" (3.5; 1:69.6-14).³² Hooker again departs from his medieval sources in specifying a distinct celestial law, applicable exclusively to angels, that orders the nine angelic choirs. He does so, not simply because it is an essential part of his hierarchical view of the world in terms of "the great chain of being,"³³ but because the conception of the society of angels as a series of voluntarily ordered, interlocking hierarchies justifies the obedience of inferiors to superiors on many different levels, including (by analogy) human society in general and the church in particular. Furthermore, and again by analogy, those men who oppose the laws of society are in danger of aligning themselves with the most dramatic example of disobedience in the universe, namely, those "wicked spirits" who, having fallen through pride from the love of God, have since labored by all possible means "to effect an universall rebellion against the lawes, and, as farre as in them lyeth, utter destruction of the workes of God" (4.3; 1:72.4-23). Consideration of the lawful operations of the angels in chapter 4 makes the same point as the

³² Compare the language and content of the argument set forth in "An Exhortation concernyng Good Ordre and Obedience to Rulers and Magistrates," the 1547 Homily appointed to be read in the churches, in Ronald B. Bond, ed., "*Certain Sermons or Homilies*" (1547) and "*A Homily against Disobedience and Wilful Rebellion*" (1570) (Toronto: University of Toronto Press, 1987), pp. 161-170. Christopher Morris commented on this homily in *Political Thought in England: Tyndale to Hooker*, pp. 73-75.

³³ See Arthur O. Lovejoy, *The Great Chain of Being: A Study in the History of an Idea* (1936; rpr. New York: Harper & Brothers, 1960); E. M. W. Tillyard, *The Elizabethan World Picture* (1943; 2nd ed., London: Chatto & Windus, 1960); and George C. Herndl, *The High Design: English Renaissance Tragedy and the Natural Law* (Lexington: University Press of Kentucky, 1970), pp. 1-2, 22-28. For a discussion of the difference between views of order held by supporters of the establishment and the Puritans, see David Little, *Religion, Order and Law: A Study in Pre-Revolutionary England* (New York: Harper Torchbooks, 1969; Oxford: Basil Blackwell, 1970), pp. 149-153.

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analysis of the ordered behavior of natural agents in chapter 3; both constitute parts of a hierarchical world view which illuminates by analogy the intrinsic goodness of reasonably regulated life and the intrinsic evil of rebellious disobedience.

The Law of Reason

In chapter 5, Hooker finally comes to the law whereby human beings obey God. The "natural law" of Aquinas, conceived as the participation of rational and voluntary creatures (angels and humans), becomes "the law of reason" in Hooker. His first use of the concept of a law of nature in chapter 1 is in contrast to eternal law on the one side and divine law, revealed in Scripture, on the other; it designates the law that rules the natural order of things (1:58.16). At the beginning of chapter 3 (1:63.17-18, 64.3-12), he limits the concept to the law which governs natural agents in the physical universe. In chapters 5 through 9, he clearly distinguishes this more restricted usage of "natural law" from the "law of reason" which pertains specifically to human beings.³⁴ However, in passages scattered throughout the *Laws*

³⁴ The most likely origin of Hooker's distinction between "the law of nature" regulating the behavior of natural agents and "the law of reason" directing human beings is the English common law tradition and, more specifically, Christopher St. German's *Doctor and Student* (first published in Latin in 1523 and in English in 1530/1531; for the sixteenth-century bibliographical history of this frequently reprinted work, see revised STC, 2:297), ed. T. F. T. Plucknett and J. L. Barton (London: Selden Society, 1974), Dialogue I, chaps. 1-15, pp. 8-95. Exemplifying the attempt of English common lawyers to appropriate the medieval concepts of nature and reason embodied in the canon law tradition into the theoretical framework of the customary law already long in existence, St. German in this treatise points out that the words "reason" and "reasonable" denote for common lawyers the ideas which the civilian or canonist puts under "the law of nature." St. German begins his appropriation of "reason" into common law by setting forth an essentially medieval scheme of fourfold law: law eternal, divine, rational, and human. Turning to human laws, the student states that in England law is grounded on six principles: the law of reason, the law of God, custom, maxims, local customs, and statutes. On the relation of St. German and common law to the law of reason in Hooker, see George W. Keaton, *The Norman Conquest and the Common Law* (London: Ernest Benn, 1966), pp. 215-218, and Lawrence Manley, *Convention: 1500-1750* (Cambridge: Harvard University Press, 1980), pp. 100-101.

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and including Book I itself, Hooker reverts to the traditional Thomistic usage of "natural law" to designate "the law of reason."³⁵ The discussion of the law of reason here is intended to provide a philosophical basis for a universal law that can be known by human reason apart from its being exclusively revealed in the Scriptures as a part of the divine law, and at least partially observed through the exercise of a free will damaged but not incapacitated by the human fall into sin. Nevertheless, Hooker's identification of the law of reason as the cornerstone of his defense of the established church should not imply that his opponents totally abolished reason from the realm of religion, that there was no place in their view of the universe for law and order, that they were against law and order in church and state, or that there was no place for any concept of natural or right reason in their ethical or political theories. What was really involved in the controversy was the difference between two natural law traditions. Hooker stands predominantly within the medieval rationalist and realist tradition represented by Aquinas, while the magisterial Protestant Reformers and their disciplinarian progeny stand squarely in the camp of the medieval voluntarists and nominalists.³⁶

³⁵ See, for example, I.10.5; 100.17, and 12.1 and 2; 119.4 and 120.21.

³⁶ J. W. Allen and Cargill Thompson each observed that a theory of natural law was held just as strongly, if not always as consistently, by Protestants as by Roman Catholics in the sixteenth century; Allen, *A History of Political Thought in the Sixteenth Century* (1928; rpr. London: Methuen, 1960), p. 188, and Cargill Thompson, "Philosopher of the 'Politic Society,'" *S.R.H.*, pp. 29–31; *Studies in the Reformation*, pp. 155–157. Both are misleading, however, when they argue that there is no substantial difference between Hooker's conception of natural law and that held by all the leading Reformers. It is not just a matter of their emphasizing more than Hooker the obscuring of the knowledge of natural law principles as a result of human sin, nor is it simply a matter of Hooker's demonstrating a greater respect for the power of human reason than they and their successors did. The major difference is that Hooker stands within a school of natural law that regards the essence of law as something rational (*aliquid rationis*) while the Reformers and disciplinarians stand within that of the voluntarist-nominalist school that regards the essence of law as a command sanctioned by reward and punishment. On the significance of the medieval debate between rationalists and voluntarists over the status of universal concepts for the interpretation of natural law, see Otto von Gierke, *Political Theories of the Middle Ages*, trans. Frederic William Maitland (1900; rpr. Boston: Beacon Press, 1958), pp. 172–174; H. A. Rommen, *The Natural Law*, trans. T. R. Hanley (London, 1947), pp. 62

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Hooker's intellectualist predisposition is apparent in his exposition of how the law of reason comes to be known and observed. In his conception the law of reason judges the goodness of human action: "For the lawes of well doing are the dictates of right reason" (7.4; 1:79.11–12).³⁷ Beginning in chapter 5 with the Aristotelian and Thomistic principle that all things have an appetite toward perfection that manifests itself as the striving to fully actualize their potentiality,

ff.; and A. P. D'Entrèves, *Natural Law: An Historical Survey* (1951; rpr. New York: Harper & Row, 1965), pp. 68–70.

On the voluntarist interpretation of natural law, see Georges de Lagarde, *Reserches sur l'esprit politique de la Réforme* (Douai, 1926), pp. 147–187; W. Kömel, "Von Ockham zu Gabriel Biel; Zur Naturrechtslehre des 14. und 15. Jahrhunderts," *Franziskanische Studien*, 37 (1955): 218–259; and Francis Oakley, "Christian Theology and the Newtonian Science: The Rise of the Concept of the Laws of Nature," *Church History*, 30 (1961): 433–457, "Medieval Theories of Natural Law: William of Ockham and the Significance of the Voluntarist Tradition," *Natural Law Forum*, 6 (1961): 65–83, and "Law Natural and Divine," chap. 6, *The Political Thought of Pierre d'Ailly: The Voluntarist Tradition* (New Haven: Yale University Press, 1964), pp. 163–197.

Calvin's attitude toward natural law, like that of Luther, has been variously interpreted. August Lang argued that "in distinction from Melanchthon, Luther attributed to it only a subordinate importance, Calvin almost no importance at all"; see "The Reformation and Natural Law," in *Calvin and the Reformation*, ed. William Park Armstrong (New York, 1909), pp. 68–69, 72; see also F. J. Shirley, *Richard Hooker and Contemporary Political Ideas* (London, 1949), p. 75, and Munz, *The Place of Hooker in the History of Thought*, pp. 140–145. For a more positive interpretation of natural law in Calvin's social and political thought, see John T. McNeill, "Natural Law in the Teaching of the Reformers," *The Journal of Religion*, 26 (1946): 168–182, Günter Gloede, *Theologia Naturalis bei Calvin* (Stuttgart, 1935), pp. 178 ff., Josef Bohatec, *Calvins Lehre von Staat und Kirche* (Breslau, 1937), pp. 20–35, and Emil Brunner, *Justice and the Social Order* (London, 1945), p. 233.

³⁷ Cargill Thompson summarized the four main characteristics of the law of reason: "first, it is divine, since God is its author; secondly, it is universal, for it is binding on all men as they are rational beings and not simply on Christians; thirdly, it is ascertainable by the power of reason, 'for the Laws of well-doing are the dictates of right Reason'; and fourthly, it is the basis of all human or positive laws, which are deductions or extrapolations from the law of reason"; S.R.H., p. 27; *Studies in the Reformation*, p. 153. See also Robert Hoopes, *Right Reason in the English Renaissance* (Cambridge: Harvard University Press, 1962), pp. 123–127; and Joan Bennett, *Reviving Liberty: Radical Christian Humanism in Milton's Great Poems* (Harvard University Press, 1989), esp. pp. 6–17.

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and arguing that God is the ultimate source of all goodness and perfection, Hooker concludes that it is God towards whom all things are striving and attempting, each in its own way, to imitate. He calls upon Plato and Hermes Trismegistus to witness that even heathen wise men have recognized this yearning of all things to participate in the divine being and that in human beings this desire takes the form of pursuing knowledge (chap. 6) and virtue (chap. 7).³⁸

Like all creatures, Hooker argues, human beings actively seek the highest good, namely, participation in God. Striving for the immortality of God leads humans to share with other creatures the drive for self-preservation, the lowest of human goods. Human beings also share with animals the faculties of "sense" (external sense perception) and "fancy" (inward mental imaging), but are distinct from the brutes in having reason that enables them to reach higher than for sensible things by further illuminating what ought to be done and what avoided. Although reason belongs to humans by nature, it may be improved through education and made more prompt to distinguish truth from error and good from evil. In the context of elaborating upon "the right helps of true art and learning," Hooker staunchly defends the Aristotelian logic and the Ciceronian rhetoric which he had been taught at Oxford over against the Ramist innovations that had become so popular with the more radical reformers, especially at Cambridge.³⁹

The higher goods transcending "sense and phancy" whereby human beings imitate the constancy and excellence of the activity of God are the *knowledge* of truth and the practice of *virtue*, the two foundations of human action: knowledge enlightens and informs the soul, and will sets it in motion. Following Aquinas, Hooker holds that the human will is necessarily disposed toward the good. Evil as such cannot be desired; what humans desire is therefore always something which appears to be good, even though it may not really be so. However, goodness must be known before the will can choose it. In this context, Hooker appropriates the Aristotelian and Thomistic distinction

³⁸ For an analysis of how Hooker differs from Aristotle on the moral teaching concerning what is good and how it is grasped by a combination of will and reasoning, see Faulkner, *Richard Hooker and the Politics of a Christian England*, pp. 61-96.

³⁹ On Hooker's disparagement of "Ramistry," see 1.76.9-20 and n.

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between appetite, which is determined by sense objects, and will, which is rational desire and, as appetite's controller, determines itself.

In spite of the rather optimistic view of human nature implied by this rationalist interpretation of the human will, Hooker is acutely aware of original sin and the after-effects of the fall. He admits that sometimes the will is recalcitrant and refuses to choose what reason indicates as good. Or again, humans may sin through laziness and ignorance, preferring a lesser to a greater good because they have not troubled to find out, as they could and should, the superiority of the greater. The post-lapsarian pursuit of knowledge concerning the good is now so painful a thing that humans all too often prefer darkness to light. Nevertheless, the primary thrust of his thought is that human beings can accept this "realistic" analysis of the actual state of things without abandoning their belief in either the strength and validity of reason to discern the difference between truth and falsehood and between good and evil, or in the ability of the human will (always presupposing the general concurrence of divine grace) to control the appetite and therefore to make tolerably upright choices.

In chapter 8, Hooker sets forth "the *naturall way*" that human reason goes about discovering the universal laws which ought to guide the will to that which is good. Traditional patristic and medieval teaching, based upon a Platonic or Stoic interpretation of Romans 2:14–16, was that the knowledge of the natural moral law (Hooker's law of reason) was innate in humankind, since God had implanted its precepts in the hearts or minds of individual people. Hooker sometimes adopts this traditional language and speaks of humans having "written in their hearts the universall law of mankind" (16.5; 1:139.1–2), or describes the law of nature as "an infallible knowledge imprinted in the mindes of all the children of men" (II.8.6; 1:190.12–13). Yet in his main discussion of the law of reason in Book I, where he argues that humans only grow to knowledge by degrees, he rejects the idea that the knowledge of the principles of the law of nature is innate in favor of the Aristotelian dictum that at birth the mind is a *tabula rasa*, "a booke, wherein nothing is, and yet all thinges may be imprinted" (6.1; 1:74.26–27).

Again following Aquinas, Hooker employs the Aristotelian doctrine

that as "in every kind of knowledge some such grounds there are, as that being proposed the mind doth presently embrace them as free from all possibilitie of error, cleare and manifest without prooffe" (8.5; 1:85.10–13). He uses this principle to argue that the precepts of the law of reason derive from a series of intuitively self-evident propositions which human beings are capable of discovering for themselves through the natural light of reason.⁴⁰ Some of these principles are more general and have only to be stated to be acknowledged as universally true; for example: "the greater good is to be chosen before the lesse," and the great good attained through immediate hardship is preferable to immediate delight followed by lasting injury. Other principles are less general and yet still do not need rational demonstration because they are so clear. For example, even "mere naturall men" without revelation have discovered by the light of reason that God exists, and from this knowledge can deduce further laws, such as "God

⁴⁰ For an analysis of how Hooker's theory of the way the axioms of the law of reason are known differs from those of Aquinas and Aristotle, see Faulkner, *Richard Hooker and the Politics of a Christian England*, pp. 85–86, and "Reason and Revelation in Hooker's Ethics," *American Political Science Review*, 59 (1965): 680–690. Faulkner points out that Hooker does not have a Thomistic special faculty (*synderesis*), which grasps the first practical principles of the natural moral law, nor does he have a concept of conscience (*synedesis*), which applies those principles to concrete situations through the practical syllogism. Hooker is rather an "intuitionist" who argues that the most general axioms of the law of reason are self-evident and that the less general ones can be deduced from such human affections as the desire for eternal life. Linwood Urban treats the far-reaching consequences of Hooker's modification of the Thomist position concerning the knowledge and application of the general precepts of the law of reason in "A Revolution in English Morality," *Anglican Theological Review*, 53 (1971): 5–20. The fact that Hooker has no discussion of "synderesis" and of "conscience" in the scholastic Thomist sense, along with Hooker's use of the words "conscience" and "heart" to refer metaphorically to "feelings" and "affections," prompted McGrade to compare Hooker's exposition of philosophy and theology in Book I of the *Laws* with the works of Cicero: both combined philosophical wisdom with rhetorical eloquence, but the final result contained little of the hard formal examination of first principles that was common in the medieval universities and that could still be found on the continent during the Reformation; see *An Abridged Edition*, pp. 37–38.

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is to be worshipped," and with regard to human interrelationships that "parents are to be honored," and "others should be used by us as we ourselves would by them."

Having rejected the concept of innate ideas, Hooker suggests two natural ways of knowing the dictates of right reason concerning goodness in human action (8.2; 1:82.27–83.16). The first and safest way is to go back to first principles and determine by abstract reasoning what the causes of goodness are. But, he observes, this method is so difficult that all shun it. The second way is to discover empirically the signs always annexed to goodness, and especially the sign of consensus concerning what all people have thought the principles of the law of reason to be, for "the most certaine token of evident goodnes is, if the generall perswasion of all men do so account it," and "the generall and perpetuall voyce of men is as the sentence of God him selfe" (8.3; 1:83.18–19 and 84.1–2).⁴¹ This general agreement of humankind, however, is itself ultimately grounded in the intuitive self-evidence of the propositions under consideration, which has persuaded individual persons of their validity.

By observing the axioms of this law, which, in spite of the devastating consequences of sin, can still be discovered by reason apart from special divine revelation, human beings put themselves in conformity with that eternal law by which God has determined from the beginning within himself to govern all things.

Human Law: The Origin of Government

Hooker's inquiry into the hierarchy of laws brings him in chapter

⁴¹ The appeal in chapter 8 to consensus as a means of determining the content of the law of reason is most likely indebted to the pragmatic tradition of English common law, and it is closely associated with the argument in chapter 10 on "human law" that "consensus" is the source of political power, and that "custom" as the counsel of the past for guidance in the present is the source of political authority. See Manley, *Convention: 1500–1750*, esp. 2.2, "Use Becomes Another Nature": Custom in Sixteenth-Century Politics and Law," pp. 90–106; and compare Egil Grislis, "The Role of *Consensus* in Richard Hooker's Method of Theological Inquiry," in *The Heritage of Christian Thought: Essays in Honor of Robert Lowry Calhoun*, ed. Robert E. Cushman and Egil Grislis (New York: Harper & Row, 1965), pp. 64–88.

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10 to an explication of the concept of "human law,"⁴² which he sets in the context of an even broader theory concerning the nature of "politique societies" and the related questions of how and why they came into existence.

Hooker weaves several divergent strands of political thought into his theory of the nature and origin of the state. He begins by identifying two reasons why society requires government:

Two foundations there are which beare up publique societies, the one, a naturall inclination, wherby all men desire sociable life and fellowship, the other an order expresly or secretly agreed upon, touching the manner of their union in living together. (10.1; 1:96.17–20).⁴³

The first Hooker derived from Aristotle through Aquinas, both of whom give a rational explanation of the state that can be justified on an analysis of human nature independent of divinely revealed truths and specifically Christian moral values.⁴⁴ According to this view, the state and governmental authority are not conventional but natural and rational, that is, necessary for the fulfilment of basic human needs and ends. Like Aristotle, Hooker maintains that human beings cannot live

⁴² Cargill Thompson described Hooker's differentiation of human laws from the laws of reason: "human laws differ from the laws of reason in three major respects: first, they are coercive, for they carry the sanction of positive force, and any breach of them will be punished by the authority that has appointed them; secondly, they are of only local validity, for they are binding only on the society that has made them and not on all men, except in the case of the law of nations, which Hooker treats separately; thirdly, insofar as they are 'merely' human, they are mutable, for if circumstances change, they can be altered"; *S.R.H.*, p. 33; *Studies in the Reformation*, p. 159.

⁴³ The founding of the state upon two such apparently self-contradictory principles led Ernest Barker to judge Hooker "a belated medievalist" who stood astride radically dissimilar world views: "through him the Aristotelianism of the Middle Ages helped to found a theory of original contract, utterly different from itself, and bitterly hostile to its own teaching"; *The Political Thought of Plato and Aristotle* (1906; rpr. New York: Russell and Russell, 1959), p. 509. Compare Shirley, *Richard Hooker and Contemporary Political Ideas*, p. 227.

⁴⁴ "Man is naturally a political and social animal (as is demonstrated [by Aristotle] in Book I of *Politics*)"; *S.T.*, 1a2ae.72.4.

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on their own, and that “to supply those defects and imperfections, which are in us living, single, and solelie by our selves, we are naturally induced to seeke communion and fellowship with others” (10.1; 1:96.11–13).

Nevertheless, the relative optimism implicit within this naturalistic view of the origin of the state is balanced by a more realistic tradition that takes into account that nature is fallen. Like Aquinas before him, Hooker did not believe that the Aristotelian theory of the natural origin of the state contradicted the Augustinian explanation of the state as a divinely appointed punishment and remedy for sin.⁴⁵ The idea of sin and its consequences was fundamental dogma:

Lawes politique, ordeined for externall order and regiment amongst men, are never framed as they should be, unlesse presuming the will of man to be inwardly obstinate, rebellious, and averse from all obedience unto the sacred lawes of his nature; in a word, unlesse presuming man to be in regard of his depraved minde little better then a wild beast, they do accordingly provide notwithstanding so to frame his outward actions, that they be no hinderance unto the common good for which societies are instituted: unlesse they doe this, they are not perfect. (10.2; 1:96.24–32)

It is an essential presupposition of Hooker’s political theory that human nature is so corrupt that people are no longer capable of living together without strife and envy, and it is this deplorable condition that makes the existence of government necessary.

Yet for Hooker, as for Aquinas, the reality and consequences of sin have not invalidated “the very principles of nature.” There still remains the existence of a sphere of “natural” ethical and political values that can be grasped by reason and (presupposing the general concurrence of divine power) at least partially implemented by the human will. It is with regard to this issue concerning the qualitative and quantitative measurement of the consequences of human sinfulness that Hooker differs from his disciplinarian opponents.⁴⁶ He fully

⁴⁵ See I.10.1 (1:96.32–97.5), 10.5 (100.16–17), and 10.13 (108.7–17).

⁴⁶ On how the dispute between the apologists of the Elizabethan church and the disciplinarians was shaped not only by differing interpretations of the authority of

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agrees that human nature has been sorely wounded by sin, but not to the extent presupposed by opponents who have been influenced by that extreme Calvinist doctrine known as "the total depravity of man." Hooker's more optimistic evaluation of the abilities of human reason and will for making valid decisions in the temporal realm was recognized by and protested against by Travers before the writing of the *Laws* and afterwards by the anonymous author(s) of *A Christian Letter* as an unwarranted elevation of natural reason and an overly optimistic emphasis upon the ability of human will to make good decisions based on reason's determinations (see 4:17.15–19.16, this edn.). In this sense, Hooker was the first among the apologists of the established church in attempting to refute the disciplinarians at the level of philosophical first principles by explicitly bringing to light what he perceived to be the distorted pessimism in their analysis of the capabilities remaining in even fallen human nature.

In reconciling what he inherited from Aristotle on the one hand and from Augustine and the church Fathers on the other, Hooker went farther than Aquinas when he argued that political societies owe their existence not only to the natural human instinct for association and to the consequences of sin but also to some kind of agreement, either formal or tacit, made by human beings when they first came together to form societies.⁴⁷ The polemical significance of this notion of voluntary agreement as an essential part of the explanation for the origin of the state is the affirmation that all legitimate government is ultimately grounded in a form of popular consent, and this in turn implies that the laws of the Church of England are binding on the disciplinarians because they have been established with the consent of English society as a whole (see pp. 372–379, below).

Hooker's theory of formal or tacit agreement as an explanation for

Scripture but also by two differing concepts of human nature, see John F. H. New, *Anglican and Puritan: The Basis of Their Opposition, 1558–1640*, pp. 6–12, 28, and Loyer, 2:675–676.

⁴⁷ Cargill Thompson identified this emphasis upon some kind of "agreement" among humans before government can be established as the key to Hooker's political theory, "for it is the basis on which all his subsequent arguments about the nature of political authority and the validity of human laws rests"; *S.R.H.*, p. 38; *Studies in the Reformation*, pp. 163–164.

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the origin of political societies has rightly been seen as anticipating the social-contract theories of the seventeenth and eighteenth centuries, especially that of John Locke as set forth in *The Second Treatise of Government* (1690).⁴⁸ Careful reading of the primary texts suggests

⁴⁸ There has been and remains a great deal of debate over what, how much, and why Locke borrowed from Hooker's *Lawes*, especially with regard to Hooker's theories concerning natural law and the origin, nature, and limits of the state; see George Bull, "What Did Locke Borrow from Hooker?" *Thought*, 7 (1932): 122-135; Angel Facio Moreno, "Dos Notas in Torno a la Idea de Derecho Natural en Locke: Hooker en el Segundo Tratado de Gobierno Civil," *Revista de Estudios*, 190 (1960): 159-164; and Peter Munz, *The Place of Hooker in the History of Thought*, Appendix D. These questions are complicated because of the deference which Locke repeatedly gives to "the judicious Hooker" and the extensive citation of *Lawes* in his early *Two Tracts of Government* (1660-1661) and especially in his later *The Second Treatise of Government* (1690).

Some scholars have argued that Locke borrowed ideas directly from Hooker and then transmitted them directly to eighteenth-century revolutionaries in America and France; see Henry Hallam, *Constitutional History*, 1:214-223; Shirley, *Richard Hooker and Contemporary Political Ideas*, pp. 201, 215, 225; and John S. Marshall, "Richard Hooker and the Origins of American Constitutionalism," in Arthur L. Harding, ed., *Origins of the Natural Law Tradition* (Dallas: Southern Methodist University Press, 1954), pp. 56-57, 60. Others have claimed that Locke appealed to the authority of Hooker in order to support his new heterodox and revolutionary theories with a respectable pedigree (A. P. D'Entrèves, *The Medieval Contribution to Political Thought: Thomas Aquinas, Marsilius of Padua, Richard Hooker* (1939; rpr. The Humanities Press, 1959), pp. 125-132; J. W. Gough, Introduction, in John Locke, *The Second Treatise of Government and A Letter Concerning Toleration* (Oxford: Basil Blackwell, 1966), p. xii; E. T. Davies, *The Political Ideas of Richard Hooker* (London, 1946), p. 66; and Richard H. Cox, *Locke on War and Peace* (Oxford: Clarendon Press, 1960), p. 51.

Some scholars have argued that Locke's conception of natural law is continuous with the classical Stoic and Christian position represented by Cicero and Aquinas and coming down to Hooker; see esp. Raghuvver Singh, "John Locke and the Theory of Natural Law," *Political Studies*, 9 (1961): 111-112. Others have taken the position that Locke breaks entirely from the classical, Christian, Thomistic theory of natural law and expounds a new, modern, or even "pseudo-" natural law theory; see, for example, R. I. Aaron, *John Locke* (Oxford, 1937), pp. 267-268; Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953), pp. 120, 165-166; and H. A. Rommen, "The Natural Law of the Renaissance Period," *University of Notre Dame Natural Law Proceedings* (1948), pp. 94-95.

Some scholars have argued that Hooker is one of the earliest representatives of the theory of the social contract and even that he was the first thinker to propound the

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that, even though Locke cites passages directly and fairly accurately from Hooker's *Laws* (almost exclusively from Book I and primarily from chap. 10), the two men stand in different philosophical traditions. Locke retains, somewhat inconsistently, traditional rationalist formulae within what is fundamentally a voluntarist theory of natural law and social contract, thereby placing himself in that school of thinking that had its origins in the metaphysical voluntarism of Duns Scotus and especially in the voluntarist-nominalist-empiricist-fideist tradition of William of Ockham and his successors, including Calvin and the disciplinarian party in England (see above, p. 103 and n. 36). Hooker explicitly rejects this tradition (see 1:60.27–61.4.n), standing predominantly in the rationalist-realist-essentialist tradition of Aristotle and Aquinas—although tempered by the English common law tradition. Therefore, even though the two authors often use the same terminology in developing their ideas and theories, the words and concepts do not mean the same things or function in the same way in their respective overall thought patterns.

Furthermore, compared with Locke and other later social contract theorists, Hooker's exposition of this part of his theory of government appears at best to be imperfectly developed.⁴⁹ He nowhere distin-

doctrine in its classic form; see Shirley, p. 46. Others question whether he can be classified as a social contract thinker at all; see Cargill Thompson, *S.R.H.*, p. 40; *Studies in the Reformation*, p. 166.

Given the persistence of scholarly disagreement on this issue, there are grounds for taking a fresh look at the relation between the thought of Hooker and Locke. First, the characters of both authors are now seen as far more complex and fascinating than hitherto expected; Hooker and Locke have each emerged as polemical authors who are writing in very different historical contexts with very different purposes in mind. Second, information about the date and Locke's method of composition bears directly upon his quotation of Hooker; see W. von Leyden, ed., *Essays on the Law of Nature* (Oxford: Clarendon Press, 1967); Philip Abrams, ed., *Two Tracts of Government* (Cambridge: Cambridge University Press, 1967); and especially Peter Laslett, ed., *Two Treatises of Civil Government* (Cambridge: The University Press, 1963).

⁴⁹ As Cargill Thompson observed, the major reason for the apparent imprecision of Hooker's discussion of the social contract is that he was actually more concerned with the concept of *consent* as providing a broader and more satisfactory explanation for the origin of government than the more limited concept of *contract*; *S.R.H.*, p. 41; *Studies in the Reformation*, p. 167; compare Davies, *Political Ideas*, p. 69.

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guishes, for example, between an agreement among all to unite (the *pactum societatis*) and an agreement with a sovereign to obey (the *pactum subjectionis*). Most recent interpreters of Hooker have agreed that, while there is no trace in his political theory of a *pactum societatis* or social contract proper, there are indications of the idea of a contract viewed as a *pactum subjectionis*.⁵⁰ Furthermore, in contrast to Locke and other seventeenth- and eighteenth-century social-contract theorists, Hooker urged the idea of compact as a rational explanation of how society and government came into existence, not as a foundation for the right of resistance to a tyrannical sovereign.

That various forms of corporate government were voluntarily brought into existence by means of some kind of original compact is not necessarily inconsistent with Hooker's naturalistic Aristotelian and Thomistic presuppositions.⁵¹ In his view, life in society is in accordance with human nature, yet it needs a rational, deliberate act of union by individual heads of households to bring the state into existence. Consent is necessary because it is the only rational foundation for government and resolution of conflicts, for "without . . . consent, there were no reason, that one man should take upon him to be Lord or Judge over another" (10.4; 1:99.8–9). He does not reject Aristotle's view that there is "a kind of naturall right in the noble, wise, and vertuous, to governe them which are of servile disposition" (99.11–12); nevertheless, he continues, "for manifestation of this their right, and mens more peaceable contentment on both sides, the assent of

⁵⁰ For example, see D'Entrèves, *Medieval Contribution*, pp. 130–131; J. W. Gough, *The Social Contract: A Critical Study of Its Development*, 2nd edn. (Oxford: Clarendon Press, 1957), pp. 71–75; Davies, pp. 65–66.

⁵¹ Hooker is probably most indebted for the rudiments of his social contract thinking within a larger Aristotelian context to the writings of sixteenth-century Thomists who, without adopting the premises of voluntarist individualism, used the conception of social contract to affirm the dignity and uniqueness of generic man as a being able to grasp moral imperatives within the framework of the eternal law; see Gough, *Social Contract*, pp. 67–75, and Bernice Hamilton, *Political Thought in Sixteenth-Century Spain: A Study of the Political Ideas of Vitoria, De Soto, Suárez, and Molina* (Oxford: Clarendon Press, 1963). The political order was created by moral agents who, guided by right reason, sought appropriate institutional arrangements whereby to express their natural impulse to communal life.

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them who are to be governed, seemeth necessarie" (99.12–15). Hooker likewise agrees with Aristotle that nature has given fathers supreme authority within their private families, but he cannot understand how this authority can account for the origin of the state by being extended beyond the limits of the individual family. No one can have legitimate authority over "a whole grand multitude" unless by the consent of the governed or extraordinarily by the immediate appointment of God (99.15–27).⁵²

Hooker's emphasis upon communal consent does not mean that he was a political liberal developing a democratic theory of the state, for he balances the notion of the popular origin of "the power of dominion" with the conception of the political body as a living, growing organism having a changing but continuous history. Even though political authority was originally vested in the people, once government has been established and authority conveyed to the ruler or rulers, it is irrevocable, "because corporations are immortall" (10.8; 1:103.24). By combining the concept of "custom" as the counsel of the past for guidance in the present with the concept of "consensus" from the pragmatic tradition of the English common-law tradition, Hooker is able to sustain within his theoretical framework both continuity and the possibility (or necessity) of change, the stability of tradition with the power of accommodation.

It would therefore be just as incorrect to call Hooker a "proto-democrat" as to interpret him as a royal absolutist supporting a patriarchal divine right of kings.⁵³ The principle of consent functions in Hooker's thought as a constitutional principle, and he combined the idea with a medieval conception of the supremacy of law. It is in

⁵² The exception by "immediat appointment of God," or "given extraordinarily from God," is of historical importance, for Hooker believed that William the Conqueror had sought to base his title to rule on conquest rather than consent; see *Lawes*, VIII.6.1 (3:385.19–386.1).

⁵³ Davies, for example, warned against reading too much into Hooker's "contractarianism": "even in theory, Hooker comes perilously near a doctrine of royal absolutism, and when we test whether there be any practical checks on this power, we find that, in practice, royal power is absolute" (*Political Ideas*, p. 66); on the limits Hooker does in fact impose upon royal power, see below, Introduction to Book VIII, pp. 351–377.

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Book VIII that Hooker argues most clearly and most extensively that law is the supreme sovereign and that the English crown is subject to it, but the foundation for a mixed constitution and for political representation is laid in chapter 10 of Book I.

Kinds of Human Law

Hooker's subsequent discussion of the nature and kinds of "human law" presupposes his analysis of the nature and origin of the state. Laws which establish some duty to which humans were already bound by the law of reason Hooker calls "mixedly human," to be distinguished from "merely human" laws that do not derive any of their force from the law of reason and that make provisions based solely upon that which is deemed to be expedient or convenient. He argues that laws both "mixed" and "merely human" are made by human societies, and that some of these societies are civilly united while others are spiritually joined. Crucially for the argument with the disciplinarians, Hooker assigns the disputed topic of ecclesiastical polity to that realm of "merely human" laws made by the church insofar as it is in its temporal existence a particular kind of "politique societie."

Hooker further distinguishes between those human laws which pertain to individuals insofar as they are individual human beings, those which pertain to individuals as citizens of a particular political society, and those which bind all political bodies in their interaction with one another (the so-called *jus gentium* or "law of nations"). He subdivides the law of nations into primary, based upon an integral human nature before the fall into sin, and secondary, based upon a human nature which is fallen and depraved. But since additional elaboration of the law of nations does not advance his polemic, Hooker truncates this part of his discussion and turns to the corresponding notion of the relationship that ought to exist between specifically Christian nations. Arguing that there ought to be general church councils to decide quarrels concerning ecclesiastical laws arising between different Christian nations, he relegates to the jurisdiction of such councils all disputes concerning matters of polity, order, and regiment in the church. This application of positive human laws to the government of the church as a particular species of "politique societie"

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lays the foundation for the later defense of "the power of dominion" and royal supremacy in chapter 2 of Book VIII.

Divine Law

To this point, Hooker has been dealing with the realm of human nature and reason, and the laws which he has been considering from chapters 5 through 10 have all been such as "mere natural men" can discover by the light of reason. Beginning with chapter 11 and continuing through chapter 15, however, he introduces the theme of divine or supernatural law, which, as a gift of divine grace, transcends and perfects while it does not annihilate the natural knowledge and observance of the law of reason or the making and enforcing of just human laws.

Hooker returns to an Aristotelian-Thomistic exposition of first principles to explain why God has not only republished in Scripture the basic axioms of the law of reason but has also revealed there other laws that human reason could never have discovered by itself. Asserting that all beings desire perfection after their own kinds and distinguishing between those goods which are desired as means to something else and those which are desired as ends in themselves, Hooker concludes that God, as the only infinite and perfect good, is the ultimate end desired by human beings and that he alone is the final source of their felicity. In other words, the perfection which human beings *naturally* yearn for is a completion beyond life in the temporal, terrestrial realm. An infinite good must exist to match the infinite human yearning that finds no lasting happiness on earth, for "it is an axiome of nature that naturall desire cannot utterly be frustrate" (11.4; 1:114.15-16).

Yet even though nature points beyond itself insofar as this desire for union with God is a constituent part of human nature itself, natural reason can suggest no means of attaining it except by doing good works. But all human works are the works of a fallen, sinful nature. Therefore, Hooker reasons, either there is no salvation, or God must reveal a supernatural and extraordinary way leading to the bliss of eternal life. This God has done, not only by republishing the basic axioms of the law of reason and illustrations of their particular applica-

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tions (because of their being obscured by the effects of sin and the difficulty the ignorant have in applying first principles to particular cases), but also by publishing for the first time the mystical and supernatural way of attaining eternal felicity through performing the duties of faith, hope, and love—all divinely “imputed” by grace but, paradoxically, becoming genuinely “inherent” at the same time. Nowhere, except in God’s divine law revealed in Scripture to rectify nature’s obliquity, can any knowledge of these three supernatural duties be found.

Hooker stands with the magisterial Protestant Reformers in affirming the principle of *sola scriptura* in the sense that the Scriptures contain all that is necessary for salvation. But over against what he perceived to be the extreme biblicism of his disciplinarian opponents, he does not allow the primacy of scriptural authority in the sphere of faith and morals to exclude the continuing authoritative role of reason and tradition in the making of expedient “human laws” concerning “matters indifferent.”⁵⁴

Scripture is divinely intended to supplement and perfect the truths and laws discerned by natural reason; it does not destroy or even supersede them.

Having refuted what he perceived to be the narrow biblicism of the Genevan party, however, Hooker next turns to refute the complementary allegation of romanizing, which Travers had lodged against him in the controversy at the Temple.⁵⁵ His formulation in chapters 13 and 14 of the relation between Scripture, reason, and tradition is a clear example of his distinctive theological position as one of balance and moderation between the extremes of Reformation Protestantism

⁵⁴ On the elusive character of Hooker’s central controversy with the disciplinarians over the primary authority of Scripture and its conformity with truth discovered by natural reason, and for the implications of this controversy for the divergent positions taken concerning “Christian liberty” and to “things indifferent,” see John S. Coolidge, *The Pauline Renaissance in England: Puritanism and the Bible* (Oxford: Clarendon Press, 1970), pp. 1–54; see also Peter Lake, *Anglicans and Puritans? Presbyterianism and English Conformist Thought from Whitgift to Hooker* (London: Unwin Hyman, 1988), pp. 15–17, 23–26, and 151–154.

⁵⁵ See *Supplication*, 5:200.13–208.14.

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on the one side and Tridentine Catholicism on the other. Although his basic position remains constant, his emphasis shifts, depending on whether he is addressing Genevan Calvinists or Roman Catholics. Against Geneva he urges the necessity of reason and appears almost to exalt it into an independent channel of divine revelation; against Rome he underscores the "absolute perfection of Scripture" with regard to its ultimate purpose of revealing those truths necessary for the salvation of humankind. By pointing out the distortion-prone nature of all unwritten traditions, he counters the Tridentine doctrine that Scripture is only a partial source of "all revealed supernatural truth" that must be supplemented by tradition if salvation is to be attained, and he explicitly rejects the Council of Trent's assertion that there is revealed law of God contained in unwritten apostolic traditions worthy of being held with authority and reverence equal to that of Scripture.⁵⁶ Yet Hooker so qualified the Protestant principle of *sola scriptura* that his position seemed to his Calvinist opponents to undermine the sufficiency of Scripture for human salvation as codified in Article 6 of the Thirty-Nine Articles:

In like sort, albeit scripture do professe to conteyne in it all things which are necessarye unto salvation; yet the meaning cannot be simplee of all things that are necessarye, but all things that are necessarye in some certaine kinde or forme; as all things that are necessarye, and eyther could not at all, or could not easily be knowne by the light of naturall discourse; all things which are necessarye to be knowne that we may be saved, but knowne with presupposall of knowledge concerning certaine principles whereof it receaveth us already perswaded, and then instructeth us in all the residue that are necessarie. In the number of these principles one is the sacred

⁵⁶ I.13.2; compare II.8.7 and see Introduction to Books II, III & IV, pp. 167–168, below. See also Egil Grisliis, "The Hermeneutical Problem in Richard Hooker," *S.R.H.*, pp. 183–184. Oberman outlines the basic doctrinal issues at hand in "Quo Vadis, Petre? Tradition from Irenaeus to Humani Generis," *Scottish Journal of Theology*, 16 (1963): 225–255; rpr. *The Dawn of the Reformation: Essays in Late Medieval and Early Reformation Thought* (Edinburgh: T. & T. Clark, 1986), pp. 269–296. Yves M.-J. Congar refers briefly to Hooker in *Tradition and Traditions: An Historical and a Theological Essay* (New York: Macmillan, 1967), pp. 516–517.

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authoritie of scripture. *Being therefore perswaded by other meanes* that these scriptures are the oracles of God, them selves do then teach us the rest, and laye before us all the duties which God requireth at our hands as necessary unto salvation (14.1; 1:125.32–126.13, my emphasis; compare 4.2).⁵⁷

Negatively, Hooker's balance between the sufficiency of Scripture for salvation and the part played by reason and tradition in initially authenticating the divine authority of the Bible rejects the Tridentine addition of unwritten apostolic traditions to the corpus of Scripture as authoritative divine revelation for teaching faith and morals; at the same time, it rejects the Calvinist doctrine that self-authenticating Scripture contains all the truth that humans need to know. Positively, the whole argument here is a representative example of his application of the general philosophical and theological principle presupposed throughout all of his works: not only is it true that "nature hath need of grace" but also that "grace hath use of nature."

Closure

Hooker points out in his summary of Book I that his purpose has been to define and delimit the spheres proper to the various kinds of law in the hope of avoiding the confusion that results from the perceived attempt of the precisionists to measure all the actions of human beings by God's divine law revealed once and for all time in Scripture. He admits that Scripture is sovereign in its own sphere and that it sufficiently reveals all truths necessary for salvation; nevertheless, divine law revealed in Scripture is not the only law that God in his wisdom

⁵⁷ The argument that "something besides Scripture" must give rational assurance that Scripture is the Word of God is related to Travers's objection to Hooker's argument in *Certaintie* that "the assurance of that we believe by the word, is not so certain, as that we perceive by sense" (see above, pp. 89–90 and n. 17). The author(s) of *A Christian Letter* charged Hooker with compromising the Church of England's doctrine that "Holy Scripture containeth all things which are necessary to salvation" by supplementing Scripture with truth discerned by reason and by introducing the human testimony of church tradition to authenticate Scripture as God's Word (4:11.20–24, 14.14–18, this edn.).

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has provided for the guidance of humankind. It is part of the distinctive nature of human beings to be subject not to one law but to several different kinds of law, according to different aspects of their being:

all serveth but to make manifest that as the actions of men are of sundry distinct kindes, so the lawes thereof must accordingly be distinguished. There are in men operations some naturall, some rationally, some supernaturall, some politique, some finally Ecclesiasticall. Which if we measure not each by his owne proper law, whereas the things themselves are so different; there will be in our understanding and judgement of them confusion.⁵⁸

Hooker has now proved to his own satisfaction that his more complex analysis of the nature and different kinds of law provides a better foundation for a Christian society and its public worship than his opponents' oversimplified distinction between the clear authority of divine supernatural law revealed in Scripture and the arbitrariness of positive, human-made law. But even though Hooker has here set forth first principles which are intended to serve as a foundation for the remainder of the *Lawes*, the content of Book I overlaps—and therefore should be read in especially close conjunction with—Books II and III. Examining the precisionist view that Scripture is the only rule of things that may be done by human beings, Hooker responds in Book II that there are many matters upon which Scripture is silent and that in many of these cases the natural light of reason not only may but must be used. Charging his opponents with debasing reason in order to exalt the authority of Scripture, he dismisses the validity of the disciplinarian arguments based upon an exaggeration of the infirmity of human reason.

He returns to this theme of the excessive disparagement of reason in one of the most important passages in Book III: "they never use reason so willinglie as to disgrace reason" (8.4; 1.221.28). As in Book

⁵⁸ I.16.5, 138.10–17; compare II.1.4, 147.21–148.6. L. S. Thornton traced Hooker's analysis of all the various kinds of law back to two groups which cross and recross each other: (a) natural and supernatural and (b) natural and positive; see *Richard Hooker: A Study of His Theology* (London, 1924), p. 34.

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I, Hooker here again argues that everything necessary for salvation is contained in Scripture, but that the particular manner of church polity remains in the category of “matters indifferent,” that is, merely accessory and left to the discretion of the church insofar as it exists as a species of political society. Because such matters are primarily affairs that belong to rational discretion in the sphere of human positive law, it is an error to imagine that God must have necessarily laid down in Scripture a single form of church government applicable to all times and places.

The peroration to law at the end of Book I distills the essence that permeates the entire treatise:

Wherefore that here we may briefly end, of lawe there can be no lesse acknowledged, then that her seate is the bosome of God, her voyce the harmony of the world, all thinges in heaven and earth doe her homage, the very least as feeling her care, and the greatest as not exempted from her power, but Angels and men and creatures of what condition so ever, though ech in different sort and maner, yet all with uniforme consent, admiring her as the mother of their peace and joy. (16.8; 1:142.7–14)

iv. Hooker and His Contemporaries

We know from the other books of the *Lawes* that Hooker obviously was acquainted with the works of Travers, Cartwright, and other major spokesmen for the disciplinarian position. We may assume that he was also abreast of the apologetic works of contemporary defenders of the established church and consciously drew from them, even though, presumably for tactical reasons, he does not cite them in his notes.⁵⁹ He knew and appropriated arguments from the earlier anti-Catholic treatises of his former patron, John Jewel, as well as anti-disciplinarian works by John Bridges, Thomas Bilson, Matthew Sutcliffe, Richard Bancroft, Richard Cosin, Hadrian Saravia, and especially of John

⁵⁹ See Introductions to The Preface, pp. 63–64, above, and to Book V, pp. 207–209, below.

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Whitgift. Insofar as he was influenced by these colleagues, the *Lawes* takes its place alongside other apologies that were being written by loyal defenders of the Elizabethan church.⁶⁰

Nevertheless, Hooker went beyond his contemporaries, not only as a superior literary stylist but also as a more effective—in part because a more conciliatory—polemicist. Nowhere do we see the reasons for this distinctiveness more clearly than in Book I, which differs in so many ways not only from other polemical works of the time but from the Preface and other books of the *Lawes* as well. Book I articulates more clearly than elsewhere the conciliatory tone that so differentiates its author from proponents on both sides of the heated debate, the reluctance to assume the traditional mode of refuting the work of opponents line by line and point by point, the sophistication of training in philosophical theology and logic, and the breadth of reading that undergirded it, all sustained by the powerful bias (noted by Coleridge) toward the “the *General*.”⁶¹

It is the generality of Book I that makes it most distinctive, for Hooker here moved the controversy with the disciplinarians to a different, broader, and more philosophical plane. Without ignoring the necessities of practical politics, he sought to distance himself from the immediate controversy and to state general principles of laws and societies. Only in doing so was he able to stake out genuinely new ground on which to meet his opponents.

Whitgift and other apologists of the established church had met their antagonists on their own chosen ground of interpreting authoritative texts from Scripture and early Christian tradition, punctuated by occasional appeals to the convenience or expediency of established policies (see pp. 72–73, above). Hooker accepted the authority of Scripture and early Christian tradition, but by setting the concept of

⁶⁰ The most recent comprehensive treatment is Peter Lake, *Anglicans and Puritans?*, cited in n. 54, above.

⁶¹ *The Collected Works of Samuel Taylor Coleridge: Marginalia*, ed. George Whalley (London: Routledge & Kegan Paul; Princeton: The University Press, 1980), p. 1156. In context, the characterization is critical of Hooker; Coleridge is commenting on V.22.10 (2:97.11–19), where Hooker disputes the Puritan view of the efficacy of sermons.

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“things indifferent” within the framework of a traditional Thomistic theory of the hierarchy of laws as further refined by distinctions drawn from theology and the English common law he transformed the dispute. By shifting the emphasis from the dire consequences suffered by human nature after the fall to a realistic yet comparatively more optimistic view of human nature that enabled him to defend the place of reason in the making of “positive” human laws, and by justifying the legitimate modification of such laws through historical development, Hooker closed the breach opened by the magisterial Reformation and maintained by the disciplinarians between reason and revelation, nature and grace. In Hooker’s inclusive view, the law of reason, human positive laws, and the divine law revealed in Scripture are all embraced within God’s (second) eternal law. Reason and revelation provide different but complementary forms of guidance for human action.

The peculiar strength and appeal of Book I is the manner in which it resolves—or *appears* to resolve—the contradictions inherent in being an apologetic yet philosophical theologian. In one aspect of this vocation Hooker was unrelenting in the recognition and delineation of the disruptions of his times, and in this sense he provides a mirror of that turmoil. In the other, he issued a protest in the name of an ordered human existence within a Christian society, and here he attempts to inscribe a new word that, without supplanting the authority of the divine Word revealed in Scripture, would also be religious in its depths and redemptive in its power.

Books II, III & IV

William P. Haugaard

When Richard Hooker determined to issue the Preface and first four books of the *Lawes* alone in 1593, he justified his decision in an appended “*advertisement to the Reader*”: the “generalities of the cause in question as here are handled” could legitimately be considered apart from the discussions of “particulars” that were to follow in Books V–VIII (1:345.5–7).¹ The “general” character of Book I is easily discerned, for there, in spite of its underlying polemical structure, Hooker sought to discover “the very foundation and root, the highest welspring and fountaine” of the laws in dispute (I.1.2; 1:57.19). Since Hooker extended the sense of a “law” to include that which determines the “force and power,” the “forme and measure of working” of the “workes even of God himselfe,” the first book clearly concerns fundamental understandings of God, creation, and human life (I.2.1; 1:58:26–33).² The “general” character of Books II to IV is less readily apparent.

i. Theology and Polemic

Whereas the first book cites numerous classical and patristic authors but not a single opponent, the succeeding three cite more of the latter than all of his classical and patristic authorities combined.³ The chapter

¹ Pref. 7.2–6 and Table between Pref. and I (1:34.23–36.9 and 54); see Introduction to The Preface, pp. 37–44, above.

² See Introduction to Book I, pp. 84–89, above.

³ See pp. 91–96, above. The only two explicit sixteenth-century references in Book I are to a commentator on medieval legal tradition and to William Whitaker’s response to Cardinal Bellarmine (I.10.10 and 14.5; 1:105.i and 129.z). In II–IV, Hooker cites classical and ancient Jewish authors on 15, and patristic sources on 67 occasions; he makes 96 direct references to Puritan writings.

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headings of Book I suggest an informative essay of interest to the philosophically or theologically minded of any era (1:55–56). By contrast, the chapter heads of Books II–IV treat abstruse issues raised in outdated religious debates, and the contents of these chapters (1:143, 193–194, and 271–272) may suggest they deserve the obscurity to which most sixteenth-century theological polemics have been relegated. Yet to dismiss these books as of merely topical interest is to miss the depth of theological originality that underlies Hooker's response to the Puritans. These books treat two central and related religious issues of sixteenth-century Europe: the authority of Holy Scripture and the nature of the church. The first provides a major theme of Books II and III and the second underlies significant sections of Books III and IV.

The authority of the Bible has, along with the theology of justification, a claim to have been the primary religious issue of sixteenth-century Europe. All the groups that had repudiated papal authority in the first half of the century stood firmly on the grounds of holy writ to oppose the contemporary magisterium of holy church. However, after eight decades of attempts to determine the "true" faith and practice of Christianity taught by the Bible, each group claimed that its own distinctive understandings of Christian faith and practice were solidly based on, or at the least within the purview of, that authoritative text. But throughout the debates, little attention had been paid to the *character* of scriptural authority: the precise ways by which biblical learnings and injunctions might be interpreted, related to other "authorities," and applied in human life. The humanists, Erasmus above all, had reopened discussions on the textual authority of Scripture, but after firmly heeding the humanist call *ad fontes* and recovering the original Hebrew and Greek of the Bible, theologians curiously neglected to question the nature of scriptural authority that was central to the debate. Roman Catholics and Protestants alike debated the roles of tradition and Scripture and the authoritative voices of scriptural interpretation. Even those most dedicated to the principle of *sola scriptura* did not systematically discuss the *processes* by which they expounded and applied the text. They simply quoted and cited the Bible and presumed the appropriateness of their methodology. A modern student of the Reformation must extract their hermeneutical

principles from the examples of their exegetical practice.

In the 1521 Diet of Worms Martin Luther had declared: "Unless I am convinced by the testimony of the Scriptures or by clear reason, . . . my conscience is captive to the Word of God."⁴ By appealing to Scripture *and* reason, Luther, whether consciously or not, had pointed to the question, how are Scripture and reason related to one another? Yet neither he nor other Reformers gave systematic attention to the question. As Hooker attempted to identify the "generalities" of the Puritan cause, he found himself confronted with that question and the wider issues of scriptural authority in which it is embedded.

The Reformation also brought the basic issue of ecclesiology to the fore: what is the church? Lutheran, Reformed, Anabaptist, and Roman Catholic each developed distinct understandings by which the true earthly community of Christians might be identified. The English church drew from continental Reformation formulae and patterns, and, like other European bodies, modified, as need dictated, traditional structures of the national church. From his experiences of church life under the Elizabethan settlement as well as from his theological studies, Hooker developed a vision of the church, coherent in its essentials and accidentals, that was unique for its age.

"*Scripture is the onely rule of all things which in this life may be done by men*" (1:143.6-8). This statement from the title of Book II raises the whole question of the appropriate authorities to which religious men and women ought to turn as they make decisions affecting their own and their neighbors' lives. Does their faith require them to look for direction exclusively from the text they believed to provide an account of God's revelation? To what extent may they rely on the shared store of knowledge and experience that is common within and across human cultures? What is the proper role of reason and experience as believers attempt to apprehend truth and to discern good and evil?

Scripture sets forth "*a forme of Church-politie the lawes whereof may in no wise be altered*" (1:193.4-6). The topic of Book III poses the continuing issue of the essential structures of the religious community itself.

⁴ *Martin Luthers Werke* (Weimer: H. Böhlau, 1883-), 7:838; *Luther's Works*, ed. J. Pelikan and H. T. Lehmann (Philadelphia and St. Louis: Fortress and Concordia Presses, 1955-), 32:112.

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As the community enlists men and women from distinctive cultural contexts, to what extent may it incorporate new elements that modify its settled structures? As movements of history present believers with new opportunities and challenges, what in the structures of their communities must they retain unchanged? What may—or perhaps ought—they alter in appropriate response to the changed conditions? May believers turn to common human experience and reason, as well as their own sacred writings, for guidance in determining the shape of their distinctively religious society?

“*Our forme of Church-politie is corrupted with popish*” elements banished by other “*reformed Churches whose example . . . we ought to have followed*” (1:271.3–7). Underneath the particular complaint in the title of Book IV lie larger issues that arise when a religious community divides over principles that some believe to be sacrosanct and non-negotiable. How can the separated groups relate to one another? In confrontation with conflicting models of a faith that presupposes a unified community of believers, how does a particular religious body make judgments about the structures of its own life? When dissidents within such a body demand conformity with a differing model, what are the responsibilities of its governing authorities towards the dissidents and towards other members of the community?

These issues would be significant in any society in which a particular religious group has sufficient weight to influence societal structures and patterns of human behavior. In sixteenth-century Europe, in which religion was a public and governmental concern, such issues constituted fundamental public policy issues which inevitably involved the whole apparatus of the state as well as of specifically ecclesiastical authority. Thus Hooker discusses concerns that touch any community that includes an intransigent minority. The decisions made about the issues debated by Hooker affected English men and women in every corner of the land. Their sixteenth-century garb belies their character as continuing concerns of succeeding ages.

ii. The Argument

Just as the books published in 1593 constitute the “generalities” to be considered “apart,” before the “particulars” of Books V–VIII, so on

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a smaller scale do the “generalities” of Book I precede the particulars of Books II–IV.⁵ The broad discussions of Book I establish the principles enabling human minds to apprehend God’s working in creation, redemption, and revelation; Book II considers what Hooker regards as “*the very maine pillar*” of the disciplinarians’ cause: that “scripture ought to be the only rule of all our actions.”⁶ Only in Book III does he narrow the issue to the specific challenge laid down by the disciplinarians, that Scripture must “of necessitie” provide an inalterable and “particular form of politie Ecclesiasticall” (Pref. 7.4; 1:35.15–16). By responding in Book IV to the “*generall accusations*” of continued “popish” and insufficiently “reformed” rites and ceremonies in the English church, Hooker further narrows the range of discussion as he considers whether English ecclesiastical polity ought to be determined in response to the standards of other Christian bodies (7.5; 1:35.18–23). As the Puritans’ concerns for the primacy of Scripture provide a focus of Books II and III, their suspicion of tradition provides the focus of Book IV.

Book II

The primary epistemological issue in Christian theology, the relation between reason and revelation, is the major topic of Book II and is continued in Book III. As the title suggests, Book II concerns the Bible as a directive guide for proper human behavior. In an untitled introduction inserted before the initial chapter, Hooker directly confronts what he judges the “most generall” seed of the disciplinarian determination to overthrow the “*intier forme of our Church-politie*”: their conviction “that one onely lawe, the scripture, must be the rule to direct in all things, even so farre as to the *taking up of a rush or strawe*.”⁷

Taking the phrase about the “*strawe*” from exchanges between Archbishop Whitgift and Thomas Cartwright, Hooker seized on Cartwright’s defense of the proposition.⁸ It framed “the very maine

⁵ 1:345.5–7; see Introduction to The Preface, pp. 75–76, above.

⁶ Pref. 7.3; 1:35.4–6; see Introduction to Book I, pp. 86–89 and 120–122, above.

⁷ II.1.1–2; 1:144.14–145.14. On Hooker’s own introduction to Book II, which is anomalous among the books of the *Lawes*, see 1:144.1–145.34.n.

⁸ On the Whitgift–Cartwright debate, see Introduction to The Preface, n. 152,

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pillar” of the grounds on which the disciplinarians based their case. A desire to extend the use of Scripture, Hooker argued, had “begotten an error enlarging it further then (as we are perswaded) soundnes of truth will beare” (1.2; 145.9–10). He proceeded in the remaining chapters (1–4) to discuss a set of disciplinarian proof-texts, negative argumentation from Scripture (5–6), and the validity of human authority and reason (7), treating each of these against the foil of a set of particular disciplinarian statements. The final chapter (8) summarizes the argument.

The first four chapters form a unit of three brief and one more extensive exegesis of verses Cartwright had cited to demonstrate the authority of the Bible as the exclusive guide to Christian living.⁹ Citing Proverbs, Cartwright had identified the written Word of God with the divine “wisdom” that leads to “every good way.” Hooker insists that wisdom imparts her treasures not only by “the sacred bookes of Scripture” but also by “the glorious works of nature,” by spiritual inspiration, and by the training of “worldly experience and practise,” reasserting the wide epistemological understandings that he laid down in Book I (1.4; 147.21–148.4).¹⁰ Citing Paul’s observation that human obedience glorifies God, Cartwright had concluded that such obedience must be determined by the “*commaundement and word of God.*” Also drawing on New Testament texts, Hooker counters with evidence that “infidels themselves” without benefit of Scripture may “judge rightly of the qualitie” of those human actions which glorify God (2.1–3; 148.8–150.18).

After briefly disposing of the third exegetical challenge (1 Tim. 4:5) in chapter 3, Hooker devotes more space than he had to the first three chapters together to considering the main issue of this section drawn from Romans: “*whatsoever is not of fayth, is sinne*” (4.1; 151:21). Refusing Cartwright’s limitation of the object of faith to the Bible, Hooker understands the faith of which St. Paul writes to be “*a full perswasion that that which we doe is well done,*” and he provides examples within

pp. 71–72, above; on Hooker’s use of this section, see pp. 162–163, below.

⁹ Hooker summarizes Cartwright’s position in II.1.3 (1:146.25–27).

¹⁰ For example, chap. 8; see above, Introduction to Book I, pp. 102–108 and 120–122, above.

Scripture and from Cartwright himself of such persuasions that are not assured by biblical texts (4.1–2; 152.1–153.13). Strictly interpreted, Cartwright's exegesis means that "we sinne, if any thing but scripture" directs our choices (4.5; 155.23). His sense of the goodness of God's creation outraged, Hooker argues that God "cannot but be delighted with" the human nature he has given us "when we exercise the same any way without commaundement of his to the contrarie" (4.5; 155.35–156.2).

The second section of Book II, comprising chapters 5 and 6, treats of the use of negative arguments from the Bible: if "*Scriptures teach it not, avoid it*" (5.1; 157:32–158.1). Whitgift had introduced the issue when he had asserted that much of the 1572 *Admonition to the Parliament* was based on arguments *ab auctoritate negative*.¹¹ In response, Cartwright had provided a series of examples drawn from patristic writings, from the Bible, and from Hooker's own patron, John Jewel, to demonstrate the ways in which such arguments had solidly authoritative precedents.

Hooker first lays down his basic premise: the most that Cartwright's examples demonstrate is that "in some cases a negative argument taken from scripture is strong" but they fail to prove such arguments to be "generally" (universally) sound, "which is the point in question" (5.2; 158.11–18). He then argues that the cited patristic texts support his rather than Cartwright's conclusion. He prefaces chapter 6 with Cartwright's chosen scriptural verses, intended to prove that, if God has not commanded a thing, "*therefore it must not be*" (6.1; 167.26). Hooker judges that these, like the patristic citations, prove nothing more "then that an argument in some kinds of matter may be good, although taken negatively from scripture," concluding that neither the Bible, the Fathers, nor a highly regarded English theologian would limit the sources of Christian knowledge of God's laws to the Bible (6.4; 174:19–20). In the course of his exegesis of Tertullian (160?–250?) in chapter 5, Hooker adduces an argument that points ahead to his defense of human authority in the next section of Book II and to the proper use of human authority in ordering church affairs, the principal theme of Book III.¹²

¹¹ *Answer* (1572), pp. 20–21; *Defense* (1574), p. 76; PS, 1:176.

¹² The third-century church Father had taught that "scripture in many things doth

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The underlying constructive character of the *Lawes* becomes evident in chapter 7, the lengthiest of Book II, in which Hooker vindicates both reason and tradition as they have been articulated by human authorities. Responding to three passages from Cartwright, he opens the chapter with the charge that by drawing “all things unto the determination of bare and naked scripture . . . [thereby] abating the estimation and credit of man,” the disciplinarians would eventually “overthrowe such orders, lawes, and constitutions in the Church” that depend upon human authority, thereby leaving “neither face nor memorie of Church to continue long in the world” (7.1; 175.4–13).¹³ Hooker points out that “notwithstanding mans infirmitie,” yet human authority may, in fact, “enforce assent” in a variety of situations, including the crediting of the authority of Scripture itself (7.3; 177.33–34).

Taking up Cartwright’s insistence that, although arguments from “the authoritie of men” may bear weight in “*humaine sciences*,” in matters divine “they have no manner force at all,” Hooker describes the hierarchy of evidence by which truth may be judged: first by the senses, “plaine aspect and intuitive beholding,” then by “invincible demonstration,” and finally, where neither of these is available, by the “greatest probability.” Once the Scriptures are acknowledged to be the word of God, they become “the strongest prooffe of all,” but Hooker has already noted that such an acknowledgment is itself based on “the authoritie of man” and consequently on what he would term “the probability”—what today might be called “the weight of evidence”—involved in such a judgment (7.3 and 5; 177.22–30, 178.1–5, and 179.10–25). Lacking a logically sound proof from reason or the infallible testimony of Scripture, a reasonable person would defer to

neither commaund nor forbid, but use silence; . . . in the Church a number of things are strictlie observed, wherof no lawe of scripture maketh mention one way or other; that of things once receyved and confirmed by use, long usage is a lawe sufficient” (5.7; 165.15–19). See below, pp. 146–147.

¹³ One of these passages is prefaced to the chapter and the other two are in marginal notes; see II.7.1, 4, and 6 (1:174.24–175.3, 178.*h*, and 181.*i*). Hooker adds a fourth quotation at the end of the chapter and cursorily dismisses it; see 7.10 (186.2–5 and *k*).

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the consensus of “a number of the learnedest divines in the world” (7.5; 180.29–181.4). After considering and dismissing a catena of patristic witnesses cited by Cartwright, Hooker invokes scriptural evidence to conclude that God does not will us “so farre [to] reject the authoritie of men as to reckon it nothing” (7.8; 184.7–8).

In the final summary chapter, Hooker asserts “*the sufficiencie of scripture unto the end for which it was instituted,*” as he had concluded in Book I (I.14.1; 1:124.27–28). In matters of salvation, “the insufficiencie of the light of nature is by the light of scripture” fully and perfectly supplied. He will not include under sin that which is done “by direction of natures light and by the rule of common discretion without thinking at al upon scripture” (II.8.3 and 6; 188.4–5 and 191.5–6). The truth “concerning sufficiencie of holy scripture” lies between the opinion that he attributes to “the schooles of Rome,” that knowledge *necessary for salvation* includes traditional as well as scriptural truths, and the opposite one, that Scripture contains not only “all thinges in that kinde necessary, but al thinges simply.” To attribute “unto scripture more then it can have” is to run the danger that “the incredibillitie of that do cause even those thinges which indeed it hath most abundantly to be lesse reverently esteemed” (8.7; 191.14–192.1).

Book III

The title of Book III is also drawn from a simple proposition culled out of disciplinarian arguments: “*in Scripture there must be of necessitie contained a forme of Church-politie the lawes whereof may in no wise be altered*” (1:193.3–6). Epistemology continues to figure prominently while discussions focus on standards for the life of the Christian Church rather than on the determination of standards for human behavior in general. Accordingly, ecclesiology joins epistemology as a second major topic of the book.

Following an introductory essay (chap. 1), Hooker proceeds to discuss particular scriptural norms urged by the disciplinarians for determining church polity (2–7), the legitimacy of reason as such a norm (8–9), and the manner by which Scripture and reason may be employed together in ordering church life (10–11.13). Following these increasingly lengthy sections is a review of the argument (11.14–21).

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The first chapter on “the nature of the church” is an expository essay preliminary to a consideration of the norms by which its “lawes of politie or government” might be determined (§ 1; 1:194.24–27). Hooker makes no explicit reference to his disciplinarian opponents. Phrases from Ephesians provide the foundation for his ecclesiology: “*one bodie . . . one Lorde . . . one faith . . . one baptisme*” (§§ 3–7; 1:196.3–7). He next provides categories to take account of the reality of division when idolatry, heresy, excommunication, and reform separate Christians from one another (§§ 8–13).¹⁴ The final section (14) emphasizes that the church is not an assembly, but an organic public society with the characteristics that he has laid down in Book I for all human societies.¹⁵ He concludes with a definition of “Church-politie”: the form of ordering “the publike spirituall affayres of the Church of God,” including “both governement and also whatsoever besides” belongs to its public order (§ 14; 1:206.26–31).

Chapters 2 to 7 consider a set of disciplinarian arguments for the exclusive use of scriptural norms in determining church polity. Hooker first responds to two objections that Cartwright had raised to Whitgift’s defense of the terms of the Elizabethan settlement (chaps. 2–4): Whitgift had severed discipline and church government from the weightier matters of faith “necessarie unto salvation,” and he had abridged “the large and rich contents” of the Bible’s directions for church polity (2.2; 1:208.12–209.19 and *s*). Hooker insists that the Gospel and even writings of disciplinarians make “some things *necessarie*, some things *accessorie* and appendent onely.” In the first category he includes “articles of Christian fayth [the ancient creeds], and the sacramentes” (3.3–4; 211.7–212.4 and *v*). Playing on the imagery of Cartwright’s critique, Hooker claims that “it is no more disgrace for scripture to have left a number of . . . things free to be ordered at the discretion of the Church, then for nature to have left it unto the wit of man to devise his owne attyre” (4.1; 213.4–7). Hooker “willingly” grants that the “precepts that scripture setteth downe are not fewe . . . even in particularities” but insists that they support

¹⁴ On Hooker’s ecclesiology, see pp. 169–174, below.

¹⁵ Compare I.10, esp. §§ 11 and 14 (106:22–23 and 109.7–110.16); see Introduction to Book I, 108–116, above.

“not that forme which [disciplinarians] imagine, but that which we against them uphold” (4:1; 1:213.18–25).

Chapters 5–7 discuss a proof-text from Deuteronomy which, from the time of the *Admonition*, had reverberated through all the disciplinarian writings to demonstrate that “*nothing ought to be established in the Church which is not commaunded by the worde of God*” (5.1; 214.15–21). After pointing out that no church, including that of Christ and the apostles, has, or even could have, strictly followed such an injunction (chap. 6), Hooker considers Cartwright’s interpretive modification: since the Bible could not include “every thing in specialtie,” Cartwright had noted “fower generall rules” in St. Paul’s writings by which church affairs may be governed (7.1; 216.22–217.8 and n). Such rules, Hooker counters, are simply “edicts of nature” which the church would have “stood bound to observe” whether or not Paul had repeated them (7.2; 217.30–218.3). Although these general rules are not laws that “require anie one particular thing to be done,” Hooker observes that Admonitioners, Cartwright, and Travers all arbitrarily insist that before they will conform, they “require some speciall commandement for that which is exacted at their hands.”¹⁶

Chapters 8–10, together with 11.1–13, link Book I with the topical polemic of the *Lawes*. Here Hooker describes the manner by which the general principles of his understanding of revelation and reason may be applied to the life of the Christian Church.¹⁷ Hooker attacks an inclination among Puritans to

thinke they cannot admire as they ought the power and authoritie of the word of God, if in things divine they should attribute any force to mans reason. For which cause they never use reason so willinglie as to disgrace reason. (8.4; 221.25–29)

Cartwright had attempted to soften the specificity of the requirement that all church orders must be “*commaunded in the Word of God*” not only by his four general rules but also by interpreting the phrase to mean that they must be “*grounded upon*” Scripture (8.1–2; 220.19–

¹⁶ Chap. 7.4; 1:218.19–219.3 and 18–24; see 1:218.31–35.n and 218.35–219.3.n.

¹⁷ See Introduction to Book I, pp. 84–86, above.

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20). Dispatching this proposed resolution by demonstrating its patent ambiguity, Hooker moves on to the basic epistemological question, largely setting aside until chapter 10 the specific issue of their application to church order. God's will is made known "by light of nature and not by scripture alone" in spite of Puritan efforts to make the name of nature "hatefull with men" (8.3-4; 221.10, 17-18). He then identifies six arguments that nurture the opinion that "the waye to be ripe in faith [is] to be rawe in wit and judgement; as if reason were an enimie unto religion, childish simplicitie the mother of ghostlie and divine wisdom" (8.4-5; 222.24-28). He responds to these arguments one by one (8.6-11) and in the remainder of chapter 8 elaborates on his response to the sixth, which had claimed that human reason is irrelevant to the leadings of God's spirit (8.12-18). Using the example of the way people are brought to Christian conviction, Hooker discusses the relation of the Bible to both tradition and reason. Although the tradition of the church first draws men and women to a conviction that "the scriptures are the oracles of God him selfe" (8.13; 1:231.5-6), in the confirmation of that faith as well as in an initial conversion, reason plays an essential role:

if I beleve the gospel, yet is reason of singular use, for that it confirmeth me in this my beleefe the more: If I doe not as yet beleve, nevertheles to bring me to the number of beleevers except reason did somewhat help, and were an instrument which God doth use unto such purposes, what should it boote to dispute with Infidels or godles persons for their conversion? (8.14; 232.10-15)

Hooker discusses the operation of God's spirit in leading "true" Christians to either truth or right action (8.15) and the role of reason in the interpretation of Scripture (8.16). Citing New Testament accounts of Christ and of apostles employing reason (8.17), he concludes that

the selfe same spirit, which revealeth the things that god hath set down in his law, may also be thought to aid and direct men in finding out by the light of reason what lawes are expedient to be made for the guiding of his Church, over and besides them that are in scripture. (8.18; 235.7-11)

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In chapter 9, expressly citing Thomas Aquinas's discussion of law, Hooker asserts that human laws, including ecclesiastical laws, must agree with "the generall laws of nature . . . without contradiction unto any positive law in scripture." Since "the light of naturall understanding wit and reason is from God," laws so framed "have God him selfe for their author" (9.1-3; 237.27-29, 238.25-27, and 239.11).¹⁸

In chapters 10 and 11.1-13, Hooker describes how reason and Scripture together may be employed in determining the appropriate application of specific scriptural injunctions to church polity. Hooker's argument in chapter 10 is largely expository with only brief citations of three Puritan writers: Dudley Fenner, Cartwright, and Travers.¹⁹ At this point, he draws heavily on both the assertion of Book I that Scripture contains and reaffirms many natural laws and on its description of the character of positive laws that appear in the Bible (see I.12 and 15). He considers the conventional division of Old Testament laws into moral, ceremonial, and judicial (10.1-4). Moral laws, identified with the law of nature, remain in full force: God is their author, they were published in Scripture, but they stand on their own, as the purposes for which God instituted them remain.²⁰ Ceremonial laws are abrogated: although God is their author and they were committed to Scripture, their purpose has ceased. The status of judicial laws is more ambiguous: God is their author, they were committed to Scripture, and "in a great part" the end for which they were instituted continues; nonetheless, the "alteration of persons or times" may have rendered them "unsufficient to attain unto that end" (10.4; 1:243.2-10). Considering New Testament patterns "which belong to discipline and outward politie" to be of the same category as Old Testament judicial laws, Hooker concludes that those too may be "changed as the difference of times or places shall require" (10.5-7; 245.1-7).

Hooker next considers a frequently used disciplinarian argument that Christ would not have been faithful had he not left as detailed instructions to the church as God had given Israel through Moses

¹⁸ See Introduction to Book I, pp. 120-122, above.

¹⁹ Chap. 10.3, 6, and 8; 1:241.z, 244.a, and 246.e.

²⁰ For identity of the moral law with that of Moses, see I.12.1, 16.5, and III.9.2 (1:120.1-15, 138.21-139.10, 237.9-12).

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(11.1–6).²¹ Hooker observes that in framing Old Testament laws, God “had an eye unto the nature of that people and . . . country.” For the multinational Christian church, therefore, rather than one uniform “kinde of positive Lawes” for all, “peculiar and proper considerations” need to be taken into account (11.6; 251.1–10). Hooker turns the Puritan argument upside down by suggesting that the detailed positive laws and the continuing “extraordinary means, oracles, and Prophets” by which God personally responded to daily “new occasions” in the life of ancient Israel reinforce the conclusion that the Christian church, since it lacks such direction, must have “freedome and libertie graunted to make lawes” (11.7–10; 256.1–9).

After an analysis of a text (1 Tim. 6:14), which disciplinarians had urged in support of their cause (11.11), Hooker examines the distinctions which the disciplinarians make between those things “in externall discipline or regiment” that they claim to be immutable and those they deem changeable. Disciplinary principles for such distinctions, when carefully examined, in contrast with their applications, are found to agree with those of supporters of the establishment (11.12–13). They concur that although “the lawes of Christ” are not to be altered in matters of substance, differences of “times, places, persons, and other the like circumstances” require changes in lesser matters “as the Church shall judge it expedient.” Hooker concludes that the disciplinarians must demonstrate that “we have eyther added or abrogated otherwise then we ought, in the matter of Church-politie” (11.13; 260.11–13 and 261.7–20). On such grounds, which take account of changing historical contexts, Hooker was prepared to debate the specialties of Books V–VIII.

Hooker begins the final section of the book with brief chapter-by-chapter summaries, incorporating additional data and arguments into his resumés of chapters 2 and 4 and concluding with the first part of chapter 11 (§§ 14–17).²² He tersely dismisses some of the “more familiar and popular” disciplinary arguments, including some intended to enforce the specifics of Genevan polity (11.18–20). Hooker

²¹ For discussion of the disciplinary writings, see nn to 1:247.8–248.6.g, 247.21–25, 248.9–11.i, and 248.28–30.j.

²² The additional data appears in 11.15–16 (1:261.30–263.21 and 263.23–264.15).

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possibly added this latter section after he had decided to issue the first four books in 1593, before the complementary discussions of the “specialties” were ready for publication.²³ Hooker’s final words in this book take the disciplinarians to task for urging what God “in congruity of reason ought to do” instead of searching out and admiring “what God hath done” (11.21; 269.24–27).

Book IV

Ecclesiology constitutes the principal underlying issue in Book IV, with special concern for determining the norms of religious ceremonial. As Hooker confronts Puritan accusations that the polity and practices of the English church are too akin to those of Rome and too unlike those of foreign Reformed churches, he applies standards for the use of reason and Scripture in light of the historical perspectives he has developed and demonstrated in Books II and III.

Book IV opens and closes with expository essays (chaps. 1 and 14). After the opening discussion of ceremonies, Hooker turns to an extended series of disciplinarian objections to the norms of the Elizabethan church (chaps. 2–10). He then considers three major issues in successive chapters: Jewish origins of ceremonial, the scandalous character of Roman ceremonies, and the lack of conformity with other Reformed churches (chaps. 11–13). In Books II and III, he similarly cleared away the less weighty issues in brief early chapters (1–4; 2–7) before confronting the heavier timber of his opponents’ arguments. The book concludes with a discussion of the Church of England in ecumenical perspective (chap. 14).

The opening essay (chap. 1) roots church ceremonial in “some ground of reason [found] even in nature,” for “visible solemnitie[s]” have universally characterized human societies in “publique actions which are of waight whether they be civil and temporall or els spiritual and sacred” (§ 3; 1:274.14–18). Distinguishing permanent substance from variable ceremonial in sacraments, Hooker notes that although that substance has been delivered “in few wordes . . . the due and

²³ See Introduction to The Preface, pp. 37–44, above.

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decent forme of administring those holy sacraments, doth require a great deale more" (§ 2; 273.21–28). He closes by citing both Travers and Cartwright to demonstrate how thin the dividing line is between the two gospel sacraments and other "significant ceremonies" in church life (§ 4; 276.12–20).

Among the initial series of objections to English church ceremonies which Hooker identifies, he turns first to the accusation of excessive pomp in the rituals prescribed by the Prayer Book (chap. 2). He then catalogues Puritan arguments why Roman ceremonies should not be emulated (chap. 3), demonstrates the inconsistency of advanced Protestant practice with theory (chap. 4), and finally responds to the arguments, one by one (chaps. 5–10).

Countering the complaints of Travers and Cartwright that the "outwarde statelines" of English church ceremonies has "departed from the auncient simplicitie of Christ and his Apostles," Hooker comments on the difficulty of knowing the details of apostolic practices but rests his case on the principle established in Book III of the need to recognize changing historical contexts (2.1 and 3; 1:276.27–28 and 278.19–279.2).

Again invoking both Travers and Cartwright, who demand "the utter relinquishment of all thinges popish," Hooker cites their list of biblical and patristic proof-texts (3.1–2; 280.17–18). When pressed, his opponents admit that even ceremonies used by Rome that are not required by Scripture need *not* be abolished unless they are "unprofitable, or when as good or better may be established." In common Puritan rhetoric, however, the mere fact of similarity to the ceremonies of Rome provides sufficient reason to urge authorities "to do them away" (4.1 and 3; 285.16–19 and 287.15–19).

Hooker dispatches what he judges to be Cartwright's specious interpretation of a sentence from Augustine, considers Old Testament texts that demonstrate God's concern that ancient Israel's distinctive customs mark their "carefull seperation" from neighbors, and responds to a catena of patristic citations that purport to show how the early church "*would have the christians differ from others in their ceremonyes*" (6.2 and 7.1; 290.10 and 293.8–12). He insists that reasons other than "care of dissimilitude" dictated the laws intended to separate Jew and Christian from pagan (6.3 and 7.3; 292.26 and 295.5–9). As Hooker's re-

sponses become increasingly distant from the relevant Puritan texts in chapter 3, he sprinkles additional brief quotations as reminders of the point under discussion.²⁴

Hooker responds to appeals to the maxim that “*evils must be cured by their contraries*,” to the danger that Rome may be encouraged by the maintenance of similar ceremonies, and to the grief that envelops “*godly brethren*” who are forced to behold them. Hooker provides brief *ad hominem* responses to each of these reasons for “the utter evacuation of all Romish ceremonies” (8.1, 9.3, and 10.1; 298.13–14, 303.25, and 305.19–20).

Having dispatched reasons for abolishing *all* ceremonies not required by Scripture, Hooker considers three weightier objections that apply only to *some* (chaps 11–13). Citing patristic writers, Puritans had objected to ceremonies of Jewish origin. After discussing the judaizing controversy recounted in the New Testament, Hooker concludes that the church retained many elements of Jewish religion but repudiated others. The church had in “no one thing so manie and so contrarie occasions of dealing as about Judaisme” (11.9; 314.30–32), and he insists that, as the church cannot be deprived of liberty “to use names whereunto the [Jewish] lawe was accustomed, so neither are we generally forbidden the use of the things which the [Jewish] lawe hath” (11.10; 316.14–16). Because the patristic citations treat of special issues, they do not establish a general rule prohibiting all ceremonies that originated in Judaism.

Hooker judges that the “waightiest . . . [and] most worthy” objection to Roman ceremonies concerns those they claim to have been so “grosly and shamefully abused” that they may become “grievous causes of offence” (12.1; 319.17–320.2). After observing that people are only scandalized “when they are moved . . . unto sinne,” Hooker examines a series of historical instances of such scandal. Turning to the misused ceremonies under discussion, Hooker asks, who are they “whom we scandalize, by using harmeles things unto that good end

²⁴ Such quotations appear at or near the beginning of each chapter: 7.1 (293.8–12), 8.1 (298.z), 9.1 (301.b), and 10.1 (305.17–22). Additional quotations in these chapters repeat the texts given in chapter 3: 8.3 (300.a), 9.2 (302.c), 9.3 (303.e), and 10.2 (306.g).

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for which they were first instituted?" (12.2-5; 320.16-17 and 323.7-9). If "here or there some one be found" who is led astray by such ceremonies, the proper action is not, as Puritans suggest, to take the ceremonies away from everyone, but rather to cure "such evils by instruction" of those few who need it (12.7-8; 325.2-3, 11-12 and 326.3). In fact, those pastors who "have rayseed contention" about rites and ceremonies might have more productively spent their "time and labour" in teaching their flocks than in making "bitter invectives against the ceremonies of the Church" (12.8; 326.12-16 and 30-31).

The third complaint is that "*divers things*" have been retained that "*all the Churches . . . of our confession in doctrine*" have abrogated. Hooker acknowledges a certain hypothetical value in ceremonial uniformity among churches "to thavoyding of dissention" (13.1 and 2; 328.12-25), but, short of a general council (impractical) or of the establishment of a single judicial authority over the whole church (undesirable), he sees no way for such uniformity to be achieved. Mutual emulation is unworkable, and Cartwright's proposal that England should follow the continental churches whose reformation preceded England's is unreasonable (13.8-9). Since the Bible and reason provide the grounds for decisions about ceremonial,

seeing the law of God doth not prescribe all particular ceremonies which the Church of Christ may use, . . . it is not possible that the lawe of nature and reason should direct all Churches unto the same things, ech deliberating by it selfe what is most convenient. (13.8; 1:332.24-29)

The final chapter of Book IV is an essay on the reformation of the Church of England in the larger perspective of the western church. Hooker affirms the necessity of the reforms which had altered its "receaved lawes . . . as had beene in former times an hinderance unto pietie and Religious service of God." Yet change of laws in any human society can "with the common sorte impaire and weaken the force of those groundes, whereby all lawes are made effectuell"; hence, if the expected benefit be small, it may be better "to beare a tollerable

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soare . . . then to venter on a daungerous remedie.”²⁵ Hooker contrasts “both kinds of reformation, as well this moderate kind, which the church of England hath taken, as that more extreme and rigorous which certaine Churches elsewhere have better liked” (14.6, 342.33–343.3). Book IV concludes with a brief account of the course of reformation under four Tudor monarchs. Alluding to what seemed to many Elizabethans the charmed longevity of their queen who, at her coming to the crown, had raised the reformed religion “as it were by myracle from the dead,” Hooker proposed that

if any refuse to believe us disputing for the veritie of religion established, let them believe God himselve thus myraculously working for it, and wish life even for ever and ever unto that glorious and sacred instrument whereby he worketh. (14.7; 344.4–7 and 28–32)²⁶

iii. Authorities Quoted and Cited

Hooker’s choices of the authorities whom he quotes and cites provide clues to the character of these three books of the *Lawes*. Three-fourths of the explicit references in Books II to IV are to authorities of earlier ages whom he recognizes and trusts his readers will also acknowledge. The other quarter consists almost entirely of references to Puritan works which he wishes to refute.

Scripture and Traditional Sources

Authoritative references to Scripture are ubiquitous: they outnumber by three to one all other citations of authorities. Hooker normally translates New Testament texts directly from the Greek, sometimes employing it as an exegetical tool.²⁷ Occasionally, the rendering is so

²⁵ 14.1–2; 336.20–22, 337.19–22, and 338.17–20.

²⁶ See Introduction to Book VIII, pp. 346–348, below.

²⁷ For examples of the Greek serving Hooker’s arguments, see nn to 2:228.11–14.c and 233.21–25.i; for other examples of idiosyncratic translations, see 290.22–26 and 291.19–30 and nn to 234.13–18.k, 257.19–21.m, 320.10–11.k, 320.32.n, and 334.14.

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free as to suggest that Hooker is working from memory.²⁸ Although he had served as deputy professor of Hebrew at Oxford in 1579, he quotes the Old Testament from the Geneva translation; when he does use his knowledge of Hebrew, it is not for the Old Testament but for an ancient Jewish chronicle.²⁹

In Books II–IV, Hooker includes thirteen classical, two ancient Jewish, and sixty-seven patristic references. The relative proportion of classical to early Christian writers is the reverse of that in Book I, consistent with the narrowing of focus of these three books.³⁰ With the exception of two references to Cicero, Hooker's use of classical works graces his argument, rather than providing its substance. From Cicero Hooker drew an assertion central to his epistemological convictions: the law of nature cannot be of God unless that light of nature, human reason, is also from God.³¹ Otherwise, his classical references merely provide human examples for the points he is making.

Hooker drew on his mastery of Hebrew in a reference to a second-century Jewish chronicle of events from creation to Hadrian's destruction of Jerusalem in 135 AD. Using the chronicle to inform his New Testament exegesis, he turns to Josephus, the first-century Jewish historian, whose writings were well known to western scholars in the original Greek, to illuminate ceremonial standards of first-century Judaism.³²

References to early Christian writers of the first eight centuries range from Irenaeus, the second-century Greek-speaking bishop of Lyons, to Bede, the eighth-century English monk of Jarrow.³³ The

²⁸ See 1:187.26–27.*n* and 1:267.32–268.1.*a.n.*

²⁹ IV.11.6; 1:313.*v.*

³⁰ See Introductions to The Preface, pp. 65–66, and to Book I, pp. 92–95, above. Classical references: Cicero, see n. 31 below; Aristotle, *nn* to 1:157.4–7.*v.*, 212.20–22.*w* (2 refs.), 220.31–221.1.*g.*, and 246.21–23.*f.*; Plato, 212.20–22.*w.n.*; Velleius Paterculus, 1:171.5–6.*r.n.*; Proclus, 174.1–3.*n.*; Tacitus, 196.*i.n.*; Livy, 275.27–276.2.*f.n.*, and for possible silent use, 341.17–26.*n.*; Homer, 303.7–8.*d.n.* For other possible classical allusions, see *nn* to 248.16–22, 275.6–14, and 301.25.

³¹ III.2.1; see 1:207.19–20.*r.n.* and 152.20.*n.*; two other possible uses of Cicero are noted in 248.16–22.*n.* and 291.32–292.3.*n.*; see Introduction to Book I, pp. 94–95, above.

³² See *nn* to 1:216.9–10 and 313.2–9.*v.*

³³ On Hooker's patristic references, see John K. Louma, "Who Owns the Fathers?"

collections of conciliar records and of the early ecclesiastical historians are represented along with thirty-three other works from twelve Latin writers and one each from five Greek authors. Augustine and Tertullian each claim almost one-quarter of the patristic references, reflecting Augustine's enormous influence in the western church both in medieval centuries and through the Reformation and Tertullian's popularity in the sixteenth century. In spite of the latter's heretical Montanism of his later years, his writings constituted the first substantial corpus of Christian theological essays written in Latin.³⁴ Many sixteenth-centu-

Hooker and Cartwright on the Authority of the Primitive Church," and William P. Haugaard, "Renaissance Patristic Scholarship," *Sixteenth-Century Journal*, 8 (1977): 45-59 and 10 (1979): 37-60, respectively.

Patristic references in II-IV are as follows: (citations in brackets were introduced into the discussion by Hooker's opponents): Augustine, see nn to 1:157.18-21.w, 224.19-21, 236.21-23.n, 273.18-27, 277.24-26.j, 294.17-21, 294.23-29.v, 294.29-32, 329.15-21, 340.30-32.p, [159.7-11.x, 173.2-5.c, 182.23-33 (2), 182.34-183.11 (2), 262.6-16.t, and 277.28-278.4]; Tertullian, nn to 162.4-5, 197.8-10.m, 206.2-4.n, 207.12-13.p, 224.30-225.21.u, 244.18-20.b, 315.13-17.a, 321.1-4.o, 331.26-30.i, [159.11-15.y, 161.9-10.e, 162.f and 9-13, on *De corona* from 163.15 to 165.32-35, 282.19-23.w, 282.23-25.x, and 295.23-24.x]; Councils from 3rd century African to 7th century Trullan, nn to 1:200.9-30, 9-10.a, 10-14.b, c, 14-20.d, e, and 20-30, 201.3.f, 317.10-16.g, 321.22-29.p, [282.13-17.u, 282.17-19.v, 309.15-18.l, and 316.32-317.5.d, e]; compare 4:38.18.n with 1:282.u and 309.l; Gregory the Great, nn to 1:321.22-29.p, 329.12-15, and [173.5-8.d]; Irenaeus, nn to 197.12-14.n, 14-16, 16-20, and 20-23, [172.20-23.y, and 182.2-16]; Jerome, nn to 159.22-23.a, 201.3-4.f, and [182.16-22]; Leo I, nn to 314.22-27.z, [172.25-173.1.a, 173.2.b, 173.19-20, and 174.11]; Socrates, nn to 319.i and [309.14-15.k]; Eusebius, nn to [309.8-13.j and 319.6-7.j]; Aristaeus, 216.4-8.n; Bede, 322.q.3-7.n; Cyprian, 318.27-31.h.n (160.16-161.2.d.n); Pseudo-Dionysius, 275.21-24.e.n; Pseudo-Eusebius of Emesa, 322.q.1-3.n; Hilary, 159.23-24.b.n; Isidore, 322.q.7-8.n; Lactantius, 207.19-20.r.n (for a passage from Cicero); Sulpitius Severus, 310.20-27.n.n; Chrysostom, [172.23-25.z.n]; and Origen, [171.13-16.u.n]. Eleven possible silent uses of patristic material are noted in the Commentary; see nn to 248.16-22 and 321.10-11 (Augustine), 232.1-6 (Clement of Alexandria and Justin Martyr), 199.29-31 and 238.1-5 (Cyprian), 275.6-14 (Isidore of Seville and Sidonius Appollinaris), 201.24-27 (Jerome), 338.2-6 (Minucius Felix), and 321.18-20 (Sozomen).

³⁴ Montanism was a second-century movement, condemned by the main body of Christians, claiming to possess new revelations by contemporary prophets and insisting on severe discipline and rigorous morality.

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ry reformers placed special value on writings closest to New Testament times because of their commitment both to the authority of Scripture and to a historiography that presumed a rapid decline of the church from its original purity. Hooker also drew on Irenaeus, who was similarly valued, although his second-century work was only available in Latin translation. Records of the early church councils and references to Gregory the Great, Irenaeus, Jerome, and Leo I all appear in these books three or more times. Next to Augustine, Gregory was the patristic authority most frequently quoted by western medieval theologians. Although Gregory was often disparaged by reformers for his advancement of papal prerogatives, Hooker unhesitatingly introduces him as an authority in two theological discussions.

Hooker's use of the church Fathers was both extensive, judicious, and, for the age, scholarly, although he was not always as careful as a modern scholar might wish.³⁵ Renaissance humanist scholarship bore fruit in Hooker's treatment of patristic texts. At times both Cartwright and Whitgift tediously reproduced lists of quotations as if they had been lifted en masse from a commonplace book. One of the appeals of the *Lawes* is Hooker's ability to take a chain of Cartwright's citations, examine them, and then respond, either by putting them into their proper context or by dismissing them outright, trusting the reader's good judgment to understand that they did not prove Cartwright's case (II.6.4; 1:174.8–14).

In the most extensive treatment of a patristic text in Books II to IV, Hooker responds to Cartwright's citation of Tertullian's *De corona* to validate negative arguments from Scripture (II.5.7). Condemning the wearing of the pagan garland by Christians, Tertullian insisted that, while some might say "it is permitted which is not forbidden," in truth, "it is forbidden which is not permitted." Hooker employed common-sense textual criticism to rectify a garbled sentence in a sixteenth-century text. His use of historical critical methods is yet more impressive.³⁶ After describing the historical context of the incident and casting doubts on the objectivity of the author, Hooker then

³⁵ See nn to 1:160.16–161.2.d, 173.2–5.c, and 173.21–25, below.

³⁶ See nn from 1:163.15 to 166.18–19; for Hooker as a textual critic, see 164.12–14.i.n.

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surprises the reader by using the text in question as a clear witness *against* Cartwright.³⁷ The third-century writer had argued that the church strictly kept long-used customs “wherof no lawe of scripture maketh mention one way or other.” The Tertullian text validated not negative, but *positive* arguments from Scripture: a long-standing church custom to abjure garlands was binding “unlesse they could shew some higher law . . . of scripture to the contrarie.” Appealing beyond the text to the larger Tertullian corpus, Hooker concludes that on closer examination, Cartwright’s very example proves that Tertullian “was of a cleane contrarie minde.” This is both effective polemical writing and scholarly humanist criticism: Hooker sets the historical context of author and text, recognizes human dynamics and foibles, and unravels the concrete issues, all in graceful nontechnical language.

Hooker unknowingly quoted one medieval theologian when he took the writings of Arnold of Bonneval for those of Cyprian of Carthage, but he explicitly cited two other Latin and two Greek medieval writers in Books III and IV, calling upon them positively for clarification of fact or conviction.³⁸ The citations show nothing of the hesitancy, outright repudiation, or careful qualification with which many Reformation theologians approached writings from a period they identified with ecclesiastical corruption and deformed theology. Hooker makes only three direct references in these books to Thomas Aquinas, but just as in Book I, the influence of the theologian whom Hooker describes as “the greatest amongst the Schoole divines” is

³⁷ Hooker first paints the background in noting Christian disagreement over this issue. Dating the work to Tertullian’s Montanist period and suggesting that the sect’s rigorism underlay the moral judgment, he notes, with an unstated glance at Puritans, that in the “heate of distempered affection,” speech may reveal “more egerne then waight.” He judges Tertullian’s reasoning on the appropriateness of flowers worn on the head to be an outright “imbecillitie.” See Haugaard, “Renaissance Patristic Scholarship,” pp. 58–59.

³⁸ Medieval references: Thomas Aquinas, see notes 39–41, below; Arnold of Bonneval, see 1:160.16–161.2.d.n, and Introduction to Book V, pp. 217–218, below; Gratian, see nn to 235.17–18.m and 241.9–11.x, below; Nicephorus Callistus, see 310.20–27.n.n; Constantinus Hermenopulos, see 325.9–13.u.n; for a possible silent use of Bracton, see 275.2–3.n.

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more pervasive than the number of citations might suggest.³⁹ The explicit references, all in Book III, draw from Aquinas's discussions of foundations of ecclesiology and law, topics central to the *Lawes*.⁴⁰ Aquinas's theology is also reflected on occasions when Hooker does not explicitly invoke his authority.⁴¹

Engagement with Contemporary Writers

Of the one quarter of Hooker's references that engage sixteenth-century writers, only 5% explicitly cite continental Reformers or supporters of the Elizabethan settlement. Even in the most abstruse theological passages of the *Lawes*, Hooker's range of vision always included the opponents whose movement and writings had provoked him to embark on this "carefull endeavour." An overview of the ninety-six citations to advanced Protestant writings can help us to understand his theological method in Books II–IV. Puritan opponents are omnipresent. On the average, one such citation appears on every two pages of the present edition.⁴² Hooker did not, however, allow the Puritan framing of arguments and accusations to determine the structure of his essay. He himself determined what he regarded to be the crucial issues, selecting from among their writings appropriate foils for his exposition.⁴³

In Books II and IV Hooker limits such citations entirely to Cartwright's responses to Whitgift and to Travers's programmatic challenge to the Elizabethan settlement. In Book III three other disciplinarian authors are also cited: John Udall, Dudley Fenner, and the pseudonymous Martin Marprelate. Hooker may have judged these as providing

³⁹ III.9.2 (1:236.23–24); and see Introduction to Book I, p. 92, above.

⁴⁰ For these references, see nn at 1:195.32–196.3.e, 236.27–237.6.o, and 237.24–27.p. On Hooker's use of this material, see pp. 172–173, below.

⁴¹ For such places, see nn at 1:155.33–156.2, 223.28–29, 230.2, 232.25–33, 232.33–233.9, 233.15–18, 236.27–237.6.o, 237.8–9, 240.14–32, 242.9–13, 242.29–243.6, and 249.19–251.10; for other mentions of Thomas in the Commentary, see nn at 145.14.a, 195.28–32, and 273.18–27.

⁴² In addition to the 96 direct citations, the commentary notes 53 additional references to advanced Protestant writings which cast light on Hooker's text.

⁴³ See above, Introduction to The Preface, pp. 72–77.

starker statements of his opponents' positions as he understood them. Only here and in the Preface does Hooker refer to what in Book V he termed "the scurrilous and more then Satyricall immodestie of Martinisme" (Ded.7; 2:5.17-18).

Of the ninety-six, seventy-eight are to Cartwright's three replies to Whitgift, and one other identifies the 1572 *Admonition to Parliament* that had evoked Whitgift's initial *Answer*.⁴⁴ Topical outlines of the volumes of each writer (two of Whitgift, three of Cartwright) reflect the structure of the *Admonition*, and each responded point by point to the other's arguments.⁴⁵ In contrast, in Books II-IV, Hooker cited only 4% of the pages in Cartwright's three volumes, and these pages are bunched in scattered sections of the disciplinarian arguments.⁴⁶ Even when one takes into account the remaining four books on "the specialities" in which Hooker was to consider other parts of Cartwright's writings, it is evident that Hooker simply discarded the polemical pattern of his predecessors.

It has been argued that Hooker's polemic in the *Lawes* "from its outset was directed" to the *Seconde Replie*, which Whitgift had left

⁴⁴ See Introduction to The Preface, pp. 71-72, above. The *Admonition* reference, without a marginal note, is a paraphrase whose original Hooker attributed to the "Admonitioners" (III.7.4; 1:218.35-219.3). He may intend the reference also to include *A Second Admonition to the Parliament*, an anonymous Puritan pamphlet of the same year (1572; STC 4713); see 214.15-21.x.n and 218.35-219.3.n. Over half the citations to Cartwright (46) are in Book IV; 19 are in II and 13 in III. The three occasional disciplinarians cited in Book III: Udall (nn to 1:247.8-248.6.g and 248.9-11.i); Fenner (nn to 212.v.1-3, 241.26-242.9.z, and 266.31-267.9); and Marprelate (247.8-248.6.g.n). For possible silent references, see nn to 243.12-24, 245.16-17, 256.9-20.f, and 265.18-25.

⁴⁵ For the Whitgift-Cartwright debate, see Introduction to The Preface, n. 152, above. Hooker's patron John Jewel had carried on two similar series of debates with the Roman Catholic Thomas Harding; see 1:171.1.n and 171.2-4.n.

⁴⁶ In *Replie* of 224 pages, Hooker cites: pp. 10, 25-27, 30-32, 35, 71-73, 89, 131-133, 165, 170, and 216; the Commentary notes six other pages relevant to Hooker's discussion: 48, 84, 177, 191, 192, and 196. In *Seconde Replie* of 666 pages, Hooker cites: pp. 1, 5, 19-21, 29, 48, 50, 55-56, 58-61, 80-81, 440, 446, and the Table; the Commentary notes two other pages: 20 and 55. In *The Rest of the Second Replie* of 265 pages Hooker cites: pp. 171, 174, 176-183, 241, and the Table; the Commentary notes one other page: 73.

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unanswered.⁴⁷ Can the *Lawes* be considered an extrapolated renewal of the Cartwright–Whitgift debate after a hiatus of a decade and a half? In a general sense, of course, Hooker was Whitgift's successor: in his dedication of Book V to Whitgift he declared that he had been led "by your Graces example" (§ 2; 2:2.25). However, the theory that Cartwright's *Seconde Replie* was Hooker's specific target is supported neither by the text of the *Lawes* nor by the circumstantial evidence of the controversy. In the last decade of the century, advanced Protestants were socially and politically powerful, and the disciplinarian movement, approved even when not fully endorsed by many within that broad spectrum, challenged the foundations of the Elizabethan religious settlement. From the first page of the *Lawes* that movement was Hooker's explicit target. If he set out principally to respond to Cartwright's *Seconde Replie* and to *The Rest of the Second Replie*, we would expect that he would have cited a larger proportion of these later volumes than of Cartwright's initial *Replye*. Hooker cited 8.9% of the pages of *Replye* but only 2.6% of the pages of *Seconde Replie* and 4.5% of the pages of *The Reste of the Second Replie*; thus he gave more attention to the same text that Whitgift had already answered in his *Defense* than to Cartwright's subsequent responses.

Hooker began his public role as a defender of the Elizabethan settlement at the Temple in 1585 in the struggle with Walter Travers, his kinsman by marriage.⁴⁸ Eleven years earlier Travers had published his first and most important book: *Ecclesiasticae disciplinae, et Anglicanae Ecclesiae ab illa aberrationis plena è verbo Dei, & dilucida explicatio*, and Cartwright had translated it.⁴⁹ This critique of the polity of the English

⁴⁷ Rudolph Almasj, "The Purpose of Richard Hooker's Polemic," *Journal of the History of Ideas*, 29 (1978): 270. In spite of this too narrow interpretation of Hooker's polemical intentions, Almasj's discussion effectively demonstrates the extent of Hooker's use of Cartwright, detailing the ways in which Hooker in Book II employed, extended, and occasionally corrected Whitgift's arguments.

⁴⁸ See Introduction to The Preface, pp. 51–55, above, and 5:264–269 (this edn.).

⁴⁹ Although the title page of the *Explicatio* designates "La Rochelle" as the place of printing, it was printed by Michael Shirat in Heidelberg; see S. J. Knox, *Walter Travers* (1962), pp. 29–31. The translation is entitled *A full and plaine declaration of ecclesiasticall discipline owt off the word off God and off the declininge off the churche off England from the same* ([Heidelberg, 1574], STC 1574), and came from the same press.

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Church has been described by Collinson as the “first definitive treatment of presbyterian government” at the parochial level.⁵⁰

Although Hooker does not cite Travers’s work in the *Lawes* until Book III, he refers to the *Explicatio* in eleven references in Books III and IV.⁵¹ Although Hooker cites Cartwright’s trilogy seven times more often than he does Travers’s single volume, he cites 4.4% of Travers’s pages, comparable to the 4.2% of the pages of Cartwright cited, thus treating Travers with a scholarly respect equal to that accorded Cartwright.⁵²

Taken together, then, Cartwright and Travers account for over 90% of the citations of advanced Protestant writings in Books II–IV. Neither appears in Book I, and, in the Preface, Cartwright provides only a quarter, and Travers, none of the Puritan citations.⁵³ George Cranmer referred four times to Cartwright’s writings in his critique of Book VI and once in his letter.⁵⁴ In Edwin Sandys’s critique of VI, he urged Hooker to “set down Mr Cartwrights and W. T. woords at large in the margent” (3:137.21). Although the replies of Cartwright and the *Explicatio* of Travers were fifteen to twenty years old by the time of the publication of the first volume of the *Lawes*, Cranmer and

⁵⁰ *E.P.M.*, pp. 107–108.

⁵¹ See 1:218.31–35, 246.e, 248.28–30.j, 265.11–12.y, 276.6–12.g, .19–29.h, and .26.i, 280.7.o, 286.6–8.c, 305.2–5.f, and 309.1.i. The Commentary suggests another eleven texts from the *Explicatio* that may underlie Hooker’s discussions; see nn at 212.4–10, 214.15–21.x, 247.8–248.6.g, 247.21–25, 248.9–11.i, 256.9–20.f, 258.7–14.n, 265.17–18, 265.18–25, 265.27–266.1, and 281.29–282.12. Consistently using the Latin original, Hooker renders it in English himself rather than using Cartwright’s translation; see 276.6–12.g.n.

⁵² Cartwright’s three volumes total 1,155 pages. Travers’s *Explicatio* has 147 folios or 294 pages. Of the latter, Hooker cites: fols. 4, 5, 8, 12, 51, 52, 94, 95, 97, 98, 100, and the table; in one explicit mention of the *Explicatio* (IV.2.1; 1:276.i), where Hooker gave no folio number, one of a number of pages might have been cited (see 276.25–277.7.i.n).

⁵³ Cartwright is cited only four times and Travers not at all among fifteen explicit references; see Introduction to The Preface, n. 151, above.

⁵⁴ See 3:121.27, 125.16.j, 127.27.l, 129.15 and § 2 of the letter, 1:36.15–53.15.n, below. In addition to Cartwright, Cranmer referred to Laurence Chaderton’s 1580 sermon, a staple of “disciplinary” polemic (3:124.1). See Introduction to The Preface, pp. 41–45, above.

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Sandys assumed, as did Hooker himself, that these constituted the most authoritative of disciplinarian writings. Hooker and his consulting critics targeted no individual Puritan author. Throughout the *Laws* proper, Hooker consistently wrote of “they” and “them,” just as he addressed his Preface in the second person collectively to “*you whose judgement is a lantarne of direction*” to the disciplinarian community (Pref. 4.1; 1:21.12). His target was the movement as a whole, and among those who actively worked for it, Travers and Cartwright were in the forefront of the theologically learned.

Cranmer and Sandys had both expressed a concern in their critique of Book VI that Hooker quote his opponents accurately.⁵⁵ On the whole, Hooker took to heart his critics’ injunctions. He took occasional liberties in reproducing details to put such writings in better form for the context of his discussions, and he selected those passages that seemed to him to be “as seedes from whence the rest that ensue have growne” (II.1.2; 1:145.2–3), but neither procedure seriously distorted the authors’ intentions for them.⁵⁶

Hooker does not volunteer references to writings of other supporters of the Elizabethan settlement. Only the works of Jewel, whom Hooker describes as “the worthiest Divine that Christendome hath bred for the space of some hundreds of yeres” (II.6.4; 171.2–3), are

⁵⁵ Sandys seemed to have been satisfied with Hooker’s documentation of his opponents in the 1593 printed volume, for after the words quoted above in this section on setting down words “in the margent,” Sandys wrote: “Els will your discourse want much credit of sinceritie: which in your former it hath especially by that meanes” (3:137.22–25). But Cranmer, with Sandys’s mark indicating his agreement with the statement, had written: “I could wishe that through all the bookes you should be carefull of the quotations both of their sentences and of other auctorities alleaged (for in the former bookes you knowe there is a defect that way)” (3:129.4–7). The seeming contradiction is resolved if the chronological relationships between the two critiques of Book VI are as proposed above: namely, that defects in documentation pointed out by Cranmer in earlier drafts of the Preface and Books I–IV were corrected before publication; see Introduction to The Preface, p. 51, above. For other such comments of Cranmer, see 3:108.35, 114.24–30, 115.14–15 and 24, 121.17–29, and 125.16–29; for Sandys’s, see 3:134.32–33, 1:36.34–36, 137.20–24, and 139.4–6 and 22–26.

⁵⁶ See nn at 1:150.20–23, 153.10–11.o, 155.8–11, and 282.12–283.1.u.

cited in Books II and IV, and in both cases, it was Cartwright who had brought Jewel in as a witness against Whitgift. For some years after the *Admonition*, as Cranmer remarked in his letter to Hooker, only Whitgift had “stood in the gap” to support the establishment (see 1:36.15–53.15.n, § 1), but by the mid-1580s other writers had begun to contribute. In spite of the fact that Hooker did not cite them, parallels on occasion suggest silent borrowings,⁵⁷ and although Whitgift’s own name is absent from the marginal documentation of Books II–IV, his role in the exchanges with Cartwright is implied in Hooker’s frequent references to Cartwright’s three volumes. The closest he comes to naming Whitgift in the debate was in a passive circumlocution such as “being asked to what . . . and why, . . . their aunswere is . . .” (IV.13.1; 1:327.28–328.2). And although Hooker’s books cannot be adequately characterized as a conclusion to the Cartwright–Whitgift debate in which Cartwright had had the most recent say, Whitgift’s two books, to which Cartwright had responded in such detail, supply an indispensable context for the *Lawes*.

iv. Epistemology: Hermeneutics and Authority

Both Hooker and his adversaries agreed that the Bible was authoritative for Christian life and teaching, but these three books of the *Lawes* show that Hooker identified previously unexamined hermeneutical principles as themselves fundamental “generalities of the cause in question” (1:345.5).⁵⁸ Hooker consistently drew on Scripture throughout the treatise, and his biblical references in Books II–IV provide evidence of his understanding of scriptural authority and its

⁵⁷ See nn to 1:212.v.1–3 and 266.31–267.9 (John Bridges); 258.7–14.n (Richard Bancroft), 160.8–161.8.c (Matthew Sutcliffe?); 264.9–15, 268.6–13, and 341.17–342.7 (Hadrian Saravia); 251.14–20.v, 256.9–20.f, 260.3–7, and 326.6–16 (Whitgift). In none of these latter did Hooker treat Cartwright’s later responses to Whitgift in *Second Replie*; rather, he focused on the text of the initial *Replye*, providing answers substantially like those of Whitgift.

⁵⁸ See pp. 126–127, above. On Hooker’s understanding of scriptural authority, see Egil Grislis, “The Hermeneutical Problem in Hooker,” *S.R.H.* (1972), pp. 159–206; John S. Coolidge, *The Pauline Renaissance in England* (1970), chap. 1; and Peter Lake, *Anglicans and Puritans?* (1988), esp. pp. 144–160.

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relation to human reason and church tradition. The distinctive originality of these understandings stand out when compared with those of his opponents and precursors in the debate.

Biblical Hermeneutics in the Renaissance

Hooker takes the biblical texts with as much seriousness as do his opponents, but he employs distinctive hermeneutical techniques in his exegesis of them. Renaissance humanism, together with the Gutenberg revolution, provided newly crafted philological tools which made the sixteenth-century Reformation possible. A concern for the original languages, grammar, textual accuracy, and the recognition of the historical contexts of ancient texts all contributed to new biblical understandings. As heir to these tools, Hooker employed them so as to deploy his scriptural citations as substantive rather than decorative references, contributing directly to the course of the argument even if they are not, as in some cases, the focus of the argument itself. Regarding one central humanist principle of interpretation, Hooker later remarked, "I holde it for a most infallible rule in expositions of sacred scripture, that where a litterall construction will stand, the farthest from the letter is commonlie the worst" (V.59.2; 2:252.5-7). But Hooker's hermeneutical debt to Renaissance humanism went further. He brought two distinctively humanist perspectives to bear on biblical interpretations, integrating them into his Thomist-Aristotelian philosophical and theological framework: (1) a sense of the continuity of the sacred history of revelation with the larger human scene to which it belonged, and (2) a complementary sense of movement in secular history, in which changing times and circumstances alter the ways in which the authority of Scripture is to be invoked and applied. These two perspectives were not entirely absent from the writings of other scriptural commentators of the era, but Hooker applies them with a consistency that distinguishes his hermeneutics and, arguably, foreshadows biblical critical methods of the future.

Hooker's epistemology is based on an understanding of the complementary character of grace and nature, revelation and reason. Declaring, in the theological tradition of Thomas Aquinas, that "nature hath need of grace . . . [and] grace hath use of nature" (III.8.6; 1:223.

28–29),⁵⁹ Hooker assumes the complementarity of the book of Scripture and the book of nature: he moves easily from one to the other, he describes their interpenetration, and he uses similar criteria for discussing them. To show how “nature hath need of grace,” Hooker took an example from Acts in which Festus, “a meere naturall man,” was unable to perceive God’s saving act in Jesus Christ that Paul, by “Gods good grace,” declared to him (1:223.14–26). Placing sacred and secular history side by side, Hooker pairs Paul and Tacitus as common witnesses to the world’s “execrable” estimation of the name “Christian,” and Peter and Josephus as symmetrical witnesses to Jewish fasting customs (III.1.4 and 6.1; 196.i and 216.8–11).

Over and above the supernatural laws, unique to Scripture, that make salvation possible, Hooker insists that the Bible also contains both natural and human laws (I.12 and 15). Even though by their very presence in the Bible they are acknowledged as God’s laws by revelation, the conditions under which they operate and the situations to which they apply are subject to the same considerations and limitations as are natural laws derived through the processes of reason and human laws determined by those who legislate them. This continuity of human laws and life, in and out of the Bible, enabled Hooker, as he interpreted Scripture, to take fuller account of the human dimension of the text than did most of his contemporaries. Unlike modern scholarly students of biblical texts, Hooker could speak of scriptural texts that literally contain “manifest testimony cited from the mouth of God himself”; at the same time, in common with such scholars, he recognized the human limitations inherent in many of those texts (II.7.5; 180.25–26).

In response to what he perceived as a willingness to use reason “to disgrace reason,” Hooker employs Scripture to demonstrate the limitations of Scripture, drawing from the Bible itself examples to counter the claim that reason is unable “to search out and to judge of things divine” (III.8.4 and 6; 221.27–28 and 223.9–10). In Jesus’s call to the Jews to believe because of his works and in Thomas’s demand to see and feel Jesus’s nail-prints, Hooker found evidence to demonstrate

⁵⁹ See Introduction to Book I, p. 92, above.

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“that there may be a certaine beliefe grounded upon other assurance then Scripture” (II.4.1; 152.5–12). If it were true, as disciplinarians claimed, that “all things must be commaunded of God [by written scriptures] which may be practised of his Church,” then, Hooker asked, where had the Jews of the Old Testament found justification for established ceremonies that were described by texts in Joshua, Judges, and the fourth Gospel (III.11.15; 262.16–28)?

Hooker demonstrates the interlocking character of revelation and natural human faculties when he observes that “of things necessarie the verie chieftest is to knowe what bookes wee are bound to esteeme holie, which poynt is confest impossible for the scripture it selfe to teach.”⁶⁰ Reformed theologians taught that the Bible, through the operation of the Holy Spirit in the believer, is self-authenticating.⁶¹ Hooker accepts statements of such “grave and learned” theologians about the need for “the testimony of the spirit,” but he reinterprets them to mean that “the special grace of the holy ghost” must *concur* with “other motives . . . consonant unto reason” to create faith. Reason remains the test by which the very operation of the spirit may be discerned:

Albeit the spirit lead us into all truth and direct us in all goodnes, yet bicause these workings of the spirit in us are so privy and secret, we therfore stand on a plainer ground, when we gather by reason from the qualitie of things beleaved or done, that the spirit of God hath directed us in both. (III.8.15; 232.16–25, 233.3–7)

Not only is reason necessary in order to determine that the Bible is indeed God’s revelation, but “betweene true and false construction”

⁶⁰ I.14.1 (1:125.11–13); for Hooker’s development of this observation, see II.4.2, 7.3, III.12–15 (1:153.13–25, 177.27–34, 230.7–233.9), and p. 165, below.

⁶¹ “They whom the holy ghost hath inwardly taught, doe wholly reſte upon the Scripture, and . . . that ſame Scripture is to be credited for it ſelf ſake, and ought not to be made ſubject to demonſtration and reaſons; but yet that the certaintie which it getteth among us, it attaineth by the witneſſe of the holy ghooſt”; Calvin, *Inſtitutes*, 1.7.5; STC 4415, fol. 15^r. See pp. 136–137 and Introduction to The Preface, pp. 77–79, above.

of the scriptural text "the difference reason must shew." The "use of naturall reasoning about the sense of holy scripture" provides the only means of interpreting the Bible (III.8.16; 233.20 and 15-16). In contrast with the issue of self-authentication of the Bible, Hooker's opponents would have agreed with him concerning the necessity of human reason in biblical interpretation, once the authority of the text had been accepted. Yet his explicit insistence upon the role of reason in the operation of the Holy Spirit reflected an epistemological concern to assert both the legitimacy of reason alongside revelation and their interlocking continuity as dual sources of knowledge of "things divine."

Hooker produces his evidence from the Bible itself. He describes from Acts instances of the Apostles' reasoning on the text of the Psalms, of Paul and Barnabas using reason to win the unconverted, and of Peter's arguing in the Council of Jerusalem on matters of church policy. He points to the demand in 1 Peter that Christians render a reason for their faith and to "our Lord and Saviour him selfe," who reasoned in disputation with the crowd.⁶² Although the complementarity of reason and revelation was a heritage from medieval scholasticism, sixteenth-century humanism provided the perspective within which Hooker continually evoked the literary character of the sacred text.

History: An Interpretative Tool

The other distinctive element of Hooker's hermeneutics was more exclusively a gift of the Renaissance: historical contextualization. In recent years students of Hooker have recognized the importance of his grasp of history, a heritage of earlier Renaissance scholars.⁶³ What has not been sufficiently recognized is the hermeneutical importance of his application of that perspective not only to the church since New Testament times but to the communities of the Old and New Testament themselves. The *Lawes* insists that the polity of the apostolic church is

⁶² III.8.16-17; 1:233.10-15, 234.9-18 and 18-25; 233.21-25 and 234.2-7.

⁶³ See Arthur B. Ferguson, "The Historical Perspective of Richard Hooker: Renaissance Paradox," *Journal of Medieval and Renaissance Studies*, 3 (1973): 17-49.

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not necessarily appropriate for all ages, but Hooker's use of the historical perspective undergirding that claim extends far beyond that particular point.

Considering places of worship among the ancient Jews, Hooker imagines them under bondage in Egypt worshipping in "some corner of a poore cottage . . . peradventure covered in dust and strawe"; he compares this with the tabernacle of the desert and the later Jerusalem temple, as well "framed sutable to the greatnes and dignitie of later, as when they keepe the reverend simplicitie of auncienter tymes" (IV.2.4; 1:279.13–14, 19, and 32–33). Hooker insists that when God gave through Moses the detailed judicial laws of much of the Pentateuch to Israel, "in framing their Lawes [God] had an eye unto the nature of that people, and to the countrey where they were to dwell" (III.11.6; 251.2–3). Convinced, as was his age, of the literal character of the scriptural account of God's direct dealings with ancient Israel, Hooker introduced historical contextualization into his interpretation of their laws and societal life, so that even laws that were divinely mandated both reflected and were subject to the particular conditions of the age in which God promulgated and Israel observed them.

Both parties to the debate were agreed that for Christians, Old Testament moral laws continued in force and that ceremonial laws were abrogated, but that its judicial laws ought to be maintained only if "the ende for which [they were] made, and . . . the aptnes of thinges therein prescribed" continued in effect (III.10.1; 239.32–240.2).⁶⁴ But Hooker's greater emphasis upon the judgment of "aptnes," his attention to the historical human conditions of biblical societies, and his flexibility in applying the ancient ordinances to his own era led to a new interpretive tool.⁶⁵

The hermeneutical difference between Hooker and Whitgift provides a glimpse into Hooker's distinctive approach to Scripture. Both Whitgift and Cartwright would have agreed with his statement in Book II that God's scriptural "testimonies . . . are alwaies truth and most infallible certaintie" (II.6.1; 167.29–168.1). But, although Cart-

⁶⁴ See the quotation from Cartwright in III.11.13 (1:260.r).

⁶⁵ See 1:242.29–243.6.n and 252.18–26.x.n.

wright and Whitgift disallowed the authority of some texts of the Old Testament in the light of the radical changes that the coming of Jesus Christ had introduced, both took other texts at face value as they applied them, whether to contemporary situations or to those described in other biblical passages. Hooker introduced a seminal hermeneutical tool, uniting teleological principle with historical perspective, when he insisted that “the words of [God’s] mouth are absolute . . . for performance of that thing whereunto they tend” (168.3–5; italics added). The principle on the sufficiency of Scripture “unto the end for which it was instituted” (I.14; 1:124.27–28) was not only to be applied to those things necessary for salvation; in Hooker’s hands, it became an exegetical tool to be applied throughout the *Lawes*.⁶⁶ Cartwright, Whitgift, and Hooker all could agree that “certain things” in church life might vary according to “times, places, persons, and other the like circumstances” (III.10.7; 1:245.9).⁶⁷ Only Hooker took this principle of historical contextualization and, attempting to identify “purpose” within the particular human situation, applied it not only to church life subsequent to the New Testament but to the exegesis of biblical passages themselves.

Hooker differed from Whitgift not only by making scriptural authority the central issue, he also addressed some of the same passages of Cartwright differently. To support his insistence on negative arguments from Scripture, Cartwright noted that Jeremiah condemned child sacrifice because God had “not spoken” of it (II.6.1–2; 1:166.33–167.1 and 168.12–169.4). Both Whitgift and Hooker judged Cartwright wrong to think this example supported the general force of negative arguments from Scripture although they recognized that Jeremiah’s negative argument in this case was obviously strong. However, the two ascribed quite different reasons for Jeremiah’s use of the argument: Whitgift, because child sacrifice was specifically forbidden by earlier scriptural commands and because it involved murder, a “matter of

⁶⁶ In Book I, Hooker considers the larger purpose of Scripture for salvation; in later books, he applies the same principle to the exegesis of particular passages within their historical contexts.

⁶⁷ Cartwright, *Replye*, pp. 15 and 17 (PS, 1:195 and 223); Whitgift, summarizing Calvin, *Answer*, p. 28–29 (PS, 1:247); see 1:281.17–22.n.

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substance"; Hooker, because child sacrifice did not fulfill the specific directions that God had laid down for Jewish sacrificial worship.⁶⁸ Unlike his predecessor, Hooker interpreted the text not by applying a universal moral principle valid in any historical epoch but by attempting to take account of the particular circumstances of ancient Israel.

Another example of their difference appears in this same chapter of Book II. Continuing to insist on the general force of a negative argument from Scripture, Cartwright quoted Isaiah's condemnation of Jews who had not sought "*counsell at the mouth of the Lorde*" but had, on their own, attempted to make an alliance with Egypt. Whitgift denied that it applied: Isaiah condemned the nation, not on general principle, but because, in a verse of Deuteronomy, God had said the Jews must not return to Egypt.⁶⁹ When Hooker reproduced Cartwright's text at the beginning of the chapter, he added Whitgift's citation of Deuteronomy (II.6; 167.2-7). In his discussion of the issue, however, he not only omitted any reference to Deuteronomy; he expressly stated that the Jews merited Isaiah's rebuke even though they had received "no charge precisely given them that they should always take heed of *Egypt*" (II.6.3; 169.9-17 and 170.7-13).⁷⁰ The Deuteronomic command was appropriate to the human context when God gave it, and it could not be literally applied, as Whitgift had done, to the later times of Isaiah. Hooker judged that its time and circumstances determined—and limited—its general applicability. Since the absolute truth of divine revelation was itself subject to the limitations of the creaturely circumstances in which it was embedded, the exegete must take these into account in applying scriptural texts to

⁶⁸ See 1:168.5-8.n and 168.12-169.4.n.

⁶⁹ *Defense*, pp. 77-78 (PS, 1:177 and 179-180). See 1:170.7-13.n. Whitgift suggests also that the Jews had made a contrary promise.

⁷⁰ See nn to 1:167.6-7, 169.4-170.32, and 170.7-13. Hooker regarded Cartwright's example from Isaiah inappropriate as proof of the "general" authority of negative arguments from scripture because he judged that Isaiah's condemnation was merited; although the Jews had no applicable written scripture, they did, at that time, have prophets through whom they might have asked and received advice "from the mouth of God himself" (1:170.8).

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situations which might differ from those in the biblical passage in which they occur.

“Difference of times, places, persons, and other the like circumstances” (III.11.13; 261.10–11), joined with the complementarity of reason and revelation, define the hermeneutics of Hooker’s reading of Scripture, for Hooker admires

the wisdom of God, which shineth in the bewtifull varietie of all things, but most in the manifold and yet harmonious dissimilitude of those wayes, whereby his Church upon earth is guided from age to age, throughout all generations of men. (III.11.8; 253.16–20)

Authority of Scripture

All students would agree that the *Lawes* represents a milestone among English theological writings and that Hooker presented the case for the Elizabethan religious settlement more effectively than had anyone before him. The question of theological originality is another matter. Did Hooker, using time-honored understandings bequeathed to him, shape them into genuinely new theological perspectives? As Hooker himself recognized by choosing the disciplinarian principles to be debated in the *Lawes*, the authority of Scripture and its relations with reason and tradition constituted a major theological issue of his age. Hooker entered a debate already under way; only a comparison of his arguments with those of his opponents and allies can identify the novelty of his perspective.⁷¹

Theological combatants rarely represent the positions of their opponents either fairly or accurately. Cargill Thompson has suggested

⁷¹ Coolidge, whose treatment of Hooker was primarily a foil to his interest in the Puritan understanding of the Bible, judged that Hooker “masterfully argued” the fundamental case for conformity on the issue of the relation of Scripture and reason, a case which “Whitgift can be said to have discovered”; see *Pauline Renaissance*, p. 8. Lake, in contrast, claims that Hooker self-consciously developed a “view of the relations between reason and scripture very different from that which passed for orthodox among most Elizabethan protestants,” leading him to name Hooker “the inventor of ‘anglican’ ideology”; see *Anglicans and Puritans?*, pp. 153 and 230.

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that Hooker "deliberately went out of his way to exaggerate the degree of authority which the Puritans attributed to the Bible," the principal topic of Books II and III. Demonstrating that Cartwright himself qualified his statements on biblical authority, Cargill Thompson points out that the real issue of the debate between Whitgift and Cartright over scriptural authority and the very section of Cartwright from which Hooker extracted his quotations really concerned the extent of scriptural authority only "in matters of religion."⁷² In fact, they only concerned matters of church discipline and order. A more basic question, however, remains: to what extent did Hooker's highly selective use of Cartwright's writings accurately uncover the underlying "foundation and root" of the disciplinarian position?

At the beginning of Book II Hooker seizes on the statement that Scripture's rule over "all things" in human life extends "even so farre as to the *taking up of a rush or strawe*."⁷³ Cartwright in his *Replye* had interpreted Paul's statement that whatever is not of faith is sin (Rom. 14:23) to mean that since in both "publyke and private" actions one ought to follow God's word, in "matters of the church . . . there may be nothing done but by the word of God." In his *Defense*, Whitgift took this exegesis of Paul, which Cartwright had mentioned in a subordinate clause, and he made an issue of it apart from Cartwright's main thrust about "matters of the church." Using a morally indifferent example that Thomas had employed, Whitgift introduced the straw, linking it with the observance of "civill orders" and other "particular actions," to provide a *reductio ad absurdum* argument. Cartwright took up the gauntlet, insisting in the *Second Replie* that even such apparently free acts must be "grounded" in the Bible by either "generall or especiall wordes"; thus Paul's words "reacheth even to his case off taking upp a straw."⁷⁴ Neither the common-sense qualifications that can be found in Cartwright's writings nor the actual practice of advanced Protestants agreed with the implications of this theoretical

⁷² W. D. J. Cargill Thompson, "The Philosopher of the 'Politick Society,'" *S.R.H.*, p. 24; rpr. *Studies in the Reformation*, p. 151; see also Coolidge, *Pauline Renaissance*, pp. 1-22.

⁷³ II.1.2; 1:145.13-14; see pp. 129-130, above.

⁷⁴ See *Replye* (2nd edn.), p. 27, and nn to 1:145.14, 154.2, and 190.16-191.14.

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formulation. Yet once Whitgift staked out the narrowed ground, Cartwright chose to defend it. If Hooker's readers noted the inconsistency between such a statement and its qualified interpretation and Puritan practice, so much the better for his case. Hooker aimed at what he judged to be the weakness of disciplinarian foundations, and Cartwright had provided an unambiguous target.

When Hooker makes this issue the topic of Book II of the *Lawes*, the dispute moves outside the orbit of the Whitgift-Cartwright debate even though the words of Whitgift had suggested the issue. No longer an incidental exchange in the midst of a plethora of other issues, the question of the authority of the Bible becomes a major theme. Hooker recognizes that he is entering on new territory, for he judges that the issue has not been raised "any where in other Churches" (II.1.2; 1:145.4-5). He also notes that, although scriptural authority for actions rather than for doctrine were under discussion in Book II, the examples he takes from Cartwright's writings concern "opinion" as much as "action" (5.2; 158:11-25). Larger epistemological issues underlie his differences with his disciplinarian opponents.

Although the disciplinarian minority was clearly the explicit target of the *Lawes*, Hooker's polemical scythe cut a wider swath in the fields of English Puritans. *Sola scriptura* had been the battle cry with which Reformers had challenged the recognized authorities of the western church. Among the magisterial reforming movements, Luther firmly resisted—and Reformed theologians only partially acquiesced in—the consequent tendency to make the Bible omniscient in its ability to prescribe human behavior. As English advanced Protestants, whose spirituality was nurtured by scriptural texts, struggled to impose their vision of godliness on English society, scriptural omniscience became an unexamined assumption undergirding their attacks on the establishment.⁷⁵ When Hooker explored the roots of the issue, he provoked a reaction that was to simmer for many years.⁷⁶ No wonder

⁷⁵ Coolidge judged that the position of Hooker, and of Whitgift as well, was logically unassailable since they and the Puritans shared "the same logical and epistemological presuppositions" but that this really missed the point since the Puritan preoccupation with obedience to God's word was "something more than a rational adjustment of man's behaviour to God's truth" (*Pauline Renaissance*, p. 11).

⁷⁶ The later currents include the seventeenth-century Puritan struggles which,

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that the first reply to the *Lawes* came, not from the disciplinarians, but from advanced Protestants, self-described as among the “*unfayned favourers of the present state*” of the English church. Hooker’s careful distinctions about the purposes and contexts of particular scriptural passages appeared as so many “sophisticall elenches, and impertinent outleapes [refutations and hyperboles],” and the author(s) of *A Christian Letter* suspected “the underpropping of a popish principle concerning the churches authoritie above the holy Scripture.”⁷⁷ Not avowed disciplinarian(s), the conforming author(s) of *A Christian Letter* concluded that Hooker’s form of argument had made “a wide open breach in the church” and had stained “the pure doctrine of faith.”⁷⁸ The repudiation of biblical omnicompetence was not only a principal weapon in Hooker’s polemical arsenal, but a theological principle by which he questioned the epistemological foundations of a wide spectrum of English Protestants.

Authority of Reason

While Cartwright recognized the authority of reason in arguments, commenting once in response to Whitgift that “reason without authoritie is good, and authoritie without reason nothing worthe,” yet, like Calvin, he did not admit reason as a source of knowledge about God.⁷⁹ Cartwright had introduced a dictum of Cicero showing that reason educated the consciences of the “heathen” but employed it to demonstrate that it was Scripture, not reason, that was to educate the Christian conscience. Hooker asks Cartwright what Scripture Cicero had “for his assurance,” just after asking if Jews who observed

through war and repression, led to the separation of nonconformist churches, the nineteenth-century disputes over science and historical biblical criticism, and the biblical moralism characterizing a significant segment of English society. See John E. Booty, “Hooker and Anglicanism,” *S.R.H.*, pp. 207–239.

⁷⁷ From *A.C.L.*, title and chaps. 4 and 21 (4:6.2, 16.2–3, and 75.23, this edn.); see also 4:75.23.n.

⁷⁸ See chap. 4 and epilogue (4:14–17 and 78.13–14).

⁷⁹ *Seconde Replie*, p. 20. Almsay discusses this section at length: see “Polemic,” pp. 266–269; see Calvin’s statement quoted at 1:152.3–5.n and also 177.9–14.n.

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Jesus's works would not have done well without scriptural evidence to recognize the Father in him or if Thomas, on seeing Jesus's wounds, did not do well to believe his resurrection. Moving on to believers' affirmation of the Bible, he insisted that "the worde of God [cannot] assure us, that wee doe well to thinke it his worde" (see p. 156, above). By this series of examples, Hooker was suggesting that the same human capabilities that Cicero had employed also enabled the Jews, Thomas, and others in the communities of both Testaments and the post-apostolic church to determine truth in issues touching faith and conscience (II.4.2; 1:152.*n* and 152.19–153.18).

Human reason and the senses, as they had been understood and used by classical authors, had appropriate roles to play in Christian teaching and theology, even in leading men and women to acknowledge scriptural authority itself. In turning Cartwright's use of Cicero upside-down, Hooker dramatized the differences that lay between them in their measures of the value of reason in theological discourse. As an heir of Aristotle and medieval scholasticism, Hooker judged that sin had injured but not destroyed the God-given capacity of human reason to apprehend the rational and moral order of creation.⁸⁰ This understanding gave him a double-edged sword in the debate with Puritans tending to biblical omniscience and judging the reason with which they interpreted Scripture to be the particular possession of the "godly": (1) the Bible is not the only source of moral guidance; and (2) common reason provides the most accurate test of the guiding of the Holy Spirit in scriptural interpretation.

Heretofore, both advanced Protestants and their opponents had argued as if they essentially agreed on the authority of Scripture. Disciplinarians faulted conforming Puritans for overvaluing the magistrate's authority to determine matters of church polity in ways contrary to what they both judged to be desirable. They condemned those who willingly embraced the Elizabethan settlement as either disguised semi-papists or badly misguided Protestants who simply failed to understand the implications of the faith they professed. But all parties—disciplinarians, conforming Puritans, and supporters of the settlement—

⁸⁰ See Introduction to Book I, pp. 102–108, above.

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assumed a common ground of what was, on the whole, an undefined scriptural authority. By examining for the first time that common ground, Hooker transformed the argument.

The most striking difference between Whitgift and Hooker lies in their estimates of the authority of human reason in theological matters. Discussing negative arguments from Scripture, Cartwright had commented that arguments of human authorities “neyther affirmatively nor negatively compelleth the hearer.”⁸¹ Although Whitgift did not mention human authorities in his response to this section, when Cartwright later scoffed that “all your proof . . . is in the authorities of men,” Whitgift countered that, in contrast with

prophane sciences . . . grounded . . . upon naturall and humayne reason, . . . that we professe is . . . grounded upon authoritie, . . . to be beleaved, what reason soever there is to the contrarie . . . I think *authoritie* in divine matters to be the beste reason, whether it be of the scriptures themselves, or of such learned men as so rightly interpret the same.⁸²

In the *Second Replie* Cartwright responded with the sentence quoted above that that “reason without authoritie is good, and authoritie without reason nothing worthe” (p. 20; see p. 164, above). Hooker did not refer to these latter two passages from Whitgift and Cartwright. Although he too defended the value of human authorities against Cartwright, he subordinated them not only to Scripture, but also to that “naturall and humayne reason” which Whitgift had disparaged:

although ten thousand generall Councils would set downe one and the same definitive sentence concerning any point of religion whatsoever; yet one demonstrative reason alleaged, or one manifest testimony cited from the mouth of God himself to the contrary, could not choose but overweigh them all. (II.7.5; 180.23–27)

Human authority and tradition ultimately rested upon reasoning from

⁸¹ *Replie* (2nd edn.), p. 25; PS, 1:176; for fuller text, see II.7; 1:174.24–175.3.

⁸² Cartwright, *Replie* (2nd edn.), p. 40 (PS, 1:427); Whitgift, *Defense*, p. 200 (PS, 1:435); see 1:175.8–9.n.

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natural or revealed law, and, accordingly, were subject to both. There would have been little point in Hooker's calling attention to his disagreement with Whitgift; in the archbishop's polemics, the issue was peripheral. For Hooker, however, the defense of human reason was a central concern of the first three books.

Authority of Tradition

Despite Hooker's privileging "one demonstrative reason" or a "manifest" scriptural testimony over the "opinions" of even ten thousand councils, any reader of the *Lawes* cannot but be impressed by his respect for fifteen hundred years of Christian experience. Properly interpreted, tradition was the consensus of human reason within the Christian community, and Hooker subordinates it only to the Bible and "demonstrative" reason, for "the most certaine token of evident goodnes is, if the generall perswasion of all men do so account it" (I.8.3; 1:83.17–19).⁸³ Regard for the stability provided by received heritage resonates throughout the *Lawes*. The "alteration of lawes [is] sometimes a thing necessary," but such alterations "must needes be troublesome and scandalous" (IV.14.1; 337.10–11, 22–23), and "if the benefit of that which is newly better devised bee but small, . . . no doubt but to beare a tollerable soare is better then to venter on a daungerous remedie" (§ 2; 338.17–20).

Although Hooker defends "the authority of men" on different grounds and to a different degree than Whitgift, he defends that authority with conviction, and his wide citations of voices from the past testify to the seriousness with which he takes the "wise, grave, and learned judgments" that tradition provides (II.7.6; 183.17–18).

The word "tradition" had gained a perjorative connotation among European Protestants since the first sessions of the Council of Trent (1545–1563). As commonly interpreted, the decree on Scripture seemed to place equal weight on written texts and unwritten traditions,⁸⁴ and Hooker does not use the word "tradition." The absence

⁸³ See Introduction to Book I, pp. 106–108, above.

⁸⁴ Hooker has such views in mind in II.8.5 and 7 (1:189.11–22 and 191.16–20).

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of the word, however, does not signal the absence of the concept.

Jewel had anchored the apologetics of the Church of England in the patristic era, but, for all of the esteem in which Hooker held his former patron, his own theological norms differed significantly. Partly due to Jewel's patristic scholarship and partly to the terms of Jewel's initial challenge to Harding, their debate centered on the first six hundred years of the Christian era. The patristic age loomed large throughout the theological polemics of sixteenth-century Europe, and Jewel was in the forefront of those who looked to the "old catholique Bysshops and fathers" for guidance. When Hooker attacked the claim that the apostolic church of the New Testament was normative for church polity for all times, he asks:

what reason is there in these thinges to urge the state of one onely age, as a patterne for all to followe? . . . The faith zeale and godlines of former times is worthyie had in honour: but doth this prove that the orders of the Church of Christ must bee still the selfe same with theirs, that nothing may bee which was not then; or that nothing which then was may lawfully since have ceased? (IV.2.3; 278.19–279.2)

Hooker's question strikes not only at Puritan convictions, but at the implications of Jewel's apologetic stance as well.⁸⁵ Hooker's patristic citations amply demonstrate his command of the literature of the early church, and although his medieval citations were few, they too contributed to his theological perspectives. Tradition was subordinate to Scripture and reason, but it was serviceable, and it included not six but fifteen centuries of Christian history.

v. Ecclesiology: Church and Polity

Hooker does not treat the issues of polity that comprised the most obvious points of friction with the disciplinarians without carefully first establishing the underlying "grounds." Epistemology came first, but

⁸⁵ See 1:278.19–21.n. On Jewel, see John E. Booty, *John Jewel* (1963), and W. M. Southgate, *John Jewel and the Problem of Doctrinal Authority* (1962); see also W. P. Haugaard, "Renaissance Patristic Scholarship," pp. 52–53.

polity could not, as he judged, be considered apart from the larger issues of the character of the Christian community.

The Doctrine of the Church

The ancient creeds had assigned four “marks” (*notae*) to describe the true body of Christian believers: one, holy, catholic, and apostolic. With these criteria firmly embedded in the creeds recited in the liturgy and affirmed in the Articles of Religion, the English church also specified in the latter two additional marks prescribed in continental Lutheran and Reformed confessions: the true church is that “in which the pure word of God is preached, and the Sacramentes be duely ministred.”⁸⁶ Some theologians, including the Edwardian bishop John Poyntet, had included “discipline” as a third essential mark of the church.⁸⁷ Ignoring contemporary formulae, Hooker wrote that the

⁸⁶ Article 19; see Hardwicke, *Articles* (1895), p. 317.

⁸⁷ Although Calvin judges that discipline provides the sinews of the church “through which the members of the body hold together,” he stops short of naming it a mark essential for the very existence of the church; see *Institutes*, 4.12.1 and 1.9; also, François Wendel, *Calvin* (Paris, 1950), pp. 228–229. Martin Bucer comes closer. In his *De regno Christi*, composed in England under Edward, he writes that God “shapes and perfects” those incorporated into “his holy Church” by “the ministry of the word and sacraments . . . and also by the vigilant administration of his discipline”; see chap. 5, *Melanchthon and Bucer*, ed. Wilhelm Pauck, LCC, 19:225. Among the authoritative Reformed doctrinal symbols, the Scottish and Belgic confessions alone formally named discipline a third mark of the church; see Philip Schaff, *The Creeds of Christendom*, 4th ed. (New York, 1919), 3:419 and 462. In his 1553 *Catechism* (STC 4807–12), John Poyntet added both “brotherly love” and “discipline” to the two standard Reformation marks; see *The Two Liturgies . . . of King Edward VI*, ed. Joseph Ketley, PS (Cambridge, 1854), pp. 513 and 561. In a catechism unsuccessfully proposed as a confessional document at the 1563 Convocation and ordered by the bishops in 1571 to be used by schoolmasters, Alexander Nowell added “invocation” (that is, public prayer) as the third essential mark of the church and put discipline into a secondary category. Although it was necessary for churches to be “well-ordered,” he lamented that since discipline had been “litttle and litttle decaying,” it could “hardly be maintained” in the church of his day; see *A Catechism Written in Latin*, ed. G. E. Corrie, PS (Cambridge, 1853), pp. 56 and 175 (STC 18701; trans. Thomas Norton, STC 18708).

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visible Church is that “*one bodie*” whose children “are signed with this marke, *One Lord, one faith, one baptism*” (III.1.3 and 7; 1:196.3–7 and 198.8–9).⁸⁸ Although compatible with both the four ancient creedal and the Reformation criteria, Hooker’s exposition, using these organizing themes from Ephesians 4:5, developed a distinctive ecclesiology that rendered an ecumenically sensitive theological account of the divisions that had sundered the western church in the sixteenth century.⁸⁹

At the beginning of Book III Hooker distinguishes “that Church of Christ which we properly terme his body mystical” from the “sensible knowne company, . . . [the] visible Church” (III.1.2 and 3; 1:194.27–28 and 195.26–27). Augustine had used “mystical body” to identify the living and dead whom God had predestined to salvation, an understanding that Thomas had incorporated into his theology.⁹⁰ Although “mystical body” was a current term in sixteenth-century Europe, English theologians increasingly substituted “invisible” for “mystical.” Calvin had closely tied his doctrine of the church to his understanding of predestination,⁹¹ and as the decrees of election

⁸⁸ Hooker employs this same triad along with “*one spirite*” in his *Answer to Travers’s Supplication* as the common “bandes of greate force” that link them together in the church “in this corner of the christian worlde” (§ 26; 5:257.6–11, this edn.).

⁸⁹ For general discussions of Hooker’s doctrine of Church, see H. F. Woodhouse, *The Doctrine of the Church in Anglican Theology, 1547–1603* (1954), pp. 13–74; Paul D. L. Avis, *The Church in the Theology of the Reformers* (Atlanta: John Knox Press, 1981), pp. 1–94, and *Anglicanism and the Christian Church* (Minneapolis: Fortress, 1989), pp. 47–67; Lake, *Anglicans and Puritans?* (1988), pp. 153–197; and Loyer, 2:545–596. Avis and Lake emphasize the distinctively new character of Hooker’s teaching.

⁹⁰ For a recent discussion of Augustine’s doctrine of Church, see Jaroslav Pelikan, *The Mystery of Continuity: Time and History, Memory and Eternity in the Thought of Saint Augustine* (Charlottesville: University of Virginia Press, 1986), pp. 90–105. For Aquinas’s ecclesiology in relation to that of Augustine, see Geddes MacGregor, *Corpus Christi: The Nature of the Church According to the Reformed Tradition* (Philadelphia: Westminster, 1958), pp. 28–30.

⁹¹ This linkage one modern Calvin scholar has judged to be the serious methodological error of his ecclesiology; see MacGregor, *Corpus Christi*, p. 48. “[*Ecclesia*] stat cum Dei electione” (The church stands by God’s election), *Institutes*, 4.1.3; *Opera omnia*, CR (Brunswick, 1864–), 2:748. Calvin speaks of the visible church, but, although in the *Institutes* he describes the body of “all the elect from the beginning of the world” as “invisible to us,” he does not generally employ it, as did later writers,

became more central to later Reformed theology than they had been for Calvin, the term "invisible church" increasingly suggested two separate entities with a minimal relation between them, in spite of Reformed teachings that emphasized the importance of the visible church in the process of salvation. Luther had applied the words "invisible" and "hidden" to the church, referring not to the deity's secret choice in eternal decrees but to the character of the secret operations of God's grace that drew men and women to salvation.⁹² Hooker consistently prefers the earlier adjective "mystical" to "invisible" in the *Lawes*; once he describes the church as the "invisible spouse," but even here he links it with the "mysticall body of Christ" (III.11.14; 1:261.25–26).⁹³

Nowhere does Hooker suggest that the divine decrees of predestination provide the foundation for a definition of the mystical body or an identification of its members.⁹⁴ Rather, the human "markes and notes of distinction" of its members are perceived by God who "seeth their heartes and understandeth all their secret cogitations" (III.1.2; 195.9–12). For the conditions of membership, Hooker directs his readers not to the divine choice but to inner human character. Whether the test of that character is understood as Thomas's infused virtues or as Luther's trusting acceptance of God's love, in respect to the relationship of predestination to a doctrine of the church, Hooker stands closer to Aquinas and Luther than to Calvin. Grace, rather than election, is the foundation of his ecclesiology.⁹⁵

as an identifying adjective for that body ("nobis invisibilem," "l'Eglise invisible à nous" (4.1.7); also "ecclesiam . . . quasi in latebris," "Eglise comme en cachette" (4.1.2; CR, 2:753 and 747, 4:575 and 565).

⁹² "invisibilis," "absconditus"; MacGregor, *Corpus Christi*, p. 8n.

⁹³ In *Jude 1*, Hooker had spoken of Christ's reservation of "the mysticall administration of the church invisible unto himselfe," but even in this earlier work he described the ordained ministry as having been entrusted with "the mysticall government of congregations visible" (§ 15; 5:31.15–17, this edn.).

⁹⁴ Noted by Lake, *Anglicans and Puritans?*, p. 161.

⁹⁵ Hooker, of course, stands closer to Luther than to Thomas on the *test* of inner character: the imputed justifying righteousness of Christ is "in dignitie . . . the chiefe" above the ingrafted sanctifying righteousness of the infused virtues so that "we are justefied by faith alone and yett . . . without good workes we are not

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Hooker's retention of the expression "mystical body" signifies more than a liking for traditional language. His assertion of the headship of Christ, the identification of the church with pre-Christian Israel, the division between those on earth and in heaven, the recognition of actuality and potentiality of church membership, and the inclusion in the visible church of those not part of the mystical body all reflect the section on ecclesiology of Thomas's *Summa theologiae* that Hooker cites.⁹⁶ Hooker shared these concepts, all Augustinian as well as Thomistic, with Lutheran and Reformed theologians, but by explicit citation he placed his ecclesiology in the tradition of Thomas. Greek theologians in the early church borrowed the word mystical from the cults designated as "mystery" religions; the word came from the verb "to initiate into the mysteries." Joined to Paul's description of the church as "the body of Christ," it described those who had been made members of Christ by the rites of initiation. This association with baptism and the dual reference of Christ's body to the Eucharistic bread and to the church itself gave the phrase the sense of the indwelling of Christ in those sacramentally incorporated into the church. "Mystical" in the writings of Augustine and Aquinas denoted this sacramental incorporation into the church as well as the predestined elect. "Invisible" denoted only the latter. Given Hooker's mastery of Greek, it may be assumed that he was aware of the nuances of the association of "mystical body" with both Baptism and the Eucharist.⁹⁷ Discussing the church in prayer, Hooker writes of the "visible mysticall bodie" (V.24.1; 2:111.26). His pairing of the two adjectives that he usually uses to distinguish two overlapping church member-

justified" (*Just.*, § 21; 5:130.2–11, this edn.; see also V.56.10–12; 2:241–244). For an interpretation of Hooker's doctrine on justification as one which mediates between the Reformers and Trent, see Lee W. Gibbs, "Richard Hooker's *Via Media* Doctrine of Justification," *Harvard Theological Review* 74 (April, 1981): 220. Hooker writes of the relation of the three infused theological virtues (faith, hope, and love) to salvation: the want of virtues such as moral righteousness and honesty of life "excludeth from salvation. So doth much more the absence of inward beleefe of hart; so doth despaire and lacke of hope; so emptines of Christian love and charitie" (III.1.7; 1:198.4–7). And see Introduction to Commentary, *Tractates and Sermons*, 5:638–641.

⁹⁶ See nn to 1:194.27–32, 195.28–32, and 195.32–196.3.e.

⁹⁷ Compare V.77.2 (2:425.14–17), and see Loyer, 2:600.

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ships does not reflect a lack of logical rigor, but rather expresses his understanding of an intimate relationship between the mystical body and its visible, sacramental manifestation.⁹⁸ Hooker's preference for "mystical" over "invisible" reflects that same understanding.

Hooker introduced a new ecclesiological perspective when he used the phrases from Ephesians as the "marks" identifying the visible church. An "extremely comprehensive definition" of church membership,⁹⁹ unique for the age, is implicit in these marks as Hooker develops them. "One Lorde" suggests the strongly Christological bent of Hooker's theology, an emphasis he shares with other sixteenth-century theologians from Anabaptist to Jesuit. He approvingly notes in Book V that the apostles accounted "*them which call upon the name of our Lord Jesus Christ to be his Church*" (V.68.6; 2:349.23–24). "One faith" and "one baptism" parallel the Reformation pair, "word" and "sacraments," but Hooker puts them into a context distinctive from that of the continental confessions and the English Articles of Religion. He identifies "faith" with the "few articles of Christian belief" as the early patristic writers Irenaeus and Tertullian had summarized them (see nn to 1:197.8–23). These passages outline Christian affirmations in a manner parallel to the "Apostles' Creed," which subsequently had emerged as the western baptismal creed that the Prayer Book, following monastic devotional usage, ordered to be recited in various liturgical offices. Hooker would have assumed that this faith implied a Protestant doctrine of justification by grace through faith, but he chose to return to a universal doctrinal symbol of early centuries rather than to a distinctively reformed formula.¹⁰⁰ "One baptism" distinctively emphasizes both the sacramental and the inclusive character of the visible church.

⁹⁸ Compare his mention of the "mysticall government" of the visible church cited in n. 93 above from *Jude 1*. Lake comments: "Just as the puritan insistence on the need for visible godliness as a sign of elect status served to blur the line between the visible and invisible church, so Hooker's insistence on the need to rely on the means which God has ordained to unite us with him in Christ also tended to conflate the two levels of the church's existence" (*Anglicans and Puritans?*, p. 180).

⁹⁹ Cargill Thompson, *S.R.H.*, p. 54; rpr. *Studies in the Reformation*, p. 178

¹⁰⁰ On Hooker's doctrine of justification, see n. 95 above. That faith is more than intellectual acceptance of doctrine is clear from his description, "inward beleefe of hart." Compare Avis, *The Church in the Theology of the Reformers*, pp. 68–73.

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The Church and the Churches

Hooker's understanding of the church allowed him to affirm its inclusive character while simultaneously criticizing the errors he perceived in the divided church of his own day. The sundered parts of the western church remained, collectively, a part of that visible historical community, the "*one bodie*" that stretched back to the apostles, to Christ, and, beyond, to ancient Israel:

They aske us where our Church did lurke, in what cave of the earth it slept for so many hundreds of yeeres together before the birth of Martin Luther? As if we were of opinion that Luther did erect a new church of Christ. No the church of Christ which was from the beginning is and continueth unto the end. Of which Church all parts have not been alwaies equallie sincere and sound. (III.1.10; 1:201.6–12)

Hooker warns of the errors that have arisen from the failure to distinguish "betweene the visible sound and corrupted, sometimes more, sometimes lesse" (1.9; 199.27–28). Schism and heresy are matters of degree. Only "Saracens, Jewes, and Infidels," who "denie directlie and utterlie reject the very principles of Christianity," are absolutely excluded from the bounds of the church (1.7 and 11; 198.12 and 203.9–10). When Cartwright identifies Roman Catholics with the "heathen" of ancient times, expressing greater fear of infection "*from Turks [than] from Papists*," Hooker judges it "a strange kind of speech unto Christian eares" (7.6; 297.4–6). In Book V, defending the admission to holy communion of persons suspected of "popery," Hooker reflects this same dual concern for an inclusive understanding of the Church and for distinguishing true doctrine and practice. Within the wide expanse of separated parts of the visible church,

albeit ech part doe justifie it selfe, yeat the one of necessitie must needes erre if there be anie contradiction betweene them, . . . and what side soever it be that hath the truth, the same wee must also acknowledg alone to hold *with the true Church in that point*, and consequently reject the other as an enimie *in that case fallen awaie from the true Church*. (V.68.6; 2:350.29–351.4)

In making these distinctions, "*in that point*" and "*in that case*" (the

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italics are in the manuscript that Hooker himself corrected; see 2:xvii–xx), Hooker provided a means of ecclesiological analysis which enabled Christians to identify what they believed to be the “truth” and “error” held by a particular church without impugning its character as part of the church catholic whose grasp of other teachings and practices might be positively affirmed. Such an ecclesiology is consistent with the opening of the Preface in which Hooker assures Puritans who may judge him “*an adversarie against the truth*” that he “*desireth even to embrace together with you the selfe same truth, if it be the truth*” (Pref. 1.3; 1:3.2–4). Such analyses of Christian disunity are commonplace in twentieth-century ecumenical discussion; Hooker’s combination of charitable openness and theological rigor is exceptional in the sixteenth century.

The ecumenical vision of Christian unity articulated at the end of Book IV might be achieved by “some such consultation, as may tende to the best reestablishment of the whole Church of Jesus Christ.” Comparing the “calme and moderate” course of the English reformation with “more extreme and rigorous” trials of “certaine Churches elsewhere,” he suggests that the Church of England “can not but serve as a profitable direction” for that future reconciliation (IV.14.6; 1:342.15, 28–343.3). Whereas Jewel had located the English church along with Lutheran and Reformed between the extremes of Roman Catholic and Anabaptist, Hooker, like Nicholas Throckmorton before him and his pupil Sandys after him, suggests an ecumenical perspective in which the Church of England lies between Rome and unnamed portions of the churches of the magisterial continental Reformation.¹⁰¹

Discipline and Ministry

Only in Book III does Hooker begin to discuss “ecclesiasticall politie,” his treatise’s announced topic, describing it as whatsoever “belongeth to the ordering of the Church in publique” (III.1.14; 1:206.28–29). Considering discipline, the ordained ministry, and common worship as

¹⁰¹ See Introduction to The Preface, pp. 3–8, above; for Jewel, see *Apology of the Church of England*, ed. John Booty (1963), pp. 24–30.

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its principal elements, he roots them in ecclesiology (III.1.1 and 14), from the perspective of epistemology (II.1.2–3, III.9.1).

Among Hooker's theological priorities, "publique religious duties" and the persons who minister them are essential to God's outreach to the world. To such duties "as the administration of the word and sacraments, prayers, spirituall censures, and the like . . . the Church standeth alwayes bound." Since these functions require "a difference of persons, . . . Gods clergie are a state which hath beene and will be, as long as there is a Church upon earth, necessarie by the plaine word of God himselfe." "Lawes of politie" provide necessary guidelines for the "maner" by which discipline, ministry, and worship are to be ordered in church life (III.11.20; 1:267.18–29). It is in Books III and IV that Hooker lays down the general principles which underlie his defense in subsequent books of particular practices and structures of the Church of England that had drawn the Puritan accusation that "allmost whatsoever wee doe in the exercise of our religion . . . [is] stained with superstition" (V.4.1; 2:30.21–24).

Hooker's freedom from biblical literalism in determining polity must not be interpreted as a *carte blanche* for churches to order themselves capriciously. "Whatsoever in the Church of God, if it be not of God, wee hate it" (207.13–14; III.2.1). God's "verie lawe of nature," accessible to human reason, provides a context within which the church interprets scriptural law, drawing on the perceived order of creation and human experience in order to determine what is "most convenient and fit" in its present circumstances (III.2.1 and 9.1; 207.19 and 236.7). The ecclesiological issues that disciplinarians had raised evoked an epistemological response. Before applying any scriptural law to the Elizabethan church, one must determine its purpose in the biblical setting and assess the congruity of that setting with sixteenth-century England. Because an integral part of the human experience available to churches is found in the collective wisdom stored in their traditional heritage, Hooker warns of the dangers of unnecessary alterations in the "publique spirituall affayres" of the Church (see pp. 142–143 and 167, above).

Disagreements over discipline and ministry were inextricably intertwined in the disciplinarians' call for a restructuring of ministry. They would have a scriptural exercise of "spirituall censures" (III.11.20;

1:267.20–21), for only a proper “regiment of the Church” could assure godly discipline. In the 1593 volume, Hooker foreshadows arguments that were to appear in Book VI by suggesting that, at best, the disciplinarians had shown that “*some thinges which they maintaine, as far as some men can probably conjecture, do seeme to have bene out of scripture not absurdly gathered.*”¹⁰² He found their conjectures to be faulty three ways: by omitting the need for a superior order of pastors “when they grow to any great multitude,” by requiring offices mentioned in Scripture which were not “of perpetuall necessitie,” and by insisting on “Layelders, which the scripture neither maketh immutable nor at all teacheth” (III.11.20; 268.30–269.8). “The Church may not . . . abrogate” her exercise of excommunication any more than she may reject the “Ceremonies” of baptism and the Eucharist, but the disciplinarians “overmuch abridge the Church of her power” to determine the manner by which church censures are to be applied; the disagreement in these matters is “how farre the bounds of the Churches libertie do reach” (III.11.13; 259.11–20 and 260.12–15).

To the dismay of many of its critics, the retention in the English church of episcopacy distinguished the administrative structure of its ministry from that of Reformed and most Lutheran churches of the continent. In Book III Hooker is primarily concerned to counter the claim that churches must find in the New Testament an unchangeable model for the forms of ministry. Although he leaves detailed discussion of episcopal polity for Book VII, in the concluding sections of III he suggests the direction of the arguments to appear in VII.¹⁰³

Since, “where the clergie are any great multitude,” order requires “that by degrees they be distinguished,” there have “ever bene and ever ought to be” at least “two sorts . . . the one subordinate unto the

¹⁰² III.3.2 and II.7.9; 210.17–18 and 185.16–18; see Introduction to Book VI, pp. 254–255 and 303–305, below.

¹⁰³ Norman Sykes suggested that there is “a difference at least in emphasis, if not further, between the earlier and later books”; *Old Priest and New Presbyter* (Cambridge: The University Press, 1956), p. 13; but compare Loyer, pp. 629–630; W. P. Haugaard, “Towards an Anglican Doctrine of Ministry: Richard Hooker and the Elizabethan Church,” *Anglican and Episcopal History*, 56.3 (1987): 280; and Introduction to Book VII, pp. 326–334, below.

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other." Scripture and "all Ecclesiasticall records" plainly testify that "Apostles in the beginning" and "Bishops alwayes since" have exercised that authority over "other ministers of the word and sacraments." "A sollemne admittance" to ministerial charges (ordination) is a necessary corollary. These are "principall and perpetuall parts in Ecclesiasticall politic," to be contrasted with other variable "particularities" including "thenlargement or abridgement of functions ministeriall." Accordingly, the Bible contains things that must be "for ever permanent" along with much that is "not alwayes needfull." Beyond these required and optional scriptural precedents, the church will also always need that "which the scripture teacheth not." Concluding this section with a summary judgment of the faults of Genevan applications of New Testament polity, Hooker expressly promises more in "the bookes that followe" (III.11.20; 1:268.6–269.8).¹⁰⁴

As strongly as Hooker urges episcopal polity as a permanent element wherever pastors "grow to any great multitude," he foreshadows in Book III the observation in Book VII that "there may be sometimes very just and sufficient reason to allow Ordination made without a Bishop," a judgment based not on ecumenical charity but on the theological principle that not episcopacy but the entire visible church is "the true original subject of all power" (14.11; 3:227.3–5). Hooker would "rather lament . . . then exagitate" the "defect and imperfection" of Scottish and French Reformed churches, which "have not that which best agreeth with the sacred scripture," government by bishops (III.11.16; 1:264.3–11). At the same time that Hooker establishes the premise that Scripture need not contain an unalterable form of Church polity, he lays the groundwork for maintaining the traditional episcopal polity of the Church of England on twin foundations of that very Scripture and on natural law.

Hooker's understanding of the ordained ministry in a Christian nation reflected continued adherence to the medieval political concept, written into the parliamentary legislation of the English reformation,

¹⁰⁴ Although Book VII is specifically dedicated to episcopacy, the final six chapters of Book V and much of the lost sections of VI also treat of the forms and functions of the ministry; see below, Introductions to Book V, pp. 186 and 191–192; to Book VI, pp. 254–255 and 303–305; and to Book VII, pp. 326–337.

that ordained ministers constituted a distinct "estate" within the nation. In Book VIII he develops the principles by which "Ecclesiasticall lawe" may be determined with "consent as well of the laitie as of the Clergie" in relation to the necessary consent of the crown (VIII.6.7[8]; 3:393.8–11).¹⁰⁵ In Book III, Hooker describes "Gods clergie" as a "state" distinguished from "the rest of Gods people" (III.11.20; 1:267.27–31). Continental churches, in contrast, considered that the Protestant minister was, by ordination, appointed to "an assignment or office ([German:] *amt*)," not to a fundamental division of the social order.¹⁰⁶

Worship

Just as Hooker suggests in Book III the directions of the detailed discussion of discipline and episcopacy in Books VI and VII, so in Books III and IV he points towards his treatment in Book V of worship as it is ordered in the Book of Common Prayer.¹⁰⁷ Although "politie and regiment" are essential to order "the publique spirituall affayres of the Church of God" in worship, these, like matters of discipline and ministry, need not follow "anie one certayne forme" in all churches (III.1.14, 2.1; 1:206.31, 207.8–10). In the many "things indifferent" concerning "particular ceremonies, . . . it is not possible that the lawe of nature and reason should direct all Churches unto the same things" (IV.13.8; 332.23–32). It is to be expected that the passage of time will require changes in worship and its ceremonial:

Things so ordained are to bee kept, howbeit not necessarily any longer, then till there growe some urgent cause to ordaine the contrary. For there is not any positive lawe of men, whether it be generall or particular, received by formall expresse consent, as in counceles; or by secret approbation, as in customes, . . . but the

¹⁰⁵ See Introduction to Book VIII, pp. 361–370, below.

¹⁰⁶ Wilhelm Pauck, "The Ministry in the Time of the Continental Reformation," in *The Ministry in Historical Perspective*, ed. H. Richard Niebuhr and Daniel D. Williams (New York: Harper, 1956), p. 143; see also Haugaard, "Ministry," pp. 269–271.

¹⁰⁷ See Introduction to Book V, pp. 183–186 and 223–228, below.

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same may be taken away if occasion serve. (14.5; 340.20–26)

In determining forms of worship, the church is not further tied “unto scripture, then that against scripture nothing be admitted in the Church,” a judgment consistent with that of the Lutheran churches of the continent in contrast to the Reformed, who looked to the Bible for specific direction in matters of polity. Hooker carefully distinguishes “substantiall duties in the exercise of religion,” such as sacraments, “delivered from God him self in few wordes,” from ceremonies, the “externall rites, as are usually annexed unto Church-actions.” All sixteenth-century reformers would agree with Hooker that “the edification of the Church” is the end at which ceremonies are to aim; they would not, however, all accept his contention that, in addition to speech, “sundry sensible meanes besids” have their rightful place in worship (III.3.3 and IV.1.3; 211.20–31 and 273.20–274.5). With their intensely cerebral forms of worship, Reformed churches tended to judge that the ear was the exclusive gate to human minds and hearts.¹⁰⁸ Lutheran rites preserved traditional order in worship because of “an instinctive sense that [their] dignity and solemnity were a safeguard of the reverence due to the holy.”¹⁰⁹ Luther himself wrote that he was not

of the opinion that the gospel should destroy and blight all the arts, as some of the pseudo-religious claim. But I would like to see all the arts, especially music, used in the service of Him who gave and made them.¹¹⁰

Hooker bases his defense of ceremonies of the English church on principles similarly rooted in the created order of human society. Words alone are “for the most parte but sleightlye heard,” but the

¹⁰⁸ See Hughes Oliphant Old, *The Patristic Roots of Reformed Worship* (Zürich: Theologischer Verlag Zürich, 1975), part I; James Hastings Nichols, *Corporate Worship in the Reformed Tradition* (Philadelphia: Westminster, 1968), chaps. 1–4; and texts and introductions in Bard Thompson, ed., *Liturgies of the Western Church* (Cleveland: Meridian Books, 1961), pp. 147–208.

¹⁰⁹ Yngve Brilioth, *Evangelical Faith and Practice: Evangelical and Catholic* (London: S.P.C.K., 1930), p. 141.

¹¹⁰ *D. Martin Luthers Werke*, 35:475; *Luther's Works*, 53:316.

distinguishing strangeness of “some visible solemnitie . . . doth cause popular eyes to observe and to marke the same.” The eye, not the ear, is “the liveliest and the most apprehensive” of the senses. Ceremonies of the Christian church reflect a God-given “ground of reason” in nature exemplified both in religion, Jewish or pagan, and in civil life, “for in both they have their necessary use and force” (IV.1.3; 1:274.6–7, 14–22, and 275.21). Historical perspective provides a context for determining appropriate ceremonial action. Asking what reason demands that “the state of one onely age” become “a patterne for all to followe,” Hooker concludes that church orders “framed sutable to the greatnes and dignitie” of later times may be as acceptable to God as “the reverend simplicity of auncienter” ages (IV.2.3 and 4; 278.19–21 and 279.30–33). Implicitly recognizing that geography as well as the passage of time may mark distinctive cultural contexts of worship, Hooker acknowledges that ceremonies in other churches may quite appropriately differ from those of the English church. Disputing the demand that English ceremonies conform to those of other Reformed churches, he half jests that if

our owne be but equall, the law of common indulgence alloweth us to thinke them at the least halfe a thought the better because they are our owne; which we may very well do and never drawe any inditement at all against theirs, but thinke commendably even of them also. (IV.13.10; 1:336.2–7)

Like most of his contemporaries, Hooker assumed that social stability required any particular society to conform to an agreed pattern of worship, but he willingly embraces diversity in the larger European arena, citing Gregory the Great, Augustine, and Calvin as authorities who also welcomed differences of custom and ceremony as appropriate (IV.13.3; 329.13–27).

First principles having been established in the first four books, Hooker may “in the next booke have occasion more throughlie to sift” those ceremonies that Puritans “pretend to be so scandalous” (IV.12.8; 325.29–30). His account of the “*generall grounds and foundations*,” of the Puritans and of their “*generall accusations against us*” completed, he will logically proceed to “*the specialities of that cause which lyeth in controversie*,” as he had announced he would do in his Preface (7.5, 6; 1:35.18–19, 28).

ΘΕΟΔΩΡΙΤΟΥ ΕΠΙΣΚΟΠΟΥ ΚΥΡΟΥ

Διάλογοι τρεῖς κατὰ τῶν Αἰρετικῶν ~
Κατὰ Αἰρετικῶν βιβλίον εἰς τὰς αὐτῶν
φλυαρίας, καὶ μύθων διαχειρῶν καὶ ἰδέ-
λῳν ~
Θέων δογματῶν ἐπιτομή ~

THEODORITI EPISCOPI CYRI

Dialogi tres contra quasdam Hæreses .
Contra Hæreticos liber in quo illorum
nugas, et fabulas narrat & redarguit .
Divinorum dogmatum epitome .

ΣΤΕΦΑΝΟΣ



ΣΑΒΙΕΥΣ

Romæ, per Stephanum Nicolinum Sabiensem Chalcographum
Apostolicum, cum Privilegio ad Dccennium. Anno
M D XLVII. Mense Ianuario.

Ἰ. Ν. Οὐκ ἔνδον Γεγονυμίασιν

2. Title page of the edition of Theodoret of Cyrrhus's fifth-century epitome of patristic orthodoxy, *Dialogi tres*, cited by Hooker in the Christological chapters of Book V of the *Lawes*.

Book V

John E. Booty

i. Design and Purpose

When the first four books of the *Lawes* were published in 1593, Hooker announced that the last four concerned “*the specialities of that cause which lyeth in controversie*” and that Book V “*examined the causes by you alleaged, wherefore the publike duties of Christian religion, as our prayers our Sacraments and the rest, should not be ordered in such sort as with us they are*” (Pref. 7.6; 1:35.28–31). The table at the end of the Preface of “*things . . . handled in the Bookes following*” gives another description: “*The fift, of our lawes that concerne the publike religious duties of the Church, and the maner of bestowing that power of order which inableth men in sundrie degrees and callings to execute the same*” (1:54.12–14). This statement makes no direct reference to the polemical purpose of the book, defines “*publike duties of Christian religion*” as “*publike religious duties,*” and makes specific reference to the ministry and “*that power of order*” necessary for their performance in the church. The head-title to the book supplies a third description, specifically referring to the Puritans:

Of their fourth assertion, That touching the severall publike duties of Christian religion, there is amongst us much superstition retained in them; and concerning persons which for performance of those duties are indued with the power of Ecclesiasticall order, our lawes and proceedinges accordinge thereunto are many wayes herein also corrupt. (2:15)

How are we to understand these three descriptions?

Book V as a Defense of the Book of Common Prayer

The most straightforward interpretation of Book V is to view it as a defense of the Book of Common Prayer against the objections of

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the Puritans who contended that it was full of superstitious practices, "an unperfected booke, culled and picked out of that popishe dunghil, the Masse booke."¹ The title of Book V clearly indicates such a polemical purpose. The "theire" refers to the Admonitioners and those whose cause they represent, the "*publique duties of Christian religion*" refers to the Prayer Book in relation to the chief Puritan objections, and a "*corrupt*" ministry refers to those charged with responsibility for the conduct of public duties (worship) according to the Prayer Book established by law.

The first *Admonition*, to which Thomas Cartwright and other Puritan spokesmen refer in their attacks on "superstitious practices," opens: "Seeing that nothyng in this mortal life is more diligently sought for, and carefully to be looked unto than the restitution of true religion and reformation of Gods church: . . ."; Book V's first two chapters treat the same subject.² The *Admonition* attacks the Book of Common Prayer and the ministry responsible for its use, comparing the practices of the Prayer Book unfavorably to those of the early church. Book V deals with their chief objections, acknowledging obvious clerical faults without admitting the Admonitioners' main conclusion, that the ministry is so corrupt that it must be radically reformed, if not dissolved.³

The second part of the first *Admonition*, called "A view of Popishe abuses yet remaining in the Englishe Church," attacks the Book of Common Prayer for its neglect of preaching and its abuses affecting the Lord's Supper and the daily offices. Baptism, Matrimony, Burial of the Dead, Churching of Women, and the Ordinal, referred to as the "pontificall (which is annexed to the booke of common prayer . . .),"

¹ *An Admonition to the Parliament*, rpr. *P.M.*, p. 21; see n. 152, pp. 71–72, above.

² *P.M.*, p. 8.

³ Concerning the general distress over the ignorant as well as the corrupt clergy, see John E. Booty, "The Bishop Confronts the Queen: John Jewel and the Failure of the English Reformation," in *Continuity and Discontinuity in Church History: Essays Presented to George Hunston Williams*, ed. F. Forrester Church and Timothy George (Leiden: E. J. Brill, 1979), pp. 215–231.

BOOK V

are singled out for special attention.⁴ Hooker defends them all against the Puritan accusations of superstition and corruption. Arthur S. McGrade has been puzzled by the emphasis on the sacraments in the *Lawes*, as Hooker “was not on the whole a highchurchman,”⁵ but there is a similar emphasis in the *Admonition*. Because of the likeness of the Eucharist to the Roman Mass, it was the Holy Communion that seemed most superstitious. Hooker was of necessity bound to focus his attention on it and the other sacraments as well. And, although the Ordinal was not printed with the 1559 Prayer Book, it was treated by the Puritans as “annexed.”⁶

In Book V Hooker treats virtually every part of the Book of Common Prayer. The 1559 Prayer Book opens with the Act of Uniformity representing the state’s enforcement of public religious duties;⁷ Hooker’s first chapter is headed: “*True Religion is the roote of all true virtues and the stay of all well ordered common-wealthes*” (2:16.1–2). The Prayer Book Preface concerns avoiding superstition; Hooker emphasizes the same avoidance (chaps. 3–4; also, chaps. 25–27). The essay “Of Ceremonies” stands behind Hooker’s presentation of four general propositions (chaps. 6–10; compare Book IV). The Prayer Book tables, lectionary, and almanac provide for the observance of liturgical time, feasts, and fasts; Hooker treats these after his discussion of the sacraments (chaps. 69–72). The first rubric of Morning Prayer specifies the place where worship shall be conducted; Hooker deals with liturgical space in chapters 11–17. The second rubric of Morning Prayer is the famous—to the Puritans infamous—“Ornaments Rubric” governing what vestments should be worn; Hooker deals with clerical attire and gesture in chapters 29–30. The forms of prayer, lessons,

⁴ *P.M.*, pp. 20–34.

⁵ *An Abridged Edition*, p. 26.

⁶ See McGrade, “The Public and the Religious in Hooker’s *Polity*,” *Church History*, 37.4 (December 1968): 408. In n. 11 McGrade points out that “although the ordinal came at the end of the 1552 Prayer Book, it was not included in the 1559 version . . . but was published independently.”

⁷ See *The Book of Common Prayer, 1559: The Elizabethan Prayer Book*, ed. John E. Booty (1976); hereafter, *B.C.P., 1559*.

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psalms, and canticles of Morning and Evening Prayer Hooker treats in chapters 31–40 and 42–49. The Litany follows the Offices in the 1559 Book; in chapter 41 Hooker treats it in relation to the Offices.⁸ The Collects, Epistles, and Gospels of the church year, which follow the Litany in the 1559 Book, Hooker treats in chapters 33 and 69–72. The sacraments come next in the Prayer Book and also in Book V (chaps. 50–68). Baptism follows Holy Communion in the Book of Common Prayer, but Hooker places the sacrament of entrance into the Christian life logically before the sacrament that sustains that life. Confirmation, traditionally located in the pontifical as the bishop's office, follows Baptism in the Prayer Book; Hooker treats it in its most logical place, between Baptism and Holy Communion (chap. 66; see chap. 18 on the Catechism). Matrimony follows Confirmation in the Prayer Book; Hooker treats it briefly (chap. 73), following his discussion of liturgical time. Visitation and Communion of the Sick Hooker addresses only incidentally (chap. 68.11–12). In the Prayer Book “The Thanksgiving of Women after Childbirth” follows Burial; Hooker more reasonably puts it before Burial (chaps. 74–75). Communion concludes the Prayer Book, but Hooker makes only a fleeting reference to it (chap. 72.14). Hooker's final section, concerning the ministry and “*the power of Ecclesiasticall order*” (2:15.10), corresponds to the Ordinal, “annexed” to the Prayer Book.

Book V as Part of the Lawes

While Book V is an exhaustive defense of the Book of Common Prayer, it is quite clearly more than that. In arguing the coherence of Hooker's *Lawes*, McGrade saw Books I–IV as establishing fundamental philosophical and theological principles for discussing the conflicting demands for obedience and reform made upon one another by the established church and the dissidents within it. Book V concerns “what” is enjoined in the Church of England, concentrating on its public ritual in accord with the Book of Common Prayer, while

⁸ The Litany followed the Offices in the 1552 Book as well, but in the 1549 version it followed the Holy Communion. See *The First and Second Prayer Books of King Edward the Sixth* (London, 1910; rpr. 1949), pp. 231, 361.

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Books VI–VIII partly concern “how” these public duties are to be performed (that is, by episcopal and royal authority).⁹ The intention is first to prove to the objectors that the public duties prescribed by law are acceptable on their merits. This is done, however, not only by demonstrating the compatibility of these duties with necessary first principles but also by showing their especially apt way of presenting Christianity in “the ordinary world of common experience, times and places, ordinary language and common values.” Book V, then, operates on the level of concrete and customary practices, in contrast to the intellectual emphases of Books I–IV and the legal concerns of Books VI–VIII.¹⁰ The advantage of McGrade’s interpretation is that, without divorcing the book from its polemical context or from Hooker’s own statements of intention, it ascribes unified, broad, and systematic significance to it. Thus Hooker’s aim was not merely to ward off whatever particular objections might be in the air against the prescribed practices but to provide a positive exposition of those practices by showing that in the forms of the Prayer Book “*True Religion*” could indeed be the “*roote of all true virtues and the stay of all well ordered commonwealthes*” (1.1; 2:16.1–2).

The Question of Revision

The constructive character of Hooker’s argument in Book V may be easier to appreciate if we take into account that the book was originally planned to be shorter and less occupied with detailed polemics.¹¹ Years ago Hardin Craig suggested that the last four books of the *Lawes* were revised under the impact of criticism of them in the form they had attained in 1592–1593. W. Speed Hill has argued that the pressure was applied to get Hooker to prepare a more complete,

⁹ “The Public and the Religious in Hooker’s *Polity*,” p. 419. Elsewhere McGrade has said: “In Book V . . . Hooker canvassed from a devotional viewpoint the main dimensions of existence: space and time, knowledge and desire, and the immediate presence of God. In each case he emphasized the aspects of Anglican practice that tied it in with the conditions and rhythms of common life” (*An Abridged Edition*, p. 26).

¹⁰ “The Public and the Religious in Hooker’s *Polity*,” pp. 410, 416.

¹¹ See the discussion of the *Lawes*’ composition, pp. 37–51, above.

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detailed, and concretely polemical defense of the Prayer Book and its ceremonies against the objections of the Puritans.¹² Thus, by the time of its publication in 1597 Book V had grown to be seven times the average length of the first four books. Most likely it was Edwin Sandys, son of the archbishop of York, George Cranmer, grand-nephew of the late archbishop of Canterbury, and possibly John Whitgift, archbishop of Canterbury, who so criticized Book V and prompted its expansion.¹³ There is a hint of as much in Cranmer's *Concerning the New Church Discipline, an Excellent Letter* to Hooker, traditionally dated 1598 (after the publication of Book V) but now dated as before the publication of the Preface and Books I–IV in early 1593 (see p. 44, n. 92, above). Cranmer's desire that Hooker pay attention to the dangers posed by "the cursed crew of *Atheists*" suggests that Hooker accordingly either added chapter 2 to Book V or expanded it.¹⁴ Cranmer also urged that Hooker deal forthrightly with the Brownists or Barrowists,¹⁵ and Hooker seems to have added citations from Henry Barrow as a consequence (see, for example, chap. 12.1). The reference to Hacket and his "conspiracy" may have also been in response to Cranmer's reference to "Certain Prophets," meaning Hacket, Coppinger, and Arthington.¹⁶

If we assume that in the initial draft Hooker felt a general critique of the Puritans' objections to be sufficient without delving into great detail in defense of liturgical practices and church customs, then by discerning the difference of style and content through the book, we may suggest that in its first form Book V consisted of something like the following portions of the 1597 edition:

¹² For references to Craig and Hill, see p. 43, n. 88, above, and see 2:xiii, this edn.

¹³ See Introduction to The Preface, pp. 43 ff., above.

¹⁴ See § 6, in 1:36.15–53.15.n, below. Cranmer's letter was first printed at Oxford in 1642 (Wing C–6826); Walton reprinted it in his 1665 *Life* of Hooker, as did Keble (2:598–610).

¹⁵ On these groups, see pp. 26 and 35–36, above.

¹⁶ See § 3; compare V.Ded.6 (2:4.2–30). For Hacket, see p. 30, above; also, Booty, "Tumult in Cheapside: The Hacket Conspiracy," *Historical Magazine of the Protestant Episcopal Church*, 42.3 (Sept. 1973): 293–317.

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<i>Chapters in Bk. V</i>	<i>Pages in this edn.</i>	<i>Pages in 1597 edn.</i>	<i>Subject</i>
1-11	15-49	1-19	Introduction
18	65-67	28-29	Preaching
23-25	110-117	52-56	Prayer, Public Prayer
50-58	207-251	105-131	Sacraments, Baptism
67	330-343	173-181	Eucharist
76-77	413-435	221-234	Ministry

This amounts to roughly seventy folio pages in the 1597 edition as compared to forty-eight in Book I and twenty-seven in Book III in 1593, but we may assume that these chapters were re-written and that chapter 2 was added, or at least expanded, in response to Cranmer's criticism. But Hooker was not rigidly allotting space to his various books. If we compare forty-eight pages for Book I and twenty-seven for Book III in the 1593 folio and allow a like proportion between Books I and V, the latter could have run about seventy pages in its original form.

There is a possible problem concerning chapters 38 and 69-72, which contain essays written in the mode of much of our hypothetical first form. I would suggest that they were not in the original because on the whole they concern specifics such as we have excluded. The subject matter prompted Hooker to write abstractly, laying a foundation for his more detailed considerations. Chapter 38, concerning music, was inserted in relation to the psalms of Morning Prayer, and chapters 69-72 may have been inserted in relation to Holy Communion because the feasts of the church involve its celebration.

If we take the twenty-seven chapters listed in the chart above (exactly one-third of the eighty-one published in 1597) and seek for their design and intent, we find hinges or pivots in two places. Chapter 50 begins with a transitional sentence: "Instruction and prayer whereof wee have hitherto spoken are duties which serve as elementes partes or principles to the rest that followe, in which number the Sacramentes of the Church are cheife" (2:207.10-12). The chapters

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preceding 50 are concerned with instruction (preaching) and prayer (private, but chiefly public) as found in the Book of Common Prayer. Chapter 23, “*Of Prayer*,” is another hinge, joining chapters on preaching and prayer. Very short (Keble viewed it as one section), it begins:

Betwene the throne of God in heaven and his Church upon earth here militant if it be so that Angels have their continuall intercourse, where should we finde the same more verified then in these two ghostlie exercises, the one ‘*Doctrine*’, the other ‘*Prayer*’? For what is the assembling of the Church to learne, but the receiving of Angels descended from above? What to pray, but the sending of Angels upward? His heavenly inspirations and our holie desires are as so many Angels of intercourse and commerce betwene God and us. (2:110.7–14)

Chapter 18, which begins Hooker’s discussion of preaching (and catechizing as a kind of preaching), refers to the “commerce to be had betwene God and us” (2:65.7–8) and discusses preaching broadly as public instruction and transmission of knowledge. In chapter 18 Hooker limits himself to catechizing, but we know that he also had in mind the reading of Scripture and formal preaching in and of itself. The chapter may very well have been longer in the hypothesized original version, or the discussion may have reached to more than one chapter.

The reference to “commerce to be had betwene God and us” occurs in a sentence that begins: “Places of publique resort being thus provided for, our repaire thither is especially for mutuall conference and as it were commerce . . .” (18.1; 2:65.6–7). This refers back to the heading for chapter 11 on “*Places for the publique service of God*” (2:47.12). Chapter 10 ends: “And so from rules of generall direction it resteth that now we descend to a more distinct explication of particulars wherein those rules have their speciall efficacy” (2:47.9–11).

The structure now emerges more clearly. The discussion of public religious duties begins with an introduction establishing “rules of generall direction.” We then move to particulars, to the place of worship, to the commerce there between God and us (preaching and prayer), and then to the sacraments, which follow from preaching and prayer, both being inherent in the sacraments, while the sacraments provide another setting for saving commerce. Sacraments go beyond

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commerce, however, to participation, being instruments for the union of the soul with God. What becomes apparent is that Hooker has been building all along toward the most substantial portion of the book. Through an exposition of the Word in doctrine with the response of prayer, he has prepared the way for his presentation of the sacraments.

Chapter 50, which begins Hooker's discussion of the sacraments by pointing back to his treatment of the Word, also points forward to the concluding portion of Book V on the ministry. Thus, after the first sentence, cited above as transitional, Hooker continues:

The Church is to us that verie mother of our new birth in whose bowels wee are all bredd, at whose brestes wee receyve nourishment. As many therefore as are apparentlie to our judgment born of God, they have the seede of their regeneration by the ministerie of the Church, which useth to that ende and purpose not only the word but the sacramentes, both havinge generative force and vertue. (2:207.13–19)

Hooker's discussion of the ministry in chapter 76 is entitled, "*Of the nature of that ministerie which serveth for performance of divine duties in the Church of God, and how happines not eternall only but also temporall doth depend upon it*" (2:413.20–23). Referring back to chapter 1.2–4, Hooker reiterates the basic contention of his introductory chapters, as he puts it in chapter 76, that "everie mans religion is in him the well-spring of all other sound and sincere vertues" (2:414.6–7). He is convinced "that without the worke of the ministerie religion by no meanes can possible continewe" (2:414.22–23; and see 423.12–14). Hooker then proceeds to justify the power and authority of the ordained ministry and to contend that it comes from God, not men: "Whether wee preach, pray, baptise, communicate, condemne, give absolution, or whatsoever, as disposers of Gods misteries, our wordes, judgmentes, actes and deedes, are not oures but the holie Ghostes" (77.8; 2:430.19–22).

Writing to defend the Book of Common Prayer against its objectors, Hooker constructs a tightly reasoned argument whose thesis is that religion is necessary to the well-being of a commonwealth. The virtues that provide such well-being are dependent upon the performance of public religious duties. Such duties involve that participation in Christ, or union of the soul with God, the fruit of the commerce

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between God and His people. Such commerce consists in God-given doctrine (instruction and preaching) and the human response in prayer, resulting in a Christian life begun and sustained by grace received in and through the sacraments. Since such public duties are necessary for the good of the commonwealth, the ordained ministry God has authorized and empowered to administer them is likewise necessary to the well-being of the commonwealth.

What does all this have to do with the defense of the Book of Common Prayer, whose use within the church was the law of the land and which the Puritans proposed to replace? One can imagine Sandys, Cranmer, and Whitgift asking just such a question. At the end of chapter 4, before discussing “rules of generall direction” (10.2; 2:47.9) as contained in “*Fower generall propositions*” (chap. 5, title), Hooker says that both those defending the Book of Common Prayer and those attacking it wish “to have lawes and ordinances such, as maie rightlie serve to abolish superstition and to establish the service of God with all things thereunto appertaininge in some perfect forme” (4.3; 2:31.4–7). Both sides acknowledge the necessity of religion to the commonwealth, and both agree on the necessity of an “inward reasonable” worship of God. They disagree over the “sollemne outward serviceable worship,” which is “whatsoever belongeth to the Church or publique societie of God by way of externall adoration” (2:31.7–13). But even there, insofar as “preceptes divine” are involved, they do not disagree. Their quarrel concerns “thinges of inferior regard,” imposed “by ordinances as well humane as divine.” Hooker concludes:

the crime now intended against us is that our lawes have not ordered those inferior thinges as behoveth, and that our customes are either superstitious or otherwise amisse, whether wee respect the exercise of publique duties in religion or the functions of persons authorised thereunto. (2:31.15–23)

Hooker then proceeds to set forth the Puritan rules: that in outward things of worship the practice of the Church of Rome should be avoided, that all should conform to the practice of the earliest church, and that nothing “*devised or abused unto superstition*” should be used (5.1; 2:32.5–10). Over against these, Hooker sets his own: reasonableness,

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antiquity, church authority, and dispensation (equity). Hooker is convinced that if such rules are taken seriously, as they are in the Preface to the Prayer Book and in the essay "Of Ceremonies" and thus in the rest, the Book of Common Prayer will be justified without the need for any alterations. It is not necessary to enter into a multitude of specific objections as set forth in the *Admonition* and in Cartwright's defense of it. It is preferable to stand back and regard the overall shape and meaning of the public duties provided for by law.

Sandys and Cranmer, and perhaps Whitgift as well—the book is dedicated to him—evidently persuaded Hooker to alter his strategy, to deal with the specific objections of the Puritans, and to do so at considerable length. He may have done this reluctantly, however, for it would seem reasonable to suggest that Hooker was satisfied with his first effort, confident that by meeting the Puritans on common ground (the necessity of true religion for the well-being of the commonwealth) and arguing that, as they agreed as well on the substance of religion, they need not be enemies over the externals of worship, especially such things in the Book of Common Prayer as conformed to the rules of reasonableness, antiquity, church authority, and equity.¹⁷

Hooker's discussion of the place of worship and of the content of public worship in England, the commerce between God and man and their mutual participation through Word and Sacrament administered by those authorized and empowered by God, was meant to demonstrate that the Prayer Book adhered to these rules. Hooker acknowledged that his opponents were reasonable and intelligent. They should be fully capable, as learned clerics of the Church of England, of applying such rules to the objections expressed by the Admonitioners.

Religion in the Commonwealth

Viewed from this perspective, Book V is a circle whose circumference is the commonwealth and whose center is the concept of

¹⁷ On the issue of "things indifferent" (*adiaphora*), see Introduction to Book I, pp. 85–86, above.

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participation. That both emphases are also present in the Prayer Book explains and confirms Hooker's stature as its foremost interpreter and apologist.

The Book of Common Prayer came into being in 1549 at a time when there was a concerted movement to reform the commonwealth. The so-called Commonwealth-Men, including Edward Seymour, Protector Somerset (1506?–1552), Sir James Hales (d. 1554), and Thomas Smith (1513–1577), were disturbed that avaricious gentry were engaged in self-serving practices, such as enclosures and rack-renting, which contributed to the growing number of the poor and exacerbated their wretched plight.¹⁸ Corrective measures were instigated, including the formation of commissions of inquiry and the drafting of parliamentary legislation. Propaganda was forthcoming, most forcefully in the sermons of Hugh Latimer, Thomas Lever, and Thomas Becon, warning of the eternal consequences awaiting those guilty of such social evils. In 1549 a rebellion broke out in Cornwall and Devonshire, followed by another in East Anglia, aimed at correcting these abuses. Their leaders were fundamentally conservative, seeking for a restoration of the old ways and protesting against the reform of the church, especially the banning of the familiar Mass for the sake of a strange new order of worship.

In response to Kett's rebellion in East Anglia, Archbishop Cranmer preached a sermon in which he recognized the "two destructions of the commonwealth," the covetousness of those who "inclose and possess unjustly the commons" and the mutinous behavior of those commoners who "will be both the hearers, judges, and reformers of their own causes."¹⁹ The root cause of the trouble was that "the gospel of God now set forth in the whole realm is of many so hated, that it is reject, refused, reviled, and blasphemed" (p. 197). Cranmer was referring to the Word of God in preaching, in daily offices, and in sacraments, which, devoutly received, is expressed "in one's manners

¹⁸ See W. K. Jordan, *Edward VI: The Young King* (Cambridge: Harvard University Press, 1968), esp. chaps. 10–15.

¹⁹ Thomas Cranmer, *Miscellaneous Writings*, ed. J. E. Cox, PS (Cambridge, 1846), p. 196. On the rebellions see Jordan, *Edward VI*, pp. 439 ff., and Frances Rose-Toup, *The Western Rebellion, 1549* (London, 1913), chap. 14.

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and living" (p. 198). The devout reception of the Word was viewed in terms of "true and faithful repentance." Repentance, which concerns personal salvation, "is a sorrow conceived for sins committed, with hope and trust to obtain remission by Christ, with a firm and effectual promise of amendment, and to alter all things that have been done amiss" (p. 201), such as (one might conclude) that done by gentry who enclose and by commoners who revolt. Having thus repented, the Christian was prepared for participation in Christ, who, in the Holy Communion, "he spiritually receiveth and continueth that life that is toward God" (p. 173).

The Book of Common Prayer was structured with this concern for the commonwealth in mind. Cranmer wrote to the rebels in Devon: "in the English service appointed to be read there is nothing else but the eternal Word of God" (p. 180). In accordance with his understanding of the Word, Cranmer insisted on repentance, especially in Holy Communion where communion with God involves communion with one's neighbors. Participation in Christ, the purpose and end of both Baptism and Holy Communion, requires self-examination and reconciliation with those whom the would-be participant has wronged.²⁰ Holy Communion brings the inhabitants of a geographical segment of the commonwealth (the parish) together to repent, with thanksgiving for divine forgiveness, and to receive, gathered around the common table, the Body and Blood of the Lord "in perfect charitie."²¹

Hooker's understanding of the Book of Common Prayer is in agreement with Cranmer's. The Prayer Book provides for the "public religious duties" necessary to the well-being of the commonwealth. In Book I, Hooker describes the genesis of government in terms of the need for protection against wickedness and malice and for the pursuit of the happy life (chap. 10.1-3).²² In Book VIII Hooker explains that

²⁰ See the rubric in the 1549 Prayer Book, in F. E. Brightman, *The English Rite* (London, 1915), 2:638, and the Exhortation, 2:652-656, and see Booty, "Preparation for the Lord's Supper in Elizabethan England," *Anglican Theological Review*, 49:2 (April 1967): 131-148.

²¹ See *B.C.P. 1559*, p. 258, and Booty, "The Prayer Book and the Idea of Communion," *ibid.*, pp. 368-372.

²² Two classical views of the origins of government, reflected in Hooker's

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the end of societies is “living well,” which involves preferring spiritual to temporal things and pre-eminently, among spiritual things, religion (chap. 1.4). In Book I he explains the necessity of religion by contending, as had Augustine of Hippo, that government is a result of the Fall, that human nature is “disabled,” and that men stand in need of that supernatural law which teaches not only supernatural duties but also “such naturall duties as coulde not by light of nature easilie have bene knowne” (12.3; 1:122.4–5). Book V, therefore, recognizes the Book of Common Prayer as the essential means whereby the commonwealth may achieve its intended end: the happy life, the life well lived, protected against wickedness and malice and enlightened as to the true nature of public duties, religious and natural.

In both the beginning of the book (chaps. 1–4) and at its end (chap. 76) Hooker emphasizes that religion is the source of every individual’s true virtue. Such virtue every commonwealth must realize in practice if it is to fulfill its social purpose, for religion must be the public concern of the commonwealth as well as the private concern of the individual. The Book of Common Prayer is the appointed instrument “to help that imbecillitie and weakenes in us” (25.1; 2:113.22–23). The sacraments are “*morall instrumentes* of salvation” (57.4; 2:246.28–29), “causes instrumentall” (67.5; 2:334.18) of that participation in Christ whereby “such effectes as beinge derived from both natures of Christ reallie into us are made our own” (56.10; 2:242.21–22) conveying “a true actuall influence of grace whereby the life which wee live accordinge to godlines is his, and from him wee receive those perfections wherein our eternall happines consisteth” (2:243.1–4). Those who participate in Christ by means of the sacraments not only attain to perfection and happiness, but they do so together, all being “coupled everie one to Christ their head and all unto everie particular person amongst them selves” (56.11; 2:243.18–19).

That this social dimension of Hooker’s defense of the Book of Common Prayer has not seemed obvious to recent scholars is rooted

discussion of the same, are those of Aristotle (*Politics* 1.1.1–12) and Cicero (*Pro Sestio*, chap. 42). See Joannes Ferrarius (Montanus), *A Woorke . . . touchynge the good orderynge of a common weale*, trans. William Bavande (London: Jhon Kingston for Jhon Wight, 1559; STC 10831), p. 11^b for Cicero and p. 14^b for Aristotle.

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in a difference in perception that divides the sixteenth century from our own. The closest possible relationship between church and commonwealth existed for Hooker and his contemporaries. Although sometimes perceived as distinct, as in the distinction between civil and ecclesiastical law, together they constituted a single unified society; they were not, as some Puritans argued, two distinct corporations (VIII.1.2). The same Englishmen were members of both "polities" within the one "politic society,"²³ and in consequence of the Fall the commonwealth was viewed as incapable of functioning properly to realize its ends without the church. The church contributed to the health of the commonwealth, providing knowledge of necessary duties, supernatural and natural, the cultivation of virtue, and the fostering of that community of mutual participation which proleptically realizes the fullness of the Kingdom of God on earth. This was widely understood in the sixteenth century, and Hooker was writing to those whom he believed possessed or should possess such a fundamental understanding. He was also writing with some awareness that the Calvinism of the Puritans threatened such an understanding, emphasizing as it did the radical separation of the sacred and the secular.²⁴

The Concept of Participation

The second focal point concerns the concept of participation, the philosophical-theological key to Hooker's theology in Book V.²⁵ Chapter 56 is the theological heart of the book, culminating a long Christological section (chaps. 51–55) and introducing the chapters which follow on the sacraments. It begins with a definition: "Participation is

²³ See Cargill Thompson, "The Philosopher of the 'Politic Society,'" *S.R.H.*, pp. 3–76; rpr. *Studies in the Reformation*, pp. 131–191.

²⁴ For two lively discussions of Calvin's "new order" and the "old order" of the Anglican defenders of the Book of Common Prayer, see David Little, *Religion, Order, and Law: A Study in Pre-Revolutionary England*, chaps. 3–5, and Michael Walzer, *The Revolution of the Saints: A Study in the Origins of Radical Politics* (Cambridge: Harvard University Press, 1965), chaps. 2 and 5.

²⁵ See Loyer, "La Participation," 1:371–379.

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that mutuall inward hold which Christ hath of us and wee of him, in such sort that ech possesseth other by waie of speciall interest proprietie and inherent copulation" (2:234.29–31). By "participation" Hooker does not mean fusion, absorption, or deification (θεόσις), nor does he refer to a casual relationship or kinship (συγγένια). What he means is indicated in chapter 23 when he writes of the "continuall inter-corse" of Angels, descending from heaven with doctrine ("heavenly inspirations") and ascending with prayer ("holie desires"). In this context participation has to do with a mutual, dynamic relationship. In the sermon *Of Pride* he speaks of "the difference between Christ on earth and Christ in us" as being "no lesse then between a ship on the sea and in the mind of him that builded it: the one a sensible thing the other a meere shape of a thing sensible" (5:327.13–16, this edn., citing a passage from Gregory of Nazianzus). Thus he would guard against what he saw to be an insidious conjecture, resulting in a merger of the divine and the human so that the one or the other was—or both were—lost in the creation of some monstrous *tertium quid*.

Hooker's understanding of participation is related to two passages of Scripture employing two Greek words properly translated "participation." The first is 1 Cor. 10:16 where the word is κοινωνία, which, in an important section on the Eucharist, Hooker, following the Geneva Bible, translates as "communion" (chap. 67.5). But in the same discussion he goes on to explain that by "the communion of my bodie" what is meant is that the bread received is instrumental in "the participation of his boodie." We have here a cause-and-effect relationship wherein the faithful receiver is changed, "quickned to eternall life," by receipt of the body of Christ (2:334.12–13, 19, 23). Hooker subsequently refers to the belief that the bread and wine are consecrated and therefore become "such instrumentes as mysticallie yeat trulie, invisiblie yeat reallie worke our communion or fellowship [κοινωνία] with the person of Jesus Christ as well in that he is man as God" (§ 11; 2:339.3–6).

The second New Testament passage is from John 6, and in particular verse 56 where Jesus is quoted as saying: "He that eateth my flesh, and drinketh my blood, dwelleth [μένει, participates] in me, and I in him." The Greek word here is (μένω), meaning to abide in or be in union with, in the sense that as the Father and the Son are joined by

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a community of life, so likewise Christians share in Christ's life as well as in his works.²⁶ With μένω we approach as near as is safe to union between Christ and the faithful. This is the "mysticall communion" (2:340.11) that involves the deification of human nature, not turning human nature into deity, but making our nature the Deity's "owne inseparable habitation" (54.5; 2:224.15).

What are the fruits of such participation? Not only the benefits of sharing in Christ's life and thus in eternal life, but also that "grace of *unction*" whereby human nature is replenished "with all such perfectiones as the same is anie waie apt to receive" (54.6; 2:224.19, 225.1–2) including knowledge and "all maner graces and vertues" (2:225.14). By this participation, initiated by God, Christians are incorporated

into that societie which hath him for their head and doth make together with him one bodie . . . for which cause by vertue of this mysticall conjunction wee are of him and in him even as though our verie flesh and bones should be made continuate with his. (56.7; 2:238.30–239.5)

And in a passage heavily influenced by Johannine theology, Hooker writes:

And his Church he frameth out of the verie flesh, the verie wounded and bleeding side of the Sonne of man. His bodie crucified and his blood shed for the life of the world, are the true elementes of that heavenlie beinge, which maketh us such as him selfe is of whome wee com. For which cause the wordes of Adam may be fitlie the wordes of Christ concerninge his Church, *Flesh of my flesh and bone of my bones*, a true native extract out of mine owne bodie. (2:239.22–29)²⁷

²⁶ See chap. 67.1 and Booty, et al., *The Spirit of Anglicanism* (Wilton, Conn.: Morehouse-Barlow, 1979), pp. 17–18. For a different point of view, see A. M. Allchin, *Participation in God* (ibid., 1988), pp. 8–12.

²⁷ Compare this passage with chap. 67.12 (2:343.6–26), drawn from Goulart in his edition of Cyprian, on which see below, p. 217.

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Repentance

A further clue to Hooker's meaning is provided by Book VI where it is pointed out

that the cheifest cause of spirituall jurisdiction is to provide for the health and safety of mens soules, by bringing them to see and repent their grievous offenses committed against God, as alsoe to reforme all injuries, offered with the breach of Christian love, and charitie towards their brethren, in matters of Ecclesiasticall cognizance (3.1; 3:6.12–17)

Participation involves the working of “repentance in the hart of man” by God’s grace, wherein the human contribution consists of allowing the free operation of the divine grace of repentance (3.2; 3:7.22–8.3). That is what is meant by “a kind of transubstantiation in us, a true change both of soule and bodie, an alteration from death to life” (67.11; 2:339.7–340.1). It is nothing less than contrition, confession, absolution, and satisfaction or penance; or, to put it another way, it is the replenishment or restoration of finite, fallen human nature toward that condition which obtained at its first creation.

Thus participation involves another important New Testament concept, that of μετάνοια, of turning, returning, repentance and conversion. For Jesus in the Synoptic Gospels μετάνοια is a turning from sin toward God. This turning is required of all that would follow Him and enter the Kingdom of God, inheriting eternal life. According to Mark, Jesus’s preaching began in Galilee with the Gospel of God: “The time is fulfilled, the Kingdom of God is at hand, repent (μετανοεῖτε) and believe the gospel” (Mark 1:15). This turning affects the core of a person, beginning with the depths of the individual being and then reaching out to affect that individual’s social conduct.

In sixteenth-century theological writings the emphasis on repentance often seems negative, the denial of evil thoughts and actions, but in the New Testament such repentance is regarded as God’s gift, an act of grace, initiating renewal and joyous obedience to the divine will.²⁸ Hooker stresses this positive understanding of repentance:

²⁸ See Gerhard Kittel, *Theological Dictionary of the New Testament*, trans. G. W. Bromiley (Grand Rapids, Mich.: Wm. B. Eerdmans, 1967–76), 4:1007–1008.

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feare worketh noe mans inclination to repentance, till somewhat else have wrought in us love alsoe. Our love and desire of union with God, ariseth from the strong conceite which wee have of his admirable goodnes. The goodnes of God, which particularly mooveth unto repentance, is his mercie towards mankind, notwithstanding sinne. For lett it once sinke deeply into the minde of man, that howsoever wee have injured God, his verie nature is averse from revenge, except unto sinne wee adde obstinacie, otherwise allwayes readie to accept our submission, as a full discharge or recompence for all wrongs; and can wee chuse butt beginne to love him, whome wee have offended, or can wee butt beginne to greeve, that wee have offended him whome wee now love? (VI.3.3; 3:9.24–10.4)

The two foci, commonwealth and participation, the political-historical and the philosophical-theological, merge. Participation involves that repentance and amendment of life which serve to perfect the individuals who comprise the commonwealth. The commonwealth protects and assists true religion by providing by law a Prayer Book such as cultivates the virtues of participation in Christ. The purpose of the Holy Communion, according to John Jewel's homily in the *Second Book of Homilies* (1563), is to show Christ's sacrifice with thanksgiving: to show forth that oneness of life involves "not only our communion with Christ, but that unity also, wherein they that eat at this table should be knit together." Jewel concludes:

as there is here the mystery of peace, and the sacrament of christian society, whereby we understand what sincere love ought to be betwixt the true communicants; so here be the tokens of pureness and innocency of life, whereby we may perceive that we ought to purge our own soul from all uncleanness, iniquity, and wickedness²⁹

Both Jewel and Hooker understood, as had Cranmer, that the basic thrust of the Book of Common Prayer was its reiterated insistence

²⁹ *Certain Sermons or Homilies appointed to be Read in Churches in the Time of Queen Elizabeth* (London, [1864]), pp. 481, 482–483. On Jewel's authorship see J. Griffiths, *Two Books of Homilies* (Oxford, 1859), p. xxxiv.

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upon repentance and renewal. The health and survival of the commonwealth depended upon the seriousness with which citizens in every parish of England responded to the invitation to confession:

You that doe truly and earnestly repente you of youre synnes, and bee in love and charitie with your neighbours, and entende to leade a newe lyfe, folowynge the commaundments of god, and walking from henceforth in his holie waies: Drawe nere and take this holy Sacramente to youre comfort: make your humble confession to almightie god, before this congregacion here gathered together in his holy name, mekely knelyng upon your knees.³⁰

The Principle of Correspondence

That the Prayer Book thus provides for the health and survival of the commonwealth argues that the laws enforcing its use are both just and good. Furthermore, by focusing on participation (with repentance as a necessary corollary), the Prayer Book avoids superstition, the abhorrence or observance of things “with a zealous or fearefull, but erroneous relation to God,” with the result that often others are given those honors “as properlie are his” (3.2; 2:28.17, 20–21). The Puritans would dismiss

our prayers, our sacrementes, our fastes, our tymes and places of publique meetinge together for the worship and service of God, our mariages, our burials, our functions, elections and ordinations ecclesiasticall, allmost whatsoever wee doe in the exercise of our religion accordinge to lawes for that purpose established, . . . [as] thinges stained with superstition. (4.1; 2:30.18–24)

On the contrary, the Prayer Book worship of God is reasonable, it is supported by the judgment of antiquity and by the just authority of the church itself, and it is not rigid, for dispensation is granted where necessary. Attention must be fixed on the way in which ritual and ceremony mirror what is good and true:

³⁰ *First and Second Prayer Books of Edward VI*, p. 386; B.C.P., 1559, p. 259.

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That which inwardlie each man should be, the Church outwardlie ought to testifie. And therefore the duties of our religion which are seene must be such as that affection which is unseene ought to be. Signes must resemble the thinges they signifie. If religion beare the greatest swaie in our hartes, our outwarde religious duties must show it, as farre as the Church hath outwarde habilitie. Duties of religion performed by whole societies of men, ought to have in them accordinge to our power a sensible excellencie, correspondent to the majestie of him whome we worship. Yea then are the publike duties of religion best ordered, when the militant Church doth resemble by sensible meanes, as it maie in such cases, that hidden dignitie and glorie wherewith the Church triumphant in heaven is bewtified. (6.2; 2:33.26–34.6)

It is this outward representation of the inward reality for which Hooker is most concerned. The principle of the correspondence between the two, fundamental to this mode of thought, necessitates Hooker's discussion of the terms of dispensation or equity. The relationship of correspondence must be the center of attention, not particulars that are in themselves simply instruments for the representation of the unseen in the seen. It is by means of correspondence that the consecrated elements in the Holy Communion are "such instrumentes as mysticallie yeat trulie, invisiblie yeat reallie worke our communion or fellowship with the person of Jesus Christ" (67.11; 2:339.3–5). So long as that correspondence exists in the Holy Communion and elsewhere in the principal parts or movements of the Prayer Book, there can be no superstition. The Prayer Book is not absolutely free of possibility of superstition, but there is nothing in it that is necessarily superstitious, for superstition arises from the zeal or fear of the worshipper, and the Prayer Book provides the correspondence that results in true worship and virtuous behavior where the worshipper is properly contrite.

Here Hooker rests his case. If he entered into the particularities in the first draft, they are, in fact, illustrations or applications of these principles. If, as I judge more likely, the particularities are his response to the demands of his critics, he did so with the firm conviction that

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such expansion carried out the logical consequences of those principles, even if the resulting detail of the expansion has admittedly created obstacles for those in the post-Christian West who seek to read and to understand this book.³¹

ii. Hooker's Sources

Scripture

If frequency of citation is a sufficient gauge, then the Holy Bible must be accounted Hooker's chief source in Book V, as it was in Book I (see p. 91, above). He specifically cites biblical passages 524 times, 195 from the Old Testament, 329 from the New, and 17 from the Apocrypha. Moreover, steeped as he was in Scripture, Hooker often uses biblical language and quotes biblical passages without acknowledgment.³² He cites passages from most of the Old Testament books,³³ most frequently Psalms (24 times) and Isaiah (18). He makes use of all of the New Testament (excepting the Second and Third Epistles of John), chiefly Matthew (33), Luke (22), John (50), Acts (34), 1 Corinthians (28), and Ephesians (22). Prominent out of proportion to their length are 1 Timothy (13) and Hebrews (19). He normally uses the Geneva Bible when quoting the Old Testament, but usually translates himself from the Greek or the Vulgate when quoting from the New.³⁴

³¹ Modern studies of Book V include Francis Paget, *An Introduction to the Fifth Book of Hooker's Treatise of the Laws of Ecclesiastical Polity* (Oxford, 1899; 2nd edn., 1907); Ronald Bayne, ed., *The Fifth Book* (London, 1902); F. A. C. Youens, *Analysis of Hooker's Ecclesiastical Polity: Book V* (London, 1912); and J. S. Marshall, *Hooker's Theology of Common Prayer: The Fifth Book of the Polity Paraphrased and Expanded into a Commentary on the Book of Common Prayer* (Sewanee, Tenn.: University Press of the University of the South, 1956).

³² Hooker's references to Scripture were indexed in Keble (3:713-729) and they are listed below in the ISR; compare the ISR, 5:851-909, this edn.

³³ He does not cite Amos, Exodus, Habakkuk, Lamentations, Nahum, Ruth, Song of Solomon, or Zephaniah.

³⁴ Concerning translations, see chap. 19.2-3 (2:68.16-70.20). That Hooker may

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Contemporaries

Thomas Cartwright's three volumes in defense of the 1572 *Admonitions* to the parliament represent another significant source.³⁵ Hooker cites Cartwright often and usually in those chapters described above as being added by Hooker at the suggestion of Cranmer and Sandys. By implication, the use of Cartwright's books suggests the use of Whitgift's refutation of the *Admonitions*, together with his response to Cartwright. Hooker never explicitly refers to Whitgift's works, but he must have consulted them often, for the agreement of Hooker's arguments with those found in Whitgift's 1574 *Defense of the Aunswere* is evident.³⁶ The polemical situation required Hooker to cite Cartwright, not Whitgift, to whom Hooker had paid his dues in the Dedication. Add to the Cartwright volumes three other related items—the *Admonitions* themselves, the Puritan prayer book, *A Booke of the Forme of Common Prayer* (1584/5; STC 16567–69), and Walter Travers's *Eclesiasticae disciplinae . . . explicatio*, translated into English by Cartwright³⁷—and Hooker had all that he needed in order to obtain authoritative citations from the Puritans of his day.

Other contemporary Puritan sources Hooker cites include *An Abstract, of Certain Acts of Parliament* (1583; STC 10394), published anonymously, and the separatist Henry Barrow's *A Briefe Discoverie of the False Church* (1591?; STC 1517), six times each, and the tracts of Martin Marprelate and other writings in the genre, four times (see pp. 24–25 and n. 42, above). John Rainolds's *De Romanae ecclesiae idololatria* (1596; STC 20606) is cited once. There are few direct references to the works of the continental Reformers. Hooker did use the *Harmonia confessionum fidei* five times (1586; STC 5155), an epistle of Beza's, and

have used the Vulgate for Old Testament passages on occasion is suggested by his reference to "1 reg." in the note to chap. 12.3 (2:52.1): neither the Geneva Bible nor the Bishops Bible has such a designation.

³⁵ They are listed above, pp. 71–72, n. 152.

³⁶ Cargill Thompson states: "Hooker's argument was basically an extension of Whitgift's" (*S.R.H.*, p. 24; *Studies in the Reformation*, p. 151).

³⁷ For a citation of the first *Admonition*, see chap. 64, head-note (2:293.2).

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Sibrand Lubbert's *De principiis Christianorum dogmatum*, but he makes no direct references to the writings of Luther or Calvin.³⁸

Early Church Fathers and Historians

Next in terms of the total number of citations are the early church Fathers. Out of roughly 300 citations, one third are to an awesome triumvirate: Tertullian (40), Augustine (32), and Cyprian (32), the latter including the wrongly attributed *De coena Domini*, discussed below. There follow Theodoret (21), Jerome (16), Basil of Caesarea (13), Gregory of Nazianzus (12), Irenaeus (11), Cyril of Alexandria (9), Leo I (9), and Ambrose of Milan (7). The remaining citations are distributed among twenty-nine other authors with Hilary of Poitiers, John Damascene, Isidore of Seville, John Chrysostom, Dionysius the Areopagite, and Epiphanius among the most prominent. On the whole Hooker cites those whom we would expect: he explicitly cites Tertullian more often than he does Augustine, although modern editors have found more references to the latter in Book V (direct citations and others) than to Tertullian.³⁹

In addition, there are the early church historians, most prominently Eusebius of Caesarea, Theodoret of Cyrrihus (noted above), Socrates Scholasticus, and Sozomen. Also cited are Rufinus, Nicephorus, and Sulpicius Severus. Medieval and Reformation historical works cited include the *Historia tripartita*, Bartholomeo Platina's *De vitis Pontificum Romanorum*, and Joseph Scaliger's *De emendatione temporum*.

Legal and Non-Christian Sources

Hooker's use of legal sources embraces both canon and civil law. Citations involve ecclesiastical councils (19), the *Corpus juris canonici* (9), and the *Apostolic Constitutions* (3). Citations involving civil law

³⁸ For Hooker's knowledge of Calvin, however, see Egil Grisliis, Introduction to the Commentary, *Tractates and Sermons*, 5:631–633, this edn.

³⁹ In the "Index of Authorities Quoted," in Keble (3:730, 735), there are forty citations of Augustine in Book V to twenty-nine of Tertullian, and in Bayne's index, there are fourteen lines of citations from Augustine to eleven from Tertullian (pp. 727, 737).

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include the *Corpus juris civilis*, principally the *Digest* (19) and the *Codex* (8). Hooker also cited Charlemagne's *Capitula sive leges ecclesiasticae et civiles* and Lyndewode's *Provinciale*. This topic deserves further study.

Hooker's classical, non-Christian sources are numerous, but of more than seventy citations, one-third (23) are to Aristotle, as might be expected. Next in terms of frequency of citation are Cicero (4), Seneca (4), Dio Cassius (3), Dionysius of Halicarnassus (3), Euripides (3), and Pliny the Elder (2).

Citations of medieval works are less numerous. There are six specific references to the writings of Thomas Aquinas, principally the *Summa theologiae* (Hooker used the edition of the sixteenth-century cardinal Thomas de Vio Cajetanus),⁴⁰ but again, as with Augustine, the paucity of specific citations is no basis on which to gauge Aquinas's influence on Hooker.⁴¹ In addition, Hooker cites Hugh of St. Victor, Bernard of Clairvaux, Gabriel Biel, Rupert of Deutz, and Arnold of Bonneval.

References to Jewish sources are dominated by Philo Judaeus (12) and Josephus's *Antiquitates Judaicae* (7). There are individual references to Moses Maimonides' *Director dubitantium aut perplexorum*, the Hebrew Prayer Book and Catechism, the *Thisbites* of Elias Levita, and the *Mishna*.

Lexicons and related works of reference cited by Hooker include the *Etymologicon magnum* (1594) and the *Lexicons* of Alexander Hesychius and Suidas.

Undocumented Sources

Hooker's explicit citations, however, do not fully reveal the sources of his ideas and attitudes. He repeatedly consulted the Book of Common Prayer and other authoritative English formularies.⁴² There are

⁴⁰ See Keble, 3:735, and Bayne, p. 726. The Commentary below lists twenty-nine references to Aquinas in Book V.

⁴¹ See John S. Marshall, *Hooker and the Anglican Tradition*, chap. 7; Egil Grislis, Introduction to the Commentary, 5:631–632; and Introduction to Book I, p. 92, above.

⁴² For a specific reference, see chap. 19.4; 2:70.x.

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no specific references to the Thirty-Nine Articles of Religion or the two books of Homilies, yet they were in use, authorized and enforced by the law of the land. Hooker could hardly have been unmindful of them, especially when the Admonitioners or Cartwright made reference to them, and he would have looked to the growing collection of Articles and Injunctions of Visitation as well, especially those of the Royal Visitation of 1559, which continued to be reprinted, enforced, and reflected in provincial and diocesan injunctions throughout the reign.⁴³ He would also have had Calvin's *Institutes* at hand or in mind as he wrote, for he certainly knew and used them elsewhere in his writings. When defending himself against *A Christian Letter*, he spoke highly of Calvin and quoted Luther, Melancthon, and Bullinger,⁴⁴ though this material was not published in his lifetime.

It was not customary for an English apologist to refer frequently to English reformers such as Cranmer, Ridley, Latimer, and Jewel, but Hooker was well read in their works, as is indicated again by his responses to *A Christian Letter*. We may assume that Hooker was aware of the writings of such contemporaries as John Bridges, dean of Salisbury while Hooker was sub-dean,⁴⁵ Richard Cosin, who wrote of the Hacket conspiracy and against the Puritan *Abstract*,⁴⁶ and Hadrian Saravia, Hooker's neighbor in Kent from 1595 until he died.⁴⁷ One must also consider those whom Hooker knew personally, but who influenced him not through their writings but rather through conversation, colleagues such as John Rainolds and Lancelot Andrewes.⁴⁸

⁴³ See Introduction to The Preface, p. 8 and n. 9, above.

⁴⁴ For examples, see above, 4:46.15; 55.15–57.12; 57.30–58.6; and 60.8–10, this edn.

⁴⁵ It must be assumed that Hooker knew Bridges' massive *A Defence of the Government Established in the Church of Englande* (1587; STC 3734). Whether or not he was influenced by it is unclear. It has, however, been referred to in the Commentary below as appropriate. See nn to 2:119.11–12, 136:27, 270.14–16, and 303.8–9.

⁴⁶ See *Conspiracie, for Pretended Reformation* (1591; STC 5823), and 2:26.x and n. See also *An Answer to the first and principall treatises of a certeine factious libell, An Abstract . . .* (1584; STC 5819.5), referred to in nn to 2:41.7, 472.10–11, 475.p, 478.4, and 486.25–32.

⁴⁷ For instance, *De diversis ministrorum evangelii gradibus* (1590; STC 21746), and the English translation (1591; STC 21749).

⁴⁸ See Introduction to The Preface, pp. 53–54, above.

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We shall never know the full extent to which Cranmer and Sandys were themselves sources upon whom Hooker relied. Above all we must take into account the influence of the Book of Common Prayer, used daily by Hooker as a priest of the church, with its unending round of lessons, canticles and prayers, its sacraments and pastoral offices, and above all the ethos which it nurtured. In the end, the greatest source and influence on Book V was the very book which Hooker set out to defend.

iii. Hooker's Use of Sources

Scripture

Hooker argued his main points in Book V on the basis of Scripture. Citations to it were fundamental to his task, both because the Puritans' first appeal was to Scripture and because he himself regarded Scripture as authoritative in all matters pertaining to salvation, the *raison d'être* of the church whose polity he was defending. Furthermore he regarded the Scriptures as a source for discerning natural laws as well, so long as the circumstances and intent of particular passages were taken into account. That Book V is so very biblical is not surprising in the light of Archbishop Cranmer's contention that the Prayer Book Hooker is defending is itself largely composed of words, sentences, and chapters out of the Bible.⁴⁹

Hooker's reliance on Scripture is especially evident in those chapters where he is concerned to establish the fundamental assumptions of his argument. Chapter 56, the central chapter of Book V and an epitome of Hooker's theology, provides an excellent example. Here there are fifty biblical passages cited, chiefly from the New Testament. Nineteen are from the Johannine gospel and epistles, and twenty are from works ascribed to the apostle Paul; included are many of the central texts in the Christian tradition. Eighteen of the citations are made in the course of section 7, where Hooker sets forth his ecclesiology. He has asserted that life comes from God by the Son, through the Spirit, and

⁴⁹ See p. 195, above; and see the Preface to the first two editions of the *Book of Common Prayer* (1910 edn.), p. 4.

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he now adds that this occurs in the context of the church. He forcefully argues that it is not sufficient to be in Christ by “eternall foreknowledge” (2:238.27–28). We are in Christ “by our actuall incorporation [Col. 2:10] into that societie which hath him for their head and doth make together with him one bodie” (2:238.30–239.2). He further emphasizes this by asserting that “by vertue of this mysticall conjunction wee are of him and in him even as though our verie flesh and bones should be made continuat with his [Eph. 5:30]” (2:239.3–5). Hooker understands Col. 2:10 (“And ye are compleate in him, which is the head of all Principallitie and Power”) as referring to Christ’s headship over the church, rather than to his rule over the vast array of elemental spirits (στοιχεῖα)—“things visible and invisible: whether *they be* Thrones, or Dominions, or Principallities, or Powers . . .” (Col. 1:16)—of the whole creation.⁵⁰ There follows an explanation that is strongly Johannine. The “mysterie of our coherence with Jesus Christ” (2:239.19) is documented by reference to John 14:20 (“I am in my Father, and you in me, and I in you”) and 15:4 (“Abide in me, and I in you: as the branche cannot beare frute of it self, except it abide in the vine, no more can ye, except ye abide in me”). The key word here is “abide” (μείνατε), which can also be translated “participate.”

In chapter 67, his major presentation of his Eucharistic doctrine, Hooker begins by citing John 6:53,⁵¹ emphasizing the necessity of eating “*the flesh of the sonne of man.*” The assertion, “He that eateth my flesh, and drinketh my blood, dwelleth [μένει] in me, and I in him” (v. 56), is a key citation for the New Testament theology of mutual participation. But in this chapter, which emphasizes scriptural citations up to section 11 (at which point citations of the Fathers dominate the page; see 2:338–339), Hooker uses 1 Cor. 10:16–17 in which the Greek word κοινωνία conveys the proper understanding of participation (67.5; 2:334.11–13).

Hooker’s exegesis, in this his major presentation on participation in and through the Eucharist, is carefully done, although it can rightly be

⁵⁰ Hooker is clearly mistaken in this instance. Eph. 5:30 is a more serviceable citation (“we are members of his bodie”), especially if we accept the addition: “of his flesh, and of his bones,” in the Geneva Bible, but not now in Revised Standard Version or the New English Bible, although accepted by Beare in the *Interpreter’s Bible*.

⁵¹ 6:52 in text (330.s).

called eisegesis in that he understands Paul not so much on Paul's terms as in relation to the Eucharistic controversy of the sixteenth century. Although Hooker surrounds this crucial interpretation with the Words of Institution as found in the synoptic gospels (see Matt. 26:26–28, Mark 14:22–25, and Luke 22:15–20), he knows that those bare texts can be and have been variously interpreted to support widely differing theologies. He therefore turns to Paul, “our Lordes Apostle,” who gives his account of the Words of Institution in 1 Cor. 11:23–26, for an authoritative gloss. Thus, “this is my bodie” in the synoptics and in 1 Cor. 11 means, according to 1 Cor. 10:16–17, “*My body, ‘the communion of my body’.*” From this follows the conclusion, referring to 1 Cor. 10:17: “The bread and cup are his bodie and blood because they are causes instrumentall upon the receipt whereof the *participation* of his boodie and bloode ensueth” (2:334.12–13, 17–19).

In chapter 18.1 Hooker grounds his definition of preaching in two passages in Luke (8:39, 12:3), referring to the Greek κηρύσσω (the simple act of proclamation), which is related to κήρυγμα (the Gospel that is preached), indicating not a formal sermon but the act of communicating the good news of the Gospel. In chapter 23.1 he defines prayer in terms of Hosea 14:2 as “calves [=sacrifices] of our lippes,” Rev. 5:8, “odours” [=incense], and Acts 10:4, “Thy prayers . . . are come up into remembrance [=as a memorial] before God.” The major image of the chapter is that of Genesis 28:12: “Then he [Jacob] dreamed, and beholde, there stode a ladder upon the earth and the top of it reached up to heaven: and lo, the Angels of God went up and downe by it.” Prayers are sent up, ascending like incense rising, the sacrifices of our lips, in response to the holy inspiration that descends, a saving doctrine preached in a variety of ways.⁵² Hooker thus rooted this fundamental rhythm of preaching and prayer, descent and ascent, in Scripture.

Hooker obviously used Scripture as he understood it. Sometimes, as in his interpretation of Col. 2:10 (56.7), we would not now agree with him, but others in his day did (see n. 50, above). At other times there were strong disagreements between Hooker and his contemporaries

⁵² A more systematic and didactic definition of prayer with no Scripture citations is found in chap. 48.2, but even there he uses the image of ascent when saying that prayers are “elevations of spirit unto God” (2:189.23–24).

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over the meaning of particular passages. A vivid example is that of Hooker's use of John 3:5 in connection with the necessity of baptism (see 2:251.5–252.26.n). The question is whether or not the reference to water and spirit refers to it. If it does, then it is clear that Jesus is saying that “except a man be borne of water and of the spirit [that is, baptism], he can not enter into the kingdome of God.” Cartwright, in agreement with Calvin,⁵³ argued that the reference was not to material water but to “*the Spirit of God which clenseth the filth of synne*” (quoted by Hooker in the head-note to chap. 59; 2:251.17–18). Instead, Hooker develops Whitgift's defense of the Church of England's teaching, asserting that the literal construction of the scriptural passage points to “regeneration by water and the holie Ghost” (59.2; 2:252.13–14).⁵⁴ Modern scholarship supports Calvin and Cartwright,⁵⁵ and the argument has been made that Hooker himself did not subscribe to the absolute necessity of baptism in the way it was insisted upon in the medieval church. He was, in this place, concerned to show that John 3:5 “was a definite barrier to the laxity which Puritanism would inevitably encourage.”⁵⁶ Indeed, it was the interpretation of this text that prompted Hooker to exclaim, in some exasperation: “I holde it for a most infallible rule in expositions of sacred scripture, that where a litterall construction will stand, the farthest from the letter is commonlie the worst” (2:252.5–7).

Non-Christian Sources

Hooker did not ground all his arguments in Scripture. In the first chapter of Book V, where he is concerned to establish the necessity of “true religion” to the well-being of the commonwealth, he appeals to

⁵³ See Calvin's *Commentary on the Gospel of John* (1961), 1:65.

⁵⁴ See Whitgift, *Works* (PS), 2:521–522.

⁵⁵ See Raymond E. Brown, ed., *The Gospel According to John, The Anchor Bible* (Garden City, N.Y.: Doubleday and Company, 1966), 1:141–144, and C. H. Dodd, *The Interpretation of the Fourth Gospel* (Cambridge: The University Press, 1954), pp. 305, 312.

⁵⁶ See G. W. Bromiley, *Baptism and the Anglican Reformers* (London: Lutterworth Press, 1953), pp. 58–59, 63.

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Aristotle as witness to the truths of natural religion and political science. Thus Aristotle is cited as arguing that the politician must be virtuous (*Magna moralia*, 1.1); that justice inflames men to do good, the service rendered to a people being nobler and more divine than that rendered to an individual (*Nicomachean Ethics*, 1.2); and that things religiously done result in prosperity, but those who are good and wise will take "with dignity whatever fortune sends," making the best of the circumstances (1.10). In addition, the Old Testament and Philo Judaeus are also cited as witnesses to the natural order of society and the necessity of religion.

At the end of Book V, chapter 76 provides a new beginning and points toward Books VI and VII. It starts by appealing to pre-Christian sources that all know and acknowledge, whether Christian or not. On that basis Hooker proceeds to a discussion of the place of the church's ordained ministry in relation to the fundamental well-being of the commonwealth. In writing of "good thinges temporall" (2:414.28–29). Hooker cites Euripides as saying that our possessions are not finally ours but that we hold them as "stewards of the gifts of God" (2:415.v.n) and that those who prosper do so because their "actions . . . have bene orderlie and well guided" (2:415.25). As the chapter proceeds, Hooker cites Herodotus, Proverbs, Aristotle, and Euripides again. Where Hooker is concerned for what is known through the natural order, he cites classical antiquity along with appropriate passages out of the Old Testament.⁵⁷ This is true of the citation of Dionysius of Halicarnassus testifying as a heathen to the sanctity of the marriage bond (73.3; 2:402.r) and of Livy and Cicero witnessing to the necessity of women being given in marriage by their fathers (73.5; 2:403.v). Thus, in treating those who despoil the church of her rightful possessions, Hooker cites Virgil, Cicero, and Seneca on the penalties incurred by those who commit sacrilege (79.16; 2:461.l,m).

⁵⁷ The author(s) of *A Christian Letter* particularly objected to Hooker's use of Aristotle and the Schoolmen. See, 4:64.25–67.6, this edn.

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Patristic Sources

Hooker's use of patristic sources in Book V is not on the whole exceptional.⁵⁸ He cites them when concerned to demonstrate that what he writes is in agreement with godly tradition. This agrees with the Anglican understanding of authority as found, for instance, in the writings of Jewel and in such public legal documents as 1 Edward VI, cap. 1.⁵⁹ His citations range from a single one (2:153.s) from Basil the Great in chapter 38, where Hooker defends the use "*Of musique with psalmes*," to a multitude of references to a host of Fathers in those chapters concerning the Trinity and Christology (chaps. 51–55), who support Hooker's own theological conclusions.

When the opponent appeals to the early church for support and seems to find it, as in the case of "*The sumptuousnes of Churches*" (chap. 15), Hooker examines the historical setting and explains away the evidence by saying that in a time of persecution there could be no richly adorned churches. A sense of historical context is obviously needed if the patristic sources are to be rightly understood and used. When Cartwright argues a late date for the introduction of the litany in the church and states that it was only instituted then for a special reason, Hooker summons a host of witnesses to show that it evolved from processions for the burial of martyrs, the formal litanies of the Eastern Church, and the Rogations of the Western (chap. 41.2). In this brief chapter, consisting of four short sections, those cited are Tertullian, Jerome, and Basil, the historians Socrates, Sozomen, and Theodoret, plus the *Novellae* of Justinian and the first Council of Orange (511 AD).⁶⁰

⁵⁸ But see William P. Haugaard, "Renaissance Patristic Scholarship and Theology in Sixteenth Century England," *Sixteenth Century Journal*, 10.3 (1979): 37–60, esp. 57–60.

⁵⁹ Concerning Jewel and the Fathers, see Booty, *John Jewel as Apologist of the Church of England*, pp. 130–137. The statute referred to appeals to the tradition of the first five hundred years against more recent practice. See also 2 and 3 Edw. VI, cap. 1, the first Uniformity Act, 1549, which speaks of the Crown's directing certain men to devise a Prayer Book "having as well eye and respect to the most sincere and pure Christian religion taught by the Scripture as to the usages of the primitive Church."

⁶⁰ The citations in chap. 41 are not without problems. Hooker interprets *λίτα-*

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Hooker does not always exercise the kind of care in his patristic references that modern scholars would wish, as can be seen in his chapters on the Trinity and Christology. Yet on these central theological issues, Hooker was well read in the Fathers, especially as regards the credal affirmations and the conciliar conclusions from Nicaea through Chalcedon (chap. 54.10). He was determined to be thoroughly orthodox. He relied, however, quite heavily on Theodoret's *Dialogi tres*, itself containing three florilegia of patristic quotations (see 2:213. a.n), for some of his patristic references, most likely deriving more from Theodoret than we can now identify. At times he notes the fact; for instance, "Gregor. Nyss. apud Theod." at 2:224.f and "Theodoret. ex Iren. l.3 adver. hæres." at 2:225.h; at other times he doesn't. Bayne located the quotations from Irenaeus and Gregory of Nyssa (2:217.f) in Theodoret: Irenaeus from the first florilegium, Gregory from the second. In the same note, Hooker quotes Theodoret, paraphrasing the argument of the second Dialogue (Bayne, p. 241n), although there is little reason to believe that Hooker derived his basic argument from him.⁶¹

In chapter 54.2 we have an important statement concerning the eternal generation of Christ from the Father. The section is composed of but four sentences, but seventeen citations are made, both biblical and patristic. It is one of the few places where Hooker piles up authoritative support, indicating thereby the importance of the subject and the necessity of fortifying his conclusions in the face of present controversy (for instance, the Lutheran Ubiquitarians versus the Sacramentarians; see *The Book of Concord*, Formula of Concord, Articles 7 and 8). Here he was steering a careful path between subordinationism,

veía literally as meaning "litany, procession, rogation," whereas in the *Novellae* and in Basil's Epist. 63 it simply means services or solemn supplications; see *novellae* 67 and 122.32, and 2:163.j.n.

⁶¹ There is need for further investigation here. To the extent that Theodoret stressed the completeness and the distinctness of the two natures of Christ as united in one person, it would seem that Hooker was following him (see chap. 52.4). But it need not be Theodoret alone that he was following. Furthermore, it would seem that while Theodoret rejected the doctrine of *communicatio idiomatum* ("communion of the properties"), Hooker accepted it (see chap. 53.4; 2:219.8-14).

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which denigrated Christ's divinity, and Sabellianism, which so emphasized Christ's divinity that he seemed to be but a temporary manifestation of the Godhead, with the consequent denigration of his humanity. Thus, Hooker argued, Christ is eternally generated, not as a gift "bestowed by waie of beneyolence and favor" (2:221.10), and not by Grace, but "naturallie and eternallie"—and yet "Christ is God by beinge of God, light by issuinge out of light" (2:221.6–7). He is thus subordinate and human, but he is divine, "God by beinge of God." Hilary of Poitiers is cited five times in relation to the carefully balanced, two-fold assertion (2:221.1–10; see *nn* to *o*, *s*, *u*, and *v*). There are two citations from Augustine, but both of these seem to come from summaries elsewhere rather than from the places cited in *De Trinitate* (2:221.*q,v*). Tertullian's *Contra Praxean* is cited on the subordinationist side of the argument (2:221.*o*).

Hooker may have relied heavily on Hilary's *De Trinitate* in this and the surrounding chapters. Although he cites Hilary but seven times in Book V, five of these citations are clustered here. Or the heavy concentration of citations for so short a section, along with the difficulty concerning the citations from Augustine, may suggest that Hooker was here using a commonplace book, turning to "Christ, eternal generation of—," marking it with a symbol in his rough draft, and thus directing his scribe, Benjamin Pullen, or someone else to set down the citations in this place. The commonplace book might have been Hooker's, or it might have belonged to someone else, such as Jewel or Whitgift. Or Hooker may simply have been particularly well read in the Fathers on this subject and in writing a concise statement recalled pertinent places in Hilary, Augustine, Tertullian, and elsewhere, on occasion summarizing the places quoted rather than quoting them exactly.⁶² We cannot finally tell.

An especially important example of Hooker's use of the Fathers is found in chapter 67.11. Hooker has been in the process of establishing his Eucharistic doctrine, chiefly relying on Scripture and on the theological debates on the presence of Christ in the sacrament as they

⁶² Concerning Jewel's commonplace books, see Booty, *Jewel as Apologist of the Church of England*, pp. 112–117; for an example of such a book, Trinity College, Dublin, MS. C.1.25; see also Haugaard, "Renaissance Patristic Scholarship," pp. 54–56.

developed in the sixteenth century. He suddenly inserts "Touchinge the sentence of antiquitie in this cause" and gives a relatively brief summary statement utilizing numerous patristic references, from Irenaeus to Pseudo-Eusebius Emisenus. In the course of these citations we encounter Theodoret's *Dialogi tres* and Cyril of Alexandria's commentary on the Gospel of John, both important sources in Hooker's discussion of Christology. We also find several references to Cyprian's *De coena Domini*—in fact by Arnold, abbot of Bonneval (fl. 1144?), a friend of Bernard of Clairvaux, and not by Cyprian. Hooker used the work, a part of Arnold's larger *De cardinalibus Christi operibus*, in its 1593 edition with annotations by Simon Goulart (1542–1628), the Calvinist-humanist theologian.

An analysis of section 11 shows that Hooker accepted Arnold's theology and relied upon Goulart's annotations, deriving at least some of his patristic references from this source and not from the originals. Thus citations from Hilary and Leo the Great are taken from Goulart.⁶³ Hooker generally agrees with Goulart's sacramental doctrine, and both find Arnold's teaching (they think it Cyprian's) most agreeable. Indeed, Hooker embraces the Bernardian spiritual mysticism expressed by Arnold and closes chapter 67 with the impassioned exclamation of the devout communicant taken directly (but without acknowledgment) from Arnold's *De coena Domini*.⁶⁴

While Hooker relied first upon Thomas Cranmer's teaching in his controversy with Gardiner (see pp. 220–223, below), he relied on Arnold and Simon Goulart for much of his expression of that teaching and drew upon them in this crucial chapter for his patristic citations. Before the Goulart edition, Hooker had used Erasmus's edition, for his references to Cyprian's epistles conform to those found there. Hooker's theology of transformation-in-us may thus have come from Arnold as annotated by Goulart, from Lutherans such as John Brentz and Martin Chemnitz,⁶⁵ from Calvin's *Contra Heshusius*, or from Cranmer and the Book of Common Prayer (as I suggest below), but

⁶³ See Cyprian, *Opera* (1593), pp. 508, 512, and nn to 2:339.b and c.

⁶⁴ See 2:343.6–12 and n, and compare Cyprian, *Opera* (1593), p. 502; see also Bayne, pp. cxv, 386.

⁶⁵ See Bayne, p. cix and n. 7. Here is another subject needing further exploration.

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it is not the teaching of the early church Fathers, in whom there is no preoccupation with nominalism to provoke them into long and complex arguments concerning the mode of Christ's presence. Rather, it is the desire to put an end to controversy and argumentation and to enjoy the fruits of participation through the Eucharist that evokes the patristic atmosphere and ethos.

Medieval Sources

Hooker's mediated use of patristic sources points to Hooker's essentially medieval orientation and to the influence on him of his contemporaries,⁶⁶ although this does not altogether obliterate the heavy influence of the early church on him any more than on his medieval sources. Neither of them can be easily treated, for in considering them we depart from the Scriptures and the Fathers, in relation to which Hooker exercised considerable care in his references. Arnold of Bonneval is important among Hooker's medieval sources, but Aquinas looms far larger. He is not often cited directly, but his influence, together with that of Aristotle behind him, is felt throughout Book V. For instance, in chapter 1, when dealing with the importance to the commonwealth of religion, in chapter 56.1, when treating the principles lying behind the concept of "participation," and in chapter 69.2, when discussing time and the cosmos, Aquinas's *Summa theologiae* is implied throughout. When Hooker refers to "the schoolemen," it is natural if not necessary to look to Aquinas.⁶⁷ Hooker's discussion of the adoration of the Cross includes a citation of Aquinas (chap. 65.15) and a paraphrase of an important passage in the *Summa theologiae* (see 2:314.g.n). Chapter 64, dealing with interrogatories put to infants in baptism, recalls Aquinas's discussion of the same subject.⁶⁸ Hooker had Aquinas in mind far more often than is indicated by his own notes.

⁶⁶ E. C. Ratcliff, for example, views Hooker as perpetuating the medieval tradition concerning the rite of Confirmation, rather than recovering the teachings of the early church Fathers. See *Liturgical Studies* (London: S.P.C.K., 1976), p. 118. A similar case could be made for other rites treated in Book V.

⁶⁷ See chap. 71.2 (2:371.23), and Bayne, p. 420, n. 5.

⁶⁸ See *S.T.*, 3a.68.9, and Bayne, p. 336, n. 16.

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Another passage citing Aquinas deserves attention. Chapter 58.2 is an important discussion of the substance of a sacrament. Aquinas is cited twice (2:249.x), along with Isidore of Seville and Gabriel Biel, as showing that a sacrament substantially conveys grace, with the elements signifying that grace. There is some confusion in the citation, Hooker seemingly quoting Gregory the Great, but actually quoting Isidore a second time, and seeming to quote William of Ockham from his *Sentences*, but quoting him as found in Biel. Once more we may question the actual or proximate source of Hooker's references. The quotation from "Th. 2æ. 1. q.101.4 et q.102.5" is actually from the index to the *Summa theologiae*.⁶⁹ Thus Hooker looked there to find the definition for *sacramentum*, proceeding no further, and recorded the references alongside the word in the index without quoting the text at all. There is no dishonesty indicated by this, only haste and perhaps a rather off-handed regard for the citation. There is also the possibility that Hooker was once more operating out of a common-place book made by someone else. He knew what constituted a sacrament and found a perfectly adequate description in the confessions of the Reformed churches, cited in the same note. His own view is stated in the First Helvetic Confession (1536), chapter 20, and the Second Helvetic Confession (1566), chapter 19,⁷⁰ and the patristic and medieval citations are provided to indicate that the view he holds is one to which there had been universal adherence through the ages. Aquinas is not of consequence here beyond the support he can give to a position already occupied by Hooker.

Other references to medieval sources are sparse in Book V, given its considerable length, and are not of great significance. Hugh of St. Victor's *De sacramentis* is cited in chapter 48.9 (2:196.q) by means of a paraphrase most likely derived from another source, and in chapters 57.5 (2:247.v), 60.2 (2:255.l), and 60.4 (2:257.a) in relation to the definition of the sacraments. Bernard of Clairvaux's epistle to Hugh of St. Victor is cited concerning the necessity of the sacraments and of Baptism in particular (2:257.w). Nicholas of Lyra, the Franciscan

⁶⁹ See 2:249.x.5–6 and n.

⁷⁰ See Arthur C. Cochrane, *Reformed Confessions of the Sixteenth Century* (Philadelphia: Westminster Press, 1966), pp. 107, 277–281.

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biblical scholar, is cited concerning the apocryphal books of the Bible (2:80.k) and the word "moraliter" in the Vulgate version of the blessing of Joseph (45.2; 2:183.n). Walafriid Strabo, the ninth-century abbot of Reichenau, is also cited concerning the Apocrypha (20.6; 2:80.k). Appeal is made to Rupert of Deutz's *De divinis officiis* for support in the definition of a "catechumen" (18.3; 2:67.p) and in Hooker's treatment of preaching (21.4; 2:86.v). As might be expected, William of Durandus's *Rationale divinatorum officiorum* is cited when Hooker is writing on the consecration of churches (12.1; 2:50.n) as is Rabanus Maurus's *De clericorum institutione* on church music (38.3; 2:158.7-14). One might add the references to canon law, medieval Jewish sources, lexicons and the like, but the impression would be the same: with the exception of Aquinas, Hooker's sources do not reveal any great influence from writers of the middle ages.

Contemporary Sources

Hooker's references to his contemporaries in England and on the continent are even more difficult to treat. Citations of continental Reformers are sparse in Book V, and at places where it would seem that they might have been quoted profitably, they do not appear. This is not because Hooker regarded them as unimportant. Rather, he did not feel the need to refer to them as authorities relevant to the defense of *English* practice. Scripture, the Fathers, and the councils of the early church were the authorities with which he was most concerned, for they were the authorities recognized as well by the Puritans. It seems reasonable to suppose that, along with the various writings of continental Protestant and Reformed divines, Hooker had by his side, as he wrote, such works as the *Harmonia confessionum fidei*,⁷¹ as well as liturgical books produced by Lutherans, Calvinists, and others.

Even less explicit but more important was an indigenous English tradition, beginning with Cranmer and the Book of Common Prayer and extending through Jewel to Cooper and Whitgift and Bridges. Bayne emphasized Hooker's agreement with Cranmer and Jewel on

⁷¹ See nn to 2:81.m, 249.x, 249.y, and 255.o.

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Eucharistic doctrine and discounted the influence of Saravia.⁷² Certainly a thorough and careful reading of Cranmer's *An Answer . . . unto a Crafty Cavillation* (1551; STC 5991), his important defense of the first Prayer Book against Stephen Gardiner, supports Bayne.⁷³

Hooker emphasizes the general agreement on the purpose of the Eucharist even amongst those who disagree concerning the mode of Christ's presence.⁷⁴ Cranmer said to Gardiner: "if there be any difference between us two, it is but a little," and he argued that the basic doctrine, which is not dependent upon complex theological or philosophical arguments, is sufficient.⁷⁵ Hooker argued that the real presence "is not . . . to be sought for in the sacrament, but in the worthie receiver of the sacrament."⁷⁶ Cranmer asserted that in the sacrament Christ "is effectually present and effectually worketh not in the bread and wine, but in the godly receivers of them, to whom he giveth his own flesh."⁷⁷ Hooker explained that the bread and wine "are his boodie and blood for that they are so to us who receivinge them receive that by them which they are termed."⁷⁸ Cranmer wrote that the bread and wine

represent the very body and blood of Christ, and the holy food and nourishment which we have by him. And so they be called by the names of the body and blood of Christ, as the sign, token,

⁷² Pp. cvii–cxx and n. 39.

⁷³ I read Cranmer's work against Gardiner rather differently from scholars who concentrate on the medieval disputes concerning presence and sacrifice in the Mass; see, for example, Cyril C. Richardson, "Cranmer and the Analysis of Eucharistic Doctrine," *Journal of Theological Studies*, n.s., 16.2 (Oct. 1965): 421–437. From the perspective of Hooker's Book V, certain emphases emerge in Cranmer as rather more important than has heretofore been acknowledged. The entirety of chaps. 8–16 of Cranmer's first book in his *Writings and Disputations . . . Relative to the Sacrament of the Lord's Supper*, PS (Cambridge, 1844), pp. 38–44, should be compared with Hooker's chap. 67.

⁷⁴ See chap. 67.2 (2:331.20–27); also 67.3–4 and 67.6 (2:335.20–30).

⁷⁵ Cranmer, *Writings and Disputations*, p. 91; see also pp. 16–17, 53, 127, and 283.

⁷⁶ Chap. 67.6 (2:334.31–32); and see 67.7 (2:336.7–9) and 67.11 (2:339.7–8).

⁷⁷ Cranmer, *Writings and Disputations*, pp. 34–35; and see pp. 11, 47, 53, 54, 55, 57, 70–71, 72, 139, 173, 203, 250, 271, 341.

⁷⁸ Chap. 67.5 (2:334.15–17); and see 50.3 (2:208) and 67.11 (2:338.16–339.3).

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and figure is called by the name of the very thing which it sheweth and signifieth.⁷⁹

Hooker is careful to say that the sacraments “reallie exhibit, but for ought wee can gather out of that which is written of them they are not reallie nor do reallie containe in them selves that grace which with them or by them it pleaseth God to bestowe.”⁸⁰ In a famous statement, Cranmer says:

the sacraments of Christ’s flesh and blood be called his flesh and blood, and yet in deed they be not his flesh and blood, but the sacraments thereof, signifying unto godly receivers, that as they corporally feed of the bread and wine (which comfort their hearts and continue this corruptible life for a season) so spiritually they feed of Christ’s very flesh, and drink his very blood. And we be in such sort united unto him, that his flesh is made our flesh, his holy Spirit uniting him and us so together, that we be flesh of his flesh, and bone of his bones, and make all one mystical body, whereof he is the head and we the members.⁸¹

Hooker’s doctrine of participation, central to his understanding of the Eucharist,⁸² is central to Cranmer’s teaching as well, which is based, as is Hooker’s, on the exegesis of 1 Cor. 10:16 and on John 6 as interpreted by Cyril of Alexandria.⁸³ Indeed, Hooker may very well have discovered the value of Theodoret’s *Dialogi tres* and Cyril’s

⁷⁹ Cranmer, *Writings and Disputations*, p. 178; and see pp. 15, 60, 64, 123, 136, 304. Note the doctrine of “use” on pp. 177 and 180.

⁸⁰ V.67.6 (2:335.7–10); and see 50.3 (2:208), 57.3 (2:245.31–246.2), 58.2 (2:248.31–250.3), and 67.11 (2:338.17–339.8).

⁸¹ Cranmer, *Writings and Disputations*, p. 150; and see pp. 148, 219, and 257.

⁸² See chaps. 67.5 (2:334.17–21), 67.7 (2:335.33–336.2), 67.9 (2:337.5–7), 67.12 (2:341.1–7).

⁸³ On 1 Cor. 10, see Cranmer, *Writings and Disputations*, p. 242; on John 6, see pp. 307–308; and on “communion,” where Cranmer relies heavily on Hilary of Poitiers (*De Trinitate*, chap. 8) and then on Cyril of Alexandria’s commentary on John, see pp. 160–172.

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commentary on the Gospel of John from reading Cranmer,⁸⁴ resulting in a substantial but undocumented debt.⁸⁵

iv. Hooker and Liturgical Tradition

Sixteenth-Century England

In Book V Hooker is defending the Book of Common Prayer, not as it was used in the late sixteenth century, but rather as Cranmer had intended it to be used. On an ordinary Sunday morning, worship in the Church of England normally consisted of Morning Prayer, the Litany, and Ante-Communion (that is, the first part of the Holy Communion, anciently designated the Pro-Anaphora), stopping short of the *Sursum Corda*, the Eucharistic Prayer, and the Communion of priest and people.⁸⁶ If there were cause, Baptism would occur after the last lesson at Morning Prayer (*B.C.P.*, 1559, p. 270). However, the Prayer Book assumed that the entire service of Holy Communion would be used every Sunday, and provided propers (Collects, Epistles, and Gospels) for every Sunday, as well as for other holy days (*B.C.P.*, 1559, pp. 77–246). Why then the deviation? Partly because many had long been reluctant to receive the bread and wine, believing them to be transmuted into the body and blood of Christ, fearing that in receiving them unworthily they would be forever damned. This attitude is illuminated by the many exhortations, homilies, and sermons of the

⁸⁴ For Cranmer's lengthy citation of Theodoret, including passages cited by Hooker, see *Writings and Disputations*, pp. 127–132; see also pp. 299–301. For Cyril, see previous note. See also *De coena Domini*, attributed by Cranmer and Hooker to Cyprian, cited on pp. 308–312; the passages cited by Hooker are on p. 311, nn. 1, 2 (compare 67.11; 2:339.a,b,c). A more detailed comparison of passages cited by both men is warranted.

⁸⁵ The same sort of study could be made with reference to Hooker and Jewel; see Bayne, pp. cxii–cxiii and n. 17.

⁸⁶ See William Harrison, *The Description of England*, ed. Georges Edelen, Folger Documents of Tudor and Stuart Civilization, 14 (Ithaca: Cornell University Press, 1968), pp. 33–34, and Booty, ed., *The Godly Kingdom of Tudor England* (Wilton, Conn.: Morehouse-Barlow, 1981), p. 179.

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time urging people to come to Holy Communion to receive the sacrament. Thomas Cooper (1520?-1594), bishop of Lincoln, who highly esteemed the Lord's Supper and urged careful preparation for participation in it, also warned against too stringent a self-examination, concluding, "We may not . . . for our weakness and imperfection despair or refuse the comfort of that heavenly table."⁸⁷ That Cooper and others felt the need to speak strongly on this matter indicates the nature of the problem.

Such reluctance was buttressed by the Calvinist-Puritan emphasis on the Word and by strong objections to what many viewed as papist superstitions associated with the sacrament. Here was another reason for displacing a full communion service with what Harrison reported some derisively called Ante-Communion, the "dry communion."⁸⁸ In the end, with the disuse of the Holy Communion there had to be a requirement that the sacrament be celebrated and received by all people on three Sundays during the year, one of them Easter Day.⁸⁹ The legal enforcement of this rule indicated to the faithful that they must communicate at *least* three times a year, but others were bound to interpret that requirement as at *most* three times.

In his second sermon on Jude, Hooker says:

Blessed and praised for ever and ever be his name, who perceiving of how senselesse and heavy mettall we are made, hath instituted in his Church a spirituall supper, and an holy communion, to be celebrated *often*, that we might thereby bee occasioned *often* to examine [ourselves] . . . (§ 10; 5:42.15-19; my emphasis)

He recognized that the end or purpose of the sacrament was in the very thing which many resisted, that is, their transformation through repentance and forgiveness, for "God doth not dwell in Temples which are uncleane" (5:42.20). But he also understood that the sacra-

⁸⁷ Cited in Booty, "Preparation for the Lord's Supper in Elizabethan England," *Anglican Theological Review*, 49.2 (April 1967): 131-148.

⁸⁸ Harrison, *Description of England*, p. 34.

⁸⁹ *B.C.P., 1559*, p. 268. See Frere, ed., *Visitation Articles and Injunctions*, 3:275, 287, 307, 337. In Bentham's *Injunctions for Coventry and Lichfield* (1565), it was "four times in the year" (3:167).

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ment, encompassing in the liturgy the precedent ministry of the Word, could bring people to repentance and forgiveness, cleansing and empowering them. He spoke eloquently of receiving the bread and wine:

Is not *Manna* like to gall, and our bread like to *Manna*? Is there not a tast, a tast of Christ Jesus in the hart of him that eateth? Doth not hee which drinketh, behold plainly in this cup, that his soul is bathed *in the blood of the lambe*? (5:43.14–17)

The Holy Communion was meant to be celebrated not occasionally, but often. In this view, the legal three times a year would not be considered “often.” The ideal was to be found in the weekly celebration as expected by the Book of Common Prayer. And the fundamental reason for “often” was Hooker’s conviction that as Baptism is the sacrament of justification, so Holy Communion is the sacrament of sanctification, the means for our “increase in holines and vertue” (67.1; 2:331.10), the means of “*reall participation* of Christe and of life in his bodie and blood” (§ 2; 2:331.23–24). The “often” (as opposed to three times a year) was thus of utmost importance, theologically and practically.

Taken together, Word and Sacrament composed the “standinge order” or liturgy of the church, “framed with common advise” (25.4; 2:116.11–12). Here was another important principle emphasized by Hooker. “Framed” by people, the liturgy might vary from place to place, but its God-given essentials were the same everywhere:

No doubt from God it hath proceeded and by us it must be acknowledged a worke of his singular care and providence, that the Church hath evermore held a prescript forme of common prayer, although not in all thinges everie where the same, yeat for the most part reteininge still the same analogie. So that if the liturgies of all ancient Churches throughout the world be compared amongst them selves, it may be easilie perceaved they had all one originall mould, and that the publique prayers of the people of God in Churches throughlie settled did never use to be voluntarie dictates proceedinge from any mans extemporall witt. (2:116.14–23)

Hooker had in mind here the Puritan prayer book, *A Booke of the*

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Forme of Common Prayer,⁹⁰ and the prejudice of many against the use of set forms of prayers.⁹¹ He also had in mind the long history of the liturgy, insofar as it was then known and understood. While liturgies varied and liturgists in the sixteenth century were fully aware of differing liturgies in East and West, as well as of differing “uses” of the Roman rite in England and elsewhere, there was the strong conviction that there existed what in later times would be called a common shape of the liturgy, involving Word *and* Sacrament, persisting through the ages. Along with Cranmer, Hooker was dedicated to the preservation of continuity with that liturgical tradition which he regarded as God-given, framed with common counsel by godly men and authoritatively prescribed for public use, not only because it was the law that he defended, but because the liturgical tradition down through the ages had been proven efficacious for the accomplishment of God’s purposes in the world. The worship of God, said Hooker, is a “holie and religious dutie” (24.1; 2:111.24). But there is more to it than that:

A great parte of the cause, wherefore religious mindes are so inflamed with the love of publike devotion, is that vertue, force and efficacie, which by experience they finde that the verie forme and reverende solemnitie of common prayer dylie ordered hath, to help that imbecillitie and weakenes in us, by meanes whereof we are otherwise of our selves the lesse apt to performe unto God so heavenlie a service, with such affection of harte, and disposition in the powers of our soules as is requisite. (25.1; 2:113.19–26)

Hooker thus defends the Book of Common Prayer as it is given and framed for the Church in England, not as it was commonly used. He emphasizes both Word and Sacrament, but in this book especially the sacraments of Baptism and the Eucharist. He focuses on the Eucharist because it is the center of the church’s weekly worship of God. The same was true of early Christian worship, as we find it described in

⁹⁰ London: R. Waldegrave, [1585?]; STC 16567.

⁹¹ See Horton Davies, *Worship and Theology in England, from Cranmer to Hooker*, p. 220, and *Worship of the English Puritans* (Westminster, 1948).

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Justin Martyr's *First Apology*.⁹² There were readings from the Old and New Testaments and a homily given by the person presiding, the "president," as preparation for the Eucharist proper. Subsequently, in imitation of the Sabbath morning service in the synagogue, there was prayer as well. The Eucharist, at first a part of a meal, early developed as a separate liturgy, with the offering of bread and wine, a prayer of thanksgiving over bread and wine, the breaking of the bread for distribution, and the communion or distribution of bread and wine.⁹³ The Book of Common Prayer as Hooker knew it preserved this ancient tradition of Word and Sacrament, but with elaboration, such as the conjoining on Sunday morning of Morning Prayer, Litany, and the Eucharist (both the ministry of the Word and the Eucharist *per se*), resulting in a greater emphasis, at least in terms of time spent, on the ministry of Word than was the case in the liturgical tradition rooted in the early church. Hooker did not dispute this order. Indeed, Book V follows it, as we have seen. What he wrote and the way in which he allotted space emphasizes the unit, Word-and-Sacrament, as together essential, not because of their centrality in liturgical tradition but because of their theological meaning and practical efficacy.

During the eighteenth and nineteenth centuries the Evangelicals in England and America followed the continental Reformers and English Puritans in emphasizing the Word as preached,⁹⁴ although a prominent Evangelical such as Charles Simeon could express a profound appreciation for the Prayer Book as a whole and for the sacraments in particular.⁹⁵ In the nineteenth century the Tractarians and their successors, the Anglo-Catholics and Ritualists, emphasized the sacramental life and Eucharistic piety,⁹⁶ although some of their adherents,

⁹² Cited in chap. 20.1 (2:73.e) as the *Second Apology*; see n.

⁹³ See Josef A. Jungmann, S. J., *The Early Liturgy, to the Time of Gregory the Great*, Liturgical Studies, 6 (South Bend: University of Notre Dame Press, 1956), pp. 33, 42-43.

⁹⁴ See Horton Davies, *Worship and Theology in England, From Watts and Wesley to Maurice, 1690-1850* (Princeton: Princeton University Press, 1961), p. 227. See also Walter Russell Bowie, "Evangelicals and Preaching," *Anglican Evangelicalism*, ed. A. C. Zabriskie (Philadelphia, 1943); pp. 203-213.

⁹⁵ See Davies, *Worship and Theology . . . 1690-1850*, pp. 217-218, and Charles Simeon, *The Excellency of the Liturgy* (New York, 1813).

⁹⁶ See Davies, *Worship and Theology . . . 1690-1850*, p. 266. See also, E. B. Pusey,

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such as J. H. Newman and Richard Church, were also remarkable preachers.⁹⁷ Furthermore, a Tractarian such as John Keble was profoundly impressed by Hooker's strong sacramental doctrine,⁹⁸ which Robert Isaac Wilberforce hailed for its emphasis on "a true and a real participation of Christ, who thereby imparteth Himself, even His whole entire Person, as a *mystical head* unto every soul that receiveth Him."⁹⁹ In part it was through the Tractarian and Anglo-Catholic recovery of the sacramental teachings of Hooker and of the Caroline divines that the English church began in the nineteenth century to re-emphasize Sacrament as well as Word and so approach the holistic understanding of the Book of Common Prayer that Hooker had promoted in Book V.

The Modern Liturgical Movement

Hooker's emphasis on Word *and* Sacrament is also found in the modern liturgical movement, which, as Horton Davies describes it, insists upon the centrality of the "Eucharistic rite (as both Revelation and response in which the Sacrament of the Word is linked with the Sacrament of the Holy Communion)."¹⁰⁰ Its success is to be gauged in part by the number of congregations that have changed from Sunday preaching services to Sunday Eucharists, incorporating the ministry of the Word but emphasizing the Sacrament. Another principle of the modern liturgical movement has concerned the realization of Eucharistic worship as truly corporate. Davies cites Gabriel Hebert as teaching that now, as a result of the liturgical revival, Christianity has come to be viewed

The Doctrine of the Real Presence (London, 1855), and John Keble, *On Eucharistical Adoration* (Oxford, 1867).

⁹⁷ See Newman's *Fifteen Sermons Preached before the University of Oxford* (London, 1843) and Church's *Pascal and Other Sermons* (London, 1895).

⁹⁸ Keble, 1:xcv-xcvi.

⁹⁹ *The Doctrine of the Incarnation* (Philadelphia, 1849), p. 342, citing V.67.7 (2:335.33-35).

¹⁰⁰ *Worship and Theology in England: The Ecumenical Century* (Princeton: The University Press, 1965), pp. 13-14.

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“as a way of life for the worshipping community,” . . . a corporate renewal of faith (through the theology proclaimed in Sermon and Sacrament), of commitment and consecration (through the Offertory), and an incentive to serve and transform the fragmented society.¹⁰¹

The understanding of liturgy as truly corporate, intended not only for the transformation of individuals but of society as well, was held by Cranmer and by Hooker. Both men emphasized the Eucharistic liturgy with its corporate nature and impact because both looked back to the roots of the liturgical tradition in the early church, deriving their inspiration from its source, working on details in form and matter in relation to the roots and to the exigencies of the times in which they lived and worked. Peter Lake has even argued that by changing the focus of the Elizabethan church from predestination to “the sacrament and prayer-centered piety set out in the *Polity*,” Hooker “invented” Anglicanism.¹⁰²

It was through his defense of the Book of Common Prayer, then, that Hooker contributed toward the formation of a distinctive Anglican religious perspective. John Barton and John Halliburton have pointed out the ways in which the “sacred story” in Scripture, which is the basis of Christian doctrine, is viewed in Anglican tradition primarily in the context of the liturgy. It is regarded as integral to worship and is read and heard doxologically, only secondarily as matter for study and edification. They point to two places in Hooker’s Book V. First, contrasting the Prayer Book’s use of Scripture with the Puritans’ use, Hooker wrote:

For with us the readinge of scripture in the Church is a parte of our Church litourgie, a speciall portion of the service which *we doe to God*, and not an exercise to spend the time, when one

¹⁰¹ Davis, *The Ecumenical Century*, p. 40.

¹⁰² *Anglicans and Puritans?* (1986), pp. 196, 227. It is not necessary to go as far as Lake does to realize how influential Hooker was; see “Hooker and Anglicanism,” *S.R.H.* (1972), pp. 207–239; also, the editions of Book V by Dobson (1825), Hanbury (1830), Keble (1836), Paget (1888), and Bayne (1902), listed in *S.R.H.*, pp. 289–290.

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doth waite for an others comminge, till thassemblie of them that shall afterwarde worship him be complete. (19.5; 2:71.14–19; my emphasis)

Second, referring to the antiphonal reading of psalms, to which the Puritans objected, Hooker wrote: “these interlocutorie formes of speech what are they els but most effectuell partlie testifications and partlie inflammations of all pietie?” (39.1; 2:155.17–19). Barton and Halliburton point specifically to Hooker’s reference to the reading of Scripture in the liturgy as something done “to God.” Here “the congregation is seen as reading with the reader, and using the scriptural text as a vehicle for presenting its praises to God.” They conclude:

So, in the system enshrined in the Prayer Book, . . . the Church reads over the Scriptures in order to tell God its ‘story’, to go over its formative years with him anew, to proclaim in his presence the salvation it has experienced. The accidents of the Elizabethan settlement throw up an approach to the Bible which sees it contextualized in liturgy, functioning as a focus for the Church’s corporate belief not just by being an external norm of faith but by being itself a form of prayer, a text by which the worshipping community praises God.¹⁰³

We are dealing here, however, with more than the Bible in a liturgical context. We are also dealing with doctrine, recognizing that Hooker’s most serious, extended treatment of the Incarnation is in chapters 51–55, preparatory to a detailed treatment of the sacraments. This central doctrine concerning Christ is understood in a liturgical context, for which chapter 56 is a most important witness. Stephen Sykes writes of the doctrine of the Incarnation as central in the life of the church: “the ethos of the Anglican communion is substantially determined by what is both explicitly professed and implicitly reinforced in its liturgical

¹⁰³ “Story and Liturgy,” *Believing in the Church: The Corporate Nature of Faith*, A Report of the Doctrine Commission of the Church of England (Wilton, Conn.: Morehouse-Barlow, 1981), pp. 98, 99.

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practice. Liturgy is the matrix in which Anglicans are taught the Christian faith."¹⁰⁴

When Hooker says that "beliefe consisteth not so much in knowledg as in acknowledgment of all thinges that heavenlie wisdom revealeth" (63.1; 2:290.28-30), he is not disparaging the pursuit of learning. Rather, he is affirming that saving truth requires "acknowledgment" prior to "knowledg." It is in the context of liturgy that "heavenlie wisdom" is revealed, and it is in the same context that the faithful are enabled to acknowledge the saving truth. Hooker then must be recognized as a major contributor to a tradition in which a people, in engagement with one another in common worship, through liturgy both rooted in tradition and responsive to the present, find what they need inwardly and outwardly, spiritually and socially.¹⁰⁵

¹⁰⁴ "The Incarnation as the Foundation of the Church," *Incarnation and Myth: The Debate Continued*, ed. Michael Goulder (Grand Rapids: William B. Eerdmans Publishing Co., 1979), p. 119.

¹⁰⁵ Note: the description of the book by units of more than one chapter is given in the Commentary at the appropriate places.

beat coercionem, quod si iudicium suum executioni demandare non posset, sic essent iudicia delusoria. Non enim habet ordinarius iurisdictionem & executionem in omni causa, cum iura sint seperata & limitata ¶ 5. Sicut enim causae spirituales, in quibus iudex secularis non habet cognitionem nec executionem, cum non habeat coercionem: In his enim causis pertinet cognitio ad iudices ecclesiasticos, qui regunt & defendunt sacerdotium. Sunt autem causae seculares, quarum cognitio pertinet ad reges & principes, qui defendunt regnum, et de quibus iudices ecclesiastici se intromittere non debent, cum eorum iura siue iurisdictiones limitatae sunt & seperatae, nisi ita sit quod gladius iuuare debeat gladium, est enim magna differentia inter sacerdotium & regnum.

1. ¶ De regimine iurisdictionis quae pertinet ad regnum. 2. De sacramento quod rex facere debet in coronatione. 3. Ad quod rex creatus sit in ordinaria iurisdictione.
Cap. 9.

Cum autem de regimine sacerdotij nihil pertineat ad tractatum istum, ideo videndum erit de iis quae pertinent ad regnum, quis primo & principaliter possit et debeat iudicare. Et sciendum quod ipse Rex et non alius, si solus ad hoc sufficere possit, cum ad hoc per virtutem sacramenti teneatur allicitus. ¶ 2. Debet enim in coronatione sua, in nomine Iesu Christi praestito sacramento, haec tria promittere populo sibi subdito. In primis se esse praecipuum & pro viribus opem impensurum, ut ecclesiae dei & omni populo Christiano vera pax, omni suo tempore obseruetur. Secundum, ut rapacitates & omnes iniquitates, omnibus gradibus interdicit. Tertium, ut in omnibus iudicijs aequitatem praecipiat & misericordiam, ut indulgeat ei suam misericordiam clemens & misericors deus, & ut per iustitiam suam firma gaudeant pace vniuersi. ¶ 3. Ad hoc autem creatus est et electus, ut iustitiam faciat vniuersis, et ut in eodem dominus sedeat, et per ipsum sua iudicia discernat, et quod iuste iudicauerit sustineat & defendat, quia si non esset qui iustitiam faceret, pax de facili posset exterminari, & superuacuum esset leges condere, & iustitiam facere, nisi esset qui leges tueretur. Separare autem debet rex (cum sit dei vicarius in terra) ius ab iniuria, aequum ab iniquo, ut omnes sibi subiecti, honeste viuant, et quod nullus alium laedat, & quod vnicuique, quod solum fuerit, recta contributione reddatur. Potentia verum omnes sibi subditos debet praecellere: Parem autem habere non debet, nec multo fortius superiore, maxime in iustitia exhibenda, ut dicatur vere de eo, magnus

3. "cum eorum iura siue iurisdictiones limitatae sunt & seperatae, ..." (lines 9-10). The *De legibus et consuetudinibus Angliae* attributed to Henry de Bracton was one of several medieval legal sources drawn on in Hooker's Autograph Notes to reinvigorate the ideal of limited and separate secular and ecclesiastical jurisdictions in the then current context of overarching royal control. Folio 107^r of the 1569 edition (STC 1352; reduced).

The Three Last Books and Hooker's Autograph Notes

Arthur Stephen McGrade

Establishing the legitimacy of episcopal and royal authority in the English church was Hooker's chief aim in the *Lawes*, yet the books in which he most directly pursued that aim have more often been ignored or regarded with suspicion than hailed as a crowning achievement. In comparison with the grand cosmology of law in Book I or the *tour de force* of Prayer Book commentary in Book V, Hooker's introduction to the problems of public spiritual discipline in the opening chapters of Book VI, his vindication of the authority and honor of bishops in Book VII, and his defense of the English crown's power of ecclesiastical dominion in Book VIII have been relegated to a vague secondary level of significance, at best, or, at worst, cited as evidence against their author's integrity. Each of the three last books poses textual and interpretive problems of its own. These are discussed elsewhere—textual difficulties in the Textual Introduction to volume 3 of this edition, issues of interpretation in the following introductions and commentaries for individual books. The purpose of this essay is to review what factors have obscured the significance of all three books and then to indicate how their reconsideration is aided by the recent discovery of a portion of Hooker's own notes for these books.

The importance Hooker attached to the issues treated in the three last books is clear from the opening paragraph of Book VI. Here he identifies the topics of "*Jurisdiction, Dignitie, Dominion Ecclesiasticall*" as "the weightiest and last remaines" of his controversy with Cartwright, Travers, and the disciplinarian party. He admonishes his reader not to imagine that

the bare and naked difference of a few ceremonies, could eyther have kindled soe much fire, or have caused it to flame soe long,

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butt that the partyes which herein laboured mightily for change and (as they say:) for reformation, had somewhat more then this marke only, whereat to ayme. (VI.1.1; 3:2.16–21)

The ulterior aim, “many . . . have conjectured,” was to seize effective spiritual power for pastors in their several congregations. Even the campaign for lay-elders was only a stratagem to enlist popular support for this new clericalism. It would be unjust to Hooker’s opponents in the struggle to define a legitimate structure of authority for their common church to accept uncritically his imputation of self-aggrandizing motives, just as it would be unjust to his own defense of the worship and ministry of the Prayer Book to regard it as concerned merely with “the bare and naked difference of a few ceremonies.” Yet Hooker’s emphasis on the gravity of the issues to be decided in the three last books and even his characterization of the controversy as a contest for power can serve as a useful counterweight to the traditional assessment of his work as, at heart and at its best, aloof from all partisanship.

In retrospect, it is easy to see how the traditional association of Hooker primarily with the less obviously controversial parts of his work has been formed. It is a product of historic social change, the quality of Hooker’s own rhetoric, and some serious misadventures in publication. The survey of “*Lawes, and their severall kindes in generall*” in Book I is timeless, at least as a literary classic. The religion of the Prayer Book has endured, occasionally flourished, and Hooker remains its greatest expositor; hence Book V, too, remains of current as well as historical interest, at least to unalienated Anglicans. But as religion has become increasingly fragmented and private in the modern world, public concern with the power of bishops and the religious authority of secular rulers has dwindled. With regard to these increasingly marginal topics, furthermore, Hooker has seemed indistinct on the first—episcopacy—and retrograde on the second—the ecclesiastical power of princes. The impetus thus given to identifying Hooker with earlier parts of his work is reinforced by his own tone of calm assurance, which has contributed to the comfortable perception of him as a soul above the insults of contemporary polemic and disengaged from party politics. Finally, there is the still mysterious manuscript history

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and belated publication of Books VI–VIII to contend with.¹ Hooker had drafted a detailed rebuttal of the case for presbyterian lay-elders by 1593,² but this is known to us only through comments on it by two of his associates. The six chapters on “the virtue and discipline of repentance” published as Book VI in 1648 have struck many readers as an irrelevant surrogate for the lost draft, either inserted by Hooker himself or taken from his other papers and moved into the *Lawes* by later possessors of his manuscripts. A half-century’s delay in publishing Hooker’s justifications of episcopal and royal authority in Books VII and VIII left these treatises ideologically homeless. By the time they appeared, during and just after the Civil War, they could have no formative influence on the establishment Hooker had meant to defend, yet they were too conservative to find favor with dissenters. Add to this the rumor that Hooker’s manuscripts of all three books had been vandalized at his death, and it is not surprising that the remaining texts of this final third of the *Lawes*, Hooker’s attempt to resolve what he considered the weightiest issues of his day, though included for the sake of scholarly completeness in Keble’s editions in the nineteenth century, were dropped from the Everyman reprint of Keble in 1907.³

If the combination of changes in the relation of religion to society in the modern world, insensitivity to Hooker’s polemical intent, and accidents of publication explain the common suspicion or neglect of the three last books, a new combination of circumstances, scholarship, and texts now calls for a new approach to them. First, the modern division of human affairs into a public secular realm and a multitude of private religious and moral realms no longer passes without question. The Christian churches are less content than previously to worship in isolation from one another and from public life. Discontent with a purely secular social order is still more intense in non-Christian quarters. Religion, whether comforting, liberal, prophetic, or fanatical, is once more a factor in world affairs. No one can sanely doubt the value

¹ See the Textual Introduction to *Lawes*, VI–VIII (3:xiii–xxvi).

² On the dating of this draft, see Introduction to The Preface, pp. 41–43, above.

³ Books I–V and two tractates (*Of Justification* and *Certainitie*) were reprinted (from Keble’s texts) in 1907 with an introduction by Ronald Bayne; Christopher Morris revised the Introduction in 1954.

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of toleration, a precious if accidental result of the early modern wars of religion, yet the stresses now felt from the separation of public policy from concern with any spiritual value more specific than personal freedom may give new relevance to an author who sought at its onset to avoid precisely such separation.

Corresponding to this trend of events is a recent scholarly emphasis on Hooker's engagement in partisan conflict.⁴ His account of the Puritan movement in the Preface to the *Lawes*, while not unique among Elizabethan tracts in its attempt to discredit opponents before considering their arguments, is also not a disinterested essay in social history. Close reading of Books I–V shows that Hooker treats even the loftiest subjects in a quietly polemical fashion. Thus it is no longer possible to consider him an innocent without investment in the political decisions of his day. Instead we must ask how successful he was in reconciling his support for policies made by others with principled commitments of his own.

Biographical and textual research has shifted perception in the same direction, from the supposition that Hooker wrote in pastoral seclusion, troubled only by a wife whose Puritan friends would steal or corrupt the manuscripts of the three last books after his death, to the recognition that he worked for the most part in London, the center of all conflict, in collaboration with well connected men of affairs, and on a schedule calculated to provide literary support for repressive anti-Puritan legislation in the Parliament of 1593.⁵

The Introductions and Commentaries following this essay present Books VI–VIII from the perspectives sketched above. Of particular significance for this reinterpretation is the discovery in 1974 at Trinity

⁴ See Cargill Thompson, "The Philosopher of the 'Politie Society,'" in *S.R.H.*, pp. 3–76; both introductory essays in *An Abridged Edition*; Robert Eccleshall, *Order and Reason in Politics: Theories of Absolute and Limited Monarchy in Early Modern England* (Oxford: Oxford University Press, 1978), pp. 126–150, and "Richard Hooker and the Peculiarities of the English: The Reception of the *Ecclesiastical Polity* in the Seventeenth and Eighteenth Centuries," *History of Political Thought*, 2.1. (Spring 1981): 63–117; and Faulkner, *Richard Hooker and the Politics of a Christian England*. And see above, Introduction to Book I, pp. 84–86.

⁵ See Sisson and Introduction to The Preface, pp. 59–60, above.

College, Dublin, of some fourteen folios of Hooker's working notes for Books VI and VIII. These Autograph Notes are printed for the first time in volume 3 of the present edition (3:463–523).⁶ Detailed commentary on them follows the commentary on Book VIII in this volume. The present essay continues with a discussion of the most important points on which these notes must affect our understanding of the books to which they are related.

i. The Autograph Notes and Book VI of The Lawes

The great problem with Book VI has been to determine the relation, if any, between the extensive treatise against lay-elders that Hooker is known to have drafted by 1593⁷ and the chapters on penance which were first published as Book VI in 1648 and reprinted, often with marked hesitancy, in later editions. The Autograph Notes make a major contribution to the solution of this problem.

The lost draft can be reconstructed in outline from comments on it made by Hooker's two associates, George Cranmer and Edwin Sandys.⁸ It fits perfectly Hooker's previously announced plan for the *Lawes* (Pref. 7.6). The discussion of penance—Book VI as we now have it—flows without abrupt change of course from an introductory chapter clearly within the boundaries of the original scheme, and its general relevance to Hooker's concerns in the *Lawes* argues for its continued publication as part of the work.⁹ Nevertheless, the exact

⁶ An additional folio replying to the attack on earlier books of the *Lawes*, published in 1599 as *A Christian Letter*, is printed at 3:523–538, reprinted in 4:83–97, and commented upon in 4:234–239.

⁷ Stanwood bracketed the Cranmer-Sandys notes as "between 1593 and 1596" (3:xxxix); Haugaard (pp. 41–42, above) convincingly argues for the 1593 date (at least for Cranmer's comments), which is adopted by Gibbs, pp. 259–261, below. On Keble's skepticism in regard to Book VI, see *Works* (1888), 1:xxxiv–xxxix.

⁸ See 3:105–140 and nn, below; and see Rudolph Almsay, "Richard Hooker's Book VI: A Reconstruction," *Huntington Library Quarterly*, 42 (1979): 117–139; and see Introduction to Book VI, pp. 253–255, below. Cranmer's and Sandys's comments are our sole evidence for the existence as well as the contents of this treatise.

⁹ A. S. McGrade, "Repentance and Spiritual Power: Book VI of Richard Hooker's *Of the Laws of Ecclesiastical Polity*," *Journal of Ecclesiastical History*, 29 (1978): 163–176.

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contribution of these six substantial chapters to the larger argument has remained unclear.

At first glance the newly discovered notes only exacerbate the problem, for those relating to Book VI were not made as a basis for writing either the draft read by Cranmer and Sandys or the chapters on penance. Rather, these notes of Hooker's would have served as the basis for yet another sizable essay: a discussion of the medieval church courts, which had survived the English Reformation relatively unchanged despite Puritan criticism, projects for reform, and encroachment by the common law.¹⁰ On closer reading, however, connections become apparent between this new material and both of the previously known parts of Book VI. The result is that, while the number of parts is now greater, their unity is also greater. All the parts fit, both with one another and with the argument of the *Laws*.

The force of this evidence will be clearer after a brief outline of the new material. It consists almost entirely of transcriptions from medieval legal sources and is organized around four headings:

- 1 What causes particularly are spirituall.
- 2 The forme and maner of proceeding in them.
- 3 The punishments necessary in spirituall processe.
- 4 The care which justice hath always had to uphold ecclesiasticall jurisdictions and courts. (3:472.14–18)

In four instances we can observe Hooker using this material in draft paragraphs of his own, allowing us to gauge how much the notes might have contributed to a revised Book VI.¹¹ Using the ratio of

¹⁰ Ralph Houlbrooke, *Church Courts and the People During the English Reformation, 1520–1570* (Oxford: Oxford University Press, 1979). No serious post-Reformation attempt had been made to expound the ecclesiastical laws for the benefit of English readers before the work of such men as Henry Swinburne, Richard Cosin, and Francis Clarke in the 1590s (Houlbrooke, pp. 19–20). Hooker's discussion would have been a welcome addition to these efforts.

¹¹ The length of draft paragraphs in relation to source transcriptions in the Autograph Notes varies from 52% to 244%. The average for the four paragraphs (3:486.13–487.16, 488.18–489.25, 489.26–35, and 490.2–6) is 154%. At this rate (not an unreasonable one, in view of Hooker's collection of several distinct series of sources for Book VIII at 494.14–523.26), the 3,282 words of source transcriptions in

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source notes to draft exposition in these instances as a basis for calculation, we may reckon that the quotations gathered under the four headings listed above would have led to a discussion of approximately 6,100 words, or somewhat more than seventeen pages in the present edition. Such calculations are obviously only approximate, but it is reasonable to think that these sources would have provided the basis for a quite substantial chapter.

Could such an essay have been part of the lost draft on lay-elders? No. First, because a discussion of this magnitude on these topics could not be fitted into the lost draft. Although Cranmer's and Sandys's comments indicate that Hooker had given some attention to related matters, no portion of their comments could reasonably apply to a detailed treatment of the cases, procedures, punishments, and independence of the established church courts. More decisively, Sandys's comments on the lost draft are beyond doubt the *occasion* for Hooker's collection of sources on the four listed topics.

Now a member of Commons, Sandys observes, commenting on the sentence on page 3 of Hooker's lost draft, "*Why causes matrimoniall—is not obscure*":

nor verie plaine. And therefore I pray you set it down. And add withall the reason why causes of legitimation and bastardie are spirituall. Moreover if you can, why matters Testamentarie, which is the greatest point of all other. Wherein the nature and difference of causes *meerely* ecclesiasticall and *mixt* is to be opened. These points are at this day verie strongly impugned: and therefore the trueth in them most necessarie to be thoroughly unfolded. (3:130.30–132.3)

the notes for Book VI would have yielded 5,054 words of finished text. An additional 1,065 words can be counted (at a rate of 100%) from passages in the notes in which Hooker argues a point, rather than transcribing or briefly reflecting on sources. In sum, the notes for Book VI (466.16–486.9), including the notes bearing on the topics of Books VI–VIII in general at 466.16–469.13, provide a basis for some 6,119 words of finished text—about seventeen pages in this edition, an average chapter length in the 1648 Book VI, equivalent to three chapters in the earlier books.

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A little later, commenting on Hooker's page 16, Sandys adds that, "as all things of this lyfe have their reference to the life to come: so all civill causes have something in them spirituall: whereupon riseth the difficultie of distinguishing the one kynd from the other." After proposing two rules of his own for distinguishing the two types of case, he concludes: "These things you must needes handle somewhere or other" (3:133.8-11, 30-31). Sandys could not have made these comments if he had had before him a detailed discussion of the four points we see in folio 77 of the Autograph Notes.

Conversely, Sandys's observations and queries explain perfectly why these notes were compiled: namely, for a discussion "somewhere or other" in which the most "strongly impugned" points of ecclesiastical jurisdiction would be "thoroughly unfolded." The first of Hooker's four headings (on which he had apparently touched in the draft read by Sandys, but too briefly) is directly apposite to Sandys's comments. The fourth heading, on the concern of "justice" to uphold ecclesiastical jurisdiction, speaks to contemporary attacks on the church courts, also mentioned by Sandys. By discussing the intervening two topics as well, Hooker would have "thoroughly unfolded" the whole system of church law obtaining in England when he wrote. Thus Sandys's comments on the draft refutation of lay-elders clearly led to this portion of Hooker's working notes, and perhaps beyond, to a chapter based on the notes. If Hooker wrote such a chapter, however, it has not come to light. It certainly is not any of the chapters on penance published in 1648.

What, then, is the connection between the material we have examined so far—the lost draft and Hooker's notes on church courts—and the tract on penance published as Book VI in 1648? To begin answering this question we must look further at Cranmer's and Sandys's comments.

Sandys's call for a thorough explication of the different kinds of legal causes—spiritual, temporal, and mixed—is not the only instance in which he urged Hooker to expand Book VI to something more than a refutation of lay-elders. In his first comment on Hooker's draft, he asks whether, if Book VI be "generally intended" against the disciplinarians' whole platform of ecclesiastical jurisdiction, it is sufficient to deal "with no other part then only lay Presbiters." He goes

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on to ask, "What think you of deviding the Pastor and Doctour? Or where handle you that point? What of their consistorie? What of their Synodes?" (3:130.18–24). At least two of Cranmer's comments might also have led Hooker to fuller discussion: 3:111.4–15, commenting on "*Every open scandalous action,*" and 3:112.17–20, commenting on "*They would not be light.*" Such suggestions for enlarging a treatise already more than one-third the length of Book V have been cited (for example, at 3:xxxv of this edition) as evidence that the 1648 treatise on penance, long as it is, would not have been unduly ample as an introduction to a revision of Book VI responsive to Cranmer's and Sandys's comments. The discovery that Hooker made detailed notes in response to one comment alone strengthens this argument.

Sandys's remarks on the kinds of cases appropriate for ecclesiastical courts and Hooker's response in the Dublin notes suggest that the treatise published in 1648 is suitable in content as well as scale to a finished, expanded Book VI. To see this, we must set aside the modern assumption that repentance is a purely private matter, a subject for sermons and devotional tracts but not for a treatise on English ecclesiastical law. Instead we should recall that the moral regeneration of society was a central aim of the English Reformation,¹² that public discipline of morals was a persistent (if controversial) concern of the Elizabethan church from the Convocation of 1563 onwards,¹³ that lay-eldership was proposed precisely as part of a system of external discipline, that the 1648 treatise on repentance is in large part a history of public discipline in the patristic church,¹⁴ and, finally, that the express aim of the medieval church courts was to bring about repentance. Due attention to these points does not dictate a detailed table of contents for a final form of Book VI. A systematic discussion of the English church courts would have been an apt continuation of the historical and theological account of discipline published in 1648. Alternatively, a discussion of the church courts might have been fitted into the early draft on lay-elders (itself subject to other revisions) at the

¹² On repentance in Book V, see Introduction, pp. 200–202, above.

¹³ William P. Haugeard, *Elizabeth and the English Reformation* (1968), pp. 67–73, 169–175, 279.

¹⁴ See McGrade, "Repentance and Spiritual Power," n. 9, above.

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point where Sandys called for a thorough unfolding of such matters. It is not clear how Hooker planned to proceed here. What is now clear, however, is that there is no difficulty in principle in forming a connected and comprehensive conception of Book VI as an integral part of the *Laves*. Unfortunately, the Book VI so conceived does not exist. We do not have Hooker's early draft. We do not have a discussion of church courts based on the Autograph Notes. Thanks largely to the notes, however, which are linked in their genesis to the early draft and in content to both that draft and the 1648 chapters on repentance, we can see that Hooker was working towards a Book VI which was both more comprehensive and more positive than he had originally planned. He ultimately intended to offer nothing less than a theologically grounded, historically and legally informed exposition of established institutions of ecclesiastical jurisdiction as well as a refutation of the presbyterian discipline most pressingly demanded as an alternative. The loss of such a treatise from Hooker is a great misfortune.¹⁵

ii. The Autograph Notes and Book VII

The direct impact of the Autograph Notes on our understanding of Book VII of the *Laves* is negligible. A short section on episcopal

¹⁵ There can be no certainty about Hooker's plans for all of the drafts, notes, and readers' suggestions bearing on Book VI. A "maximal" final form of the book, incorporating all that he is known to have written or was definitely advised to write, is shown at the right of the following diagram, with earlier stages to the left. Extant material is shown in boldface capitals.

<i>First form</i>	<i>Intermediate matter</i>	<i>Final Form of Book VI?</i>
Lost refutation of lay-elders	CRANMER-SANDYS NOTES leading to HOOKER'S AUTO. NOTES ON CHURCH COURTS	1648 CHAPS. ON PENANCE AND ECCLES. DISCIPLINE Chaps. on church courts Revised refutation of lay-elders Refutation of other parts of the discipline

elections at folio 76^r of the Dublin manuscript (3:491.29–492.30) seems flagged for Book VII (but Hooker used the material in VIII instead), and a number of the rhetorical phrases collected at folios 83–84 (3:463.1–466.14) bear on the conflict over episcopacy. More important changes in our understanding of Book VII are wrought by the Dublin notes indirectly, through their effects on surrounding books. The exposition of an ordinarily autonomous system of ecclesiastical justice projected for Book VI would have confirmed the authority of the bishops who presided over the system, as well as adding weight to the system as a whole. Confirming episcopal authority was not Hooker's only aim in Book VII, however. He was also deeply concerned about the shortcomings of contemporary bishops. A parallel concern with the irresponsible exercise of royal power is evident, as we shall see, from the Autograph Notes for Book VIII, and this in turn underlines Hooker's distinctive use of Jerome in Book VII to suggest that the very office of bishop depends for its continuing legitimacy on its acceptance by the church (VII.5.8). More generally, the wide range of sources transcribed in Hooker's working notes draws attention to the broad context in which he considered episcopal authority and honor, issues on which previous polemic had been especially narrow and unedifying. Book VII has always been difficult to place among standard ecclesiological positions. Encouraged now to take a fresh look at all of the three last books, we may find that in this one Hooker has intentionally gone beyond standard positions to fashion an episcopal ideal both tenable on the basis of Scripture and history and adequate to the circumstances in which he wrote.

iii. The Autograph Notes and Book VIII

The Dublin notes have important implications, both direct and indirect, for our understanding of Hooker's defense of the royal supremacy in Book VIII. They show us how the book was written, help explain the unfinished state in which it has come down to us, and strengthen our impression of Hooker as a distinctively republican or constitutionalist interpreter of supreme power.

There are no fewer than four distinct outlines of Book VIII preserved in these notes: a short paragraph on folio 69 (3:494.28–33), and

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three somewhat varied lists of chapter headings, two of them followed by collections of correspondingly organized sources. We can thus see the book take shape before our eyes.

In conjunction with the notes for Book VI, this material suggests an explanation for the particular sort of unfinished quality possessed by Book VIII in all surviving manuscripts. Although its argument is tighter than is sometimes recognized, our text of Book VIII has occasional gaps and a rambling quality not found elsewhere in Hooker. This is what the several collections of sources help explain. If Hooker worked up his material for this book in the same way as we have seen him using his notes for Book VI—first transcribing sources under a topical heading, then drafting and redrafting passages based on those sources—there would have been a stage before final revision at which he had in hand stylistically finished essays on an assortment of particular points falling within the general plan of the book but had not yet woven them together to form integrated, nonrepetitive larger units. This is just the impression given by parts of the surviving text of Book VIII (especially chapter 6). With our present awareness of Hooker's working methods, we need not attribute such imperfections to tampering. The notes thus confirm an already strong case for Book VIII's authenticity.

To say that Hooker's chief aim in the *Laws* was the legitimation of episcopal and royal authority may seem to suggest that he was simply a defender of the *status quo*, an advocate with a brief. This would be misleading. In Hooker's work the process of legitimation is complex, involving not only the contention that things established are permissible by various theological and historical standards, but also a coherent and more or less creative interpretation of those things which, if generally absorbed and respected, would help make them, not merely permissible, but genuinely desirable. This is clear enough with regard to the persuasive account of Prayer Book services in Book V, which presents the prescribed offices in the context of a psychologically and socially dense devotional theology previously unexpressed.¹⁶ With

¹⁶ See Peter Lake, *Anglicans and Puritans?*, p. 164, and Introduction to Book V, pp. 186–187, above.

regard to the royal supremacy in the English church, Hooker's constructive interpretation of what he was defending took the form of a constitutionalism evident to some extent in Book VIII as belatedly published and confirmed in two ways in the Autograph Notes.

The detailed discussion of English church law planned for Book VI would have given both grounding and emphasis to statements in Book VIII on the king's subordination to law, statements which have hitherto sounded well-intentioned but somewhat hollow. Thus, for example, Hooker endorses the challenge to secular absolutism thrown down by Ambrose, the aristocratic fourth-century bishop of Milan, "A good emperor is within the church, not over it." Hooker gives this dictum an explicitly constitutionalist interpretation: "for the received lawes and liberties of the *Church*, the *King* hath supreme authoritie and power but against them none" (VIII.3.3; 3:347.17-19). Such a statement, remarkable even by itself, would have gained in force if Hooker, following Sandys's advice, had thoroughly (and persuasively) unfolded the received laws of the English church in an earlier book.

A major difficulty with a consistently constitutionalist reading of Hooker is his apparent insistence in the concluding chapter of the *Lawes* that kings are incorrigible—exempt from correction or deposition by their subjects. To be sure, Hooker only defends the crown's exemption from ordinary processes of ecclesiastical censure. He explicitly states that, since his purpose is "not to oppugne any save only that which *Reformers* hold" (VIII.9.2; 3:437.4-5), he will discuss the general question of whether kings are exempt from coercive censure in all circumstances but will not attempt to decide it. After presenting one argument against the possibility of correcting a supreme ruler, however, he does not in fact discuss the general question further but only offers a refutation of historical examples used by reformers (and Roman Catholics) to support the church's ordinary right of censure. This gives his work at its close a definitely absolutist tone.

While the notes for this chapter do not reverse the direction of the argument, they do underline Hooker's declaration at the beginning of the chapter that he would *not* attempt to determine the *general* constitutional possibility of correcting an erring ruler. Inspection of the notes shows that Hooker did indeed plan to present arguments on both sides of this general question, apparently at some length (see

3:503.18–504.2.n, below). Unfortunately, we cannot tell what arguments he would have brought forward for formal legal procedures for censure or deposition, but the topical headings listed for the other side of the question show clearly that the discussion was to be a fundamental one. Thus, instead of a single general argument against the possibility of disciplining a supreme ruler, followed by denials that incidents such as Ambrose's purported excommunication of the emperor Theodosius provided unqualified support for royal corrigibility, the Autograph Notes show that Hooker intended to provide an extensive discussion of the general question, with several arguments on each side, and only then an impugning of "that which *Reformers* hold."

We may not complete Hooker's chapter on the (in)corrigibility of supreme rulers to suit ourselves, yet in the political climate of late Elizabethan England, the bare intention to provide a neutral discussion of this ultimate problem for constitutional theory is surely noteworthy. After such a discussion, Hooker's denial of ordinary relevance to Ambrose's treatment of Theodosius might have seemed even more decisive than it does now, but the effect of the chapter as a whole might well have been to leave the larger question genuinely open—to be decided by that community of which, on Hooker's principles, the king is a principal part, but still, only a part.¹⁷

iv. The Three Last Books and the First Five

The traditional judgment that Hooker's importance lies principally in the earlier parts of the *Laws* is not simply mistaken. If he himself thought of Book V as merely a creditable presentation of one side in a dispute about "the bare and naked difference of a few ceremonies," then he greatly underestimated the need for a coherent, sacramentally-centered theology of public devotion in a culture well on the way to private piety and public materialism. If he thought of the first books of the *Laws* as only a survey of obvious traditional principles and an

¹⁷ On the authority of the community in Hooker, see Introduction to Book VIII, pp. 369–375, below.

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application of them against a narrow biblicism, he greatly overestimated the capacity of later thinkers to maintain a single vision of religion, ethics, and science. To take the three last books seriously as dealing with the "weightiest remains" of the challenge to English ecclesiastical polity implies no derogation of the earlier books. The point, rather, is that Hooker's treatises on first principles and public worship in Books I-V were not written in a scholarly or pious vacuum. They were written with a view to the manifestation of those principles and practices in the life of an evolving, dynamic, ultimately self-governing national community.

As he explained his method of writing at the beginning of Book I, the "particular decisions" of the later books were to make "more plaine" whatever might be unclear in the earlier parts of the work. At the same time, however, those particular decisions—including the political determinations of the three last books—would appear "more strong" when the earlier "generall meditations" had been read before (I.1.2). For some time it has been easier to read the various parts of the *Lawes* separately, for it is difficult to find public manifestations in modern life of ideas such as those Hooker presents at the beginning of his work. And if the best modern political institutions have surprising affinities with the constitutionalism of Book VIII, these institutions are seldom justified today by reference to a synoptic vision of all reality. The easier reading may not be the better one, however, whether we are interested in understanding Hooker's work or learning from it. It may be more fruitful to read the *Lawes* as the coherent whole which, despite its length and the vicissitudes of its survival, it substantially succeeds in being. Attention to Hooker's account of the personal virtue and public discipline of repentance and to his arguments for the lawfulness of episcopal dignity and royal ecclesiastical dominion—in particular an appreciation of the constructive rather than purely defensive character of the argument—is essential to such a reading.

A
DEFENCE OF THE
GOVERNMENT ESTABLISHED
IN THE CHURCH OF ENGLANDE
FOR ECCLESIASTICALL MATTERS.

Contayning an aunswere.vnto a Treatise called,
The Learned Discourse of Eccl. Government;
otherwise intituled,

*A brieft and plaine declaration concerning the desires of all the
faithfull Ministers that haue, and do seeke for the discipline and
reformation of the Church of Englande.*

Comprehending likewise an aunswere to the arguments in a Treatise named
*The iudgement of a most Reuerend and Learned
man from beyond the Seas, &c.*

Aunswyering also to the argumentes of Caluine, Beza, and Da-
naus, with other our Reuerend learned Brethren, besides Cænalis and Bo-
dinus, both for the regiment of women, and in defence of her Maiestie, and
of all other Christian Princes supreme Government
in Ecclesiasticall causes,

Against

The Tetrarchie that our Brethren would erect in euery particular congre-
gation, of Doctors, Pastors, Governours and Deacons, with their severall
and ioynt authoritie in Elections, Excommunications, Synodall
Constitutions and other Ecclesiasticall matters.

Aunswyered by *John Bridges* Deane of Sarum.

Come and See.
Job. 1. 36.

Take it vp and Read.
Aug. lib. conf. 8. ca. 12.

AT LONDON,
Printed by *John Windet*, for *Thomas Chard*.

1587

4. Title page (reduced) of John Bridges' *A Defence of the government established in the Church of Englande for ecclesiasticall matters* (1587; STC 3734), a massive (1401 quarto pages) predecessor of Hooker's *Laues*.

Book VI

Lee W. Gibbs

i. Authenticity

Book VI was first published in 1648 with Book VIII, probably under the auspices of Archbishop James Ussher almost fifty years after Hooker's death (3:xxxviii). It is the first and the most perplexing of the notorious "three last books" on power that deal with what Hooker describes as "the weightiest and last remaines" of his controversy with the disciplinarians, namely: "*Jurisdiction* [Book VI], *Dignitie* [Book VII], and *Dominion Ecclesiasticall* [Book VIII]" (VI.1.1; 3:2.15–16).¹ Book VI bears special significance because Hooker may have been revising it at the time of his death—if indeed he had not completed the final draft, as several of his contemporaries testified;² it is also the point upon which the posthumous publication of the three last books by his literary executors foundered.

Hooker's authorship of the material traditionally published as Book VI has never been seriously challenged. The head-title is not problematic, for it explicitly describes the content of the treatise as a polemic against the disciplinarian office of lay elders:

¹ See Introduction, The Three Last Books and Hooker's Autograph Notes, pp. 237–242, above.

² John Spenser wrote in his Preface to the 1604 edition of Books I–V of the *Lawes* that "he lived till he sawe them perfected; and . . . dyed as it were in the travell of them . . ." (1:348, this edn.), and William Covel wrote in his 1603 defence of Books I–V, *A Just and Temperate Defence of the five books of Ecclesiasticall Policie by R. Hooker* (STC 5881): "Concerning those three Books of his, which from his own mouth I am informed that they were finished . . ." (pp. 149–150). Sisson discounted these witnesses, adjudging Covel's source to be Spenser, as "The Legend of the Destruction of Hooker's Manuscripts" (§ 1), and no evidence surfaced in the preparation of this edition to dispute Sisson's account. Georges Edelen, however, is prepared to argue, in a forthcoming biography of Hooker, that Spenser's testimony ought to be accepted.

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Conteyning their fift assertion, which is, *That our Lawes are corruptand repugnant to the Lawes of God in matter belonging to the power of Ecclesiasticall Jurisdiction, in that wee have not throughout all Churches certayne Lay-elders established for the exercise of that power. The question betweene us, whether all Congregations or Parishes ought to have laie Elders invested with power of Jurisdiction in Spirituall causes.* (3:1.2–13)

This description corresponds with Hooker's summary of the content of Book VI in the 1593 Preface:

Of those foure bookes which remaine and are bestowed about the specialities of that cause which lyeth in controversie, . . . The second and third are concerning the power of jurisdiction: the one, whether laymen, such as your governing Elders are, ought in all congregations for ever to be invested with that power . . . (Pref. 7.6; 1:35.27–36.1)

A third description of Book VI given at the end of the Preface coincides with the previous two: "The *sixt*, of the power of jurisdiction, which the reformed platforme claymeth unto layelders, with others" (1:54.15–16).

Moreover, in the first part of the published treatise, Hooker directly addressed the designated topic of lay elders in its historical and polemical setting (chap. 1), followed by a general discussion of the nature of spiritual jurisdiction and a distinction between "the power of Ecclesiasticall order" and "the power of Jurisdiction Ecclesiasticall" (chap. 2). The major problem with the traditional Book VI does not arise until the end of chapter 2 and the beginning of chapter 3, where Hooker further defines spiritual jurisdiction, a doctrine "referred unto action," in terms of its "*chiefest end*," namely, "*pænitence*." Keble observed that from this point on Hooker seems to switch opponents from Geneva to Rome and to replace the rest of his assigned refutation of congregational lay elders with what appear to be "a series of dissertations on Primitive and Romish penance" (1:xxxiv–xxxix).³ After a brief

³ In his edition of the 1648 text of Book VI under the title *Confession and Absolution: Being the Sixth Book of the Laws of Ecclesiastical Polity* (London, 1901), John Harding accepted Keble's argument that an independent "treatise upon Penitence"

discussion of repentance as a virtue, Hooker proceeds to elaborate throughout the rest of the treatise upon the three traditional parts of the medieval Christian sacrament of Penance, namely: contrition (the last part of chap. 3), confession (chap. 4), and satisfaction (chap. 5), to which he appends an extensive discussion of absolution (chap. 6).

When Keble became acquainted with the notes by George Cranmer and Edwin Sandys on the earlier and now lost manuscript draft of Book VI, he thought that he had found the solution to the apparent anomaly.⁴ He argued that the original Book VI, as reflected in the critical notes by Cranmer and Sandys, really addressed the issue of lay elders and was a different work entirely from "the treatise on repentance" mistakenly interpolated into the *Lawes*. Following the lead of Walton, Keble surmised that the original draft of Book VI was suppressed by a small band of zealous Puritans who were particularly overwrought concerning the issue of lay elders, which was crucial to their cause (*Life*, Keble, 1:91–92). Recent scholars, however, have agreed that the text published in 1648, while not the whole of Hooker's intended treatise against lay elders, is an essential and coherent part of that polemic and ought therefore to be published in its traditional place as Book VI of the *Lawes*.

Raymond Aaron Houk argued on internal grounds the plausibility of regarding the extant sixth book as an integral part of Hooker's revision. He observed, without elaboration, that the content of the

had been written by Hooker and later interpolated into the main body of the *Lawes*, perhaps by Hooker himself, but more likely by a later editor. W. Speed Hill found no concern in the last three chapters of the traditional Book VI for the problem of "jurisdiction" as it was raised by the disciplinarians with regard to their office of lay elders; see "Hooker's *Polity*: The Problem of the 'Three Last Books,'" *Huntington Library Quarterly*, 34 (1971): 322–324, 330. But he acknowledged the possible inclusion of Book VI as integral to the *Lawes* in light of a new and detailed commentary "constructed within the context . . . of the history, occasion, and sponsorship of the *Polity*" (p. 336).

⁴ Keble was the first to print these notes in his 1836 edition of Hooker's *Works* (3.1:133–168); he was also the first to describe the general content and arrangement of Hooker's material in the missing draft as reconstructed from the notes of Cranmer and Sandys (1888 edn., 1:xxxvi–xxxvii); and see 3:xxx–xxxiii and 105–106, this edn., and pp. 41–43 and 233–237, above.

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book as published does in fact constitute "a foundation for an intelligent and discriminating treatment of the whole subject of lay elders and the function they were supposed to exercise in ecclesiastical affairs."⁵ Hardin Craig accepted this thesis, along with Houk's further argument that the inclusion of the 1648 version of Book VI with the lost draft seen and commented upon by Cranmer and Sandys would have exemplified Hooker's characteristic division of his material into "generalities" and "specialties."⁶

Meanwhile, on the basis of court records of the early seventeenth century, C. J. Sisson identified the bulk of Book VI published in 1648 with "the tract of confession" that precipitated the disagreement between Lancelot Andrewes and Edwin Sandys over its insertion into the *Laws* that aborted the posthumous publication of the three last books by Hooker's literary executors.⁷ Sisson also added substantially to the case for regarding the 1648 version of Book VI on internal grounds as authentic:

Hooker's long discussion of confession, public and private, in the light of its history, ends with a statement of the present position of the Church of England in the matter, and asserts the 'penitential jurisdiction' of its ministers, and 'our power and authority to release sin'. Confession, penitence and absolution, in his view, are the safeguards of the principal means of grace, the Eucharist, and the discipline is in the hands of the appointed ministers of the Church. Nothing could be more germane than this, and other arguments in the 'tract', to the general question of the jurisdiction of the ministry, as against that of lay-elders. (p. 105)

While he did not address the basic issue of the relation of the original missing draft of Book VI to the traditional published version of 1648, Rudolph Almsy largely reconstructed the original lost draft by reading the Notes of Cranmer and Sandys in the context of the

⁵ *Book VIII* (1931), pp. 71-72, 101.

⁶ "Of the *Laws of Ecclesiastical Polity*—First Form," p. 98.

⁷ Sisson, pp. 14-17, 99-102, and 127-56. See also Hill, "The Problem of the 'Three Last Books,'" pp. 321-326; Stanwood, Textual Introduction, 3:xiii-xix; and Laetitia Yeandle, Textual Introduction, 5:xiii-xvii, this edn.

polemical literature of the time, and especially in light of the Whitgift-Cartwright exchange.⁸ The most comprehensive case to date, however, for understanding the traditional Book VI as an essential and coherent part of Hooker's refutation of the disciplinarian office of lay elders (*and* of his corollary effort not only to defend but also to reform and further establish the existing orders and institutions of the Church in England) has been made on the basis of internal evidence by Olivier Loyer and A. S. McGrade.⁹

However great the misfortune that the initial draft (and, possibly, a completed revision) was lost, the discovery of new manuscripts, the cumulative insights of these scholars, and further investigation into the interrelated history of penance, church discipline (especially excommunication), and ecclesiastical courts taken together now make possible the reconstruction of a reasonably accurate version of the missing Book VI.

The following reconstruction of a hypothetically complete Book VI is the one defended and analyzed in the remaining sections of this Introduction. 1648 refers to the traditional Book VI (3:1–103), 1593 to the original and now lost manuscript of Book VI that can be partially reconstructed from Cranmer's and Sandys's Notes (3:107–140),¹⁰ the foliation refers to that of Hooker's lost manuscript recorded by Cranmer and Sandys in the left margin of these Notes, and "Autograph Notes" refers to those parts of Dublin MS. 364 that deal with Book VI (3:466.16–490.6).

I. General Introduction

- A. Historical situation and rhetorical appeal (1648: chap. 1)
- B. The nature of spiritual jurisdiction—elaborated in terms of its chief end, repentance (1648: chap. 2; 1593: fol. 1, 3:107.8–26, 130.18–26; Autograph Notes: 3:466.16–469.13)

⁸ "Richard Hooker's Book VI: A Reconstruction," *Huntington Library Quarterly*, 42 (1979): 117–139.

⁹ Loyer, 1:63–78, 2:609–610, 721–723, and McGrade, "Repentance and Spiritual Power," *Journal of Ecclesiastical History*, 29.2 (1978): 163–176; see also Stanwood, 3:xiii, xxvi–xliv, and Lee W. Gibbs, "Richard Hooker's *Via Media* Doctrine of Repentance," *Harvard Theological Review*, 84 (1991): 59–74.

¹⁰ Keble's summary of its topics (1:xxxvi) is reprinted above, 3:xxxii–xxxiii.

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- II. Spiritual Jurisdiction—The Inner Penitential Forum: administration of the power of the keys, binding/excommunicating and loosing/absolving a clerical and not a lay office; confession and declaration of absolution in the ancient church and in the Church of England public and not a sacrament administered in private
- A. The virtue and discipline of repentance; the infused virtue of contrition as the first part of repentance (1648: chap. 3)
 - B. Confession as the second part of repentance (1648: chap. 4)
 - C. Satisfaction as the third part of penance (1648: chap. 5, chap. 6.15–18, 3:97.9–103.19)
 - D. Absolution (1648: chap. 6.1–14, 3:69.14–97.8)
- III. Spiritual Jurisdiction—The External Canonical Forum (1593: fols. 2–85, 3:108.1–130.11, 130.27–140.12; Autograph Notes, 3:469.14–490.6)
- A. Ecclesiastical courts (1593: fols. 2–21, 3:108.1–112.31, 130.27–134.5; Autograph Notes, 3:469.14–490.6)
 - 1. What causes are spiritual; the qualifications of ecclesiastical court judges (1593: fols. 2–4, 3:108.1–23, 130.36–132.13; Autograph Notes: 3:471.31–477.14, 486.13–490.6)
 - 2. The form and manner of proceeding in ecclesiastical causes (Autograph Notes, 3:477.19–481.23)
 - 3. The punishments necessary in spiritual process (1593: fols. 5–21, 3:108.24–112.31, 132.14–134.5; Autograph Notes: 3:481.24–483.2)
 - 4. The care which justice hath always had to uphold ecclesiastical jurisdictions and courts (Autograph Notes: 3:483.4–486.12)
 - B. Refutation of disciplinarian proof-texts from Scripture and the church Fathers (1593: fols. 23–85, 3:113.1–130.11, 134.6–140.12)
 - 1. The disciplinarian office of lay elders has no foundation in the Old Testament; the polity of the people of God before Christ, especially as manifest in the Sanhedrin, was not therefore “transferred” by Christ to the church

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(1593: fols. 23–49, 3:113.1–117.34, 134.6–136.26)

2. The disciplinarian office of lay elders has no foundation in the New Testament—the time of Christ and his apostles (1593: fols. 50–67, 3:117.35–126.16, 136.27–138.30)
3. The disciplinarian office of lay elders has no foundation in the teaching of the church Fathers (1593: fols. 72–85, 3:127.13–130.11, 139.18–140.12)

This hypothetical reconstruction implies that even though the office of “lay elders” was the particular issue that Hooker was to discuss at this point, his manner of arguing from foundations or “first principles” meant that either initially or in revision, the general discussion of “jurisdiction” as a basis for what was to follow in Books VI–VIII became the major topic (I, II, and III.A of the above outline), and the appropriate disposition of the issue of lay elders a necessary conclusion (III.B).

ii. Occasion and Date

The discovery of Hooker’s Autograph Notes provides the most substantial evidence for establishing the coherence not only of the lost original and the extant traditional versions of Book VI but also of “the three last books” as a whole. A common outline of topics can be discerned in the works of Hooker’s disciplinarian opponents, Walter Travers, the anonymous Admonitioners, and Thomas Cartwright. Behind them the general sequence of topics and much of the content treated by the precisionists can be discerned in the fourth book of Calvin’s *Institutes*.¹¹

Although the foundation of Hooker’s book against lay elders, along with that of the other books of the *Lawes*, was laid in the 1585–1586 Temple controversy with Travers,¹² Book VI had a special relevance

¹¹ Since Calvin was a principal source for all English disciplinarians, and since Whitgift and Travers both followed the outline of topics and arguments set forth in the first and second *Admonitions*, Hooker was necessarily indebted to this same order of topics when he took up where Whitgift left off in answering Cartwright.

¹² Walton, *Life*, in Keble, 1:51–52, 65, 67. Part of the debate between Hooker

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to Hooker's dispute with Travers there, for not only did Travers want to see the Calvinist model of church polity, including the office of lay elders, established throughout England, he moved to put it in place in the Temple church itself.¹³ A decade earlier, he had laid down the essential disciplinarian tenets with regard to the office of lay elders. In *A Full and Plaine Declaration*,¹⁴ Travers had argued that the office of lay elders, who assist the preaching and teaching elders with the overseeing of the morals of the faithful, is a part of that polity for the church that was once and for all divinely revealed in Holy Scripture.

Travers compares the consistory of elders (both clergy and lay) in the local parish with the ancient Athenian court known as the Areopagus, with the Roman Senate, and with the assembly of elders in the Jewish synagogues. Citing the key passage from Matthew 18:17, "Tel it unto the Church"—a text central to Hooker's argument in both versions of Book VI—Travers concludes that the form of government among the Jews was "translated" by Christ to his church. In short, the office of lay elders has its original precedent and legitimation in the government of the Jews described in the Old Testament; it is con-

and Travers at the Temple was over the form of church government, and part was doctrinal. In the dispute over the sermons on justification, for example, Travers was distressed with Hooker's thesis that "*they of the church of Rome may be saved by such a fayth of Christ as they have and a generall repentaunce of all their errors, not withstanding their opinion of justificacion in part by their workes and merits*" (5:201.29–202.3, this edn.; compare *Justification*, 5:142.1–5). Hooker also rejected in these sermons the Roman Catholic "sacramente (as they terme it) of pennaunce, which sacramente hath force to conferre grace anewe" and "changeth the punishement eternall into a temporall satisfactory punishement" (5:111.28–112.2)—positions Hooker also attacks in the 1648 Book VI.

¹³ See Hill, "Evolution," *S.R.H.*, p. 122 and nn. 19–21.

¹⁴ *Ecclesiasticae disciplinae . . . explicatio*, trans. Cartwright, pp. 6–7, 155–177 (see pp. 150–151, n. 49, above); and see Hill, "Evolution," p. 120, n. 12. Travers's defense of the office of congregational lay elders within the larger context of Calvinist discipline was followed by a number of his colleagues, including William Fulke, *A Briefe and Plaine Declaration*, also known as *A Learned Discourse* (London: R. Waldegrave, 1584; STC 10395), Dudley Fenner, *A Counter-poyson* (London: R. Waldegrave, [1584]; STC 10770), and John Udall, *A Demonstration of the Trueth of that Discipline* ([East Molesey: R. Waldegrave, 1588]; STC 24499). For a bibliographical summary, see Milward, pp. 77–83.

firmed by the teachings of the New Testament and by the early church Fathers.

Travers further distinguishes between the kinds of punishment that may rightly be meted out by a spiritual court of ecclesiastical elders that has jurisdiction over the souls and consciences of persons: admonitions that are verbal only and admonitions that have some kind of punishment attached. The only kinds of punishment that may be legitimately imposed by a spiritual court are *separation* or exclusion from the Lord's Supper, *excommunication* or expulsion from the church imposed upon adamant sinners who cannot otherwise be brought to *repentance*, and perhaps *execration* or *anathema*. Travers follows Calvin in assuming that the civil authorities will enforce with their coercive powers the decisions of the spiritual courts: excommunication carried—at least theoretically—the civil penalty of a break in all communication with “the faithful.” Only Luther, among the magisterial Reformers, broke the link between ecclesiastical excommunication and civil penalties.

Travers argues at some length that ecclesiastical courts made up of assemblies of elders do not infringe upon the prince's authority in the civil courts, for they do not deal with civil matters or use punishments meted out by the civil courts, whether monetary fines, imprisonment, or execution. In this context, Travers sharply criticizes the established ecclesiastical court system in England for confusing ecclesiastical and civil cases, for trivializing the use of excommunication, and for using corporal and material punishments that are not fitting for spiritual jurisdiction. He also mentions in passing that the authority of the elders to impose a sentence of *suspension* or *excommunication* implies their authority to lift the sentence at the time of an individual's repentance.

Travers's platform had already been formulated in the first and second *Admonitions to Parliament*, which in turn were grounded in the Genevan polity. Perusal of the *Admonitions* reveals the same pattern of defending the office of lay elders as an essential part of the larger presbyterian platform of ecclesiastical polity, alongside discussions of the same interrelated issues of church discipline (private admonition, suspension, excommunication, execration or anathema, and, *upon repentance*, absolution), bishops and their courts, and the proper rela-

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tion of the lay prince to the church in general and to its discipline in particular.¹⁵

Although confrontation with Travers at the Temple provided the initial impulse for Hooker to write the *Lawes*, Cartwright, who had contributed the most substantial theological treatises in defense of the disciplinarian cause, emerged as the major opponent responsible for precipitating an attack upon the whole movement from a quite different strategic perspective. Cartwright's last two treatises, *The Second Replie* (1575) and *The Rest of the Second Replie* (1577), had remained unanswered by Whitgift,¹⁶ who had become archbishop of Canterbury, where he was instrumental in securing Hooker's maintenance in 1591 through appointments to benefices at Boscombe and Salisbury. In the meanwhile, Hooker continued his primary residence in London at the home of his father-in-law, John Churchman, where he worked on the *Lawes* in consultation with Cranmer, Sandys, and perhaps Whitgift until being presented to the living of Bishopsbourne by the queen.¹⁷

The entire controversy between Whitgift and Cartwright strictly followed the outline of topics set out in the first *Admonition*. Whitgift's initial treatise, *An Answere to a Certen Libell intituled, An Admonition*, was a step-by-step refutation. On one occasion, for example, Cartwright rebuked Whitgift for the "impropriety" of departing from the prescribed order by discussing the topic of excommunication *before*

¹⁵ *An Admonition to the Parliamen* (STC 10847), and *A Second Admonition to the Parliament* (STC 4713; both 1572), in *P.M.*, pp. 8–37 and 85–133.

¹⁶ While Craig emphasized that Travers, not Cartwright, was Hooker's initial antagonist (pp. 93, 96, 102–103), Almsy argues that the *Lawes* is from beginning to end an answer to Cartwright's attacks against Whitgift ("A Reconstruction," p. 118; compare p. 138). As to the actual writing of the *Lawes*, the positions of both Craig and Almsy must be taken into account, for Hooker presupposed and quoted from the works of both. Sandys exhorted Hooker: "I will here put you in mynd once for all, that you must needes set down Mr Cartwrights and W. T. woords at large in the margent of this booke wheresoever they are impugned" (3:137.20–22); as did Cranmer: "I could wishe that through all the bookes you should be carefull of the quotations both of their sentences and of other auctorities alleaged (for in the former bookes you knowe there is a defect that way)" (3:129.4–7).

¹⁷ See Introduction to The Preface, pp. 54–57, above.

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considering disciplinarian arguments concerning the origin and role of lay elders in Scripture and the ancient church.¹⁸

Whitgift's last published response to Cartwright on the issue of lay elders was in Tract 17, "Of the Seigniorie or Government by Seniors," and Tract 18, "Of Excommunication, and in whom the execution thereof doth consist," of *The Defense of the Aunswere to the Admonition, against the Replie of T. C.* (1574).

Although Cartwright's *The Second Replie* (1575), and *The Rest of the Second Replie* (1577) do not substantially advance the arguments made in the first *Replie*, Cartwright was satisfied that the disciplinarian order of lay elders existed before the apostles' times, being "taken from the government of the people of God before and under the law," that it existed in the apostles' times as well, and that it was found after the apostles' times in the practice of the church. This biblical, apostolic, and post-apostolic foundation for the disciplinarian eldership was also the cornerstone for their hierarchy of tribunals or ecclesiastical courts, beginning with the local consistories and extending up through the presbyteries, the synods, and the national or general assemblies. In the draft of Book VI read and commented upon by Cranmer and Sandys, probably no later than 1593, Hooker resumed the establishment's attack against the position taken by Cartwright and other disciplinarians concerning lay elders and their involvement with decisions made by ecclesiastical courts.¹⁹

Evidence for the early date of the first draft of Book VI is both direct and indirect. Books II–IV are referred to by Cranmer as "the former bookes"; he also mentions Book VII on bishops. There is no

¹⁸ *A Replie to an Answere* (1573), p. 173; for bibliographical details; see pp. 71–72, n. 152, above.

¹⁹ Bayne (pp. xix–xx), Houk (pp. 70, 91, 94–96), Craig (pp. 92–93), Hill ("The Problem," p. 334n), and Stanwood (3:xvi, xix–xx, xxxi, n. 27) all agree that the initial versions of at least Books VI and VII were completed between 1593 and 1596. Evidence for the probability of the earlier 1593 date is marshalled by Haugaard, Introduction to The Preface, pp. 37–43, above. Cranmer and Sandys left England for the continent in the summer of 1596. Cranmer did not return to England until 1598, after which he soon departed for Ireland, where he was killed in 1599. Sandys did not return to England until 1600/1601. It is unlikely that either Cranmer or Sandys travelled in Europe with a manuscript copy of Book VI of the *Lawes*.

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mention of Book V (published late 1597) or of Book VIII. Neither reader alludes to any matters or books later than 1593. The events suggested in their notes are consistent with those reflected in the letter from Cranmer to Hooker *Concerning the New Church Discipline*, written in early 1593.²⁰ The historical situation is more consistent with the anonymous publication of Richard Bancroft's two anti-disciplinarian treatises, *Daungerous Positions* and *A Survey of the Pretended Holy Discipline* in 1593 than with his later ascendancy as bishop of London (1597) or the time of Hooker's intimate friendship with Hadrian Saravia in Kent (1595–1600). And finally, there is Sandys's reference to the session of the 1593 Parliament that is still fresh in his mind (see pp. 27–37, above).

Specifically, Sandys alludes to “Mr Speaker of the Parliament” as having proved that the prince in England is “a mixt person” (3:133. 26–27). Keble concluded that Sandys's reference here was to Christopher Yelverton, who was the Speaker in 1597; it is far more likely, however, that Sandys was referring to the session of 1593 where he himself was a member and where the first volume of Hooker's *Lawes* was used to support the legislation that would include disciplinarians with Roman Catholics under a new recusancy bill. Stanwood has plausibly argued that the reference to “Mr Speaker” is to Speaker Edward Coke's second “disabling” speech given on 22 February, in which he urged that “the kings of England, ever since Henry III's time, have maintained themselves to be the supreme head over all causes within their own dominions”; but the reference may just as well have been to Coke's speech presented on February 28 and personally commissioned by Queen Elizabeth to enforce her will that the parliament not legislate concerning church affairs in general, and particularly concerning matters having to do with the ecclesiastical courts.²¹

Cranmer's and Sandys's critiques were therefore also completed in 1593. In their light, and as a result of his own further thinking about its limited nature, Hooker set about the task of rewriting and rethink-

²⁰ Evidence for the 1593 date is summarized above, pp. 41–43.

²¹ See 3:xxxii, this edn. For the first speech, see *The Parliamentary or Constitutional History of England* (London, 1763), 4:347–348; for the second, see 4:394–396.

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ing his initial draft.²² Part of the transitional stage in the revision of Book VI can be discerned, as McGrade points out (pp. 237–239, above), in that part of Hooker's Autograph Notes directly pertaining to Book VI (3:466.16–490.6), where Hooker seems to be gathering a mass of legal texts in response to Sandys's request that he identify and justify those cases which legitimately fell under the jurisdiction of ecclesiastical courts and that he distinguish them from those cases that were "mixed," that is, validly treated in the civil courts as well. Because of Hooker's citation of the second edition of Richard Cosin's *An Apologie: of, and for Sundrie Proceedings by Jurisdiction Ecclesiasticall* (1593), Stanwood brackets the time of their composition "to the period after 1593, after the publication of the Preface and Books I–IV and before the publication of Book V in 1597" (3:xxx).

We do not know whether Hooker completed revising Book VI or whether he was still engaged in it at the time of his death. The introduction (chaps. 1–2) of the 1648 text was probably, as Keble and others have observed, either a part of or very similar to the introduction in the original draft read by Cranmer and Sandys.²³ Chapters 3–6 may then be regarded as an unfinished draft of the second major part of the enlarged book. The final revision and expansion of the third major part defending the English ecclesiastical court system and refuting concrete arguments for the disciplinarian office of lay elders (that is, the revision of the initial draft completed in 1593), was either cut off in an unfinished state by Hooker's premature death, or, if he had in fact finished it, lost, stolen, or destroyed (see above, p. 249, n. 2, and pp. 237–239, above).

iii. Sources

A survey of Hooker's use of sources for Book VI entails an analysis of those he actually employs in the 1648 version; a reconstruction of those he used in the 1593 draft (based upon the notes of Cranmer and

²² Initial it may have been, but not short: 85 folios in Pullen's hand would make it 38% the length of Book V or 189 pages in this edition.

²³ The historical situation alluded to by Hooker in chap. 1 of the 1648 text is compatible with events just before or just after 1593; see 3:2.1–21.n., below.

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Sandys and the current polemical literature, especially the Whitgift-Cartwright exchange); and the mass of legal material in the Autograph Notes he was assembling to expand the section on ecclesiastical courts—a topic only briefly touched upon in the 1593 draft.

The Traditional 1648 Version

Many of Hooker's sources in the 1648 text can be found in the earlier penitential literature, and some of these sources overlap citations made by the disciplinarians in support of the office of lay elders. As elsewhere in the *Lawes*, biblical texts are the most numerous and important of Hooker's sources. In one notable passage, for example, he argues his own position (and that of the Church of England) concerning the declaratory nature of a priest's absolution almost entirely on the basis of Scripture (6.8; 3:80.30–82.20). He employs the New Testament more than the Old, with some forty-two direct or indirect citations or references to Old Testament texts and some sixty-seven to the New. Old Testament references include such penitential themes as the repentance of the Ninevites (Jonah); David's repentance after being rebuked by the prophet Nathan (2 Samuel); the penitential Psalms (especially Psalms 51 and 6); and the prophetic exhortation to repent (*return* to the Lord), to express sorrow and lamentations for sins, and to seek forgiveness (Isaiah, Jeremiah, Micah, Malachi, and Joel). References to the Gospels clearly predominate among citations of the New Testament, beginning with fourteen to Matthew, seven each to Luke and John, and six to Mark. Three of these Gospel texts appear identically in two separate places, where Hooker has not yet made up his mind as to where he will finally leave the passage.²⁴ By far the most significant use of Scripture in the 1648 version of Book VI is Hooker's repeated reference, both direct and indirect, to the three intimately related proof-texts (Matthew 16:17–19, 18:15–18, and John 20:21–23), whose interpretation is central to Hooker's argument. These passages on the power of the keys and of

²⁴ References to Matt. 9:2, Mark 2:7, and Luke 5:21 are repeated in chaps. 6.1 and 6.4 (3:69.18–20, *b*, and *c*; 73.3–6 and *h*).

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binding and loosing are at the very heart of the problem of spiritual jurisdiction, and the passage in chapter 4.1 (3:14.8–15.11) links the extant 1648 version of Book VI and the lost 1593 draft.²⁵ The references to the excommunication and final restoration of the unrepentant man in 1 Corinthians 5:1–5 and 2 Corinthians 2:6–8 in this same passage were also repeatedly cited by the disciplinarians as proof that the whole church, represented by ministers *and* governing lay elders, was concerned with matters of ecclesiastical discipline. References to Acts feature passages and stories that deal with contrition, repentance, and forgiveness–restoration–absolution. Hooker twice cites James 5:14–16, a major proof-text for the office of lay elders, as part of an anti-Roman argument against private confession as a sacrament (4.5; 3:23.5–26). There are additional references to 1 and 2 Corinthians, Revelation, 1 Timothy, James, Hebrews, 1 John, and Romans.

The 1648 version of Book VI is unusual in comparison with other books of the *Lawes* in having only a single reference to a classical source, namely, to a quotation from the Emperor Tiberius recorded in Tacitus's *Annales* used by Hooker as a conspicuous heathen example of the problems caused by an overscrupulous conscience.

Hooker makes heavy use of the church Fathers, both to expound his own thought and to controvert the position of medieval schoolmen and sixteenth-century Roman Catholic theologians on private auricular confession as a sacrament. Cyprian heads the list, with nine citations to his treatise *De lapsis* and seven to his epistles. The second largest number of citations is made to two treatises by Tertullian, *De poenitentia* and *De pudicitia* (*On Chastity*). All nine references to the former are approbative, particularly where the public nature of penance in the ancient church is stressed, and including Tertullian's well

²⁵ See nn from 3.14.8 through 15.11. These texts have a long and controversial history of interpretation. They were used by Gratian and later medieval canonists to refer both to the power of remitting sins conferred upon all the apostles and also to the power of jurisdiction inhering in the papacy, where it was a power to be exercised in the external canonical forum as distinct from the internal forum of the sacrament of penance. See Brian Tierney, *Foundations of the Conciliar Theory: The Contribution of the Medieval Canonists from Gratian to the Great Schism* (Cambridge: The University Press, 1955; rpr. 1968), pp. 25–36.

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known definition of “confession” (ἔξομολόγησις) as “a discipline of humiliation and submission, framing mens behaviour in such sort, as may be fittest to moove pitty” (4.6; 3:24.30–25.2). All of the references to *De pudicitia*, however, are made within a very brief span and are all negative, in accord with Hooker’s opinion that this treatise reflects Tertullian’s heretical, post-Montanist position and “the very sowernesse of his owne nature” (6.6; 3:76.6–15) that nothing could alter to make him incline toward leniency in the exercise of church discipline. In addition, there are eleven references to Chrysostom, acknowledged to have been more lenient than other church Fathers in his views on forgiveness for post-baptismal sins, and ten references to works of Augustine.²⁶

Many of these quotations were at second hand. For example, Hooker probably found his one Greek quotation from Chrysostom in Beatus Rhenanus’s “Admonitio ad lectorem de quibusdam Tertulliani dogmatis,” in that scholar’s edition of Tertullian’s *Opera*. One Latin quotation from Chrysostom may have been drawn from Jewel’s *Defence of the Apologie*, and another from Gratian’s *Decretum*. Three of the ten references to Augustine were quoted by Gratian in that part of the *Decretum* known as “Tractatus de poenitentia,” and another was quoted in book 4 of Peter Lombard’s *Sentences*. Of the six quotations from Ambrose’s *De poenitentia*, two are found in Gratian, one of which is also quoted by Lombard. One of the two passages from Jerome is quoted by Lombard, the passage from Leo I is quoted by Gratian, and the passage from Prosper of Aquitaine is quoted both by Lombard and Gratian. Hooker treats the church historians Sozomen, Nicephorus, and Socrates in a brief but concentrated section concerning a dispute between sixteenth-century Roman Catholic theologians over interpretation of a decision made in the early Greek church by Bishop Nectarius regarding the office of penitentiary priests—a dispute

²⁶ There are also references to Ambrose’s *De poenitentia*, to John Cassian’s *Collatio* 20, and to works by Gregory of Nyssa, Basil the Great (spurious), Pseudo-Eusebius Emisenus, Jerome, Ignatius, Clement of Alexandria, Origen, Bishop Basil of Seleucia in Isauria, Marcus Eremus or Anchorita, Bishop Fulgentius of Ruspe, Gennadius of Marseilles, Salvian of Marseilles, and Bishop Victor of Vita. See Index for specific notes.

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primarily between Baronius and Robert Bellarmine, with secondary consideration given to a position set forth by Johannes Hessells and supported by Pamelius (4.8–12; 3:33.18–42.9). All of the primary texts from the church historians were cited by Baronius in his *Annales ecclesiastici* (footnoted in chap. 4.10; 3:35.u) and by Bellarmine (cited in chap 4.11 and 12; 3:38.9–15, 42.5). Calvin discussed the same texts in a passage where he concludes that “the keys of binding and loosing” were not given to the universal sacerdotal order, and that Nectarius abrogated the rite of private confession (*Institutes*, 3.4.7).²⁷

Hooker also utilizes material from church councils. There are five citations, sometimes in Greek and sometimes in Latin, of canons from the Council of Nicaea—all stressing the excessive severity of the early church with regard to the issue of forgiveness of post-baptismal sin and the increasing moderation of that extreme rigorism by the bishops. Three times he cites a passage from the Council of Florence (1439), which states the doctrine of Thomas Aquinas (and, later, of the Council of Trent) that the sacraments of the Old Law only prefigured those of the New, which alone contain and effect grace. Hooker emphasizes the key text from the Fourth Lateran Council of 1215, which brought to a climax the development of the medieval Catholic doctrine that private confession before a priest is a sacrament that every faithful person must observe at least once a year. He also makes four references to decrees from the Council of Trent concerning the effectual grace of the sacraments of the New Law, the divine forgiveness caused by contrition perfected by charity, and absolution as the form of the sacrament of penance. Hooker refers twice to the Bohemian Confession published in chapter 5 of *Harmonia confessionum fidei, orthodoxarum, et reformatarum ecclesiarum*. The first of these references has to do with the institutionalization within Reformed churches of public confession for public sins, the second with private confes-

²⁷ There is a problem in Hooker's use of the church historians. At least one of his five references to book 5.19 of Sozomen's *Historia ecclesiastica*, for example, is really to book 12.28 of Nicephorus's *Ecclesiasticae historiae libri decem et octo*, not cited by Hooker at all; see 3:33.20–26.n.

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sion to God in the presence of ministers as a merciful ordinance of great benefit to individual Christians.

In his controversy with Rome over penance as a sacrament, Hooker focuses upon Lombard's *Sentences* (five references), where he positively cites passages that distinguish the three parts of penance as contrition, confession, and satisfaction, and that affirm that it is God alone who is able to forgive sins while the priest in absolution only declares divine forgiveness. Indeed, the commentaries on Lombard's *Sentences* were among the most important sources for the 1648 version of Book VI.²⁸ There are seven references to works of Thomas: three to the *Summa theologiae*, two to the commentary on book 4 of Lombard's *Sentences*, and one each to *De veritate* and *Opuscula 22*. These seven references taken by themselves, however, do not accurately reflect the influence of the Angelic Doctor's philosophical theology upon the 1648 version of Book VI, particularly in chapter 3 where Hooker is discussing the relation of the virtue of repentance as a habit to contrition and to the broader doctrine of justification. Four of Hooker's five citations of Bonaventure's *Quaestiones super quatuor libros Sententiarum* are positive. Hooker agrees with Bonaventure's teaching that the remission of sins occurs only through faith in Christ and the benefits of his passion and that absolution from sin is due to the pardon of God and not dependent upon a priest's absolution. He rejects, however, Bonaventure's teaching that a priest's absolution, while not effecting sinners' divine forgiveness, does deliver from temporal punishments of purgatory. Other medieval scholastic works mentioned by Hooker include the *Summa theologica* by Alexander of Hales. He uses the authority of the great medieval Jewish philosopher and scholar, Moses Maimonides, to establish the origin of confession in ancient Judaism and to explain current Jewish liturgical practices. And in his anti-Roman polemic he addresses works written by sixteenth-century Roman Catholic scholastics, referring twelve times to Robert Bellarmine's *De sacramento poenitentiae* or to his *Controversiam de sacramentis in genere*.²⁹

²⁸ In addition to those discussed below by Thomas and Bonaventure, others used included those by Duns Scotus, Pierre d'Ailly, William of Ockham, Durandus of Saint Pourçain, Domingo de Soto, John Capreolus, and Petrus Paludanus. See Index.

²⁹ Hooker also cites annotations on Cyprian's treatise *De lapsis* and on Tertullian's

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With regard to Protestant Reformers, Hooker twice appropriates works of Calvin: first, the *Acta Synodi Tridentinae cum antidoto*, where Calvin attacks the teaching that the sacraments are only "instrumental causes" of divine grace, and second, the *Institutes*, where Calvin allows private confession of one Christian to another after abuses have been removed. The single reference to Jewel's *Defence of the Apologie* also concerns the issue of "leaving private confession at liberty." The apparently isolated nature of this citation obscures the importance of this work for the structure and substance of the anti-Catholic polemic that occupies the bulk of the traditional Book VI. There is a single reference to a work by the French Protestant Antoine la Roche de Chandieux (1534–1591), who Hebraized his name as Sadeel.

The First (and Now Missing) Draft of Book VI

Reconstruction of the sources used by Hooker in the now lost version of Book VI is possible on the basis not only of the Cranmer-Sandys notes but also from contemporary polemical literature, including works by Travers, the Admonitioners, and especially Cartwright on the one hand, and by Cosin, Sutcliffe, and Whitgift on the other. Cranmer and Sandys often only name the author or work being cited by Hooker, or that they would like to see cited. At other times references or their contexts in the controversial literature are specified. Close reading of the polemical literature usually indicates what the source under discussion was or was most likely to have been. Hooker cited Old Testament proof-texts widely used by the disciplinarians to establish their office of lay elders, with particular emphasis upon those which concerned the origins and nature of the Jewish Sanhedrin. He therefore dealt with the key texts having to do with the alleged origin of the Sanhedrin in Moses' appointment of the seventy elders in

De poenitentia by Pamelius, *Annales ecclesiastici* by Baronius (Cesare Baronio), *De sacramentis* by William Cardinal Allen, *Defensorium* by Alfonso Tostado, the commentary on Thomas Aquinas's *Contra Gentiles* by Ferrarius, *Commentarii in quatuor Evangelistas* by Juan Maldonado, "Admonitio ad lectorem de quibusdam Tertulliani dogmatis" by Rhenanus in his edition of Tertullian's *Opera*, *In epistolam sancti Jacobi* by Cajetan, and the annotation on James 5:16 in the Rheims Bible.

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Numbers 11:16–17 (understood in parallel with Moses' appointment of leaders as judges over different divisions of the people in Exodus 18:25–26),³⁰ and the further specification of the office of these elders as judges in Deuteronomy 16:18 and 17:8–13. 2 Chronicles 19:11 was interpreted to mean that King Jehosaphat later restored the original Mosaic system of discipline. Other New Testament references explicitly cited by Hooker concern the participation of Gamaliel (Acts 5:34–40 and 22:3) and Joseph of Arimathea (Mark 15:43 and other Gospel parallels) in the Sanhedrin that condemned Jesus to death. One of the basic issues at stake had to do with the interpretation of Matthew 18:17 (see above, pp. 262–263 and n. 25). Hooker defined the general meaning of *anathema* on the basis of Romans 9:3, which he interpreted in the light of Exodus 32:32–33 (as had the Geneva Bible's editors). Both Cranmer and Sandys had trouble with this general sense of *anathema* as against its more specific sense as solemn excommunication pronounced by a bishop. Hooker also referred to 1 Timothy 5:14, "I will that younger women marry," which occurs in the context of his argument that judicial cases having to do with marriage and divorce traditionally and properly fall under the jurisdiction of the ecclesiastical courts.

Among Hooker's classical sources, Aristotle's *Politics* continues to be pervasive. For example, in Aristotle as in Hooker, the discussion of the kinds of constitution (*πολιτεία*) quickly leads to a discussion of the courts and their personnel as drawn either from all the citizens or from a certain class. Hooker probably drew from Aristotle his references to Draco, the Athenian statesman and lawgiver of the seventh century BC, infamous for the severity of punishment in his laws, and to Solon, the Athenian lawgiver associated by Aristotle with the Areopagus—a court mentioned both by Travers in *A Full and Plaine Declaration* and by Cranmer (3:113.33–34). Moreover, Aristotle's well known distinction between the major kinds of government (monarchy, oligarchy,

³⁰ The disciplinarian William Fulke based the presbyterian teaching about the lay eldership on Numbers 11:16 in *A Briefe and Plaine Declaration* (1584), pp. 19–20. John Bridges and Matthew Sutcliffe deny that the elders came from the seventy; see Bridges' *A Defense of the Government Established* (1587), p. 238, and Sutcliffe's *De presbyterio* (1591), chap. 4, p. 16, and chap. 2, pp. 7 and 9.

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democracy, and “mixt”) lies behind the whole controversy between supporters of the establishment and the disciplinarians over church polity in general and over the role of lay elders within it (see 3:113.35.n). Hooker’s other classical sources consist of a passage from Lucretius’ *De rerum natura*, concerning Epicurus’s opinion that the world was not created by God—a comfort to the conscience of the nonbeliever—and another from Livy’s *Decades*.

Cranmer lists references to the church Fathers that Hooker had to consider because they were alleged by his opponents in support of the office of lay elders: Ignatius, Cyprian, and Jerome (3:128). Hooker referred to Ignatius on the first folio of his manuscript, and Cranmer urged him to quote the passage.³¹ Hooker cites Gregory of Nyssa twice. There are at least three references to chapter 39 of Tertullian’s *Apologeticus adversus Gentes*, a text vigorously disputed in the Cartwright-Whitgift exchange and by Sutcliffe as well. Hooker also considered passages that had been quoted by Cartwright in support of the disciplinary office of lay elders from one of Cyprian’s Epistles, from Jerome’s *Adversus Luciferanos*, and from chapter 5 of Pseudo-Ambrose’s *Commentarii in epistolam ad Timotheum I*. The only early church historian mentioned by Hooker was Socrates, whose statement in *Historia ecclesiastica* concerning presbyters in Alexandria who were not allowed to address the public after the Arian disturbance had been cited by Cartwright in *The Rest of the Second Replie*.

From canon law, Hooker cited a passage from the *Decretales* of Gregory IX concerning Pope Innocent III’s disavowal of temporal jurisdiction in the dispute between King John and Philip Augustus in 1204—a text that was also recorded in the Autograph Notes (3:486.3–7; see also 393.29–394.7). Hooker’s medieval sources also included at

³¹ Keble argues that this reference to Ignatius may be one of the few places where the copy of the original Book VI seen by Cranmer and Sandys agreed with the present Book VI. This would be the case if Hooker actually referred to chap. 9 of Ignatius’s *Epistola ad Smyrnaeos*, which he quotes in chap. 2.1 (3:4.20–22 and *i*). But given the context of the controversy and Hooker’s contemporary sources, the reference may just as well have been to chap. 3 of *Ad Trallianos*, mentioned by Cranmer (3:127.14–17), and quoted by Cartwright in *The Rest of the Second Replie* and by Sutcliffe on the first page of *De presbyterio*.

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least one reference to Elias the Levite (1472–1549), the Hebrew scholar whose *Thisbetes* Hooker had cited twice in Book V (20.3 and 73.6; 2:74.n and 404.z). With regard to sixteenth-century Roman Catholic scholastics, Hooker referred to a comment by Pamelius, who published annotated editions of the works of Tertullian and Cyprian. Cranmer dismissed Pamelius as “a papist,” whose opinion about what was or was not written by the ancient church Fathers did not have much credibility (3:128.17). Among the works by the English reformers, Hooker certainly had in front of him not only the works written by Whitgift against the disciplinarians but also those written by Sutcliffe. The core of Hooker’s argument in the original version of Book VI had already been set forth in the latter’s *A Treatise of Ecclesiasticall Discipline* (1590) and in *De presbyterio* (1591). And he must also have been cognizant of the substance of the two works published in 1593 by Richard Bancroft, *A Survey of the Pretended Holy Discipline and Dangerous Positions*.³²

Material Related to Book VI in the Autograph Notes

Those of Hooker’s Autograph Notes that deal specifically with Book VI were compiled in response to critical comments made by Sandys (3:130–133) and are almost exclusively legal in character.³³ Hooker drew heavily for material to be added to his discussion of the English ecclesiastical courts and the cases that fell under their jurisdiction from William Lyndewode’s *Provinciale* (see below, pp. 295–296 and n. 66). He also drew extensively from the *Decretales* of Gregory IX, from Justinian’s *Digest* in the Roman civil law, and from the *De legibus et consuetudinibus Angliae* of the great thirteenth-century English jurist, Henry de Bracton. And he had the second edition of Richard Cosin’s *An Apologie: of, and for Sundrie Proceedings by Jurisdiction Ecclesiasticall* (1593) to help him in his defense of the ecclesiastical courts against the charges of the disciplinarians, in his identification of those

³² See n. 35, pp. 20–21, above.

³³ See above, pp. 237–242, and nn to 3:469.14–490.6.

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cases which traditionally and legitimately fell under the jurisdiction of those courts, and in his defense of the oath *ex officio*.³⁴

iv. The Argument

1. Spiritual Jurisdiction in General

Since Hooker came to envision Book VI as less a refutation of the disciplinarian office of lay elders than a defense of the spiritual discipline established in the church and commonwealth of England, two descriptions of this office, which Hooker and his fellow apologists felt would undermine order and authority in both church and state are germane. The first is from one of Hooker's colleagues, Matthew Sutcliffe, who, despite a clear establishment bias, gives a concise appraisal of the lay elders and their functions:

First, the Elders shall have authoritie to make all orders and decrees, and abrogate the same. Secondlie, they shall have power to chuse officers in the Church, and to depose them. Thirdlie, they shall be judges in all causes of faith, doctrine, and manners, so farre as appertaineth to conscience. Lastlie, (that they want no meanes to bring under the rebellious) they shall have authoritie to admonish, suspend, excommunicate, and absolve.³⁵

Another useful description of the authority exercised by presbyterian lay elders acting in concert with ordained clergy to oversee spiritual and moral affairs in local parishes has been given by Patrick Collinson:

Many Protestants had for long agreed that spiritual and moral discipline could be usefully furnished in the local church by means of the congregational consistory: a court composed of the pastor and the lay officers called elders, in some measure representative of and responsible to the congregation. The presbyterians insisted on the absolute necessity of this institution, as alone embodying New Testament discipline, for them an indispensable mark of a

³⁴ See Autograph Notes, 3:481.18, and 3:xxi.

³⁵ *A Treatise Of Ecclesiasticall Discipline* (1590), p. 126.

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true church. . . . The presbyterians condemned both [the higher government of the church by Christian magistrates or by bishops] out of hand. The rule of magistrates was excluded by the distinction of Church and Commonwealth as two separate, if interdependent spheres of authority. The rule of bishops was dismissed by claiming on biblical authority the parity of both congregations and pastors.³⁶

When it is recalled that the presbyterian polity further prescribed in place of the ecclesiastical rule of magistrates or bishops the federation of individual congregations in a graduated series of representative courts composed of ministers and elders from the local churches, all the way from the local classis or regional presbytery through the provincial synods to nationally and, ideally, universal assemblies—one can begin to grasp how revolutionary such a polity would have been for Elizabethan English life. Hooker begins his refutation of lay elders with a rhetorical reference to “the tyme of silence which both partes have taken to breath” after a sharp and bitter conflict as a time to listen more calmly to reason concerning the weightiest and last remaining subjects to be taken up in the last three books.³⁷ He aligns himself with those apologists of the establishment who have argued that the whole platform of church discipline proposed by his opponents is intended “to wrest the key of spirituall authoritie [or jurisdiction] out of the hands of former governors” [that is, bishops and the Prince], and to place this authority in the hands of local parish pastors. In order to assure the success of this revolution against established jurisdiction, Hooker insinuates that the disciplinarian pastors have even been willing to compromise their own authority by “pretending” that the people (in this case, lay elders with no “habilitie” or just claim) are “necessarie actors.”³⁸

Hooker then distinguishes two kinds of spiritual or ecclesiastical

³⁶ *E.P.M.*, pp. 105–106; also, pp. 298–299.

³⁷ For an account of the historical situation referred to in chap. 1.1–2 (3:2.1–3.8), see above, Introduction to The Preface, pp. 22–37, and nn to 3:2.1–21 and 133.27; see also Collinson, *E.P.M.*, p. 431.

³⁸ A similar argument is made in Pref. 3.5–12 and 2.4 (1:15.6–18.32 and 6.31–7.20).

power: that of *order* and that of *jurisdiction* (2.1–2; 3:4.7–6.4). It is by the power of order that the threefold ministry of bishops, priests, and deacons is consecrated—set aside from the laity—by receiving special gifts of the Holy Spirit in ordination for the purpose of performing divine duties in the church (discussed previously in V.76.1–78.12; 2:413.20–447.26). The power of jurisdiction includes both the role of priests as judges in the administration of penitential discipline and the juridical power to dictate law and administer it through the ecclesiastical courts.³⁹

It is helpful to recall that the term “jurisdiction” is ambiguous and, since the origin of the church, has caused confusion and controversy. The legal connotation of the term is evident: jurisdiction is the power to dictate law and to enforce it.⁴⁰ The word therefore designates the administrative and juridical organization of the church, including the ecclesiastical courts which interpret and apply the canon law. But jurisdiction also designates something else, for the church is a government of souls as well as of physical bodies. Hence, jurisdiction in the church is also—indeed, primarily—a spiritual power, as Hooker himself observes in chapter 2.2 (3:5.28–32). In the early church, where confession and ecclesiastical discipline were almost exclusively public, there was no distinction between the administration of penance (hearing confessions, judging proper works of satisfaction, imposing excommunication in cases of obstinacy, and declaring absolution) and the judicial power publicly administered by the bishops. Bishops, not

³⁹ Compare Hooker’s Autograph Notes, 3:466.16–469.13. On the distinction between spiritual jurisdiction as either “ordinary” (that is, pertaining only to ordained clergy) or “delegated” (that is, assigned by the bishops to their delegated representatives, who may be laymen), see W. J. Sparrow Simpson, “Jurisdiction in Hearing Confessions,” in *The Theory and Practice of Penance by Priests of the Anglican Communion*, ed. Hubert S. Box (London, 1935), p. 48.

⁴⁰ “The word *jurisdictio* itself acquired an ever broader connotation in medieval canonistic works until in the first half of the thirteenth century it was being used in the general sense it came to have in Canon Law—*potestas regiminis quae ex divina institutione est in ecclesia*”; see Brian Tierney, *Foundations of Conciliar Theory: The Contribution of the Medieval Canonists from Gratian to the Great Schism* (Cambridge: The University Press, 1955; rpr. 1968), p. 33n; compare Hooker’s definitions in chap. 2.2 (3:5.29–32) and Autograph Notes (3:466.17–21).

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presbyters, administered discipline, and they dealt only with what were regarded as the occasional more serious sins. The only acceptable "satisfaction" was a period of separation from communion, and absolution followed that period rather than preceding the performance of "satisfaction." There was, however, a progressive tendency in later centuries to separate the public and the private areas of ecclesiastical discipline. In the western church, the gradual assumption by presbyters of episcopal ministries that had formerly been only occasionally delegated to them, together with developments of the Irish penitentials, led to private confession and immediate absolution with satisfaction following. These developments, increasingly regulated by canon law, prepared the way for the distinction that was made during the twelfth century between the power of order and the power of jurisdiction,⁴¹ an important theological distinction first made by Alexander of Hales during the thirteenth century in the context of interpreting the meaning of the power of the keys given by Christ to his church.⁴² Since

⁴¹ F. Donald Logan has described this development in the discrimination of different kinds of ecclesiastical discipline as follows:

From the twelfth century public reconciliation came to be distinguished from absolution from sin. The full reconciliation of an excommunicate required absolution from excommunication in the external forum as an act of jurisdiction, which could be performed even by a layman, and absolution from sin in the forum of the sacrament of penance as an act of order and jurisdiction, which could be performed only by a priest. The two absolutions became joined on the rare occasion when the solemn form of absolution was used; conceivably a priest who was absolving a person from the sentence in the internal forum might have absolved him from the sin publicly at the same time. Even so, the two absolutions were formally distinct, having different objects and being performed by virtue of different authorities.

See *Excommunication and the Secular Arm in Medieval England: A Study in Legal Procedure from the Thirteenth to the Sixteenth Century* (Toronto: Pontifical Institute of Mediaeval Studies, 1968), p. 138.

⁴² *Summa theologica*, 4a.20.8.1; and 4a.22.1.4; (Venice, 1525), 4:338 and 439. On the medieval development of the distinction between the internal penitential forum and the external canonical forum, see François Russo, "Pénitence et excommunication: Etude historique sur les rapports entre la théologie et le droit canon dans le domaine pénitentiel du IXe au XIIIe Siècle," *Recherches de Science Religieuse*, 33

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this latter distinction is so crucial to the overall structure of the whole of Book VI, including chapters 3–6 of the 1648 version, as well as to the original missing draft and to the Autograph Notes, it is important to see it as explicated by Thomas Aquinas:

The term “key” is used in a twofold way. One extends itself immediately to heaven by removing the impediments of entrance into heaven through the remission of sin. This is called *the key of order*, and priests alone possess this because only they are ordered by the people in these things that have to do directly with God. The other key does not directly extend itself to heaven but indirectly to the church militant through which one goes to heaven. By this key one is excluded or admitted to the society of the church militant through excommunication and absolution. It is called *the key of jurisdiction in the forum of causes*. Therefore, those who are not priests can have this key, such as archdeacons, delegates, and anyone else who can excommunicate. But this second is not properly called a key of heaven but rather a disposition to it.⁴³

In that part of the medieval tradition represented by Giles of Rome and Augustinus Triumphus, all ecclesiastical jurisdiction is seen primarily as residing in the pope, through whom it is possessed by the bishops. Each bishop’s jurisdiction is usually restricted to his diocese. On the one hand, with regard to the jurisdiction associated with the sacrament of penance, the bishop imparts to ordained priests the authority to hear confessions, impose works of satisfaction, and absolve. But not all ordained priests are delegated this authority, and the jurisdiction of those to whom it is delegated is usually restricted to a parish. On the other hand, with regard to the bishop’s canonical authority in the external forum, the power of jurisdiction (including the imposition of excommunication and the lifting of excommunication through absolution) may be delegated not only to archdeacons but to lay judges as well. During the sixteenth century, the Church of

(1946): 257–279, 431–461.

⁴³ *Sup. Sum.*, 19.3; see also 22.1 and 2.

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England adopted this medieval position as it was embodied in canon law, with two major exceptions: (1) that "all jurisdiction ecclesiasticall within this realme is now annexed to the Imperiall Crown" rather than to the pope,⁴⁴ and (2) that penance is not a sacrament, although its administration remains properly sacerdotal. The bishops have their sacerdotal power of order (including the power of imposing excommunication as a spiritual punishment upon obstinate sinners and declaring absolution from sins) by standing in that line of spiritual authority that reaches back through their predecessors to the apostles and ultimately to Christ himself. This is part of the bishop's spiritual authority, the power of order, handed down to priests in their ordination. But the prince's overall authority as "head" or "supreme governor" of the church is recognized insofar as the appointments of the bishops must be made or approved by the crown and the final authority for the judgments of all courts, ecclesiastical as well as secular, lies with the crown (see *Lawes*, VIII.8).

Although the supreme power of all jurisdiction, both spiritual and civil, resides in the prince, the crown by custom and law delegates that part of its jurisdiction over spiritual matters to the bishops, who in turn further delegate their authority in the external forum to the ecclesiastical courts and the judges (some of whom may be laypersons) who preside over them.

What Hooker did in the original draft of Book VI was to give a general introduction to the nature of spiritual jurisdiction (probably very similar to that published in chapter 2 of the 1648 version), then to defend the established order, including a brief defense of the bishops' courts, and finally proceed to refute the disciplinarian office of lay elders at the level of the external canonical forum. He did this by identifying the disciplinarian consistories in the local churches (and, by extension, their regional presbyteries, provincial synods, and national assemblies) made up of their pastors and doctors and ruling lay elders, as spiritual courts that would replace the traditional ecclesiastical court system in England. Hooker's primary argument in this draft was not so much against the unordained status of lay elders as against their insuffi-

⁴⁴ 1 Eliz. I, cap. 2, cited by Hooker in Autograph Notes, 3:468.19-20.

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cient knowledge and skill to determine ecclesiastical causes (see Auto-graph Notes, 3:471.17–18, 25–28). There is no evidence from the Cranmer-Sandys Notes that Hooker intended to add a preliminary section on spiritual jurisdiction at the level of the internal penitential forum. But, given the historical and theological precedents, along with Hooker's disposition toward systematic thought that is comprehensive but not exhaustive, he might well have become dissatisfied with his treatment of the subject of lay elders only at the level of the external canonical forum. He therefore decided not only to revise but to expand his earlier argument by demonstrating that such penitential acts as hearing confessions, suspending from the Lord's Supper for disciplinary reasons, excommunicating obstinate sinners, deciding the nature of appropriate works of satisfaction, and judging the sincerity of repentance as a basis for declaring absolutions were all sacerdotal functions grounded in the power of order, from which all laity are properly excluded. Moreover, Hooker's introduction of repentance at the end of chapter 2 and at the beginning of chapter 3 of the 1648 text is not just a bridge into the remaining part of chapter 3 and chapters 4–6; it is also related to the original lost draft of Book VI as well. By proposing to elucidate the entire subject of spiritual jurisdiction in terms of its "*chiefest end*," "*pænitency*" (2.2–3.1; 3:6.1–18),⁴⁵ he is continuing to follow the same practical course laid out at the beginning of Book I (2.1; 1:58.22–32). Here too Hooker is indebted to Aristotle for his general doctrine of ends as causes and the more specific doctrine of the causal primacy of ends in practical matters. And, again as in Book I and in the introductory chapters (1–10) to Book V, he moves the debate (this time over lay elders and the ecclesiastical courts) back to the higher level of general principles.

Penance: Like the term "jurisdiction," "penance" has an instructive history of interpretation. Jerome, following the older Latin Bible, translated the Greek μετανοία by the Latin *poenitentia*, and the Greek

⁴⁵ Concerning the centrality of repentance in the Book of Common Prayer and the relationship of "repentance" to Hooker's concepts of "commonwealth" and "participation," identified by Booty as the philosophical key to Hooker's theology in Book V, see Introduction to Book V, pp. 200–202, above.

verb μετανοεῖν by *poenitere* or *agere poenitentiam*. The Greek μετανοια means “after-thought” and, by extension, “change of mind and purpose,” which is the primary meaning in the Scriptures. But the Latin “*poenitentia*” came to include “painful works for the satisfaction of sins” that were therapeutic as well as punitive, and this new meaning was then read into the passages of the New Testament where it occurred. In the early English versions of the Bible, based as they were upon the Vulgate, “*poenitentia*” was generally translated “penance.” While the phrase “do penance” was abandoned by the Protestant Reformers as not truly representing the original Greek, the substantive “penance” lingered on until later times, and is still found in the Communion Service in the Book of Common Prayer and in Article 33 of the Thirty-Nine Articles. Hooker’s repeated tendency to expound repentance in terms of a medical cure for a disease points to the primacy of the therapeutic over the punitive in his thinking about the matter.⁴⁶

The introduction of repentance as the major end of spiritual jurisdiction may thus be construed as the foundation for all of the remaining parts of the 1648 version: the virtue and discipline of repentance (the balance of chap. 3), confession (chap. 4), satisfaction (chap. 5), and absolution—falsely identified by the schoolmen as an essential part (and for some of them the crucial factor) in their *sacrament* of penance (chap. 6). At the same time, repentance as the principal end of spiritual jurisdiction also governed the draft read by Cranmer and Sandys.⁴⁷

2. *Spiritual Jurisdiction: The Internal Penitential Forum.*

Chapters 3–6 of the 1648 version of Book VI are undoubtedly the “treatise on repentance” that was the crux of the dispute between Sandys and Andrewes (see p. 252 and n. 7, above). Insofar as the argument developed here is anti-Roman, it reflects Hooker’s participation in that moral revolution of English Reformation thought that began by attacking the Roman Catholic sacrament of penance.⁴⁸

⁴⁶ See chaps. 3.1, 4.1, and 4.5 (3:6.12–14, 15.6–16, and 23.5–20).

⁴⁷ Concerning the primary end of ecclesiastical courts and judges as curing the souls of men, see Autograph Notes, 3:477.20–21, 478.27–30, and 480.15–18.

⁴⁸ On the significance for the Church of England of the rejection of the sacrament

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Hooker was often concerned with Rome, as in his *Discourse of Justification* and throughout the *Lawes*. The whole of Book IV is devoted to the refutation of the argument “that our forme of Church-politie is corrupted with popish orders rites and ceremonies banished out of certaine reformed Churches whose example therein we ought to have followed” (1:271.2–7). Therefore, even though Book VI was primarily directed against the disciplinarian office of lay elders, it was strategically necessary for Hooker to set off his position from the teaching and practice of Rome with regard to the nature of penance and priestly absolution. This was especially important in a situation where his anti-Genevan polemic led him to argue that the exercise of penitential discipline in the church belongs to the *ordinary power* of spiritual jurisdiction and is thus the *exclusive* prerogative of the *ordained ministry*.⁴⁹

The accusation of “popery” was common in all of the disciplinarian attacks on the established church. Hooker himself had been so accused, both by Walter Travers during the controversy at the Temple in 1585–1586,⁵⁰ and by the author(s) of *A Christian Letter* (4:64.25–71.7, this edn.). Thus he needed to clarify his position with regard to Rome not only to refute his opponents but to appease his colleagues as well. Even in the missing draft, Cranmer advises him to delete a passage from his treatment of lay elders “because it favoureth the papistes in some pointes” (3:128.3–4). In the 1648 version Hooker wanted to assure his friends that his arguments for denying the exercise of ordinary ecclesiastical jurisdiction to the laity still allowed him to be critical of Rome.⁵¹

of private penance and the substitution of public confession and absolution for it, see John E. Booty, “The English Reformation: A Lively Faith and Sacramental Confession,” in *The Anglican Moral Choice*, ed. Paul Elmen (Wilton, Conn.: Morehouse-Barlow Co., 1983), pp. 15–32, 251–253; see also T. W. Drury, *Confession and Absolution: The Teaching of the Church of England, as Interpreted and Illustrated by the Writings of the Reformers of the Sixteenth Century* (London, 1903), pp. xix–xx.

⁴⁹ Although denying that penance is a sacrament, Hooker agrees with the Council of Trent concerning the exclusive prerogative of the ordained ministry with regard to the exercise of penitential discipline within the church; see *Canons and Decrees of the Council of Trent* (1941), Fourteenth Session, chap. 6, pp. 95 and 370.

⁵⁰ See his *Supplication* (5:200.12–208.13) and Hooker’s *Answer* (5:237.29–245.4).

⁵¹ The relevance of Hooker’s anti-Catholic “tract of confession” in the 1648 text

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Having specified in the heading of chapter 3 that “*pœnitence*” is the chief end of spiritual jurisdiction and that the spiritual health and safety of human souls is the primary goal of repentance, Hooker points out that sin has both a personal and a public dimension: an offense first against God but against neighbor and community as well. He then distinguishes the “virtue” and the “discipline” of repentance. The first, the secret inward repentance of the heart, is the way that the sinner appeases an offended God and is thereby reconciled with Him; the second makes restitution to human beings who have been injured by the sins and satisfies the community of the faithful in the church. Hooker emphasizes the essential unity of the internal virtue and the external discipline in his explanation of why he has chosen to deal with them together in his subsequent discussion of confession and satisfaction (3.6; 3:13.17–28).

At the beginning of chapter 3.5, Hooker divides a penitent’s duty into (1) the aversion of the will from sin, (2) the submission of the self to God by supplication and prayer, and (3) the intent to lead a new life, as witnessed by present works of amendment. He relates this threefold division of a penitent’s duty to the corresponding notion reflected in the Prayer of Confession in the Book of Common Prayer, where sin is affirmed to be an offence against God in “thought, word, and deed.”⁵² He also relates this threefold division to the schoolmen’s discussion of the major parts of the sacrament of penance: contrition, confession, and satisfaction. Hooker’s treatment generally conforms to this division: the balance of chapter 3 is on contrition, chapter 4 is on confession, and chapter 5 and the last sections of chapter 6 are on satisfaction. Although Hooker does not indicate at this point that he intends to treat absolution, he does in fact do so in the long beginning sections of chapter 6, for two major reasons, both apropos of the subject of ordinary spiritual jurisdiction: (1) the medi-

to the defense of the established ecclesiastical courts and the refutation of congregational lay elders in the first and now missing draft (disputed by Keble) is argued by McGrade in “Repentance and Spiritual Power,” pp. 163–176; Loyer, 1:63–78, 2:721–723; and Josef Koenen, *Die Busslehre Richard Hookers: Der Versuch einer Anglikanischen Bussdisziplin* (Freiburg, 1940). But see also n. 3, p. 250, above.

⁵² B.C.P., 1559, p. 259.

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eval scholastics always dealt with the subject of priestly absolution in their discussion of the sacrament of penance, and (2) the disciplinarians assigned to lay elders, along with ordained ministers and doctors, the responsibility not only of disciplining by private admonition or excommunication but also of "loosing" that spiritual punishment by declaring absolution as well.

In approaching the subject of contrition, Hooker follows the central Reformation doctrine that all good works derive from God and not from human effort, teaching that the virtue of repentance in the human heart is the effect of divine grace. He also utilizes the terminology of Aristotle and the schoolmen (especially that of Aquinas) in speaking about the virtue of repentance as a "habit," that is, as a mental state acquired through constant repetition that eventually makes certain actions "natural." According to this viewpoint, divine grace implants in the soul that love of virtue which is otherwise acquired only by a repetition of virtuous actions. What Aristotle had spoken of as "acquired," Aquinas and the schoolmen taught could be "infused." Thus regarded, the theological virtues of faith, hope, and love, along with such other virtues as repentance and righteousness, are all regarded as "divinely infused habits." Again utilizing a distinction found in Aquinas concerning "order" and "dignity,"⁵³ Hooker states that "the whole traine of vertues, which are implied in the name of Grace, bee infused att one instant" (3.2; 3:7.29–31). Yet in the logic of order deriving from the distinct operations of the virtues, one seems to arise from another. In tracing this sequence, Hooker argues that faith in God, along with belief in the resurrection and judgment of the dead, leads to what the medieval scholastics describe as "servile fear" (*atritio*). But for Hooker such fear cannot of itself move sinners to repentance, and overemphasis upon it may in fact cause the overscrupulous to despair of salvation and therefore to

⁵³ S. T., 1a2ae.113.8; see also 3a.85.6. Compare Hooker, *Justification*, § 21 (5:129.2–130.12). For an account of how Hooker's intimately related doctrine of justification synthesizes Reformation and Roman Catholic teaching by means of this same Thomistic distinction between "order" and "dignity," see Lee W. Gibbs, "Richard Hooker's *Via Media* Doctrine of Justification," *Harvard Theological Review*, 74 (1981): 211–220.

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become immobile. Hence, Hooker teaches that attrition itself presupposes some perception of God's mercy and forgiving love, and that the divinely infused virtue of love as a desire of union with the merciful and forgiving God transforms it into "contrition" (*contritio*).⁵⁴ Along with the schoolmen, he conceives of contrition primarily as "that alteration, whereby the will which was before delighted with sinne, doth now abhorre and shunne nothing more" (3.5; 3:12.25–27), and secondarily as the accompanying filial sorrow for having offended the heavenly Father.⁵⁵

Contrition is therefore for Hooker the beginning of repentance, and there is neither contrition nor repentance without divine forgiveness. It is God's grace transforming servile fear into filial sorrow by means of a divinely infused desire for union with a merciful and forgiving God that effectively works contrition in the human heart. The discussion of contrition in chapter 3 leads him naturally into his consideration of confession in chapter 4 and satisfaction in chapter 5. These chapters deal with "discipline," that is, the external, ritualized side of repentance that was "*instituted by Christ; practised by the Fathers: converted by the Schoolemen into a Sacrament*" (chap. 4, heading; 3:14.1–3).

Hooker's introduction to chapter 4 (3:14.8–15.6) is of immense importance not only for its refutation of the Roman teaching that penance is a sacrament but also for his anti-Genevan polemic against the office of lay elders. The penitential tasks of pastoral guidance and correction to which he here addresses himself are the same as those for

⁵⁴ Hooker's practical pastoral concern for the care of potentially overscrupulous souls is a unifying thread throughout his work. It manifested itself in his analysis of "assurance" and "certaintie" in *Certaintie and Justification* and in his recurrent use in Book VI of medical metaphors of curing and healing when dealing with contrition and repentance in preference to those juridical ones derived from the law courts; see above, Introduction to Book V, pp. 200–202; see also John E. Booty, "Contrition in Anglican Spirituality: Hooker, Donne, and Herbert," *Anglican Spirituality*, ed. William J. Wolf (Wilton, Conn.: Morehouse-Barlow, 1982), pp. 25–48, and McGrade, "Repentance and Spiritual Power," pp. 170–171.

⁵⁵ In the context of his discussion of absolution, Hooker takes the schoolmen to task for their distinction between attrition or servile fear as a partly meritorious work that is transformed by means of the sacrament of penance into fully meritorious contrition; see chap. 6.13 (3:93.18–95.4).

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which his disciplinarian opponents proposed the participation of lay elders. Hooker opens this section with the citation of the key proof-texts from Matthew 16:19 concerning the keys of the kingdom, from Matthew 18:17 concerning the saying of Jesus, "Tel it unto the Church," and from John 20:23, "Whosoever sinnes ye remit, they are remitted unto them: and whosoever sinnes ye reteine, they are reteined." These texts have a long history of interpretation and were among those most often cited by the disciplinarians in support of lay elders (see above, p. 263 and n. 25). Hooker preempts them as warrants for ecclesiastical courts and consistories (3:14.18–23), clearly restricting their meaning to the ordinary power of spiritual jurisdiction, that is, to "the guides and Prelates in Gods Church, first his Apostles, and afterwards others following them successively," who "did both use and uphold that discipline, the end whereof is to heale mens consciences, to cure theyr sinnes, to reclaime offenders from iniquitie, and to make them by repentance just" (3:15.7–11). He specifies even further how the exercise of this power is ruled by its chief end of repentance:

Neyther hath it of ancient tyme for any other respect bene accustomed, to bind by Ecclesiasticall censures, to retayne soe bound, till tokens of manifest repentance appeared, and upon apparent repentance to release, saving only because this was received, as a most expedient method, for the cure of sinne. (3:15.12–16)

Hooker also mentions in this context both of the major sanctions or punishments associated with the exercise of ecclesiastical discipline, namely, the exclusion from participation in the "holy mysteries of Christ" (3:15.20–22), traditionally known as *minor excommunication*,⁵⁶ and full ejection out of the church with the deprivation of all rights

⁵⁶ For the importance of penitential preparation and discipline with regard to the administration of the Eucharist, see John E. Booty, "Preparation for the Lord's Supper in Elizabethan England," *Anglican Theological Review*, 49 (1967): 131–148; Booty observes that Elizabethan ecclesiastics "aroused the ire of the Puritans by relying for discipline upon exhortation, visitations, and ecclesiastical courts, rather than providing for the discipline of communicants from within the local congregation" (p. 148).

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and privileges of Christians (3:14.23–27), traditionally known as *major excommunication*. His citation of the case where the incestuous Corinthian was excommunicated and then absolved (1 Cor. 5:3 and 2 Cor. 2:6) touched upon another hotly disputed subject. Cartwright and his supporters contended on behalf of lay elders that the Corinthian church both excommunicated and absolved the offender, while Whitgift just as strenuously argued that the Apostle Paul alone exercised this authority with the approval of the church in Corinth.

Confession: At the beginning of section 2, Hooker introduces for the first time “confession” as the general subject of chapter 4.⁵⁷ He states that the discipline for reforming “open transgressors” in the early church included “offices of open penitence especially confession, whereby they declared their owne crimes in the hearing of the whole Church” (3:15.17–20). He gives a historical explanation for the increasing disfavor into which this ancient custom of public discipline fell: when the persecutions of the early church ceased, the numbers of church members rapidly increased, princes became Christian, evils encouraged by the new peace and security broke forth, and “publique confessions became dangerous and prejudicial to the safety of well minded men, and in divers respects advantageous to the enemies of Gods Church” (3:16.23–25). Hooker then introduces the long anti-Roman section that disputes the elevation of private auricular confession to the status of a sacrament (§§ 3–13; 3:16.28–45.16). He begins by pointing out several contradictions implicit in the teachings of the various schoolmen, including the classification of the inward virtue of contrition as one of the three parts of the external discipline of penance. He also objects to the omission of absolution, which some medieval scholastics (such as Aquinas and the majority at the Council of Trent) make an essential part of the sacrament.⁵⁸ But his major argument

⁵⁷ For surveys of the historical use of confession and penance in the history of the church, see Frank E. Biggart, “The Presentation of the Sacrament of Penance,” in *The Theory and Practice of Penance by Priests of the Anglican Communion*, ed. Hubert S. Box and Kenneth E. Kirk (London, 1935), pp. 15–46. See also Thomas N. Tentler, *Sin and Confession on the Eve of the Reformation* (Princeton: The University Press, 1977), and Oscar D. Watkins, *A History of Penance*, 2 vols. (London, 1920).

⁵⁸ The Council of Trent endorsed both the Thomist doctrine that the imperfect

throughout this section is that antiquity is on the side of those who maintain that confession is public as well as private, and that it is not a sacrament. As in the disputations with the disciplinarians, the argument focuses upon the testimony of Scripture (both Old and New Testaments) and the church Fathers.

Hooker's treatment of the crucial Old Testament texts dealing with confession (§ 4; 3:20.5–22.9) is derivative. He bases his discussion of "Jewish confession," which entails exegesis of passages from Numbers, Leviticus, and Joshua, upon commentary written on the Mishnah and Talmud by Moses Maimonides, concluding that the Jews practiced "special confession" to God and public confession before many but denying that they knew anything of private auricular confession.

The New Testament texts Hooker discusses are also derivative. He cites passages from Matthew, Mark, Acts, James, and 1 John that had been quoted by various schoolmen to substantiate their claim that the custom of private auricular confession had New Testament precedent (§ 5; 3:22.10–24.20). The bulk of the argument with the schoolmen over confession, however, has to do with the witness of the church Fathers. Considering as moot passages from Tertullian, Cyprian, Ambrose, Augustine, Origen, Gregory of Nyssa, Pseudo-Eusebius Emisenus, and numerous others, along with canons from the Council of Nicaea, he concludes:

I dare boldly affirme, that for many hundred yeares after Christ, the Fathers held noe such opinion, they did not gather by our Saviours words any such necessitie of seeking the Priests absolution from sinne, by secret, and (as they now terme it:) sacramen-

fear of punishment (*attritio*) is transformed through the sacrament of penance into perfect contrition, and also that the confession of sins to a priest is the "matter" while the words of the priest, "I absolve you," are the form of the sacrament of penance. The most significant contribution of Aquinas to the medieval discussion of penance was his insistence that contrition does not produce forgiveness apart from the sacramental absolution of the priest; see the further discussion of Aquinas's view of the necessary role of the priest's absolution below, pp. 291–292. In a way very similar to Hooker, Calvin attacks these same basic "contradictions" within the teachings of the medieval schoolmen concerning the sacrament of penance; see *Institutes*, 3.4.1–39 and 4.19.14–16.

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tall Confession. Publique Confession they thought necessary by way of discipline, not private Confession as in the Nature of a Sacrament necessary. (§ 6; 3:24.22–28; compare § 13; 3:45.14–16)

The brief but concentrated passage (§§ 8–12; 3:33.18–42.9) where Hooker deals with the early church historians is also a part of his anti-Roman polemic. Hooker's argument with his scholastic opponents (especially Baronius and Bellarmine) focuses upon the practice of penance in the Greek church and, more specifically, with a decision of Nectarius, bishop of Constantinople, concerning the abolition of the office of a penitentiary "presbyter." Against the interpretation of Baronius, Hooker concludes that "*Nectarius* did truly abrogate Confession in such sort as the Ecclesiasticall historie hath reported," arguing against both Baronius and Bellarmine that "it was not publick Confession only [but also private] which *Nectarius* did abolish" (§ 11; 3:41.20–23).

Hooker sets forth his own position with regard to confession in the concluding sections of chapter 4 (§§ 14–16; 3:45.17–52.18). He acknowledges that confession, sometimes to God alone, at other times to man as well, is a principal duty for penitents. Moreover, confession to man can be both public or private, and Hooker points out that Calvin himself, along with other "learneder sorte of Divines" from the Reformed traditions, permits private confession but only after it has been "cleared from all errors."

Characteristically, Hooker emphasizes that common public acknowledgment of sins is an essential part of the corporate worship of the church, along with the public declaration of absolution by *the officiating minister*. With regard to private confession, he cites with approval the comment of his former patron, John Jewel: "*As for private Confession, abuses and errors sett apart, wee condemne it not, but leave it att libertie*" (3:48.h). He closes with a declaration of practice of the church as established in England:

And for private Confession, and absolution, it standeth thus with us. The Ministers power to absolve is publickly taught and professed, the Church not denied to have authoritie eyther of abridging, or enlarging the use and exercise of that power; upon the people noe such necessity imposed of opening their trans-

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gressions unto men, as if remission of sinnes otherwise were impossible, neyther any such opinion had of the thing itselfe, as though it were eyther unlawfull, or unprofitable, saving only for these inconveniences, which the world hath by experience observed in it heretofore: and in regard thereof the Church of England hitherto hath thought it the safer way, to referre mens hidden crimes unto God and themselves only, howbeit not without speciall caution, for the admonition of such as come to the holy Sacrament, and for the comfort of such as are readie to depart the World. (§ 15; 3:47.27–48.8)

Satisfaction: Chapter 5 deals with satisfaction as the third part of penance. In a brief introduction (§ 1; 3:52.20–53.23), Hooker refers to “such mysteries as the Papacie hath found” concerning this doctrine and claims the authority of the church Fathers as support for his position rather than that of his Roman opponents. He then advances the basic idea around which he organizes the following argument: “*Satisfaction* is a worcke which Justice requireth to be done for contentment of persons injured” (§ 2; 3:53.24–25). According to Hooker, satisfaction has a double aspect, for sin is not simply an offence against God or against man; it is both. Every sin demands that satisfaction be made to God; but every sin also requires that satisfaction be made either to the injured party or to the church whose spiritual life suffers through the sins of her members. Sections 2–6, therefore, take up satisfaction in relation to the offended God. There Hooker sets forth an Anselmian doctrine of the atonement as the divine basis for the human satisfaction of God.⁵⁹ Sin against the infinite God is an infinite wrong. Human beings can offer no satisfaction for sin, yet justice demands that God be satisfied. God, therefore, out of his unspeakable love, ordained on human behalf a Mediator whose sacrificial death accomplished what for any other would have been impossible. The Incarnation, culminating in the death of the God-man, has made

⁵⁹ For a summary of the objective Latin or satisfaction theory of the atonement as set forth by Anselm of Canterbury in *Cur Deus Homo?*, see Gustav Aulén, *Christus Victor; A Historical Study of the Three Main Types of the Atonement*, trans. A. G. Herbert (London: S.P.C.K., 1961), pp. 100–109.

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forgiveness not only possible but just. The satisfaction which Christ has accomplished is appropriated through the divinely infused virtue of faith (which is simultaneously infused with the other virtues of love, hope, repentance, and righteousness), thereby making imperfect human works of repentance satisfactory to God.

Under the rubric of satisfaction to God, Hooker also deals with the temporal punishments which follow sin even after divine pardon. He argues that divine forgiveness remits all punishments for sin, whether eternal or temporal. But this truth does not prohibit God from inflicting additional chastisement, and he refers to the people of Israel and to Moses, Miriam, and David as illustrations of those who were further punished temporally, "eyther for their owne more sound amendment, or for example unto others in this present world" (§ 5; 3:56.24–57.2). Thus, Hooker's position is that the virtue of repentance, quite apart from any desire for absolution from a priest, is sufficient to procure divine forgiveness; nevertheless, works of satisfaction as part of the discipline of repentance are not to be despised, for they strike at sin's future growth by attacking its roots.

Hooker turns to the satisfaction of human beings in sections 7 and 8: the first deals with the satisfaction of particular men, the second with satisfaction of the church. He observes first that experience demonstrates repentance to be of no effect in a person's life unless particular men be satisfied. Therefore, restitution to other men must accompany the penitent's confession that has been made to God. Hooker cites as guidelines for Christians the strict laws of the Jews both in Leviticus and Numbers, as well as the minute directions of the rabbinical schools. With regard to satisfaction of the church, Hooker notes that ancient discipline required lengthened periods of penitence and also ordered all the various classes of penitents to secure full proof of amendment and satisfaction. Condemnation of the false practice of Rome in granting absolution before sufficient repentance has been demonstrated closes chapter 5.

Absolution: Hooker thus returns at the end of chapter 5 to the topic announced at its beginning by considering "the strange preposterous course" taken by "the inventors of Sacramentall satisfaction" (§ 9; 3:67.12–14). Along with the mainstream of the Protestant Reformation, Hooker attacks the Roman doctrine of purgatory as a place

where, after death, divinely pardoned sinners still suffer temporal punishment equal to the nature of their crimes. He also attacks the related doctrine concerning the treasury of meritorious works built up by the supererogatory works of saintly Christians and dispensed by the church. He anticipates his discussion of absolution in chapter 6 by declaring that there is an analogy between the Roman doctrines concerning the papal power to pardon temporal pains of souls in purgatory and the priestly power that is necessary for the remission of eternal death, concluding that "by this posterne gate, commeth in the whole Mart of Papall indulgences."⁶⁰

The introduction of the long discussion of absolution at the beginning of chapter 6 appears in some ways to be a break in the logical progression of the argument, and there are both internal and external grounds for regarding it as an insertion at a later stage of composition.⁶¹ Internally, Hooker has not stated before that he intends to deal extensively with the topic of absolution. On the contrary, he omits absolution among the major parts of the so-called "sacrament of penance" (3.5, 6; 3:12.8–17, 13.11–28), even stating at the beginning of chapter 5 that "There resteth now Satisfaction only to be considered" (§ 1; 3:52.20). Externally, there is a sizable blank space on the page before the unexpected and unannounced topic "*Of Absolution of pœnitents*" is introduced, and there are several incoherencies in this section, the most obvious of them being the repetition of the passage (partially rewritten) concerning "this posterne gate . . . of Papall indulgences."

Nevertheless, it was vital that Hooker take up the issue of absolution to resolve issues raised by both wings of his opposition. On the one hand, the disciplinarians ceded the power of absolution (including minor and major excommunication) to lay elders acting in concert with ordained ministers. On the other, although most medieval schoolmen spoke of contrition, confession, and satisfaction as the three major parts of the sacrament of penance, they invariably included in

⁶⁰ Chap. 5.9; 3:68.28–69.4; compare chap. 6.7 (3:80.14–29) and *Justification*, § 5 (5:111.10–112.6).

⁶¹ For internal evidence, see McGrade, "Repentance and Spiritual Power," pp. 172–174; for external evidence, see 3:xxxv, xxxvii–xxxix.

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their writings long discussions concerning the nature and role of absolution. Some of them made absolution by the priest the essence of the sacrament itself.

Hooker begins his treatment by setting forth his own position on the role of ordained ministers with regard to the forgiveness of sins and the discipline of the church. He locates the origin of the jurisdictional authority to absolve in Christ's giving the power of the keys to his apostles and derivatively to the ministers of his Word.⁶² In light of his controversy with the disciplinarians over lay elders, both here and in the missing manuscript of Book VI, Hooker uses juridical language to describe this authority entailed in the power of order:

It is true that our Saviour by those words: *whose sinnes yee remitt they are remitted*, did ordaine Judges over sinfull soules, give them authoritie to absolve from sinne, and promisse to ratifye in heaven whatsoever they should doe on earth in execution of this their office (6.3; 3:71.25–28)

He immediately places two restrictions upon this "pœnitentiall jurisdiction" of priests: first, that its practice proceed in due order; second, that it not extend itself beyond its due bounds of remitting sin, as if "noe sinne should be pardonable in man without it" (3:72.5–11).

Further important juridical distinctions occur in section 5, where Hooker states that the sincerity of repentance is to be judged by the consciences of individuals, while "judges" have been appointed by God to evaluate the "fit and convenient offices" for expressing that repentance. Ministerial absolution only *declares* that the person is free from the guilt of sin; but ministers are endowed with authority to

⁶² The teaching of Lancelot Andrewes on absolution and the power of reconciliation given to priests as part of their power of order coincides with Hooker's at this point; see "A Sermon Preached at Whitehall, upon the Sunday after Easter, Being the Thirtieth of March, A.D. MDC," *The Works of Lancelot Andrewes*, ed. J. Bliss (Oxford, 1854), 5:94–95. Andrewes's main point in this sermon is that God has instituted diverse acts for the remission of sins, and that all of these acts require the person of the minister and cannot be performed without him. Compare Hooker's interpretation of the clergy's authority in declaring absolution in terms of the power of order in V.77.1 and 5–7.

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permit or refuse access to "sacred and divine mysteries" until those judged unworthy are deemed *by outward signs* to have sincerely repented. Another important distinction overlaps with this discussion of "minor excommunication." Hooker distinguishes between the way jurisdictional authority in the church is exercised over voluntary penitents and its exercise on those who have to be brought to amendment by ecclesiastical censure. With regard to the first, Hooker reiterates that the minister's power to bind or loose is based upon judgment of external signs of repentance and is only declaratory of what God has done. But with regard to the spiritual jurisdiction that constrains individuals to amend their lives, the minister has a genuine power of jurisdiction that the church has invested in his office.

Having outlined his own reformed position on the nature of absolution and the role of the ordained clergy therein, Hooker launches his attack upon the two major errors of Rome. The first concerns the view that sacraments in general (and the sacrament of penance in particular) contain and confer grace (§§ 9–11); the second concerns the exaggeration of the role and authority of the priest in the declaration of absolution (§§ 12–14).

Hooker argues that some of the schoolmen and the mainstream of the Roman tradition departed from the position of Peter Lombard, who held that absolution by the priest is merely declarative, when they made the private discipline of "pœnitencie" to be a sacrament and absolution the external sign of this sacrament. To the Thomistic doctrine that the external signs of a sacrament contain and convey the grace they symbolize (appropriated by the Councils of Florence and Trent and by Cardinals Bellarmine and Allen), he opposes the teaching of Bonaventure that the outward signs of the sacraments do not have in themselves either a natural efficacy toward grace or any supernaturally infused virtue in them (appropriated by Scotus, Occam, Alexander of Hales, and Pierre d'Ailly). Hooker identifies himself with Bonaventure's position, arguing that the sacraments are efficacious because God himself, faithful to his divine promise, joins his Holy Spirit to the external signs to make them so.

Obligatory confession to a priest at least once a year, as required by the Fourth Lateran Council (1215), reinforced by the teaching of Aquinas and the Councils of Florence (1439) and Trent (1545–1563)

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concerning the efficacy of the external signs of the sacraments, exalted the role of the priest in declaring absolution. Thomas Tentler has summarized the major theological alternatives that emerged in the practical literature on forgiveness at the end of the middle ages:

Theologians developed three main ways to explain what the priest does, and they represented three different estimates of his power. Those who continued in the [contritionist] tradition of Peter Lombard gave him very little to do. Those who followed Aquinas tried to combine the contrition of the penitent and the action of the priest in a causal unity that produced grace, and thus made the priest logically indispensable. Those who followed Duns Scotus gave the priest the greatest importance, and, starting from the indispensability established by Aquinas, they stressed the priest's role to such an extent that some of them could speak of "the Sacrament of Absolution."⁶³

Thus, in his view of auricular confession, as he had in his view of the declaratory nature of priestly absolution, Hooker rejects the Thomist and Scotist alternatives, identifying with the contritionist tradition of Lombard and Bonaventure.

Satisfaction (continued): *The Inward Dimension*: Having dealt with what he considers the major errors of the Roman teaching about absolution, Hooker resumes in the final sections of chapter 6 (§§ 15–17) what could be considered a continuation of his interrupted treatment of satisfaction at the end of chapter 5, namely, the *human* problem of satisfying one's own individual conscience. But the argument in these concluding paragraphs is probably better understood as a continuation of the part that the church plays through the declaration of pardon by its ministers and the resulting reassurance of the consciences of those individuals who have truly repented. (The whole of *Certainie* addresses the issue of reassuring the scrupulous conscience; see also *Justification*, 5:125.12–126.6.) The juridical language and the general importance of the following passage, not only for the anti-

⁶³ *Sin and Confession on the Eve of the Reformation*, pp. 22–23.

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Roman but also for the anti-Genevan thrust of all of Book VI, warrant its full quotation here:

To remission of sinnes, there are twoe things necessarie, Grace as the only cause which taketh away iniquitie, and Repentance as a dutie or condition required in us. To make repentance such as it should be, what doth God demand butt inward synceritie, joyned with fitt and convenient offices for that purpos: the one referred wholly to our owne consciences, the other best discerned by them whome God hath appointed Judges in this Court. Soe that having first the promisses of God for pardon generally unto all offenders poenitent, and particularly for our owne unfayned meaning, the unfallible testimonie of a good conscience; the sentence of Gods appointed officer and Vicegerent, to approve with unpartial judgement, the qualitie of that wee have done; and as from his Tribunall in that respect, to assoyle us of any crime, I see noe cause, butt that by the rules of our faith and religion, wee may rest ourselves very well assured touching Gods most mercifull pardon and grace, whoe especially for the strengthening of weake, timorous and fearefull mindes, hath soe farre indued his Church with power to absolve sinners. (6.5; 3:74.10–27)

In section 15, Hooker resumes this discussion of the comforting role of the priest in his role of declaring the assurance of divine forgiveness to those disturbed by an overscrupulous conscience. In section 16, he deals with those who are excessively fearful that the enormity of their crimes are so unforgivable that their repentance will do them no good; and in section 17 he considers those who continually fear that defects in their own repentance will make them undeserving of the divine mercy. Hooker then concludes his argument on spiritual jurisdiction in the inner penitential forum:

it hath therefore pleased Almightye God in tender commiseration over these imbecillities of men, to ordeine for their spirituall and ghostly comfort, consecrated persons, which by sentence of power and authoritie given from above, may as it were out of his verie mouth ascertaine timorous and doubtfull minds in their owne particular, ease them of all their scrupulosities, leave them settled in peace and satisfied touching the mercie of God towards

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them. To use the benefit of his helpe for our better satisfaction in such cases, is soe naturall, that it can bee forbidden noe man: butt yet not soe necessaric, that all men should bee in case to neede it. (6.17; 3:102.3–13)

3. *Spiritual Jurisdiction: The External Canonical Forum*

Hooker seems to have decided to expand the original and now lost version of Book VI by adding the long essay on spiritual jurisdiction as penitential discipline, which, although not a sacrament, is still properly a sacerdotal function from which therefore lay elders are excluded. He would have retained the original version of Book VI as the second major part of his refutation of the disciplinarian office of lay elders. This part of the argument would have been developed in terms of the more restrictive sense of spiritual jurisdiction as the administrative and juridical organization of the church or, more specifically, as the organization of the ecclesiastical courts and the law which they elaborated and applied. The evidence from the Autograph Notes makes this clear.

Ecclesiastical vs. Civil Courts: The presbyterians held that the scriptural model for overseeing spiritual and moral discipline in the church was the congregational consistory, that is, an ecclesiastical court made up of the pastor and representative lay elders. Both Travers and Cartwright speak of the consistories as “courts,” and both draw secular analogies from the ancient Athenian court of the Areopagus and the Roman Senate. Following Calvin and in concert with other disciplinarians, they also emphasize the Jewish Court of Seventy, the Sanhedrin, claimed as the origin and scriptural warrant for their office of lay elders. They rejected the ecclesiastical rule of magistrates, whether Christian or not, on the basis of the distinction between church and commonwealth as two separate, if interdependent, spheres of authority. The rule of bishops was dismissed by claiming on biblical authority that pastors and congregations are equal. The rule of magistrates and bishops was replaced with a graduated series of representative bodies,

rising from local consistories to presbyteries to synods to national and even international assemblies.⁶⁴

At this point, Hooker's argument must be reconstructed on the basis of what can be inferred from the Cranmer-Sandys Notes on the lost original draft of Book VI and from the relevant portions of the Autograph Notes. Hooker apparently began the draft of Book VI, as he did the extant 1648 text, by distinguishing between the power of order and that of jurisdiction (fol. 1; 3:4.8–24). In the Autograph Notes, he defines jurisdiction as "power to commaund and judg according to law" and spiritual jurisdiction as "a power of commaunding and judging in spirituall affaires according to spirituall lawes" (3:466.17–19). Another passage stresses that the chief end of spiritual jurisdiction in the external canonical forum is the same as its exercise in the internal penitential forum, namely, to work repentance: "The end being to cure the faults of men, and the waie by justice, it behoveth the phisitian which is the judge to be therein as expedite as may stand with justice that the cure of every mans evell may be with speed procured."⁶⁵

The means of that jurisdiction was the ecclesiastical court system, and Hooker specifies the kinds of cases that legitimately fall under its jurisdiction, citing matrimonial cases as an example.⁶⁶ This discussion,

⁶⁴ See pp. 271–272, above.

⁶⁵ Autograph Notes, 3:478.27–30; compare: "But . . . by way of revenge an ecclesiasticall judg imposeth not any pecuniary mulct, for that his end is to cure the soul and not to empty the purse of thoffendour" (3:480.15–18).

⁶⁶ The law underwriting that jurisdiction, assumed and interpreted by the English ecclesiastical courts, was the *Corpus juris canonici*, first published as a single collection in printed editions from 1499 onwards. Although there was never an official or expurgated edition in England, this was the body of ecclesiastical law that obtained in post-Reformation England, after modifications were made (such as deleting passages having to do with such issues as the authority of the papacy and the organization of religious houses), brought about by English statute law (such as the Acts of Supremacy and Uniformity), subsequent canonical legislation, and other orders and injunctions of the monarch, convocations, and ecclesiastical commissions, as well as local custom; see *The Canon Law of the Church of England: Being the Report of the Archbishops' Commission on Canon Law, together with Proposals for a Revised Body of Canons* (London, 1947), pp. xi, 42; see also *The Reformation of the Ecclesiastical Laws as Attempted in the Reigns of King Henry VIII, King Edward VI, and Queen Elizabeth* (1850; rpr. Farnborough,

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evidently rudimentary in the lost draft, would have emerged as a major new section had Hooker followed the promptings of Cranmer and Sandys,⁶⁷ who asked Hooker to clarify and justify the distinction between cases that are spiritual and judged by ecclesiastical courts, those which are temporal and judged by civil courts, and those which are “*mixt*” and may be tried in either tribunal.⁶⁸ Hooker’s response may be seen in the legal material gathered in his Autograph Notes (3:471.31–477.18). He repeatedly emphasized against his disciplinarian opponents that within their polity the spiritual sovereignty of every local congregation and the governing role of lay elders in those churches would undermine not only the spiritual jurisdiction of the ecclesiastical courts but ultimately the entire English court system (compare Pref. 8.2 and 2.4; 1:39.12–21 and 6.17–24). But he defended the traditional jurisdiction exercised by the ecclesiastical courts in England, especially in such “*mixt*” cases as marriage and divorce, legitimacy and bastardy, and particularly wills and testaments, over against encroachments by the civil courts and the common lawyers, of which Sandys was one.⁶⁹

Hants.: Gregg, 1968); this work was initiated by a commission under the leadership of Thomas Cranmer, but was not published until 1571, and then in Latin; see STC 6006. In addition to canon law, there were also canons derived from various provincial constitutions; by far the most definitive was Lyndewode’s *Provinciale* (1432), a gloss and commentary on the provincial constitutions of the province of Canterbury, quoted seven times in the material pertaining to Book VI in the Autograph Notes.

⁶⁷ See Cranmer, 3:111, and Sandys, 3:130–133; also pp. 238–242, above, and 313–315, below.

⁶⁸ The separation of the spiritual from the civil courts was one of the major changes introduced in England by the Norman Conquest. For the Ordinance of William I (c. 1070) that laid the basis for further development of independent ecclesiastical jurisdiction, see App. I of Felix Makower, *The Constitutional History and Constitution of the Church of England* (1895; rpr. New York: Burt Franklin, 1960), pp. 465–466. For a full discussion of the kinds of cases that properly fall under the jurisdiction of the ecclesiastical courts by one of Hooker’s contemporaries, see the General Preface and Part 1 of Richard Cosin’s *An Apologie: of, and for Sundrie Proceedings by Jurisdiction Ecclesiastical* (1591; 1593); see also the list of “*Causae ecclesiasticae*” in *The Reformation of the Ecclesiastical Laws*, pp. 206–207.

⁶⁹ For an account of these encroachments upon areas previously ceded to the ecclesiastical courts, and of the common lawyers’ making common cause with the

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In justifying the separation between spiritual, temporal, and mixed cases, Hooker considers the qualifications of those who give judgment in the ecclesiastical courts,⁷⁰ culminating in the subsection of the Autograph Notes entitled "Exceptions against layelders" (3:471.12–30). But there are other arguments to exclude lay ecclesiastical judges liberally scattered throughout the material before and after this section. He has already stated in his earlier section "*Of jurisdiction*," for example, that "They which have power to commaund and judg must have also authoritie to punish," and he quotes a statement from Justinian's *Digest* that avers that "There is no jurisdiction without a proportionate power of coercion" (3:466.20–21, 467.31–32 and n).

Some of the arguments for the exclusion of lay elders presuppose the discussion presented in the 1648 text concerning spiritual jurisdiction in the internal penitential forum associated with the power of order. Examples include the statement that "none having ordinarie power in such sort to chastise soules but they unto whome the charge and care of soules is committed" (3:469.5–7), and that laymen are incompetent to "injoyn penances. degrade ecclesiasticall persons and to putt them from their order. suspend from communion which they cannot minister, and to excommunicate which cannot admitt" (3:471.19–24). But such laypersons, who were usually not common but civil lawyers with a degree from one of the universities in Roman civil law and who may have been but were not always skilled in the intricacies of canon law, were delegated authority by the bishops to serve as judges in the spiritual courts.⁷¹ Therefore, Hooker's ground for re-

disciplinarians, esp. in attacking the practices of the High Commission and the use of the oath *ex officio*, see Ralph Houlbrooke, *Church Courts and the People during the English Reformation, 1520–1570* (Oxford: Oxford University Press, 1979), pp. 116, 266–268; Roland G. Usher, *The Rise and Fall of the High Commission* (1913; rpr. Oxford: Clarendon Press, 1968), pp. 121–201; and R. H. Helmholz, *Roman Canon Law in Reformation England* (Cambridge: The University Press, 1990), pp. 20–27.

⁷⁰ Compare the sections on judges, their office, and their jurisdiction in *The Reformation of the Ecclesiastical Laws*, pp. 188–211.

⁷¹ Some of the most vituperative attacks of the disciplinarians were directed against the chancellors and commissaries, usually laymen. Collinson states the presbyterian view of the role played by these ecclesiastical lay officials:

Without congregational participation, spiritual government was ordinarily

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jecting the disciplinarian office of lay elders had to be different here. That is why he first argues throughout the section of the Autograph Notes "*Concerning those who give judgment*" that lay elders have not been given the coercive authority by the prince or by the church (that is, by the bishops) to try cases or impose punishments, and secondly that they could not and would not have adequate knowledge or skill to apply the law in specific cases (3:469.15–470.7; 471.25–30). Even in the exceptional case of the prince, who has "a competencie of power both to uphold by waie of dependencie the Ordinarie jurisdiction wherewith law investeth ecclesiastical judges," the exercise of judgment in ecclesiastical cases and the imposition of the censures of the church are so difficult and inconvenient that he traditionally delegates this authority to ecclesiastical judges who have the requisite knowledge of the intricacies of canon law.⁷²

Having distinguished spiritual from civil cases and designated the qualifications for ecclesiastical judges, Hooker was finally prepared to discuss "*The forme and maner of proceeding in ecclesiasticall causes*" (3:477.20–481.23). The manner of proceeding in spiritual cases must concur with the end it proposes, and that end is to cure the faults of men. Under this heading Hooker defends the much criticized practice in the ecclesiastical courts of changing corporal penances to monetary fines. Although he defends the established system against his opponents, he acknowledges blatant abuses and calls for reform.

In this same context, Hooker seeks to explain and justify the despised oath *ex officio*, a traditional procedure in courts established

conducted at the diocesan and archdiaconal levels. . . . Pastoral care meant, in effect, the impersonal processes of the church courts, where the bishop was represented by officials who in the post-Reformation period were more often than not laymen, civil lawyers whose attitude can be described without prejudice as professional rather than evangelical and pastoral. (*E.P.M.*, pp. 37–38)

On the break of canon-law ties with Rome in 1535 and 1536 and the consequent cessation of the teaching of canon law in English universities and the exercise of its functions by civil rather than canon lawyers, see R. J. Schoeck, "Canon Law in England on the Eve of the Reformation," *Medieval Studies*, 25 (1963): 125–147.

⁷² 3:468.21–469.2; see *Lawes*, VIII.8, on the lack of personal qualifications in judges.

according to civil and canon law but not in courts of the English common law. The procedure was utilized infrequently in the ecclesiastical courts but often in the Court of the High Commission.⁷³ For promoting religious uniformity, the crown preferred the appointment of ordinaries to special commissions rather than working directly through the church courts. This exercise of the prince's spiritual prerogatives, made statutory under the 1559 Supremacy Act, reached its apex under Elizabeth I. The central commission, established in London on a statutory as well as prerogative basis from 1559 onwards, became the most authoritative throughout the kingdom and thus known as the "High Commission." After 1581, Whitgift used it as one of his main weapons in the struggle to secure disciplinarian conformity, while diocesan commissions became increasingly concerned with routine ecclesiastical court business. Whitgift's immediate aims were largely achieved—but at the price of making the High Commission a hated institution among the disciplinarians.

Excommunication: Hooker next addressed "*The punishments necessary in spirituall processe.*" The discussion of ecclesiastical censures quickly led him to the subject of "The highest of them excommunication."⁷⁴ He intended to deal in different sections with "the causes degrees force and relaxation of excommunication" (3:482.10–13). In keeping with repentance as the chief end of spiritual jurisdiction, the primary end of excommunication was curative: separation from the company of the faithful was intended to induce the excommunicant to seek absolution, reconciliation to the church, and restoration to his or her place in society. The primary cause for the imposition of excommunication was contumacy (*excommunicatio ab homine*), although there

⁷³ See Introduction to The Preface, p. 19, n. 30, above; see also *E.P.M.*, pp. 266, 270. Cosin defends this controversial practice within the larger context of treating the ways of proceeding in criminal cases in Parts 2 and 3 of his *Apologie: of, and for Sundrie Proceedings*, which also contains an address given by Lancelot Andrewes on the topic of the oath at the University of Cambridge in July 1591. See also Helmholz, *Roman Canon Law in Reformation England*, pp. 104–119.

⁷⁴ 3:481.24–25, 30. For a summary of the church's censures, including excommunication, contemporary with Hooker's, see *The Reformation of the Ecclesiastical Laws*, pp. 156–188; also, Houlbrooke, *Church Courts*, pp. 47–50.

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were some acts (such as striking a clergyman) that automatically entailed excommunication (*excommunicatio a jure*).

Hooker's discussion of the "three degrees of excommunication" evidently caused problems for both Cranmer and Sandys over the use of "anathema" in both a general and a specific sense. He begins by defining it generally as "separation" or *anathema*, derived from Romans 9:3, where Paul says that he "wolde wish my self to be separate from Christ" for the sake of his people, the Jews. Cranmer and Sandys both point out that this is not customary usage and that Hooker himself uses the word in its more traditional sense when he identifies it as the third of the three kinds or degrees of excommunication, namely, "separation" (suspension from the visible community of the faithful), "execration" (excommunication by sentence of a judge), and "anathema" (giving the condemned party up to Satan amidst the ritual tolling of bells and the dashing of candles). Hooker does not consider here the traditional distinction between *minor* and *major excommunication* (see pp. 283–284, above), for he is more interested in this part of his argument with the external juridical aspects of excommunication than with its inner penitential dimension.

In treating excommunication, Hooker again reminds his disciplinarian opponents that judgment of spiritual causes belongs to the monarch and to the bishops, and by their delegation of authority to priests and other commissaries. He is therefore in agreement with Whitgift against Cartwright that the bishop alone, both by the law of God and of the Church of England as approved by consent of the prince in parliament, may exercise the discipline of excommunication, although the bishop usually delegates this spiritual jurisdiction to others, both ordained and lay.

When the church courts had imposed their highest censure of excommunication upon those guilty of contumacy, there was nothing further that they could do. Hence, Hooker turns in his discussion of excommunication to "*The care which justice hath alwaies had to uphold ecclesiasticall jurisdictions and courts.*" Under this rubric, Hooker is concerned both with the encroachment of civil upon ecclesiastical jurisdiction and with the secular enforcement of the judgments made by the ecclesiastical courts. He again states that there has rightly been made in England a distinction between ecclesiastical and civil courts,

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that both are ordained for the common good, that neither should encroach upon the rights and liberties of the other, and that the prince is the patron and protector of both. He argues that, since church courts do not have sufficient coercive power, the state has rightly upheld their jurisdiction by imposing sanctions on those who hold their judgments (including excommunication) in contempt,⁷⁵ and cites in this context an Elizabethan statute: "Upon contempt of Excommunication a Significavit. Upon a Significavit, a writ de excommunicato capiendo to be awarded" (3:484.11-13). This statute legislated that if any individual remained excommunicated for more than forty days, the bishop and those judges to whom he delegated the requisite authority could apply by means of a letter of signification for a royal writ which ordered the sheriff to imprison him. The judge would request his release after arrangements had been made for the payment of fines for contumacy.

The section on excommunication in the Autograph Notes concludes with some considerations on the royal sovereignty directed against Erastus on the one hand and Beza and the disciplinarians on the other.⁷⁶ He challenges the Erastian thesis that, in a Christian realm, the distinction between civil and ecclesiastical has no reason to exist. He charges Beza and other presbyterians with the error of subjecting the monarch to the discipline of their church courts, thereby compromising the royal sovereignty by submitting it not only to "ordinary" parish clergy but also to unqualified lay elders who would, combined in the consistory, have the power of excommunication and absolution in spiritual matters. Against both he argues that the prince is a "mixt" person, that is, that he is the source of all justice in the land, both ecclesiastical and civil. The two bodies of law are joined in

⁷⁵ See Logan, *Excommunication and the Secular Arm*, pp. 17-19; also, George W. Keaton, *The Norman Conquest and the Common Law* (London: Ernest Benn Ltd., 1966), p. 68, and F. Douglas Price, "Abuses of Excommunication and the Decline of Ecclesiastical Discipline under Queen Elizabeth," *English Historical Review*, 57 (1942): 111-115.

⁷⁶ 3:481.24-484.13, 491.6-495.10. Compare Hooker's analysis of the debate between Erastus and Beza over the power of a minister with his eldership to excommunicate in Pref. 2.9 (1:11.25-33).

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his person. This discussion of the dual sovereignty of the monarch looks forward not only to arguments developed more fully in Book VIII but also to the final section of the argument against lay elders. In his attempt to demonstrate that congregational lay elders would destroy both the spiritual jurisdiction of the monarch and the delegated jurisdiction of the bishops, Hooker surveys Jewish political and judiciary institutions and their alleged bearing on the disciplinarian arguments for an apostolic congregational eldership,⁷⁷ describing the origin of the Jewish High Court in the Council of the Seventy founded by Moses (Exodus 18:25–26), reinstated by King Jehosaphat (2 Chronicles 19:8–11), and continued by the Sanhedrin.⁷⁸

On the basis of 2 Chronicles 19 Cartwright had argued that in ancient Israel the magistrate's power was restricted to seeing that the orders of the church were observed and that there were two courts, one for civil matters and the other for ecclesiastical. Since ecclesiastical courts constituted of priests and governing lay elders were eventually established in every synagogue, they are the legitimate divine

⁷⁷ See Cranmer–Sandys Notes, on fols. 23–60; 3:113.1–123.19, 134.6–137.17. Hooker's procedure in this part of his treatise coincides with that of Sutcliffe, who in his *A Treatise of Ecclesiasticall Discipline* concludes that the whole controversy over lay elders can be resolved if the following three points can be demonstrated:

First, that there were never anie Elders onelie censours of manners, and moderators of discipline, which meddled not with the word nor sacraments. Secondly, that such lay elders . . . without right, or institution from Christ, in these places where of late they have been received, intrude into the government of the Church. Thirdly, that the same Eldership ought not to be placed in everie parish or particular congregation; nor cannot be received, for many inconveniences and imperfections accompanying the same. For resolution whereof, let us consider first the times of the Church before Christ: Secondlie, the time wherein Christ and his Apostles lived: lastlie, the times of the Church that followed foure or five hundred yeeres after, which I call the ancient Christian Church, after the Apostles times. (p. 107)

See also Almasy, "Richard Hooker's Book VI: A Reconstruction."

⁷⁸ Calvin had set the precedent for the disciplinarian argument that the Jewish Sanhedrin is the scriptural model for presbyterial organization. According to him, the Jews returning from the Babylonian Exile instituted the Sanhedrin by recalling Jehosaphat's restoration of the Mosaic system. See *Institutes*, 4.11.1.

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model for the disciplinarian consistories. Against Cartwright Hooker argues that the High Court of Israel as reestablished by King Jehoshaphat was a single and unique court of mixed character that acted at one time as a civil court and at another as an ecclesiastical one. He denies that it was ever a disparate whole made up of two separate courts. He admits that laity—that is, elders of the people of Israel—sat on this mixed court at the same time as the priests and Levites; but he rejects the disciplinarian conclusion on grounds that it was not properly an ecclesiastical court. Hooker thus finds the English rather than the Genevan constitution justified by that of ancient Israel: the religious nation and the civil nation are identical; the prince and his council are the unified source of all justice; the civil and ecclesiastical courts that administer that justice receive their power of jurisdiction from the mixed personage of the prince. Here Hooker is defending a system of jurisdiction different from those proposed by Erastus, by the Catholics, and by the disciplinarians.

In the last two sections of the lost manuscript (fols. 61–65), Hooker reviews the disciplinarian claim that the institution of lay elders is grounded in the apostolic and subapostolic church. All of the quotations from the New Testament and the church Fathers identifiable from the Cranmer-Sandys Notes are discussed in the Cartwright-Whitgift exchange and other polemical literature of the time.

Hooker rejects the disciplinarian interpretation of the word “Church” in Matthew 18:17, where Jesus’s teaching, “Tel it unto the Church,” was interpreted as his “transferring” the Jewish polity of the ancient people of God to the church (see p. 263, n. 25, and p. 283, above). He agrees with Whitgift that “Church” in this passage refers to bishops or those to whom they have delegated spiritual jurisdiction, whether priests or laymen. He also dismisses the disciplinarian interpretation of proof-texts from 1 Timothy, Romans 11:8, and 1 Corinthians 12:28, all used to argue that Paul and the apostles had appointed lay elders in every city to assist the ministers in governing and in administering the sacraments. Hooker reminded his opponents that the word “presbyter” in the New Testament refers to a “priest” and not a “layman,” and he reasserted Whitgift’s argument that the major difference in the ministry as found in the New Testament is that

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between preaching and nonpreaching clergy, not that between ministers and governing lay elders.

Interpretation of the quotations from Ignatius, Tertullian, Cyprian, Ambrose, and Jerome all turn on the same two issues that were at stake in the New Testament passages: (1) that apostolic appointments involved only the clergy, and (2) that some of those clergy were preachers while others only administered the sacraments. Hooker argued that this distinction between preaching and nonpreaching clergy was grounded in the ability of some ministers to preach and the inability of others who nonetheless continued to share in a common power of spiritual jurisdiction based upon order. Hooker is once again defending the ministry of the Church of England not just in its ideal definition but in its imperfect present condition as well. The ignorant nonpreaching priests as well as the more learned and talented preaching clergy all have their warrant in Christ's gift of the power of the keys, in the apostolic institution, and in the example of the early church.

Both Cranmer and Sandys wrote that Hooker's initial manuscript ended too abruptly, and each suggested an appropriate conclusion. Cranmer's was that Hooker remark on the political inconveniences were the lay eldership to be imposed upon the English church and society. A passage such as that found in the Preface 8.2-5 could well have been adapted to this end. A passage from Sutcliffe's *A Treatise of Ecclesiasticall Discipline* (1590) defines the direction Hooker's comments could have taken:

the Consistoriall government overthroweth her Majesties supreme authoritie, and prerogative in causes Ecclesiasticall: First, in denying her to be above all persons within her realme, and making her subject to their excommunication and lawes: Secondly, in taking away her right of calling Synodes, so that none is called but by her commandement, and the right to make Ecclesiasticall lawes or orders. Thirdly, in denying her right to appoynt Ecclesiasticall commissioners. Fourthly, in denying her the last appeale in Ecclesiasticall causes. Fiftly, in taking away her right of patronage paramount, and nomination of bishoppes. Sixtly, in taking away tenthes, and first fruits, and subsidies, and custodie of bishops temporalities. Lastly, denying her right to moderate

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rigour of Ecclesiasticall lawes: all which they give to their Consistories. . . . Further, the Consistorial government is declared to be prejudiciall to her Majesties revenues. Secondly, to the Parliament. Thirdly, to the liberties of her subjects. Fourthly, to the statutes and lawes of the land. Fifthly, to the Queenes courtes of justice. Sixtly, to the Universities. Seventhly, to the whole commons. (p. 177)

v. Hooker and his Contemporaries

There is little that Hooker says in the various drafts of Book VI and the Autograph Notes that had not already been said in one place or another among the various polemical treatises exchanged between defenders of the Elizabethan settlement and their Roman Catholic or disciplinarian antagonists. The major difference between Hooker and his contemporaries is that he took all of these disparate arguments and materials, from friends and foes alike, and arranged them within the architectonic perspective of the *Lawes* as a whole, locating the particular debate concerning lay elders and ecclesiastical courts within the framework of a fresh subset of first principles, spiritual jurisdiction and its chief end, repentance. Hooker was always selective in his appropriation of arguments and materials, no matter what his sources. As in the earlier books, he rejects a line-by-line refutation of works by Travers and Cartwright, refusing (in spite of objections by Cranmer and Sandys) to base his argument merely on quotations from their works. Rather he focuses upon central issues fitted into his own conceptual scheme, thereby capturing the high ground of the controversy and resetting the agenda for the establishment's rejection of the disciplinarian office of lay elders and the whole reformed order of discipline. The same principle of selectivity can be discerned in Hooker's response to the critique of Sandys, who called for an expansion of the section on ecclesiastical courts and the kinds of cases that traditionally fall under their jurisdiction. Hooker responded by gathering the mass of legal quotations found in the Autograph Notes. But Sandys also requested that Hooker include other aspects of the disciplinarian platform besides lay elders, such as their office of doctors and their presbyteries and synods (3:130.18–24). As far as we know, Hooker did not, and he

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may well have chosen not to because, in the words of Cranmer, “this question of Layelders and the next of Bishops are the most essentiall pointes of all this controversy” (3:126.1–2); that is, an effective refutation of lay elders (since they were an essential part of the local parish “courts” or consistories as well as of the synods and national assemblies) would undermine the entire presbyterian polity. As Sutcliffe had said:

I dispute against no one position or opinion of theirs, but against a chiefe pillar, and almost the groundworke of their newe discipline, I meane the sacred Aldermen; which overthrowne, the high commendation of their present discipline doth threaten present ruine. (p. 106)

An aspect of Hooker’s thought that strained his relation to Sandys the politician and common lawyer comes to light in their exchange over distinguishing between spiritual, temporal, and mixed cases (see above, pp. 295–297). Hooker observes: “An usuall thing it hath bene alwayes for temporall to incroch upon the Causes of Ecclesiasticall Courtes” (3:484.14–15). Indeed, by the end of the sixteenth century common lawyers were seeking to curtail the jurisdiction of the ecclesiastical courts, thereby allying themselves with disciplinarians who attacked the jurisdiction of ecclesiastical courts on very different grounds. The underlying tension between Hooker the priest loyally defending the traditional prerogatives of ecclesiastical courts and Sandys the common lawyer surfaces when Sandys says that cases concerning testaments or the probate of wills are “*mixt*,” whereas Hooker classifies such cases among those which are the concern of ecclesiastical judges alone (3:476.23–26). As Sandys had urged: “The Canon law I know greatly urgeth that all mixt causes be ecclesiasticall, for honour of that part: which seemes hard to yeald to, at least wise it would be now hardly taken to require it” (3:133.27–30).⁷⁹

⁷⁹ The differences between Hooker and Sandys concerning the traditional prerogatives of ecclesiastical courts may also underlie Sandys’s disagreement with Lancelot Andrewes over the publication of the 1648 version of Book VI and the consequent foundering of the posthumous publication of the three last books; see Sisson, pp. 97–106; also, pp. 15–16 and 127–156.

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One of the most fascinating of all Hooker's relationships with his contemporaries that reappears with regard to Book VI is that with John Rainolds (see above, pp. 53–54). Cranmer urges Hooker to "remember D. Raynoldes note in the former bookes" (3:108.32), who may be able to supply a reference "when you send your booke" (3:112.3). Hooker had evidently sent drafts of earlier Books of the *Lawes* to Rainolds for comment, and probably sent (or intended to send) the initial manuscript of Book VI as well. That he would do so for Book VI becomes especially significant when we remember that Rainolds in the spring of 1586 was the leader of a sermon campaign at Oxford that called for a resident ministry, more preaching, and a lay eldership that would assist the pastor in the governing of the congregation but would *not* have the authority of excommunication.⁸⁰

Another relationship of great importance to Book VI, especially in its 1648 form, was that with Hooker's former patron John Jewel. Although the physical threat of the Roman Catholics had receded into the background after the defeat of the Spanish Armada in 1588, the charges of Romanism against the established church remained current, as reflected in the critique in *A Christian Letter* and in Hooker's marginalia (4:64.25–68.24, this edn.). In the attack against the post-Tridentine Catholic institution of sacramental confession, Jewel and Hooker were key figures in a theological revolution that determined the future of Anglican moral theology. While Hooker did not identify with Jewel's more reformed interpretation of the power of the keys for binding and loosing in terms of the preaching of the Word, he did endorse his position on the declarative role of the priest in absolution and on the voluntary nature of private confession within the Church of England. Hooker was in some ways closer theologically to Lancelot Andrewes than to Jewel. Still, Andrewes and Sandys disagreed about the inclusion of "the tract of confession" among the "three last books" (see p. 252 and n. 7, above). Like Hooker, Andrewes was concerned for the more external and canonical side of spiritual jurisdiction, as exemplified by his defense of the practices of the High Commission and its use of the oath *ex officio*. But the primary thrust of

⁸⁰ See Dent, *Protestant Reformers in Elizabethan Oxford*, pp. 2, 133, 140, 148.

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his theology is in the direction of an ascetic moral theology with a strong pastoral direction.⁸¹

Their theological kinship is evident in a sermon Andrewes preached on "The Power of Absolution" a few months before Hooker died.⁸² Paralleling Hooker's position in chapter 6 of Book VI, Andrewes interprets John 20:23, with its companion texts in Matthew 16:19 and 18:17 (see above, p. 263, n. 25, and p. 283), to show that absolution is a priestly function which properly belongs *only* to the power of order, and must not, therefore, be usurped by the laity. He does not condemn private confession and says that some communicants in the Church of England use it. He and Hooker agree that absolution is an exercise of the power of the keys handed down by Christ to the entire church, but specifically to the apostles and by them to the clergy who succeeded them in this office and function. He stresses that remittance of sins can follow *only after* repentance: Christians must not only be sorry for past sins and turn to God (chap. 3.1–5) but must also do works worthy of repentance (chap. 5.1–8). Izaak Walton's moving account of Hooker's last days underscores the practical orientation of his and Andrewes's moral theology:

About one day before his death, Dr. Savaria, who knew the very secrets of his soul, (for they were supposed to be confessors to each other,) came to him, and after a conference of the benefit, the necessity, and safety of the Church's absolution, it was resolved the doctor should give him both that and the Sacrament the day following. To which end, the doctor came, and after a short retirement and privacy, they too returned to the company; and then the doctor gave him and some of those friends which were with him, the blessed sacrament of the body and blood of our Jesus. (Keble, 1:85)

⁸¹ See P. A. Welsby, *Lancelot Andrewes* (London: S.P.C.K., 1958), p. 33. For a comprehensive and lucid summary of Andrewes's theology, see Nicholas Lossky, *Lancelot Andrewes the Preacher (1555–1625): The Origins of the Mystical Theology of the Church of England* (Oxford: Clarendon Press, 1991).

⁸² See n. 62, p. 290, above.

Book VII

Arthur Stephen McGrade

Book VII is the most finished of the three last books of the *Lawes*. Although there are signs of hasty composition or imperfect editing in the text printed in 1662,¹ the style is polished and the substance well ordered and complete. Hooker carries through the plan of argument laid out in the table of contents: a defense of the authority of bishops in chapters 3–16 (exposition in chapters 4–8, response to objections in chapters 9–16) followed in chapters 17–24 by a defense of various episcopal “honors” (especially honor by ample endowment with lands and livings, chapters 21–24). A long indictment of contemporary bishops’ faults in chapter 24.2–15 leads to reflections on human limitations and to a moving assessment of the present condition of the clergy. This whole final chapter nicely complements the historical survey of episcopacy in England and Hooker’s posing of “the Question” concerning bishops at the beginning of the book: whether “*the Church of Christ is at this day lawfully, and so hath been sithence the first beginning, governed by Bishops, having permanent superiority, and ruling power over other Ministers of the Word and Sacraments*” (3.1; 3:154.34–155.2).

If Book V has been acknowledged as the classic exposition of the religion of the English Book of Common Prayer, why, if Hooker completed it as he intended, has Book VII not been accorded similar status with regard to characteristically Anglican polity? The answer may have less to do with the book’s merits than with the effects of its

¹ Where our text seems flawed, it is usually impossible to distinguish between misconception or inadvertence on Hooker’s part and faults in the process of transmission from his hand to Gauden’s edition of 1662. For imperfections of one kind or another, see nn to 3:148.16–21, 180.1–6.z, 182.18–28.f, 183.3–12.g, 183.27–184.2.h, 186.6.m, 186.21–22, 193.9, 193.23–28, 193.30–194.2.d, 198.26–199.2.v, 199.w, 229.f, 257.21–22.o, 267.8–12.y, 275.10.s, 278.8.e, 287.3.n, 297.33–298.1, 306.25–26, and 307.4–5.

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delayed publication.² It is as if Hooker's contribution to his church had already been reckoned and fixed in the first half of the seventeenth century, when no fewer than six editions of Books I-V were printed. By the time Bishop Gauden brought Book VII to public view at the Restoration, the outcome of the Elizabethan debate over episcopacy was also fixed in the church's consciousness.

From being accepted early in Elizabeth's reign as the form of ecclesiastical governance authorized by the current Christian ruler, episcopacy was more vigorously championed in the 1570s and '80s, not only on the basis of the national church's authority (still thought of as residing in the Christian magistrate), but also on the basis of sound tradition going back to the time of the apostles. Then, beginning with Hadrian Saravia's *De ministrorum evangelii gradibus* of 1590, the principle of degree in spiritual power was held to have been instituted by Christ himself and to be permanently normative. This divine-right conception of episcopal authority was never given official status, but it gained dominance in the early Stuart church.

Although assertions of *jure divino* prerogatives by both king and bishops had helped provoke Puritans and others into civil war, the resumption of a high episcopalian position must have seemed a natural part of reestablishing the traditional church in 1660. Here Hooker's account of episcopal authority and honors could hardly be expected to have much influence. Hooker's defense of bishops redounded to his credit with the restored hierarchy. But, as we shall see, his defense could not be fitted neatly into the sequence of other defenses, and since those other defenses had claimed a stronger foundation for episcopal authority, they must have seemed stronger defenses.³ The establishment therefore enrolled Hooker among its supporters as best it could and ignored (or dismissed as due to Puritan vandalism of his manuscripts) those aspects of Book VII which fell short of its own preferred position.⁴ On the other side, when presbyterian and congre-

² On the publication of Book VII, see 3:xliv-li, and Introduction to The Preface, pp. 41-43, and 51, above.

³ On the campaign to defend episcopacy mounted 1587-1593, the years in which the *Lawes* was being written, see Introduction to The Preface, pp. 25-26, above.

⁴ See David Novarr, *The Making of Walton's "Lives"* (1958), pp. 215-217, 222-223, and 242-245.

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gationalist opponents of episcopacy (and Roman Catholic opponents of the Reformation settlement) eventually secured toleration for their own worship, they had as little need as hope of modifying the understanding of authority in the national church by appeal to the widely admired Hooker.

For all concerned, there was the additional difficulty of getting clear exactly what Hooker had meant to say about ecclesiastical jurisdiction. This was due partly to the subtlety of his argument in Book VII itself and partly to the fact that certain principles affecting his defense of bishops' authority and honor are fully stated only in earlier books of the *Laws* and there only in connection with other problems. Simple delay in publishing Book VII need not have neutralized it. But delay compounded by such drastic changes of historical situation, suspicions of inauthenticity (augmented by the unsatisfactory condition of the other two posthumous books), and the complexity of Hooker's argument deprived his treatment of episcopacy, the most potently divisive issue of his own day, of nearly all effect.

If the English church had gone on to find an adequate solution to the problem of authority addressed in Book VII—a conception of spiritual leadership coherent with Scripture, tradition, and the best impulses of all parts of a complex Christian society—then the attempt to understand what is distinctive in Hooker's account of episcopacy would be of purely historical interest. As things stand, however, the problem has not been solved, or at least Hooker would not think so. The Church of England was arguably episcopal in fact more than in essence when Hooker wrote, and when episcopal governance later became one of its characteristic marks, it was no longer the church of all English Christians. In this sense, the problem presented to Hooker and his contemporaries has not been solved by the successors of any side in the original debate. This suggests that, in circumstances favorable to ecumenical discussion of church authority, fresh study of Book VII might yet be fruitful for Hooker's intended posterity. Such study must begin with a closer look at the book's occasion.

i. The Status Of Bishops in the Elizabethan Church

When Hooker began work on the *Laws* in the late 1580s, episcopacy in England had endured a long period of economic and social

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decline, practical weakness, and theological attack. The depressed condition of bishops through most of Elizabeth I's reign must not be exaggerated. As central figures in a complex traditional system of pastoral, administrative, and legal responsibilities, they functioned very much as their predecessors had done. Certainly their enemies regarded them as essentially similar to the prelates of the pre-Reformation church. But late medieval English bishops were very rich—peers of the realm in wealth as well as social and political status. Accordingly, episcopal lands, manors, and other endowments were second only to monastic holdings as prey in the lay expropriation begun under Henry VIII. The attack on episcopal wealth reached its fiscal height (and moral depth) in the following reign of Edward VI (1547–53), but a reversal of course was not clearly evident until the end of the century. Some lands briefly restored to bishops under Mary (1553–58) were re-expropriated after Elizabeth's accession; the crown again replaced the pope as recipient of the first year's income of a newly installed bishop and all the income of a vacant see; it acquired the right to dictate exchanges of certain forms of its own income for episcopal income; and it could enjoy or pass on to its clients the sometimes significant advantage of being the only party allowed to take long leases on episcopal lands. Aside from some inroads on the two or three richest sees, there may well have been little loss of episcopal wealth to a plundering laity under Elizabeth. Yet fear of further depredations, given the opportunities and pressures the system afforded, was not unreasonable, and the effects of inflation combined with the new domestic expenses of this first generation of married bishops justified a sense of considerable loss.⁵ From equality with the peerage on the eve of the Reformation, bishops were reduced by 1600 to the level of the gentry.⁶ The secular trend had eased significantly by the time

⁵ The price of a composite unit of consumables in southern England rose on the order of 500% between 1500 and 1600. The extent and persistence of the Tudor inflation are cited by E. H. Phelps Brown and Sheila V. Hopkins as the most marked feature of their summary graph of prices for the seven centuries 1264–1962 in "Seven Centuries of the Prices of Consumables compared with Builders' Wage-Rates," *Economica*, n.s., 23 (1956): 299, 305.

⁶ Felicity Heal, *Of Prelates and Princes: A Study of the Economic and Social Position of the Tudor Episcopate* (Cambridge: The University Press, 1980), pp. 72, 244.

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Hooker wrote and was to be reversed for a while under James I, but both the sense of grand episcopal entitlement and the cries of clerical poverty at the end of Book VII are, in context, readily understandable.

The bishops' social standing was affected by the kind as well as the extent of their economic misfortunes. The great loss of episcopal manors in the sixteenth century was also a loss of local standing. The loss of London town houses (while lay magnates were building apace) contributed to a diminished influence at court and in the councils of state. Hooker's patron, Archbishop Whitgift, was the only prelate to serve as a privy councillor under Elizabeth, and he restored "to the primacy something of the feudal magnificence which had characterized it in earlier days" (DNB)—thanks to the private fortune his merchant father had left him. But at a time when they found it hard to perform the traditional offices of charity, hospitality, and patronage traditionally expected of them, bishops were despised in some quarters precisely for the grandness of station which such duties presupposed. They could be sincerely disliked by the zealous both as obstacles to further church reform and as lingering symbols of unreformed "lordship" and worldliness. They were insincerely denounced on the same grounds by those who only coveted their remaining wealth. To be sure, Bishop Sandys doubtless exaggerated the world's hostility when he wrote to Lord Burghley, "We are the scum of the earth."⁷ Ambition for the title of a bishop persisted, even when other rewards of the office seemed scant. Some reform-minded bishops at the beginning of Elizabeth's reign found a humbler status acceptable, or even desirable, since disentanglement from the responsibilities of high worldly standing might give time for spiritual occupations. Further, by the 1590s the episcopate had a secure role as an official organ of authority in the royally established church. Under James I the prestige of bishops was to increase at court, and some found ways to combine their high status with energetic pastoral and administrative activity in the service of a markedly Calvinist Christianity.⁸ Despite these qualifications, it must still be said that, in the half-century before Hooker wrote, the less

⁷ "Excrementum mundi." Edwin Sandys, father of Hooker's associate, writing in 1573 as bishop of London, as quoted in Patrick Collinson, *The Religion of Protestants: The Church in English Society 1559–1625* (Oxford: Clarendon Press, 1982), p. 41.

⁸ Collinson, *The Religion of Protestants*, pp. 45–91.

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material honors traditionally accorded bishops had been called into question along with their wealth. This was in part because the episcopal ideal in post-Reformation England needed redefinition. It was also unclear what a bishop could in fact do.

The exercise of episcopal authority was hindered by the diminished respect and material means bishops could command, but there were also more direct obstacles. In the first place, there were tensions and uncertainties due to the strengthening of royal control over the church. At her accession Elizabeth tried to persuade several bishops who had held sees during the return to the Roman obedience to continue in office under the new religious settlement. Almost to a man, they accepted deprivation rather than serve a church in which all ecclesiastical jurisdiction was annexed to the crown. As a result, most early Elizabethan bishops lacked both administrative experience and a strong sense of the authority of their office. In addition, many favored more reform of ceremonies and discipline than the queen had any intention of allowing.⁹ The conflict between personal conviction and duty to enforce royal policy became excruciating in the case of Edmund Grindal, whom Elizabeth suspended as archbishop of Canterbury for refusing to suppress gatherings known as prophesyings (meetings called for prayer and discussion of Scripture beyond the appointed services of the church), which the queen found subversive of good order.¹⁰

It is harder to trace a distinction between royal and episcopal will after Grindal's suspension, but there was a sharp distinction between crown and miter as objects of reformist attack. The most radical

⁹ Haugaard, *Elizabeth and the English Reformation*, pp. 162–166.

¹⁰ Grindal modelled his firm but respectful resistance to the queen on the example of Ambrose's refusal to cooperate with fourth-century imperial orders favoring the Arians; see Patrick Collinson, "If Constantine, then also Theodosius: St. Ambrose and the Integrity of the Elizabethan *Ecclesia Anglicana*," *Journal of Ecclesiastical History*, 30 (1979): 205–229; rpr. Collinson, *Godly People* (London: The Hambledon Press, 1983), pp. 109–133, and *Archbishop Grindal, 1519–1583: The Struggle for a Reformed Church* (Berkeley and Los Angeles: University of California Press, 1979), pp. 233–252. The same precedent (with Grindal also undoubtedly in mind) was urged by Hooker's opponents to support the crown's subjection to ordinary processes of ecclesiastical censure, the last issue to be dealt with in the *Laws* (VIII.9).

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Puritan polemics—the *Marpelate Tracts* and the writings of John Udall and the separatists, Penry, Barrow, and Greenwood—were uniformly deferential to the queen but pilloried the bishops for actions she undoubtedly approved. The situation must have been clear to most of those involved, yet there were genuinely complicating factors. Elizabeth's vivid sense of her own authority as supreme governor did not lead her to constant visible displays of authority in the church as it did elsewhere. She allowed ordinary ecclesiastical governance to remain in the hands of her bishops. Accordingly, she sometimes declined to give special royal assent to episcopal regulations that she was willing to see enforced, preferring to have the bishops manage on their own authority.

But what was their own authority? Besides being dependent on the crown by virtue of the royal supremacy and the general political situation, the power of an Elizabethan bishop was also circumscribed by a complex dual legal system of ecclesiastical and common law. The need to reform the body of ecclesiastical (or canon) law, which governed marriages, wills, and other matters affecting every member of society, as well as specifically clerical rights and responsibilities, had been widely recognized since the reign of Henry VIII, but none of the various projects for reform had borne fruit. Meanwhile, continuing religious dissent sapped the moral authority of the existing church courts—Whitgift pronounced their coercive procedures “a carcasse without a soul”—and the secular courts, at first without plan but eventually with some determination, encroached upon their jurisdiction.¹¹ This system

¹¹ Houlbrooke, *Church Courts and the People During the English Reformation, 1520–1570*, pp. 266–272; Whitgift's mortuarial assessment is at p. 272. Both the relative probity and the effectiveness of the ecclesiastical justice system in this period have been more favorably assessed in recent studies. See especially Martin Ingram, *Church Courts, Sex and Marriage in England, 1570–1640* (Cambridge: The University Press, 1987), pp. 9–15, 323–363, including references to less favorable assessments, to which should be added F. G. Emmison, *Elizabethan Life: Morals and the Church Courts* (Chelmsford: Essex County Council, 1973), pp. 300–314. There had been significant attacks on the jurisdiction of the English church courts just prior to the Reformation, and Elizabeth's reign saw a marked increase in the quantity—and in some respects the quality—of litigation in these courts. There was also, however, an increased use of traditional common law methods for limiting their jurisdiction, now aided by widespread suspicion of the Roman canon law (which continued as the basis of ecclesiasti-

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—or lack of system, or excess of system—limited severely what a bishop could accomplish.

A way around some of these difficulties had been provided in the Supremacy Act: the crown was given authority to visit, reform, and redress virtually all ills in the church. To this end it was empowered to appoint ecclesiastical commissions comprising both clerics and laymen that would have such authority as the crown might delegate to them.¹² Such commissions were sometimes used to enlist lay support in the face of an apparent crisis of episcopal authority, and the High Commission working out of London was the vehicle for Whitgift and his successor Richard Bancroft in their effective suppression of the Puritan movement in the 1580s and '90s.¹³ The operation of High Commission under Whitgift was unpopular, however, and raised legal doubts. By carrying on coercive proceedings without express royal warrant, was the archbishop in effect claiming to have authority not derived from the crown? Should not the bishops be compelled to formal acknowledgement that all of their authority came from the queen? This was not the view of a presbyterian zealot but of Sir Francis Knollys, a good Protestant privy councillor who had sat in Henry VIII's Reformation Parliament.¹⁴ It was not a view that could be safely presented to the queen, who unquestionably approved of

cal legal theory and practice) and by statutory grants to the secular courts of authority in matters once regulated by the church. See R. H. Helmholz, *Roman Canon Law in Reformation England* (Cambridge: The University Press, 1990), pp. 28–54. For a summary of the system, see Ingram, *Church Courts, Sex and Marriage*, pp. 27–69. See above, Introduction to The Three Last Books and Hooker's Autograph Notes, pp. 237–242, for Hooker's projected response to this situation.

¹² Haugaard, *Elizabeth and the English Reformation*, pp. 130–135. The Court of High Commission, officially known as the Commissioners for Causes Ecclesiastical, was divided into branches, usually one for each diocese. Helmholz, *Roman Canon Law in Reformation England*, pp. 46–48.

¹³ Collinson, *E.P.M.*, pp. 403–431.

¹⁴ W. D. J. Cargill Thompson, "Sir Francis Knollys's Campaign Against the *Jure Divino* Theory of Episcopacy," in *The Dissenting Tradition*, ed. C. Robert Cole and Michael E. Moody (Athens, Ohio: Ohio University Press, 1975), pp. 39–77; rpr. *Studies in the Reformation*, pp. 94–103.

Whitgift's proceedings, but it was well within the bounds of Tudor orthodoxy.

Besides the knot of difficulties for episcopal administration stemming from the bishops' dependence on the crown, there were demands by the lower clergy for their own independence from bishops. Despite continuing economic difficulties throughout the church (Whitgift estimated in 1584 that scarcely 600 of the 9,000 ecclesiastical livings in England had enough income to support an educated minister),¹⁵ the educational level of ordinands rose sharply in the latter half of the sixteenth century. This and other factors contributed to a certain professionalization of the clergy and a rise in their social or courtesy rank.¹⁶ Puritan emphasis on a preaching ministry and the jurisdiction of local consistories contained at least the seeds of a new clericalism, one operating primarily at the parish level and offering prospects for a more effective Christian discipline than that provided by the routinized, sometimes commercialized, and occasionally corrupt ecclesiastical courts remaining from the middle ages.

Hooker believed that a desire to wrest power from bishops and give it to the lower clergy was behind many of the complaints about the public religious duties prescribed in the Prayer Book (VI.1.1–2). This view of the situation was too narrowly political and conspiratorial, but an educated body of clerics—some of whose professors, leaders, and continental theological models taught that inequality of pastors violated divine law—had some of the qualifications of a revolutionary class. It was from this quarter that the question, “By whose authority do you do these things?” could be put to bishops in the most challenging, theological form.

¹⁵ Collinson, *The Religion of Protestants*, p. 95, citing John Strype, *The Life and Acts of John Whitgift* (Oxford, 1822), 1:380–381. For Hooker's assessment of the economic status of the clergy, see *Lawes*, VII.24.25 (3:311.5–15).

¹⁶ Rosemary O'Day, *The English Clergy: The Emergence and Consolidation of a Profession, 1558–1642* (Leicester: The University Press, 1979). Observers in the 1570s noted the “generall contempt of the ministerie,” however; and disdain for pastors and even bishops on the part of the nobility and gentry lasted far longer. Lawrence Stone, *The Crisis of the Aristocracy 1558–1641* (Oxford: Clarendon Press, 1965), p. 40.

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Article 35 of the Thirty-Nine Articles of Religion passed by Convocation in 1563 ratified episcopal governance of the English church by endorsing the Ordinal, which stated as historical fact that the threefold ministry of bishops, priests, and deacons had continued from apostolic times. Neither the Article nor the Ordinal, however, affirmed any theory of episcopacy. Although appeal to patristic consensus was a distinctive feature of official apologetic from the time of Jewel's "Challenge Sermon" at the beginning of Elizabeth's reign,¹⁷ there was little need or inclination to emphasize the authority of bishops among the church fathers, so long as the main antagonist was the papal-episcopal Roman church, and the main preceptors of English churchmen were the leaders of nonepiscopal reformed churches abroad. While Jewel and some of his colleagues made vigorous use of their office in reinstating the Reformation (Jewel was remembered by a later Elizabethan churchman, Tobie Matthew, as "a bishop among bishops"), they were at pains to distinguish themselves from the "oily, shaven, portly hypocrites" serving the papacy.¹⁸ In corresponding with continental theologians, they presented episcopacy somewhat diffidently, as not forbidden in the Word of God and as maintained in the English church by decision of the Christian ruler. Hence, although they sometimes acted with traditional episcopal resolution, they could hardly have been scandalized if the queen had taken up the practice from her brother's reign of stipulating in letters of appointment that bishops were to serve at the pleasure of the crown, or if she had converted their office to that of a modestly remunerated ecclesiastical superintendent on the model of Sweden and Denmark in the 1520s

¹⁷ Originally delivered at Paul's Cross, 26 November, 1559; repeated at court on 17 March and again at Paul's Cross on 31 March 1560; see Milward, p. 1; published as *The copie of a sermon pronounced by the byshop of Salisburie at Paules Crosse the second sondaye before Ester . . . 1560*, part 2 of *The true copies of the letters betwene John Bisshop of Sarum and D. Cole, upon occasion of a sermon* (London: John Day, [1560]); STC 14612.

¹⁸ "Episcopus episcoporum," p. 23, n. 84, in Collinson, *The Religion of Protestants*; and p. 23, citing *Zurich Letters*, Parker Society (1842), 1:50–51. On efforts at reform within an episcopal framework, see Collinson, "Episcopacy and Reform in England in the Later Sixteenth Century," *Studies in Church History*, 3, ed. G. J. Cuming (Leiden: E. J. Brill, 1966), pp. 91–125; rpr. Collinson, *Godly People*, pp. 155–189.

and '30s.¹⁹ As long as there were good prospects for further reformation under episcopal leadership, this theologically modest legitimacy sufficed, but when the bishops became more or less willing enforcers of conservatism, their authority came under strong domestic attack that required a substantial response.²⁰

The Elizabethan debate about episcopacy began with *An Admonition to the Parliament* of 1572. It was continued, principally, in Whitgift's *Answer* to the *Admonition* (1572), Thomas Cartwright's *Replie* to Whitgift (1573), Whitgift's massive *Defense of the Answer* (1574), followed by Cartwright's *Second Replie* (1575) and *Rest of the Second Replie* (1577). Neither of the last two was answered.²¹ Cartwright maintained that titles and offices implying a superiority of one pastor over others were devised by Antichrist centuries after the apostolic age, and that this hierarchical regime had driven out a fourfold ministry of pastors, teachers, deacons, and congregational lay elders prescribed in Scripture and practised in the primitive church. He had previously set forth the scriptural credentials of this Calvinist tetrarchy in his lectures on the Acts of the Apostles, given as Lady Margaret Professor of Divinity at Cambridge. The system was later expounded in detail in Walter Travers's *Eclesiasticae disciplinae et Anglicanae ecclesiae ab illa aberrationis, plena è verbo Dei, et dilucida explicatio* of 1574, translated by Cartwright in the same year as *A Full and Plaine Declaration of Ecclesiasticall Discipline owt off the Word off God*.

Another influential work of this period to which Hooker's Book VII seems particularly responsive is a letter by Theodore Beza, Calvin's successor at Geneva, *De triplici episcopatu* (1576; translated, anonymously, in 1580 by John Field as *The judgement of a most reverend and learned man from beyond the seas, concerning a threefold order of bishops*; STC 2021). Beza's three bishoprics were "of God," "of man," and "of the devil." All agreed that the terms for bishop (ἐπίσκοπος, "overseer") and presbyter (πρεσβύτερος, "elder") had been used interchangeably in the New Testament. Beza took these names to indicate the ordinary

¹⁹ Heal, *Of Prelates and Princes*, pp. 126–127, 17–19.

²⁰ See Introduction to The Preface, pp. 23–26, above.

²¹ See Introduction to The Preface, n. 152, pp. 71–72, above, and Collinson, *E.P.M.*, pp. 118–121, 139–140, 146–155.

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pastoral calling, as distinct from the callings of apostles, prophets, and evangelists (which were to endure only for a time) and from that of deacons. In contrast with the mutual equality of the pastor-bishops ordained by God, the bishop brought into the church solely by the wisdom of man was a power given to one pastor above his fellows, yet limited with certain orders or rules to provide against tyranny. The oligarchic or plainly tyrannical bishopric of the devil had as its marks the ignoring or abolishing of the eldership, the invasion of temporal dominions, riotous waste, the tying of God's spirit to certain places and persons, and last of all, the patterning of distinctions among bishops in the image of the beast of Revelation 13, the pagan Roman Empire. This diabolical episcopate, according to Hooker's opponents, was the system presently in operation in England.

Under the influence of such works, an intelligent and energetic party of ministers and laymen arose, convinced that the monarchic episcopate was an antichristian corruption, an importation of pomp and lordship that urgently needed to be replaced in the Church of England by Christ's own discipline. Pressure for further reformation of the church was by no means universal, polity or discipline was not the only matter engaging those who wanted change, and opposition to bishops was not the sole focus of disciplinarianism. Yet as emblems of the medieval ecclesiastical order, lightning-rods for objections to publicly unassailable royal policies, and the center of an ecclesiastical establishment that included within it at least the normal complement of human imperfection, they were the leading targets of complaint in the English church for the last third of the sixteenth century.

In response to this onslaught, apologists for episcopacy pounced immediately on weaknesses in the case for divinely prescribed presbyterianism, but they were slow to claim anything more than long tradition and present royal support for their own regime. Thus, although Whitgift had marshalled a large proportion of the biblical and patristic texts used by Hooker in Book VII, he did not offer these as a compelling basis for episcopal governance in a reformed church. He explicitly allowed that episcopacy, as a "thing indifferent," depended on the authority of the church, which is to say, the sanction of the Christian ruler. A subtle strengthening of the case for bishops has been detected in Richard Bancroft's *Sermon at Paules Crosse the 9. of Februarie*

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of 1588/1589, in that Bancroft appealed to tradition without referring to Whitgift's other chief argument, the support of the magistrate.²² The most telling assertions of episcopal authority by Whitgift and Bancroft were not in theological argumentation, however, but in their High Commission proceedings against nonconforming Puritans, including Cartwright, whom they imprisoned for several months in 1590–1591.

The first theologically significant developments in the justification of episcopacy came with the Dutch exile Hadrian Saravia's treatise of 1590, *De diversis ministrorum evangelii gradibus* (STC 21746) and the bishop of Winchester, Thomas Bilson's, *Perpetual Governement of Christes Church* in 1593 (STC 3065). Saravia argued that the distinction Christ made between his twelve apostles and the seventy disciples gave dominical support to the principle of degree in the Christian ministry, and he dismissed with contempt the theory of episcopal origins associated with St. Jerome, which had never been rejected by any previous Elizabethan writer. This was the theory that after the death of the apostles an originally collegial clerical governance of the churches was replaced, by common consent, for the avoidance of dissension, by the rule of one presbyter in each congregation. The theme of Bilson's work was the antiquity of hierarchical spiritual government. He emphasized that episcopacy conformed to patterns of authority in the Old as well as the New Testament. He thus provided a broader context in sacred history for the claim to a dominical origin. Neither Saravia nor Bilson unchurched the nonepiscopal Reformed churches on the continent, but both claimed that episcopacy was permanently normative.

²² W. D. J. Cargill Thompson, "A Reconsideration of Richard Bancroft's Paul's Cross Sermon," *Journal of Ecclesiastical History*, 20 (1969): 253–266. M. R. Somerville, in "Richard Hooker and his Contemporaries on Episcopacy: An Elizabethan Consensus," *ibid.*, 35 (1984): 177–187, has documented an Anglican consensus in this period on essential points concerning the basis of episcopal authority, but differences of emphasis remain. There was a common interest in maintaining that episcopacy was in some sense apostolic, and also in accepting as true churches the nonepiscopal Reformed churches in Scotland and on the continent. Within these boundaries there was room for considerable variation of attitude towards tradition and hierarchy as specifically theological principles. See Lake, *Anglicans and Puritans?*, p. 91, n. 11, and chap. 3, "Conformist Thought after Whitgift."

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This sketch of episcopacy in England when Hooker wrote may serve to indicate why he took questions about the authority and honor of bishops so seriously. It may also suggest why Book VII itself has been taken less seriously than one might expect. The Elizabethan Puritan movement had been put down by the police actions of Whitgift, Bancroft, and their colleagues on the High Commission and by the Conventicles Act of 1593. Saravia's assertion of an express dominical sanction for clerical inequality was accepted by Bancroft in his *Dangerous Positions and Proceedings* (STC 1344) and *A Survey of the Pretended Holy Discipline* (STC 1352) of 1593, and, due partly to Bancroft's influence as archbishop of Canterbury from 1604 to 1612, it was also accepted by the court theologians of the next reign. A striking sign of the ascendance of a *jure divino* view of episcopacy is its compatibility under James I with a thoroughly Calvinist theology.²³ But this same high conception of episcopal authority also bolstered the otherwise theologically antagonistic Arminian wing of the church in the following reign of Charles I. Small wonder, then, that Hooker's treatise caused so little stir when it finally appeared. Hooker was in favor of bishops, but official doctrines of authority had moved in a more strongly episcopal direction without his intended assistance. Understandably, then, Book VII has remained a sort of ecclesiological backwater.

To survey the ecclesiastical disciplines competing for acceptance when Hooker wrote is also to see, however, why he himself may have been less than wholly enthusiastic about the Saravian upward trend in official apologetic. The reduction of complex issues to conflicting *jus divinum* claims backed by whatever public or private force the claimants could muster was something he had opposed throughout the *Laws*. His own loyalty to the establishment typically led him to a persuasive rationalizing, rather than an absolutizing, of its claims, and he was especially sensitive to the "politic" dimensions of the problems he addressed. The clergy and laity of the Church of England were hardly converted as a body to a *jure divino* view of episcopacy, however successfully that view could be combined with Calvinism in Jacobean

²³ Collinson, *The Religion of Protestants*, pp. 16–21.

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court sermons, and self-assurance about its own authority helped make the Laudian episcopate deaf to complaints about its policies that were founded in authentic English Reformation tradition. It is unclear how peacefully settled the Jacobean church really was and hence unclear how far the disaster that overtook the establishment under Charles I was a result of conflicts at least latently present throughout the century and how far it was due to changes of theology and disciplinary rigor in the church's leaders.²⁴ In either case, we need not credit Hooker with prophetic foresight of that disaster in order to expect from him a treatment of episcopacy that might have helped avoid it. Whatever the balance of historical descent and fresh emergence may have been in the causes of the Civil War, prototypes of the opposing positions were already before him. It would not be astonishing to find that Hooker grasped their implications better than did their proponents. A treatment of the question of bishops broad enough in its learning and sympathies to take account of these extremes would be as characteristic of Hooker as it was rare among his contemporaries and seventeenth-century successors.

ii. Sources

The chief sources for Book VII are the Bible and the ancient Fathers, councils, and historians of the church. The *Corpus juris civilis* of Justinian is cited some thirty times, the canon law five times. References to a characteristically wide range of classical, medieval, and contemporary sources complete the account.

The crucial biblical texts are (1) passages from Acts, various Epistles (including those addressed to Timothy and Titus, the direct Pauline authorship of which is now contested; see 3:157.s.n, below), and

²⁴ "The question . . . is whether, by the 1620s, the episcopate had reached a plateau of social and political acceptability and some effectiveness, in a Church enjoying equilibrium, which Archbishop Laud's divisive and unpopular policies destroyed in the following fifteen years; or whether on the contrary the Church which Laud inherited and strove to redeem had already been betrayed by an effete episcopate, the puppets of a corrupt and corrupting Court"; Collinson, *The Religion of Protestants*, p. 42.

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Revelation bearing on authority in the early church; (2) gospel passages alleged by the Puritans as forbidding all lordship and dominion among Christ's ministers; and (3) Old Testament passages on the wealth due priests and high priests in God's behalf.

The church Fathers cited most frequently are Cyprian, Jerome, and Ignatius (twenty-seven, twenty-two, and eleven citations, respectively); then Chrysostom (eight references, a majority of them to *Palladius's Life*), Tertullian, Epiphanius, and Augustine (seven citations each). There are occasional references to a number of other early Christian authors: Irenaeus, Lactantius, Athanasius, Gregory Nazianzus, Egesipus, Ambrose, and Pseudo-Ambrose.

Cyprian's strong affirmation of the bishop's role was crucial in the Reformation debate over episcopacy. As the testimony of a third-century martyr, Cyprian's statements could not easily be rejected outright by opponents of the monarchic episcopate, but with effort they could be read as supporting the authority of pastors in their several congregations. Each side in the debate thus strove to claim "Cyprian's bishop" for itself.

Jerome, a severe critic of the bishops of his own day and a respected, well-informed biblical commentator, provides several pivotal passages. Hooker's discussion of one of the most widely quoted of these ("let Bishops know that custom, rather then the truth of any Ordinance of the Lords maketh them greater then the rest") reveals the most distinctive features of his own position (5.8; 3:166.14–15).

Like most other defenders of episcopacy before 1644, when Ussher demonstrated their spuriousness,²⁵ Hooker accepted as genuine the pseudo-Ignatian epistles and interpolations of the Long Rescension, texts which add fifth-century hyperbole to the authentic, strongly episcopal ecclesiology of this martyred first-century bishop of Antioch. Eight of Hooker's eleven citations of Ignatius are from these now discredited texts.

The patristic church's councils provided Hooker with evidence for both the antiquity of episcopacy and its further articulation in metro-

²⁵ J. Ussher, *Polycarpi et Ignatii epistolae* (Oxford: Leonard Lichfield, 1644; Wing P 2789). J. B. Lightfoot, ed., *The Apostolic Fathers*, 2 parts in 5 vols. (London and New York, 1885–1890; rpr. Grand Rapids: Baker Book House, 1981), 2.1:231–233.

politan, primatial, and patriarchal supra-diocesan levels of jurisdiction. Nicaea and Antioch are cited seven times each, among a total of twenty-seven conciliar references.²⁶ Hooker used the church historians Eusebius (five citations), Socrates, and Theodoret (four citations each) to similar effect. In his use of these sources, Hooker was concerned to fill out his picture of the church's functioning in what he regarded as a healthy period of its existence, as well as to establish his position on particular disputed points.

A positive concern was primary in his citations of canon law and of Justinian, in whose early sixth-century legal compilations and enactments Hooker saw reflected a complex Christian society effectively guided by legitimate public norms. The documentation of early English episcopacy in chapter 1, with references to Sulpicius Severus, Bede, and William of Newburgh, has a similarly positive aim.

A continuity of culture and history through all ages of the church and beyond the boundaries of Christianity itself is an important theme in every part of the *Laws*. Accordingly, in Book VII Hooker uses classical, Jewish, and medieval Christian authors not only for rhetorical effect but also as sources of historical information and doctrinal argument.²⁷

Among his contemporaries Hooker refers almost exclusively to his opponents and to continental Reformers, whose objections to episcopacy he seeks to answer or whose toleration of the office he asks his English opponents to respect.²⁸ The English Roman Catholic Thomas Stapleton, a major antagonist in Book VIII, is quoted once in Book

²⁶ Five to councils of the African church, three to the fourth-century compilation known as the Apostolic Canons, three to the first Council of Constantinople, and one each to the Council of Chalcedon and the Trullan or Quinsext Council.

²⁷ He cites Cicero five times, Julianus Pomerius (as Prosper of Aquitaine) three times, Livy and Wyclif twice, and more than a score of other authors once each: Plato, Virgil, Seneca, Josephus, Tacitus, Stadius, Florus, Justinus, Aelius Lampridius, Dionysius of Halicarnassus, Julian the Apostate, Hermes Trismegistus, Symmachus, Ammianus Marcellinus, Suidas, Rabanus Maurus, Zonaras, Peter of Blois, Thomas Aquinas, Marsilius of Padua, and Aeneas Sylvius Piccolomini.

²⁸ There are eleven explicit citations of Cartwright and three of Travers. Among continental Reformers Calvin is cited three times, Girolamo Zanchi twice, and Heinrich Bullinger, Beza, and François Hotman once each.

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VII. Hooker cites the French jurist Barnabé Brisson to support his claim that those who are wisest in things divine may also be most skilful in human affairs. He cites Jewel and William Fulke once each.²⁹ Although Hooker does not cite other establishment apologetic, he is obviously cognizant of it, particularly Whitgift's *Defense* of 1574. The designation of authority and honor as the two major topics of Book VII may derive from Saravia.

iii. The Argument

With these sources, Hooker constructs a strong and clear case for episcopacy as probably divinely instituted, historically well tested, yet not immutably fixed as the only possible legitimate form of church government.

The book opens with an anecdote pointing a moral characteristic of the *Laws*: that social institutions are interdependent, so that radical change in any one of them has perilously broad implications. It seems that in a certain kingdom (unnamed by Hooker and so far unidentified), church reform was thwarted and endless civil strife incited when an over-zealous preacher called for the abolition of nobles, lawyers, and prelates as necessary for establishing Christ's discipline. In England, Hooker observes, only bishops have been attacked thus far, but some who now support that attack should fear for their own class. This cautionary narrative leads naturally to a comparison of the former prosperous condition of bishops with their present embattled state. A brief account of episcopacy in England from the earliest times follows, anchoring the office historically as the opening anecdote had institutionally. The time may come, then, when those who complain most about bishops will most wish for them. But the ordering of such events must be left to providence.

In the brief second and third chapters Hooker sets the terms and issues for the remainder of the book. He states what he takes a bishop to be:

²⁹ In a note derived from his Oxford tutor, the moderate Puritan, John Rainolds, which also includes references to Marsilius of Padua, Aeneas Sylvius, Wyclif, Calvin, and Bullinger; see W. D. J. Cargill Thompson, "The Source of Hooker's Knowledge of Marsilius of Padua," *The Journal of Ecclesiastical History*, 25.1 (January 1974): 75-81.

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A Bishop is a Minister of God, unto whom with permanent continuance, there is given not onely power of administering the Word and Sacraments, which power other Presbyters have; but also a further power to ordain Ecclesiastical persons, and a power of Cheify in Government over Presbyters as well as Lay men, a power to be by way of jurisdiction a Pastor even to Pastors themselves. (2.3; 3:152.19–25).

The definition is significant in two respects: it allows Hooker to describe the apostles, whose authority in the primitive church was acknowledged by all sides in the debate, as themselves being bishops and not merely the predecessors of bishops, and it allows him to set aside as unessential “variable accidents” the wealth and territorial extent of modern bishoprics, matters which were of great importance to his opponents. The apostles were bishops “at large.” The jurisdiction of later bishops was contained within some definite local compass—they were bishops “with restraint.” Many sixteenth-century parsonages were larger than some bishoprics in the early church, and many early bishops were poorer than sundry of the lower clergy in later times. Hooker speaks to these differences in chapter 8, on the territorial organization of the patristic church, and in seven concluding chapters (18–24) on various forms of honor that are owed to bishops, but he holds that the essential issue of episcopal authority is independent of such circumstances. The essential question is whether Christ’s church is “lawfully” governed when some ministers of the word and sacraments have “*permanent superiority, and ruling power*” over others (3.1; 3:154.35–155.1).

Hooker’s fourth chapter, on the apostles’ government of the church, depicts that government as itself episcopal (in the sense he has previously defined) and as the historic source of later episcopal authority. Evidence that the apostles themselves came in time to exercise their governing power “with restraint”—that is, within distinct geographical areas—merges with patristic testimonies to the succession of later diocesan bishops from the apostles.

The heart of Hooker’s legitimation of episcopal authority is chapter 5, entitled “*The time and cause of instituting every where Bishops with restraint.*” As to time, he accepts collegial, presbyterian governance

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under the general authority of the apostles as having been the norm for some part of the apostolic age (although he cites the apostle James's authority in Jerusalem as a model for what soon became universal). However, he equally accepts the great body of patristic testimony indicating that monarchic episcopal authority was established "every where" by the end of that period.

What was the cause of this change? In chapter 4 Hooker had spoken simply of the apostles' giving episcopal authority to others, and although he followed tradition in regarding Timothy and Titus as the first bishops of Ephesus and Crete, he tacitly allowed that in most churches the same "episcopal" power was for a time conferred on colleges of presbyters. In chapter 5 he suggests several possible explanations for the universal change to the practice of bestowing such power permanently on some one person in each church. Either the apostles by themselves decided on such a change, or they decided in consultation with the whole church. Either the decision was prompted by special divine inspiration beforehand, or it must be considered to have had divine approbation afterwards, "being established by them on whom the Holy Ghost was poured in so abundant measure for the ordering of Christ's Church" (5.2; 3:161.11-13). Hooker's own decision to leave all of these possibilities open has frustrated more than one attempt to enroll him in a particular ecclesiological school.³⁰ It seems

³⁰ Keble noted "a marked distinction" between "the school of Hooker and [the divine right school] of Laud, Hammond, and Leslie in the two next generations"; (1888), 1:lxv. A. J. Mason found, on the other hand, that for Hooker, "All doubt of the divine origin of episcopacy is over"; *The Church of England and Episcopacy* (Cambridge, 1914), p. 54. "In spite of the apparent discrepancies in the course of Hooker's argument, his philosophical treatise provided the high churchmen who followed him with a surer basis for their arguments than that provided by their more controversial contemporaries"; Beatrice M. Hamilton Thompson, "The Post-Reformation Episcopate in England, (i) From the Reformation to the Restoration," in Kenneth E. Kirk, ed., *The Apostolic Ministry* (London: Hodder and Stoughton, 1946; rpr. 1947; with a new foreword, 1957), p. 429. Norman Sykes found a clear difference, "at least in emphasis, if not further, between the earlier and later books *Of the Laws of Ecclesiastical Polity* in respect of episcopacy," but noted that "even in these later books the author is content to ascribe to episcopacy apostolic, not dominical, authority"; *Old Priest and New Presbyter* (Cambridge: The University Press, 1956), p. 23.

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apparent, however, that we are indeed presented here with a decision and not an incomplete or indecisive apologetic.

It is not that Hooker did not care about episcopal origins. From the tone of his discussion it is clear that the life of the early church interested him intensely, and he clearly thought it probable that divine inspiration guided the apostles in establishing a polity that was to serve the church through the centuries. His refusal to press available sources into service for a more absolute and certain doctrine concerning the institution of bishops was due in part, no doubt, to a scholar's conscience, but it also corresponded with his conception of political communities as capable of providing their own laws and structures of authority as circumstances required. In this as in other respects, Hooker regarded the church as preeminent among political communities. But also here as in other cases, authority is not created from a situation in which no authority already exists, nor is there a single type of warrant for authority that is both necessary and sufficient for its legitimacy. As regards the institution of bishops in the early church, this means that, in Hooker's view, divine inspiration, existing apostolic authority, and communal consultation could all contribute to establishing structures of authority for a church life in which all Christians might willingly participate.

The consensual character which Hooker ascribed to genuine community grounds a sympathetic exegesis of Jerome in chapter 5 that at least one early reader of Book VII found "dangerous," although recent

Responding to Sykes, A. L. Peck referred to "Hooker's explicit statement of his belief in the divine origin of episcopacy"; *Anglicanism and Episcopacy* (London: The Faith Press, 1958), p. 16. "Certainly in Book VII [Hooker] seems to put forward a more 'advanced' doctrine of episcopacy than that which might have been expected by the reader of the first four books. Nevertheless he says nothing which specifically contradicts the fundamentals there expounded; in these earlier books he postulates a doctrine of the authority of the Church high enough to 'contain' the view of episcopacy later advanced. . . . Whether the episcopate is apostolic in origin or not, Hooker makes his point that it is subject to the over-riding legislative power of the Church"; B. D. Till, "Episcopacy in the Works of the Elizabethan and Caroline Divines," in Kenneth M. Carey, ed., *The Historic Episcopate in the Fullness of the Church* (Westminster: Dacre Press, 1954), pp. 63-83; pp. 70-71. And see Sommerville, "An Elizabethan Consensus," cited above, n. 22.

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studies have considered it a direct consequence of principles laid down in earlier books.³¹ Jerome had said that bishops should know, “*that custom, rather then the truth of any Ordinance of the Lords maketh them greater then the rest*” (quoted 3:166.14–15). Hooker interprets him to mean that, although bishops “may avouch with conformity of truth, that their Authority hath . . . descended even from the very Apostles themselves,” yet they “must acknowledge that the Church hath power by universal consent upon urgent cause to take it away, if thereunto she be constrained through the proud, tyrannical, and unreformable dealings of her Bishops” (3:168.7–14). Thus, bishops are amply entitled to the authority they have traditionally exercised in the church, and they do not serve merely at the church’s pleasure. Neither, however, may they exercise power as they themselves please. The enduring authority of the episcopate has essentially depended upon the fact that the church “hath found it good and requisite to be so governed” (3:168.15–16).

In the next three chapters Hooker goes on to specify the manner in which episcopacy “with restraint” operated in the early church, indicating first what powers bishops had over and above other clergy (chap. 6), then how bishops *with* presbyters governed the churches under them (chap. 7), and finally the overall scale of hierarchical organization in the patristic period, including the relations of authority among bishops themselves (chap. 8). We are presented with an attractive picture of a church in which bishops exercised commanding authority and were commonly compared with the high priests of the Old Testament, with Christ, or with God, and yet governed in a cooperative spirit and were themselves subject to correction under the broader jurisdictions of metropolitans, primates, and patriarchs.

Within the limits of the evidence available to him, Hooker was unusually sensitive to historical process, both in the church’s relation to the secular world and in its own internal dynamics. He agreed neither with the extreme Reformed view of church history, in which a short period of absolute purity was followed by a steep slide to

³¹ See W. D. J. Cargill Thompson, “The Philosopher of the ‘Politic Society,’” *S.R.H.*, pp. 56–57; rpr. *Studies in the Reformation*, pp. 181–182; and Sommerville, “An Elizabethan Consensus,” pp. 183–184; and 3:166.16–168.35.n below.

corruption, nor with the extreme Roman Catholic view, in which a papal ecclesiology could be read out of the gospel ("Thou art Peter . . ."; Matt. 17:18) as unchangeably necessary to salvation. Nor did he offer an alternative image of his own of an immaculate visible church somewhere in the past or present. Nevertheless, Hooker does give us a sense of the church as a network of communities—local, national, ideally international; apostolic, patristic, medieval, recent—which has inhabited the world with some effectiveness. Despite external challenges and internal flaws sometimes requiring significant reformation, the church's history has been a positive one. Internal conflict has been an important factor in that history but not, Hooker would have us believe, the defining factor. Similarly, conflicts with superstition and worldliness are always important, but again Hooker will not allow them to define the Christian life as one of repudiating or withdrawing from the world. The affirmative but not simplistic view of church history developed in the first eight chapters is the basis for Hooker's affirmative but not worshipful view of bishops as a source of order in the church throughout its life.

It is against this background that Hooker considers various objections to episcopal authority in chapters 9–16. He follows Bancroft in arguing that the first blanket denial of that authority, by the fourth-century presbyter Aerius, was heretical, not because such a denial was directly contrary to the faith, but because Aerius falsely claimed that it was a part of the faith. Hooker's formulation seems tortured, and the suggestion that critics of episcopacy may be heretics is unpleasant, but there is a point to be made. It is as serious an error to claim a scriptural foundation for one's own position when there is none as it is to reject the claims of others when they indeed are scripturally warranted. This is the connection Hooker draws between Aerius and sixteenth-century enemies of episcopal government. They are like Aerius in holding that the word of God "alloweth not" any inequality or difference between presbyters and bishops.

In chapter 10 Hooker brings his opponents' arguments for this thesis under three headings, to which he responds in turn.

1. Chapters 11–13 are concerned with the claim that episcopacy is anti-scriptural because it is un-scriptural, a mere human invention. There is no objection that Hooker considers himself better prepared to

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answer. Aside from his argument earlier in Book VII that episcopal authority *has* a basis in the New Testament church, he can appeal to his attack, in Books II–III, on the Puritan refusal to accept as legitimate anything in church polity not directly endorsed in the Bible. Such a refusal is itself unbiblical. Accordingly, the suggestion that Christ would have instituted the monarchic episcopate if such an office were necessary is not compelling. The experience of dissension in the collegially-governed communities of the postulated first phase of the primitive church pointed clearly enough to a remedy.

2. The second branch of objections concerns differences in power between contemporary and ancient bishops. Specifically, “the bishops that now are” may ordain to the priesthood without asking the people’s consent and may excommunicate on their own authority (chap. 14). They have the power to imprison, and they may hold civil office (chap. 15). Hooker does not deny that such differences exist. To be sure, he points to a consistent tradition through the centuries of requiring episcopal ordination in all normal circumstances for a valid sacramental ministry. But his main line of reply to invidious comparisons between present and past bishops relies on his conception of the church as a body able to provide for itself by different means in different circumstances. This is not to say that all past accretions of episcopal power must be effects of due process within the whole church in order for us to respect current episcopal authority, nor is it to say that officially approved arrangements are always optimal. Hooker’s point is that the differences between present and past bishops alleged by his opponents as differences of principle—differences that would make present-day episcopal authority antichristian or diabolical—are nothing of the kind.

3. Hooker saves for chapter 16 the most fundamental, albeit least concrete, objection to clerical inequality: that “domination” among his disciples is flatly contrary to Christ’s own commandment (Matt. 20:20–28, Mark 10:35–45). Outcries against lordship and dominion were a dominant theme in anti-episcopal polemic from the *Admonition* of 1572 onwards. It is a tribute to the strength of this appeal that Hooker has built his own case for hierarchy in the church and answered the other major objections to episcopacy before directly confronting “domination.” By this point in his argument, however, he

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has provided a social and historical context in which his own circumstantial exegesis of the key passages gains conviction. Christ was foretelling, not prescribing, powerlessness for the apostles; he foretold a lack of secular power, not of ecclesiastical authority; and, strictly speaking, he said only that the apostles would receive no secular power *from him*, not that they were ineligible to receive it from others.³² Christ's admonition to his apostles therefore leaves room for episcopal authority in the church (including the authority exercised by the apostles themselves), and room, although it provides no positive warrant, for ecclesiastics on due occasion to exercise secular power.

The second principal part of Book VII (chaps. 17–24) is concerned with the “honor” due bishops. The honors at stake are partly symbolic (such as title, place, and ornament) and partly material (endowment with lands and livings), but they are all visible acknowledgments by those who render honor that the episcopal office has been beneficial to them. Accordingly, Hooker begins his argument with a consideration of “*What good doth publicly grow from the Prelacy.*” His analysis of how episcopacy as an institution contributes to the spiritual and moral well-being of a national community is not, by modern standards, detailed, but it shows a regard for social realities which is characteristic of Hooker and quite rare among his controversialist contemporaries. On the basis of this analysis and an accounting of high-priestly wealth in the Old Testament, made relevant to the new dispensation by Paul's comparison of the glory of the two ministries at 2 Corinthians 3:8, Hooker lays claim in chapters 21–23 to an extraordinarily high level of wealth for bishops.

The last and longest chapter of Book VII begins, remarkably

³² Hooker's exegesis will not seem wholly convincing to readers who understand these passages as mandates for a spirit of love, service, and mutual respect among all Christians (or indeed, all people). It is therefore important to recall that the overall scheme of Christian discipline envisioned by the Puritans involved at least as much coercion as was suffered at the hands of Elizabeth's bishops, for, although the church itself might have no coercive authority, it would expect the Christian magistrate to enforce its disciplinary judgments with all the power at his (or her) disposal. Hence, lack of coercive power of one cleric over others would not have lessened the coercion of Christians by other Christians.

enough, with an extensive indictment of the very bishops whose authority and honor Hooker has been defending in the preceding twenty-three chapters. Its thesis is that bishoprics should not be deprived of their endowments because of the faults of their incumbents and that it is indeed sacrilege to deprive bishops and their successors of such goods in order to enrich laymen. While this thesis logically demands an acknowledgment that individual bishops do in fact have faults, Hooker's cutting account of episcopal shortcomings (§§ 2-15) goes well beyond the necessary minimum. Because of its systematic character, it is in some ways a more effective indictment than the invective and anecdote of much anti-episcopal polemic.

The chapter continues with reflections on the rarity of true virtue in a fallen world and the necessity of reasonable forbearance. In any case, God is the owner of ecclesiastical goods. However good or bad ecclesiastics are, God should not be deprived of what is His. Hooker then suggests more mundane grounds for maintaining episcopal wealth. For example, bishoprics have traditionally been the chief reward of learning. If they are diminished, the result will be paganism and barbarity. The chapter closes with a brief economic history of the Christian ministry, beginning with the earliest days, continuing through the sometimes excessive prosperity of medieval ecclesiastics to the plundering of the church in the sixteenth century, and ending with a moving estimate of the current state of the clergy and a plea that at least what now remains to them be left untouched. Here, too, Hooker is oriented as much towards specific social circumstances as abstract theological principle. The bitterness of these closing sections and the anguish evident throughout the chapter should help to correct any idealized view of the Elizabethan establishment and of Hooker as its serene advocate.

iv. Hooker's Position in the Debate About Episcopacy

In comparison with his contemporaries, both allies and antagonists, Hooker presents a relatively concise yet broadly based account of the episcopal office, its history, its theological status, and its appropriateness as the center of ecclesiastical polity in his own society. He confines himself to major issues and does not pile on proof-texts and authorities

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without limit to prove theses without limit. The points he does make are polemically effective one by one, but they also form a coherent larger structure. Hooker thus conveys a richer sense of the historical and doctrinal contexts of standard disputed issues than previous disputants had done and broadens the discussion to address matters others had largely ignored, such as the national and international structure of the patristic church, the social functions of prelacy, and the severe limitations endured or exhibited by contemporary bishops.

Hooker responds to the opponents of episcopacy by pleading his case vigorously, at times with anger and reproach, but it is an explanation he offers, not a peremptory judgment, and he implicitly concedes some merits to the opposing side. He engages the Puritans about fundamental principles, specifically their contention that, in the absence of unequivocal scriptural foundation, episcopacy must be regarded as a merely human invention and is therefore entitled to no intrinsically theological respect. Hooker's assertion of probable divine inspiration for the institution of bishops in the early church strongly challenges the disciplinarians in their scorn for bishops but does not attempt to exact from them the veneration merited by an article of faith.

The ultimate principle of Hooker's argument is the well-being of the whole church. While he did not take this to imply democracy, he accepted the burden of showing in some detail how an episcopal polity had been beneficial to the church in the past and continued to be so—albeit imperfectly—in his own day. In presenting the apostolic origin and spread of episcopacy as a response to the church's needs (whether a divine response or a human response divinely approved), in suggesting that acceptance by the church makes an essential contribution to the continuing legitimacy of episcopal government, and in considering the episcopal office in relation both to other parts of a Christian society and to its own current representatives, Hooker did not, to be sure, meet his opponents' demands for clerical egalitarianism. Still, in arguing as he did, he avoided assertions of authority for its own sake or on the basis of strained scriptural exegesis or the inertia of tradition. Book VII could well claim to be a good-faith attempt to resolve authentic doubts about the church's traditional form of government which might be felt by Christians zealous for a truly apostolic

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church but unable to discern apostolicity in the hierarchy confronting them. The book's absence from the public domain in the early seventeenth century is a great pity.

Hooker's case for episcopacy does not fall into line in an inevitable progression from pragmatism to Laudianism. Nor, however, does it return to the pre-Saravian view of bishops as crown functionaries with an especially long tradition behind them. Hooker accords bishops a theologically more secure status than Whitgift had, and he offers a richer basis for that status than Bilson's perpetuity. Furthermore, his claims for a high level of episcopal endowments, honors, and social influence, together with his outcry against clerical poverty and the secularism of the age, range him with Bancroft, Saravia, and Bilson in the movement from a defensive to an aggressive posture concerning the hierarchy's rights to power and privilege. Yet despite the friendship and example of Saravia, and despite particular debts to him in this book, Hooker's position is considerably—and surely intentionally—less high than Saravia's in both tone and substance. In terms that became current earlier in the twentieth century, Hooker held that bishops pertain to the church's *bene esse* in most circumstances—certainly in the circumstances in which he wrote—but not to its *esse*. In still more current terms, his sympathetic exegesis of Jerome on the “customary” basis of the episcopal office places him with those who seek authorization for Christian ministry in the whole body of the church.

This last formulation is at once most adequate and most readily misunderstood, for it assumes some conception of what “the whole body of the church” is and how it may function, matters on which Hooker has a great deal to say that is instructive but not at all current. To understand Hooker's account of episcopal authority, we must grasp the idea of a Christian society in view of which it was offered. We must read Book VII in the context of his earlier, distinctively corporate account of religious instruction, prayer, and sacraments in Book V, his discussion of the church and its authority in Book III, and his locating of human secular and religious norms in the lawful cosmos of Book I. An equally necessary requirement for understanding Hooker on episcopacy is that we come to terms with his treatment of lay ecclesiastical power in Book VIII, to which we now turn.

Book VIII

Arthur Stephen McGrade

In his concluding treatise on the power of ecclesiastical dominion, Hooker at once vindicates and transforms the legal basis of the English Reformation. His defense of a royal supremacy in religion in this book completes the legitimation of established authority begun in Book VI and is thus the capstone of the *Laws*. Read as Hooker intended, Book VIII gathers strength from principles laid down in earlier books and brings to light the practical implications of those principles. Hence it is the book that best reveals Hooker's significance as a political philosopher, an engaged controversialist, and a theorist of the English constitution. It has also been the starting point for more disagreement about the coherence of Hooker's thought than all the preceding books combined.

When Book VIII has not been rejected as inauthentic (along with the other posthumous books) or mined to provide support for later political positions, it has commonly been lamented as a betrayal of Hooker's theological and philosophical principles or simply ignored as irrelevant to modern interests, secular or Christian. First printed on the initiative of Archbishop Ussher in 1648 during the Civil War, the book had not been publicly known in the tense but relatively stable earlier situation for which it was written. Its authenticity was cast in doubt in 1665 by the account of Puritan vandalism of Hooker's papers at his death in Izaak Walton's *Life*. Nevertheless, Book VIII contributed to the Whig or Lockean interpretation of Hooker prevalent in the eighteenth and nineteenth centuries.

There is no doubt today that the book is genuinely Hooker's,¹ but this has only set the stage for criticism of its content. The defense of

¹ See Textual Introduction, 3:xiii–xxvi, li–lxix, this edn., and Introduction to The Three Last Books and Hooker's Autograph Notes, p. 244, above.

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lay governmental control of religious affairs in Book VIII struck some readers earlier in the twentieth century as patently inconsistent with the traditional Christian natural law principles Hooker had so eloquently set out in the earlier books of the *Lawes*. Beginning with a theological and philosophical position comparable to that of Thomas Aquinas, Hooker seemed to end with a rationalist or positivist endorsement of the dominantly secular political order envisioned in Marsilius of Padua's *Defender of Peace* and carried into effect in the modern state.² So interpreted, Hooker's political theory is hard to assimilate: it is too immersed in the medieval ideal of a unified Christian society to seem relevant to current needs, yet too committed to government control of religion to be appreciated as an attractive account of the past.

The problem of Hooker's intellectual consistency or moral integrity is no longer one of making the later books jibe with the earlier ones. Recent studies have drawn attention to a subtle but intense polemical engagement evident in earlier parts of the *Lawes* (especially in the Preface but perceptible even in the lofty first book, as well as in the attack on disciplinarian principles in Books II–IV), and the basic positions of Book VIII have been convincingly grounded in propositions advanced earlier.³ Attention has also been called to Hooker's advice to read his work as a unified whole, in which succeeding parts are intended to clarify and be supported by prior ones but need not recapitulate them (I.2; 1:57.25–33.). As a result, there no longer appears to be any change of position in the *Lawes* from one book to another.

Unfortunately for Hooker's reputation, however, the demonstration of logical consistency among the parts of his work only poses the problem of coherence more sharply as a problem of moral consistency or integrity throughout. The impression persists, even among the most perceptive readers, that Hooker was above all an eclectic thinker who

² Peter Munz, *The Place of Hooker in the History of Thought* (1952); H. F. Kearney, "Richard Hooker: A Reconstruction," *Cambridge Journal*, 5 (1952): 300–311; both discussed in Arthur S. McGrade, "The Coherence of Hooker's *Polity*: The Books on Power," *Journal of the History of Ideas*, 24 (1963): 163–182.

³ See above, p. 236, n. 4.

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deployed his immense learning to defend a secular-political domination of religion equally unattractive from a modern as from a medieval point of view.⁴ The fact that he was logically and rhetorically adroit enough to avoid the simpler contradictions previously charged is small comfort. Consideration of the occasion and argument of Book VIII must therefore still be a search for coherence.

i. Occasion

Book VIII is addressed to those who would assert that, “*unto no Civill Prince or Governour there may be given such power of Ecclesiastical Dominion as by the Lawes of this Land belongeth unto the Supreme Regent thereof*” (title; 3:315.3–7). The law principally referred to is the founding legislation of the Elizabethan religious settlement, the 1559 Act of Supremacy, by which “all jurisdiction ecclesiasticall within this realme is now annexed to the Imperiall Crown.” Like the precedent act of the 26th year of Henry VIII, the crucial statute for the first phase of the English Reformation, the Elizabethan Supremacy Act was a declaration of national ecclesiastical independence from what was presented as a usurped domination by the bishop of Rome. Although Hooker’s political thought can fruitfully be compared with that of thinkers not involved with this central event of the English sixteenth century, it is the break with Rome that provides the best vantage point for seeing the political side of the *Lawes* in its own terms. Hooker’s distinctive problem as a political theorist was to understand the English crown’s

⁴ “. . . his theory was more consistent than his recent critics have allowed. On the other hand, throughout the *Laws*, Hooker was continually arguing to a brief, and he cannot easily be acquitted of the charge of subordinating his political ideas to the needs of the immediate controversy”; W. D. J. Cargill Thompson, “The Philosopher of the ‘Politic Society,’” *S.R.H.*, p. 12; rpr. *Studies in the Reformation*, p. 140. Robert Eccleshall states as the first major conclusion to emerge from recent Hooker scholarship that “Hooker was not the detached, judicious observer of conventional historiography but a partisan thinker intent on window-dressing the command structure of English society”; “Richard Hooker and the Peculiarities of the English,” *History of Political Thought*, 2.1 (January 1981): 63; Eccleshall’s is a “confessedly rather reductionist account . . . intended to throw down a gauntlet to those who persist in adopting a hagiographical approach to Hooker” (*ibid.*).

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religious authority in a way that resolved conflicts arising from the initial anti-papal assertion of that authority. Any perennial significance his ideas may have can be understood properly only if this problem is appreciated first.⁵

Among the ways in which the English church's royally-led break with Rome was construed, four are especially pertinent to understanding Hooker's situation as he wrote Book VIII. These are presented here as abstract positions, not formal party divisions, but they chart the range of views which Hooker needed to take into account:

1. In calling this period the Reformation, we reflect especially the viewpoint of clerics and laymen who believed that, under the protection of a godly prince, they could now proceed from the abolition of medieval idolatry and superstition to a thorough doctrinal, moral, and ceremonial renewal of the church. This view came into its own in the English church under Edward VI. Under Elizabeth it was especially held by those who had spent their exile during Mary's reign in Calvin's Geneva or who later came under the influence of Geneva. Hooker's ironically pejorative use of the term "reformer" is directed against less restrained proponents of this position.

2. Another, equally drastic view—one never professed in the first person but widely ascribed to others—was secularist. A break with the religious culture of the middle ages was indeed necessary, but not in order to retrieve a purer, primitive Christianity. The emphasis, rather, was on allowing human energies their natural, worldly fulfillments. In this view at its least appealing, royal leadership was of great service in expropriating the church's immense wealth for lay consumption. Such depredation could justify itself by the reflection that ecclesiastics often enough seemed to operate only for worldly interests of their own. More attractive aspects of secularism are to be seen in the burgeoning of Elizabethan arts and letters, exploration and commerce. The northern Renaissance was hardly anti-Christian, but neither is the traditional contrast between Renaissance and Reformation illusory. Certainly, many of those in England who supported the crown in repudiating

⁵ For a summary narrative of this settlement, see Introduction to The Preface, pp. 2–22, above.

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subjection to Rome were at least equally opposed to being subjected to the vigorous spiritual discipline their reformist contemporaries proposed as a replacement. Reformers and secularists had in common their opposition to the old ecclesiastical order and their acceptance of the royal supremacy as a means to get rid of it. These common interests occasionally led to practical alliances, but the underlying difference in values was fundamental.

3. Not everyone who approved the rejection of papal authority did so from a desire for radical changes in the daily practice of religion. The most conservative interpretation of the break with Rome compatible with accepting it was one in which the church could continue essentially as it was, except for a change of authority at the top. The suggestion that the king had simply replaced the pope as *caput ecclesiae* was made at the highest level under Henry VIII: Archbishop Cranmer assured Henry that a king could himself appoint ministers to spiritual office, should the continuity of apostolic succession be broken.⁶ Queen Elizabeth abjured any claims to sacerdotal powers, but her own religious policy was rather to protect the church from would-be reformers than to aid them in carrying out their agenda.⁷

4. A lay monarch's claim to supreme authority, even in conserving the church, was, however, enough to provoke objections and resistance from some. The Counter-Reformation, clandestinely led in England by Jesuits prepared at English colleges abroad, thus presented a fourth, overtly negative attitude towards royal headship.⁸

⁶ Felicity Heal, *Of Prelates and Princes*, pp. 124–125. Cranmer, *Miscellaneous Writings and Letters*, ed. John Edmund Cox, PS (1846), p. 117.

⁷ In her Royal Injunctions, repeatedly reissued between 1559 and 1600, the queen forbade her subjects to give ear to the perverse and malicious suggestion that the oath of allegiance tendered to English clerics implied that the crown "may challenge authority and power of ministry of divine offices in the Church"; see Walter Howard Frere, ed., *Visitation Articles and Injunctions of the Period of the Reformation* (London, 1910), 3:26. Her active role in maintaining the moderate reformation of the church is emphasized by Haugaard, *Elizabeth and the English Reformation*.

⁸ The history of a distinct "English Catholic Community" beginning in 1570 with Elizabeth's excommunication by Pius V has been traced by John Bossy, *The English Catholic Community 1570–1850* (New York: Oxford University Press, 1976). On the oscillations in attitude towards the English government within this community, see

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Roughly speaking, later descriptions of the Church of England as both Catholic and Reformed, or as representing a *via media* between Rome and Geneva, combine the third and first positions. The increasingly questioned contrast between Puritan and "Anglican" assumes a sharper distinction between zealots for reform and supporters of royal ecclesiastical authority than actually seems to have existed. It is important to bear in mind that for Hooker proponents of all four positions were, if baptized subjects of the queen, members of the Church of England.

The destructive passions aroused by more purely doctrinal religious differences in the sixteenth century would have been disturbing enough even if there had been consensus about a framework of authority within which such differences might be adjudicated. Unfortunately, the traditional authorities of Scripture, ecclesiastical hierarchy, and Christian ruler were all themselves involved in those disagreements. None could serve as an uncontested basis for resolving them. Thus, the discovery that English clerics (and by extension laymen, in so far as they were obedient to the church) were not wholly his subjects under the late medieval dispensation was proclaimed by Henry VIII as a theologically offensive situation, not simply a politically intractable one. Accordingly, the Henrician Supremacy Act restored the crown's "ancient jurisdiction ecclesiastical." The language here and in Stephen Gardiner's *De vera obedientia*,⁹ the official apology for Henry's break with Rome, is in the tradition of theocratic kingship: God appoints the king to rule over his subjects and to care for their souls as well as their temporal existence. Indeed, almost without exception, every defense of the royal supremacy offered from the Reformation Parliament until Hooker's Book VIII was an appeal to this presumed divine appointment of the king, an appeal theologically

Peter Holmes, *Resistance and Compromise: The Political Thought of the Elizabethan Catholics* (Cambridge: The University Press, 1982). Also see Christopher Haigh, "The Continuity of Catholicism in the English Reformation" in Christopher Haigh, ed., *The English Reformation Revised* (Cambridge: The University Press, 1987), pp. 176–208.

⁹ *Stephani Winton. episcopi De vera obedientia oratio* (London: T. Bertheletus, 1535; STC 11584), translated by John Bale (?) ([London? John Day,] 1553; STC 11586); ed. Pierre Janelle, *Obedience in Church and State* (Cambridge, 1930).

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supported by reference to Old Testament models and rendered popular by its refusal of all subjection to a foreign power. The political history of the Reformation was not neutral background to an essentially separate spiritual process, but itself bore spiritual meaning. Conversely, the period's spiritual warfare about biblical interpretation and ecclesiastical authority had momentous political implications, ranging from the coercive imposition of Roman Catholic or Protestant belief to the overthrow of established royal authority by assassination, insurrection, or invasion.

The most obvious occasion for Hooker's own defense of the supremacy was provided by quite similar objections to it coming from the first and fourth of the positions sketched above, the reformist and the Roman Catholic. Cartwright, Travers, and the disciplinarian party, Hooker's most direct adversaries throughout the *Lawes*, were heirs to a Protestant tradition in which the godly prince might play a decisive role in seeing that the church was reformed and in protecting a reformation once achieved. But this tradition did not grant secular rulers a continuing directive role in church affairs. Accordingly, at the beginning of Elizabeth's reign, when reformers could hope that the queen herself favored further reformation, there was no impulse to question her control of episcopal appointments and other means by which change could be effected. As queen and bishops became manifest obstacles to a more thorough reformation, however, men like John Field, the probable author of the first *Admonition to the Parliament* of 1572, Thomas Cartwright, who took up the cause against Whitgift's *Answer* to the *Admonition*, and Walter Travers, Hooker's antagonist at the Temple, sought to derive from Scripture a system of ecclesiastical government that was essentially complete without reference to the Christian lay ruler. In their scheme, church government was to be based on a combination of clerical direction and lay participation at the local level. The church might occasionally need a secular protector, and it would expect assistance in enforcing its own discipline. What it did not need was a "head," an earthly supreme governor other than Christ. On the contrary, lay rulers should themselves be subject to the scepter of Christ's discipline. Accordingly, in a marked reversal of their usual sources of support, disciplinarian Puritans appealed to bishops of the patristic church (especially Ambrose) to

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justify an independent ministry capable of resisting or even disciplining emperors and princes, while Hooker argued that these examples had no general relevance.

The disciplinarians thus arrived at a point from which Roman Catholic objections to the supremacy had been lodged from the beginning. The common theme was the necessary autonomy of a divinely grounded spiritual authority. Whether the church was struggling among pagans or flourishing in a Christian kingdom, it had its own structures of government, subject to no other. Besides differing with the reformers as to what those permanently valid independent structures were, Roman Catholic writers also had a greater tendency than the Puritans to focus on the spiritual incompetence of parliament as well as the monarch. It is particularly against William Cardinal Allen's objection, that parliament has no more right to legislate for religion than it has to make laws for the angels, that Hooker directs his most impressive statement of parliament's authority. Concern with the Roman Catholic position is a distinctive feature of Book VIII. It goes well beyond the defense of particular prerogatives claimed by the English crown and helps shape Hooker's account of the fundamental relationships between secular and religious community.

Although less salient than the explicitly reformist and Roman Catholic theological challenges to the supremacy, the problems posed by the naturalistic or secularist currents of the age were equally important to Hooker. The fact that he himself has been accused of subordinating grace to nature¹⁰ suggests—accurately—that he sought a conception of political authority in which natural human capabilities were not dominated by arbitrary or mysterious theological dictates imposed either from abroad or by domestic religious authorities standing above the political community. It is no favor to Hooker to ignore the main contention of Book VIII, that a “power of ecclesiastical dominion” may legitimately be exercised by the supreme *civil* authority in a Christian society. At the same time, we must recall the anxiety Hooker has expressed earlier in the *Lawes* (notably at V.2) about irreligious,

¹⁰ *A Christian Letter* (4:11.10–14.9, this edn.). Munz, *The Place of Hooker in the History of Thought*.

politically manipulative forms of secularism. We might expect him to resist the coercive imposition of religious values on an unwilling community—the rule of the saints or of the prelates, assisted in either case by the secular authorities—but we should also be alert for efforts to counter the use of religion for secular ends. If we reflect that Hooker's central achievement in Book V was to make a case for the religion of the Prayer Book on its merits, not as a statutory obligation, we should expect to find in Book VIII a treatment of political authority which guards against use of the established church as a spiritual façade for state oppression or national self-satisfaction.

Such reflection also leads to a somewhat surprising conclusion with respect to the third position outlined above, the conception of the supremacy as a way of maintaining continuity with Christian tradition while changing from papal to royal authority at the church's summit. Book V of the *Lawes* gives us every reason to believe that Hooker genuinely approved of a set of public religious practices which owed more for their continued existence to Queen Elizabeth than to any other person or persons in the latter half of the sixteenth century.¹¹ The religion thus preserved was indeed reformed. At the end of Book IV, Hooker gives Henry VIII credit for "beheading superstition" and making a way to "repaire the decayes" of the English church. His praise is yet more extravagant for Henry's son and successor, "*Edward the Saint.*" Yet the point of this eulogy of reforming sovereigns is not to laud reformation *per se* but to distinguish two kinds of reformation, "this moderate kind, which the church of England hath taken" and "that other more extreme and rigorous which certaine Churches elsewhere have better liked" (IV.14.6–7; 1:343.1–3, 15–18). Hooker's greatest gratitude, then, is for Elizabeth, whose refusal to allow a more extreme reformation was the chief cause of his controversy with the Puritans. He takes the queen's preservation from every kind of imminent danger and from "practises so manie so bloudie" as a manifest sign of divine protection. He was not speaking of architecture when

¹¹ "If the leaders of the sixteenth century were to be arranged according to their influence on the eventual character of anglicanism, the first rank would include only two figures: the martyred cleric, Thomas Cranmer, and the royal laywoman, Elizabeth Tudor"; Haugaard, *Elizabeth and the English Reformation*, p. 341.

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he later ascribed to Elizabeth the preservation of every church still standing in the realm of England (V.Ded.10; 2:7.22–28).

Hooker's aversion to the rabid anti-Romanism of the day and his espousal of a comprehensive, nonconfessional, liturgically-centered public religion show a sympathy with the queen's spiritual temper as it appears to us that goes beyond mere formal loyalty. No doubt Hooker had a greater appreciation of the theology of the Reformation than Elizabeth,¹² and no doubt his principles would have disposed him to make the best of a different religious settlement, for he insisted that a national church had extensive power to alter its practices as it judged fit. Nevertheless, on the evidence of Book V, it would seem that Hooker cherished the Elizabethan church's public worship as excellent for its own time and not to be changed without serious consideration. Accordingly, in her desire to reestablish the church in something like its condition at the end of her father's reign and maintain it in that state, Elizabeth was for Hooker a true godly prince.¹³

If Hooker was truly devoted to the Elizabethan church, which had been providentially given its distinctive character by the exercise of royal power, then we should expect to find in Book VIII an attempt to consolidate this settlement of religion, not only against attacks upon royal power but also against precipitous changes of policy by succeeding rulers. This reading of Hooker's intentions suggests a certain similarity of constitutionalist outlook with his antagonists on the matter of supremacy. Like his reformist and Roman Catholic opponents, Hooker had a stake in providing a sufficiently independent standing for the church to enable it to resist undesirable changes, even should these be moved by the crown, whose previous actions, in contrast with his opponents, he approved.¹⁴

¹² On Hooker's debt to Calvin (as well as to the previous Catholic tradition), see Introduction to Commentary, § ii, this edn., 5:630–634.

¹³ The queen, in Francis Bacon's words, "Within the compass of one year . . . did so establish and settle all matters belonging to the church, as she departed not one hair's breadth from them to the end of her life," cited by Haugaard, *Elizabeth and the English Reformation*, p. 217, and above, p. 12 and n. 18.

¹⁴ Hooker's concern with stabilizing the religious settlement against alteration by

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If conflicting responses to the break with Rome formed the chief external occasion for Hooker's treatment of supreme spiritual power in Book VIII, the previous course of his own argument placed certain internal constraints on his discussion. First, since he had appealed throughout the *Lawes* to the authority of the whole church over its individual members as a basis for exacting obedience from his opponents, it was incumbent upon him to expound the royal supremacy in a way consistent with that earlier appeal. This would also fill a large gap in the argument of Whitgift, who had simply asserted the authority of "the church" in things indifferent and made the Christian prince the locus of that authority but without explaining how church and prince were connected. Second, Hooker needed to provide an account of royal ecclesiastical jurisdiction in harmony with what he had said in Book VII about the authority of bishops. The alliance of divine-right bishops with divine-right kings was to produce a structure of authority of overbearing weight in the following two reigns. If it is correct to read Hooker as having been at least ambivalent about granting immutable, divinely sanctioned authority to bishops,¹⁵ we may expect a similar attitude to be reflected in his treatment of royal authority. A third internal constraint has to do with the ruling idea of law. Hooker had set out to defend the laws of the English church, not the "dealings" of the imperfect men who administered them (II.1.1; 1:144.1–21; VII.24.1–15), and his definition of law was peculiar in not making imposition by a superior an essential feature of law.¹⁶ It would be a mockery of this conception to make the church's life depend on the arbitrary will of a supreme monarch.

The problem of coherence for Book VIII is, then, indeed, a problem of assessing the compatibility of Hooker's endorsement of the royal supremacy with his deeper principled commitments. But it is also a problem of assessing Hooker's success in providing a conception of supreme religious authority that could reasonably be expected to

later monarchs is hinted at by the reflection in his working notes (3:504.24–29) on a passage from Xenophon's *Cyropaideia* comparing good rulers with good fathers: what if our parents were "extreme unnaturall" towards us?

¹⁵ See above, pp. 322–323 and 328–330, and below, 3:166.16–168.35.n.

¹⁶ I.3.1 (1:63.6–14); see Introduction to Book I, pp. 97–99, above.

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preserve—or, better, strengthen—the coherence of the still Christian society in which he lived. He himself could still say that every member of the English commonwealth was also a member of the English church, but this was only because he had an exceptionally inclusive conception of church membership.¹⁷ In a period when English Protestants and Catholics wrote tracts denouncing each other as worse than Turks, when the archbishop of Canterbury had earned his doctorate with the thesis that “the pope is the Antichrist”¹⁸ and was prepared to impose the profession of Calvin’s doctrine of predestination as a condition for teaching theology at an English university,¹⁹ when the presumed heresy of the Elizabethan religious settlement was deemed sufficient cause for a pope to excommunicate the queen and absolve her subjects of their allegiance and for a most Catholic king to dispatch an invasion fleet against her realm,²⁰ and when a broadening spectrum of Protestant sectarians found it difficult to acknowledge the bare Christianity of an official church which in their view tolerated gross superstition and immorality—in such a period the integrity of England as a single religious community was at best fragile.

Such spiritual integrity as modern secular states enjoy depends on mutual respect for the religious beliefs and practices of others as personal commitments. To the extent that politics has always in fact been a matter of accommodating personal preferences, the modern approach can claim the advantage of realism. Aside, however, from the danger of such an approach itself becoming a religion, this arrangement

¹⁷ See III.1 (1:194–206). “What distinguishes Hooker’s doctrine of the church from that of almost all his Protestant contemporaries is his extremely comprehensive definition of the membership of the visible church”; Cargill Thompson, “The Philosopher of the ‘Politic Society,’” *S.R.H.*, p. 54; rpr. *Studies in the Reformation*, p. 178.

¹⁸ “*Papa est ille antichristus*,” “Biographical Memoir,” Whitgift, *Works*, PS (1853), 3:vi. The identification was a common one. See Kathrine R. Firth, *The Apocalyptic Tradition in Reformation Britain 1530–1645* (Oxford: Oxford University Press, 1979); Peter Lake, “The Significance of the Elizabethan Identification of the Pope as Antichrist,” *Journal of Ecclesiastical History*, 31 (1980): 161–178; Anthony Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought, 1600–1640* (Cambridge: The University Press, forthcoming).

¹⁹ H. C. Porter, *Reformation and Reaction in Tudor Cambridge* (1958), pp. 364–390.

²⁰ See Introduction to The Preface, pp. 7, 10, 22–23, above.

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would have struck Hooker and most of his contemporaries as ignoring a chief value of public life, the common worship of God. Accordingly, Hooker drew on the sources available to him to fashion an argument saving traditional Christian social coherence. The task required more, however, than reinvocation of the traditional ideology of theocratic kingship. In Hooker's judgment it required development of a neo-Aristotelian theory of political community and a constitutionalist reinterpretation of English ecclesiastical autonomy.

ii. Sources

Hooker draws on an impressive array of sources in treating the royal supremacy, a topic that, despite its importance, had been the subject of relatively little original thought during the English Reformation. Stephen Gardiner, bishop of Winchester under Henry VIII, had asserted the unity of English church and commonwealth in virtue of their identical memberships. He thus provided an unacknowledged source for the most widely quoted passage in Book VIII (1.2; 3:319. 15–27). Gardiner also asserted a divine basis for royal authority, a traditional idea which, as we shall see, Hooker greatly modified. In this Hooker departed from his predecessors much farther than is commonly recognized. He may well have drawn inspiration from Thomas Starkey, who defended the break from Rome as being made on the basis of “common counsell and authorite” or “the consent of the hole congregation” and who at one point asserted the right of “a hole congregacyon and perfyte, as this is of our nation, to electe and chose them a heed polytike with free libertye, whiche may with his hyghe wysedome directe and redresse all suche thynges as pertayne unto christian polycye,”²¹ but, aside from Starkey, a biblically grounded respect for kingly authority as such was the dominant theme in Tudor

²¹ *An exhortation to the people, instructyng them to unitie and obedience* (1540? STC 23236), sigs. Z2^v, L2^v, Z1^v. Starkey pioneered the eirenic treatment of most changes in the early stages of the break with Rome as things indifferent, and his ideal of spiritual and civil community as integrally related and mutually reinforcing is very much in Hooker's spirit; see W. Gordon Zeeveld, *Foundations of Tudor Policy* (Cambridge, Mass., 1948), pp. 128–156.

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apologetic both early and late.²² In his *Defense of the Aunswere* Whitgift asserted the Christian prince's control of the external government of the church, in contrast with Christ's internal rule by grace, but he offered no particular justification for this royal power, nor did he discuss limitations on its exercise. The high episcopalian tracts of the early 1590s by Saravia, Bilson, and Bancroft,²³ discreetly avoided discussing the relationship between episcopal and royal authority, and they had no occasion to consider wider aspects of the latter. As noted above (p. 316), Sir Francis Knollys, a privy councillor through most of Elizabeth's reign, objected strenuously to Whitgift's disciplinary actions against the Puritans and to other assertions of episcopal authority. He

²² For early statements of the king's divine appointment as head of the church and his responsibility to care for the spiritual needs of his subjects, ideas which were "taken for granted, as much in Elizabeth's reign as in the reigns of her father and brother," Cargill Thompson cites Stephen Gardiner, Thomas Cranmer, Richard Sampson, and Edward Fox; *S.R.H.*, p. 52; rpr. *Studies in the Reformation*, p. 177. See Gardiner, *De vera obedientia oratio* (n. 9, p. 344, above); Thomas Cranmer, Speech at the Coronation of Edward VI, in Cranmer's *Miscellaneous Writings and Letters*, PS, pp. 126–127; Sampson, *Oratio, qua docet, anglos, regiae dignitati ut obediant* ([1535?]; STC 21681), rpr. in John Strype, *Ecclesiastical Memorials* (1822), 1.2:162–175; Fox, *Opus eximium de vera differentia regiae potestatis et ecclesiasticae* (1534; STC 11218), trans. *The true dyfferens between y^e regall power and the ecclesiasticall power* (1548; STC 11220). See also Christopher Saint German, *A treatyse concerninge the power of the clergie, and the lawes of the realme* (1535? STC 21588), sigs. A2^r–7^r, F4^r. For other elements in early Tudor political thought, see Franklin Le van Baumer, *The Early Tudor Theory of Kingship* (New Haven, 1940).

For later statements, see Jewel, *Apologie* (STC 14591) and *Defence of the Apologie* (STC 14601); Alexander Nowell, *The Reprouse of M. Dorman* (1566; STC 18742); Robert Horne, *An answere made by Rob. bishoppe of Wynchester, to a booke entituled, The declaration of suche scruples, touchinge the othe of supremacy, as J. Fekenham, by wrytinge did deliver* (1566; STC 13818); John Bridges, *The Supremacie of Christian Princes* (1573, STC 3737); John Rainolds, *The Summe of the Conference betwene J. Rainoldes and J. Hart: touching the head and the faith of the church* (1584; STC 20626); Matthew Sutcliffe, *De presbyterio, ejusque nova in ecclesia Christiana politeia* (1591; STC 23458), pp. 30–44, 97–110, 154–155, and *A Treatise of Ecclesiasticall Discipline . . . Newly corrected and amended* (1591; STC 23472).

²³ Hadrian Saravia, *De diversis ministrorum evangelii gradibus* (1590; STC 21746; trans. *Of the Diverse Degrees of the Ministers of the Gospel*, 1591; STC 21749); Thomas Bilson, *The Perpetual Governement of Christes Church* (1593; STC 3065); Richard Bancroft, *Daungerous Positions and Proceedings* (1593; STC 1344) and *A Survey of the Pretended Holy Discipline* (1593; STC 1352).

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regarded these as threats to the queen's supremacy and urged that bishops be required to acknowledge that all their authority derived from her. As Hooker commented in one of his working notes for Book VIII, "For the kings supremacy as it excludeth forrein persons divers have written. But little hitherto hath bene particularly and of purpose set down in defence of the said supremacy as it respecteth persons at home" (3:496.7-10).²⁴ No apologist for the English establishment is expressly cited by Hooker, although Sir Thomas Smith is closely paraphrased at VIII.6.11 (3:401.22-28).

Hooker's chief texts for refutation in Book VIII are Cartwright's *Second Replie* and *Rest of the Second Replie*, works never answered by Whitgift. Dudley Fenner and John Penry are cited twice each, as opponents, and Beza twice, for support. Bishop Jewel and Dean Nowell of Saint Paul's are reinterpreted, after being cited by Fenner to support the reformers' position on the crown's liability to clerical censure. There are two allusions to Anabaptists and a passing reference to the followers of the English separatist Robert Browne.

English Catholic objections to the supremacy are commonly traced back to Thomas More and Bishop John Fisher in the reign of Henry VIII. Hooker's one reference to More in the *Lawes* is at 4.12 (3:380.14-17). His quotation of More's objection to a lay head of the church is taken from an early account of More's speech after his conviction for refusing the Henrician supremacy oath.²⁵ The tradition of English Catholic protest was continued under Elizabeth in works published

²⁴ The chief exception is Saravia's *De imperandi autoritate, et christiana obedientia* (1593; STC 21747), which, although principally directed against the "forrein persons" of the papacy, includes (at 3.33) an account of the integrated character of civil and religious ends similar in some respects to Hooker's *Lawes*, VIII.1. The royal absolutism insisted upon by Saravia later in the work (bk. 4) is, however, greatly at odds with Hooker's ideas. See J. P. Sommerville, "Richard Hooker, Hadrian Saravia, and the Advent of the Divine Right of Kings," *History of Political Thought*, 4 (1983): 229-246. Bilson's *The True Difference betweene Christian Subjection and Unchristian Rebellion* (1585; STC 3071), another work directed against the Roman Catholic challenge, also includes material relevant to Hooker's concerns in Book VIII. See especially the discussion at pp. 520-525 of the problem of dealing with an incompetent or evil ruler.

²⁵ See 3:380.14-17.n; also, P. G. Stanwood and Laetitia Yeandle, "Richard Hooker's Use of Thomas More," *Moreana*, 35 (September 1972): 5-16.

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abroad and in the clandestine Jesuit mission, in which more than a hundred priests died by the end of the reign. Hooker makes extensive use of the *Principiorum fidei doctrinalium demonstratio methodica* of the immensely learned Roman Catholic apologist Thomas Stapleton,²⁶ and he cites as well William Cardinal Allen, director of the Jesuit mission, on the separation of church and commonwealth, using Allen as a foil in arguing for the competence of parliament to legislate on religion.

Hooker notes in passing the anti-conciliar views of such late scholastics as Cajetan, Domingo de Soto, and Juan de Torquemada. (He must thus have had at least an indirect acquaintance with the corporatist doctrines of their opponents; see 3:386.25–387.1.x.n) He draws on Albertus Pighius and on the papal historian Onuphrius (and on the twelfth-century pro-imperial bishop of Naumberg, Waleran) to support royal investiture of bishops, taking issue on this subject with another papal historian, Platina. Aquinas is cited approvingly on natural law and the need for human law derived from it. He is closely paraphrased in a passage on the need for a universal mover concerned with the common good. In considering a passage cited by Stapleton from a biblical commentary incorrectly ascribed to Thomas, Hooker reproves the author for “a little overflowing of witt” in deducing the superiority of Christian sacerdotal authority to royal power from the contrasting phrases “*Kingly priesthood*” in 1 Peter and “*priestly Kingdome*” in Exodus 19 (3:356.7–13.u and n).

Stepping back from claims and counterclaims by parties involved in the issues at hand, we find Hooker citing, or replying to his opponents’ citations of, the Bible, the Fathers and historians of the early church, classical philosophical and literary works, various legal sources, and several contemporary political works not concerned with English affairs.

The Old Testament provided establishment apologists with the clearest authoritative models for royal supremacy, and Hooker availed himself of this resource at several points, though less emphatically than

²⁶ See 3:343.4–9.e.n for Hooker’s transcriptions of Stapleton’s excerpts of Protestant and patristic views of the lay ruler’s authority in matters of religion.

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had his predecessors. New Testament texts on Christ's headship are central in chapter 4, where Hooker discusses the monarch's title as head of the church. The account in Acts of the Council of Jerusalem, alleged by others to show that ecclesiastical laws are properly made by the clergy alone, is considered in chapter 6. Responding to Stapleton, Hooker compares the religious authority appropriate for kings in Judaism and Christianity in chapter 3.5.

In contrast with his situation in justifying episcopacy in Book VII, Hooker is himself on the defensive at some points in Book VIII vis-à-vis patristic sources. The Fathers and historians of the early church were brought forward by both Roman Catholics and Puritans to justify a sharp distinction between church and commonwealth, and some celebrated incidents from the career of Ambrose provided examples of outright clerical resistance to lay domination (see p. 314 and n. 10, above). On other matters, Hooker found patristic sources more helpful. Tertullian's willingness to call the emperor "lord" (if the term was properly understood) suggests that "head," properly understood, is not an inordinate title for a Christian king. The active role of Christian emperors in papal elections and the convocation of church councils also provides support for royal supremacy.

Hooker's important opening discussion of politics and religion is supported by references to Aristotle's *Politics*. At several points in Book VIII and in the Autograph Notes, he quotes from a group of pseudo-Pythagorean political treatises preserved by Stobaeus and sometimes printed with the *Politics*. These treatises, which present a philosophy of absolute, quasi-divine rulership influential in the Hellenistic period, are in some cases used by Hooker to precisely opposite effect, to support the rule of law (see especially the use of Archytas at 342.5-14). In chapter 6 he cites in passing a famous passage on natural law from Cicero (preserved by Lactantius), and he quotes Cicero twice elsewhere, as well as Homer, Plato, Polybius, Livy (twice), and Dionysius Halicarnassus for various incidental purposes.

Legal sources cited in Book VIII range from canon law and the Roman civil law of Justinian, through the exposition of English common law traditionally attributed to the thirteenth-century jurist Henry de Bracton, to English statutes and contemporary legal commentary. In an important statement of the legislative competence of

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parliament, Hooker closely follows a passage in his older contemporary, Sir Thomas Smith. Like Smith, Hooker includes the king in his concept of parliament. Unlike Smith, he also includes the clerical delegates and bishops assembled in convocation. Hooker's use of Bracton in Book VIII and in the portion of the Autograph Notes bearing on Book VI seems intended to elevate the rule of law to the status of a constitutional principle.²⁷ In appealing to Bracton for this purpose, Hooker anticipates Coke. Hooker's concern with legal sources in Book VIII and elsewhere in the *Lawes* (and most strikingly in the Autograph Notes) is distinctive among apologists of his period and must reflect his years as master of the Temple.

Hooker's cosmopolitanism, also distinctive, is indicated by his use of a range of contemporary works not directly concerned with English affairs and by his translation of a passage on English relations with the papacy from Machiavelli's *History of Florence*. The list of sixteenth-century French jurists given in chapter 7.5 (3:417.26–28) to support lay investiture of bishops could well have been furnished by a legal specialist, but elsewhere (3:507–511) he takes his own notes from one of these authors, René Chopin.

Hooker discusses at some length the radical assertion put forward in the French *Vindiciae contra tyrannos* that every legitimate monarchy is actually or virtually elective. Although he is at pains to distance himself from this position, it is not clear how firm a basis his own principles afford for such opposition. His one reference to the famous French exponent of absolute sovereignty, Jean Bodin, is to an uncharacteristic passage in which the obligation to obey a sovereign fails to apply—the case of a foreign visitor in relation to the ruler of a territory. Hooker nowhere mentions the fourteenth-century anti-papal political philosopher Marsilius of Padua in Book VIII, as he does (in a reference derived from John Rainolds) in Book VII (3:208.17.*h* and *n*). The

²⁷ Besides Bracton, Hooker must also have had in mind other traditional English encomia of the rule of law, especially chapters 9–18 of the late fifteenth-century *De laudibus legum Anglie* of Sir John Fortescue, first edition 1545–1546, reprinted in 1567 with translation by Robert Mulcaster as *A learned commendation of the politique lawes of Englande* (STC 11194), fols. 25^r–41^r; ed. and trans. S. B. Chrimes (Cambridge, 1942), pp. 24–43. And see *nn* to 3:332.19–24 and 435.*u*.

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likelihood of Marsilian influence must, however, be taken into account in any assessment of Hooker's arguments. Nearly three centuries after his death, Marsilius remained the leading theorist of record for unified lay control over human affairs of the present life.²⁸ The question of Hooker's relation to thinkers such as Marsilius and Bodin, like that of Locke's relation to Hooker, goes beyond the documentation of explicit borrowings.

Many of the sources cited in Book VIII are familiar from previous controversialists; others are unusual. In some cases the great range of Hooker's references ornaments a brief which he was resolved to argue, but elsewhere fresh sources have been sought out as a basis for fresh thought.

iii. The Argument

1. Identity of Church and Political Community

The formal argument of Book VIII begins with a brief declaration in chapter 2 of what the power of ecclesiastical dominion is and a more detailed explanation in chapter 3 of the manner in which Christian princes may legitimately exercise such power. Preceding this is a lengthy "*admonition concerning mens judgments about the question of regall power*" (chap. 1). The theme of this admonition is the identity of church and commonwealth in an independent body of Christians.²⁹

²⁸ See Harry S. Stout, "Marsilius of Padua and the Henrician Reformation," *Church History*, 43 (1974): 308–318. Marsilius's *secularism* (in something like the modern sense) was not publicly acceptable in Reformation political debate, but as the only well-articulated late medieval defense of *lay* political supremacy, the *Defensor pacis* was singularly relevant to the sixteenth-century situation. Marsilius's systematic use of Aristotle and his concern for unity of coercive jurisdiction would have made his work of special interest to Hooker. I am grateful to Alan Gewirth for pointing out to me in personal correspondence the particular Marsilian parallels indicated below in nn to 3:350.2–10, 390.23–24, and 403.10–404.5, and for suggesting an indebtedness to Marsilius in Hooker's many references to consent. Also see C. W. Previt -Orton, "Marsilius of Padua," *Proceedings of the British Academy*, 21 (1935): 163–166.

²⁹ Hooker's initial title for the chapter, "Of the distinction of the church and the commonwealth in a christian kingdome" (Autograph Notes, 3:495.14–15), suggests

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To understand the ensuing defense of the English royal supremacy, it is essential to grasp both what is traditional and what is distinctive in Hooker's exposition of this theme.

Identity of Membership: Early in chapter 1, Hooker offers a traditional argument for the identity of English church and commonwealth, found in Gardiner's *De vera obedientia*. Church and commonwealth are one because their memberships are the same: everyone who belongs to the Church of England belongs to the Commonwealth of England and vice versa.³⁰ Hence, although this body of people may be called a church for one reason and a commonwealth for another, they are in fact one body of people. As a way of stating the central *problem* confronting all sixteenth-century political writers, Bishop Gardiner's line of thinking can hardly be bettered. Western Europeans were overwhelmingly Christians. Overwhelmingly they were accustomed to regard their Christian faith and that of their neighbors as a necessary condition for moral probity and social trustworthiness. Government therefore inevitably had to deal with both the religious and secular existence of the same individuals.

Unfortunately, while the identical memberships of commonwealths and churches posed the crucial problem for political "and" religious thinkers of the time, it did not dictate a single solution to that problem. The Tudor contention had been that, since Englishmen were naturally subjects of the king as head of the realm, they must also be subject to him in their religious identities. But the medieval dualism of *regnum* and *sacerdotium* could just as well support the opposite argument: since all Christians were obviously subject to ecclesiastical authority in spiritual matters, they also ought to be subject to such

more clearly than the title he eventually adopted the importance of this chapter, although not the direction of its argument, which is towards identity rather than distinction.

³⁰ "Seing the church of England consisteth of the same sortes of people at this day, that are comprised in this word (Realm) of whom the king is called the head: shal he not being called the head of the Realm of England, be also the head of the same men, when they are named the church of England?", *De vera obedientia . . . nowe translated into english* (1553), fol. 18^v; ed. Janelle, *Obedience in Church and State* (1930), p. 93.

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authority in temporal matters. The appeal the argument in this direction had for Roman Catholic writers is obvious. Whether they held the pope's temporal power to be direct or only indirect, they could not doubt that where human affairs demanded a single supreme authority this function could only be served by the supreme pontiff.

The need to resolve conflicts between competing supreme authorities was less obvious in relation to Hooker's other direct antagonists in Book VIII, the Puritans, but in principle the problem was the same. A Christian must live under the headship of Christ. A valid system of ecclesiastical discipline could not ultimately be subordinate to any authority except the Word of God. And yet the Bible itself dictated that subjects should obey the king. It did not help matters that each side in this three-sided debate between theocratic kingship, papalism, and disciplinarianism could allege divine warrant, biblical precedent, and ecclesiastical tradition to support its claims. The problem posed by the identity of church and commonwealth could be solved only if there could be found a more fruitful way of understanding not merely *that*, but *how*, religious and civil community were one.

Identity of Aim: Hooker's other main argument in chapter 1, adapted from Aristotle's *Politics*, seeks to provide such an understanding. Its premise is that the end of political association is not merely life but living well. As Hooker explicates this premise later in the chapter (also with references to Aristotle), it implies that first priority in a political body should be given to distinctively human personal or psychological goods—goods of the soul. More specifically, the highest priority should be given to religion, since religion is the chief good of the soul. If the care of religion falls within the scope of political association in general (if "every politic society doth care for some religion"), then the property differentiating a church from other independent associations is not religion *per se* but the profession of a particular religion, the true religion, Christianity. A church, then, is a distinct species of the genus body politic, differentiated from other members of the genus by its fundamentally correct orientation to the highest aim of all human association.

The idea of a hierarchy of human goods was, of course, not new. What Hooker adds to the Reformation debate about supreme religious and political authority is, first, an emphasis on the community as the

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active party seeking the good life. The higher goods, including religion, are not merely good for a ruler's subjects and thus a responsibility of the ruler. They fall within the scope and intention of the community itself. Not "every ruler," but every *body politic* cares for some religion, the *church* for *true* religion. A second distinctive contribution of equal importance is Hooker's inclusion of religion among the inherent purposes of any full-fledged human community. The basis for supposing that religion may appropriately be subject to political control thus has nothing to do with a particular religious viewpoint, let alone a positive *jure divino* title to civil or religious authority. Instead, the argument is that a society must make provision for what it values, for what it takes to be the good life. The power of ecclesiastical dominion, as Hooker presents it, is a Christian society's capacity to care for the Christian religion. The royal supremacy is an instrument through which that care may conveniently be exercised. But this is to get ahead of the argument, for the discussion of church and commonwealth in chapter 1 by no means implies that control of a society's religious practices is automatically a proper task of government.³¹

If we take Hooker at his comprehensive word, then we must say that for him the whole body of English Christians *was* the English

³¹ Hooker's assertion that "every politic society doth care for some religion" may seem to say the opposite (namely, that controlling religion is necessarily and always a proper task of government), but this is not the case. Although he believed that consensus in religion sufficient to support public religious institutions was normal, Hooker was vividly aware that religious consensus could break down, in which case there would be no basis for committing authority in religious matters to a civil prince or governor.

Hooker explicitly recognized absence of consensus as the situation of the pre-Constantinian Roman Empire. In that situation or in the situation of Christians living among non-Christians in later times, church and commonwealth are certainly not identical, and a civil ruler's authority in ecclesiastical matters is unacceptable. Hooker argued that when "whole Rome" became Christian, the authority pagan emperors had enjoyed in pagan religion could legitimately be exercised by Christian rulers in Christian affairs. Legitimate governmental authority in a society's religion requires, however, that the society have *a* religion. The failure, or possible failure, of this presupposition was not confined to remote cases. Hooker correctly feared that Christian consensus was in process of breaking down in his own England.

church and that the problem of institutional religious authority was, inescapably, their problem. In Aristotelian terms, the problem was one of associating for the good life, for the purpose of living well together. This entailed agreeing on laws and institutions (including a disposition of supreme ecclesiastical power) which corresponded to a commonly professed Christian faith and which English Christians could acknowledge as their own.³² This formulation of Hooker's task in defining and defending the royal supremacy should not be taken to imply a commitment to democracy on his part, but his conception of the problem assuredly challenges absolutist views of authority, whether medieval and theocratic or modern and secular.

2. *The Power of Ecclesiastical Dominion and its Limits*

On the basis of new evidence from Hooker's Autograph Notes, the present edition places the division between chapters 2 and 3 of Book VIII at an earlier point than in previous editions (see 3:lxxii–lxxiii). We now know that Hooker intended his short statement of "*What their power of Dominion is*" to stand alone as chapter 2, and that chapter 3 was to cover all of five subordinate topics: "*By what ¹right, after what ²sort, in what ³measure, with what ⁴conveniency, and according to what ⁵example Christian Kings may have it. In a word, their maner of holding Dominion.*" The most obvious effect of adopting this arrangement is to make more apparent the corroborative rather than probative status of the Old Testament examples adduced under the last of the five listed subheadings. In some earlier editions, including Keble's, Hooker's

³² Addressing the Puritan demand for exemption (pending a public disputation) from regulations of which they disapproved, Hooker had argued at the beginning of the *Lawes*:

A lawe is the deed of the whole bodie politike, whereof if ye judge your selves to be any part, then is the law even your deed also. And were it reason in things of this qualitie to give men audience pleading for the overthrow of that which their own verie deed hath ratified? Lawes that have bene approved may be (no man doubteth) again repealed, and to that end also disputed against, by the authors thereof themselves. But this is when the whole doth deliberate what lawes each part shal observe, and not when a part refuseth the lawes which the whole hath orderly agreed upon. (Pref. 5.2; 1:27.33–28.8)

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discussion of the first four topics had been placed in chapter 2, and the biblical discussion printed by itself as chapter 3. The division of chapters dictated by the Autograph Notes makes clear, however (as has always been clear from careful reading of the text), that the argument from Scripture is not central to Hooker's case for the supremacy. Adopting Hooker's intended division has a still more significant effect at the other end of the restructuring. Chapter 2, now quite short (the first two sections of Keble's long chapter), becomes more prominent. In particular, three *qualifications* or *limitations* included by Hooker in his general conception of ecclesiastical supremacy emerge as positive points of the argument. It thus becomes plain from his opening declaration of what the English crown's power of ecclesiastical dominion is that Hooker will defend a supremacy subordinate to: God, the law, and the body politic. These three qualifications are an excellent guide to major themes in the rest of the book. Given the unfinished condition of our text, we shall do well to take advantage of such guidance. Accordingly, in place of a detailed analysis of the remaining chapters of Book VIII in sequence, the balance of this introduction will be devoted primarily to tracing the three limitations of a human religious supremacy stated by Hooker in chapter 2 and developed in various later contexts.

The Royal Supremacy Qualified in Relation to God: "When therfor Christian Kings are said to have spirituall dominion or supreme power in Ecclesiasticall affaires and causes," Hooker tells us, "the meaning is, that within their own precinctes and territories they have authoritie and power to command even in matters of *Christian Religion*, and that there is no higher, nor greater, that can in those causes overcommand them, where they are placed to raigne as *Kings*." This is the positive content in Hooker's statement of what the power of ecclesiastical dominion is. He proceeds immediately to qualify what he has said: "But withall we must likewise note, that their power is termed *supremacie* as being the highest not simplie without exception of any thing. For what man is there so brainsick as not to except in such speeches *God* himself, the king of all the kinges of the earth?" (chap. 2; 3:332.9–19). This first and most briefly stated exception may seem only a formality, but it points to the most trying substantive issues between defenders of the supremacy and their Protestant and Roman Catholic critics.

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In the context of modern political theory, the most important point about Hooker's view of the relationship between God and an ecclesiastically supreme ruler is negative: royal supremacy is not a divine mandate. This is the chief point of the section immediately following the one just quoted, 3.1 (2.4–6 in Keble): "*By what right namely such as though men doe give God doth ratifie.*" In a deservedly often-quoted passage, Hooker answers his own question as to the right by which Christian kings may exercise authority in religion in this way:

As for supreme power in Ecclesiasticall affayres, the word of God doth no where appoint, that all kinges should have it, neither that any should not have it. For which cause it seemeth to stand altogether by humane right, that unto *Christian Kings* there is such dominion given. (3:335.5–9)

It would be extravagant to suggest that Hooker regarded the standard *jure divino* defense of the supremacy as a case of "brainsickness." The tradition of theocratic kingship accepted the moral subordination of rulers to God and foretold especially severe divine punishment for those who abused their high position. In chapter 9 Hooker will avail himself of this part of the tradition in expounding the view that princes are accountable for their actions to divine judgment alone, not to their subjects, and in the present chapter there is a positive emphasis on God's approval of royal authority, on the crown as a power delegated by God, and on kings as God's lieutenants. Yet Hooker stops significantly short of divinizing either the basis or the nature of royal authority. Normally, it is society's choice of a ruler which God ratifies. Only "lawfull" choices are so approved, just as the authority of conquerors is approved by God only if they are victorious in "just and lawfull" wars. Nor does Hooker think that the principles of justice, reasonableness, or divine law are so mysterious as to be accessible only through a divinely appointed royal interpreter. As he will say in discussing legislation in chapter 6 (a discussion parallel to his treatment of government in chapter 3), the laws of nature and God "make manifest" not only what God requires for personal salvation but also the necessary requirements of social life (3:389.8–21). The ruler's mere humanity is set off by this framework of natural reasonableness and publicly accessible divine revelation. Hooker also contrasts, explicitly, the natural, human origin of ordinary governmental authority and the

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“speciall appointment” by which it often pleased God to name rulers in Old Testament times.

From a theological standpoint, Hooker’s most significant discussion of the relation of supreme human authority to God comes in chapter 4, where, responding to Cartwright’s insistence that Christ is the sole head of the church, he distinguishes between Christ’s headship and the king’s.³³ Hooker could have avoided this confrontation by pointing out, as Jewel had done, that the title “head of the church” claimed by Henry VIII was not used by the queen, who styled herself “supreme governor.”³⁴ He instead provides a treatise on the differences of “order, measure, and kind” between the headship of Christ and that of the king. The differences are more than formal.

Hooker’s thesis with respect to the first of these, the difference of “order,” is that all earthly authority is “subordinated” to the power of Christ. This thesis has, to be sure, an anti-Puritan side. Cartwright had contended that the magistrate is subject to Christ as the eternal son of God, equal with God the Father, whereas the church’s ministry is directly subject to Christ as mediator between God and man, subordinate to the Father. In this view, magistrates could claim a direct link with divinity, and the church could imitate Christ and the apostles in rendering obedience to earthly authorities in their proper secular domain. At the same time, however, the distinctive direct relationship

³³ This chapter is accordingly central in W. J. Torrance Kirby’s distinctively theological study, *Richard Hooker’s Doctrine of the Royal Supremacy* (Leiden: E. J. Brill, 1990). See especially chapter 4, “*Supremum Caput*: Hooker’s Theology of Headship,” pp. 92–125.

³⁴ Jewel, *Defence of the Apologie*, 6.11.1: “For, first, wee divided it [the title of head] not: Secondly, wee use it not: Thirdly, our Princes at this present claime it not”; (1570), p. 704; *Works*, PS, 4:974. But in the same section Jewel concedes that, “notwithstandinge the name of *Heade* of the *Churche* belongs peculiarly, and onely unto *Christe*, as his onely Righte, and Enheritance . . . yet maie the same sometimes also be applied in sober meaninge, and good sense, not onely unto *Princes*, but also unto others, far inferiour unto *Princes*”; (1570), p. 705; *Works*, PS, 4:975. For a more emphatic rejection of the term “head” by a defender of Elizabeth’s governorship of the church, see Alexander Nowell, *The Reprouse of M. Dorman*, fols. 125^r–126^r, where Bishop Gardiner is accused of contriving this title for the royal supremacy to arouse hostility to it. See 3:356.19.n, below.

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asserted by Cartwright between the Christian ministry and the Christ of the gospels epitomized the independence from the magistrate that disciplinarians sought for the church in spiritual matters. Hooker's insistence that *all* power on earth, civil as well as ecclesiastical, is rightfully subject to the same Christ Jesus is thus a rejection of an essentially dualistic view of temporal and spiritual authorities as coordinate supreme powers. The subordination of the king to Christ was hence equally a "superordination" of royal power over a competing power in the ministry. Hooker's subordination of the king to Christ was also what it professed to be, however—a way of putting royal authority in its place, as accountable not only to an eternal, transcendent divinity but to the Christ of the gospels. In this respect, Hooker's subordinationism, far from being anti-Puritan, was an attempt to emphasize the same commitment of political institutions to Christianity that had traditionally been sought in the demand that the secular arm, the Christian magistrate, carry out the policies of ecclesiastical superiors.

The second difference between Christ's headship and the king's, the difference of "measure," is a straightforward one, although objections and replies concerning it lead Hooker to tart remarks on his opponents' zoological metaphors of two-headed and headless bodies. He asserts that Christ's authority is measureless, without legal limitation or limits of space and time, whereas an earthly ruler's headship is limited by law and extends no further than to a particular period and territory. Again, the king has been put in his place.

The "last and weightiest difference" is the difference in kind. Christ, ruling inwardly by grace, is the source of life, knowledge, and direction both for individual Christians and for the church as a community, whereas the Christian ruler exercises a purely external and instrumental headship. Here Hooker upholds a main plank of Whitgift's apologetic platform. Cartwright had condemned Whitgift for purveying the distinction between internal and external government "from the Popish shambles" of Pighius and Harding (see 4.8; 3:374. 15–21). Shrugging off the objection that arguments used by Roman Catholics must be bad, Hooker reiterates the need for the sort of external direction that only visible authorities can provide. And in a notable exposition of the metaphoric sense of "head" (following Plato

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in the *Timaeus*), he presents Christ's continuing activity as source for the inner life of individual Christians and the church as a whole.

The full force of this and similar passages in Book VIII can only be appreciated in conjunction with Hooker's eloquent chapters on Incarnation and Sacraments in Book V. References to Christ's inward rule by grace could be dismissed as superficial or insincere in a polemical work concerned only with the legal titles and rights of external authorities. Such references themselves come alive when made in a work that elsewhere articulates a heartfelt theology of sacramental participation. In such a context—devotional as much as political—it means a great deal to say that the ruler “merely” administers outward things. For Hooker, grace is ordinarily received in the setting of a Christian community, but it is God who confers grace, not the community. Politically sustained outward administration can only be a framework within which the vital transactions between the community and its one absolute head can take place. This is also to say that care is needed lest the kind of ruling exercised by the prince be exercised in the absolute measure appropriate only to Christ.

The Royal Supremacy Qualified in Relation to Law: “Limiting” or “measuring” the spiritual dominion of earthly rulers is precisely the function of the second major qualification of their supremacy laid down by Hooker in chapter 2:

Besides, where the lawe doth give *Dominion*, who doubteth but that the king who receiveth it must hold it of and under the lawe according to that old Axiome *Attribuat Rex Legi quod Lex attribuit ei potestatem et Dominium*. And againe *Rex non debet esse sub homine, sed sub Deo et Lege*. (3:332.19–24)

The theme stated here is developed in the long third section of chapter 3 (2.11–17 in Keble) and returns in later discussions of ecclesiastical legislation and judicial structures (chaps. 6 and 8). Hooker's constitutionalism, his emphasis on the rule of law, his use of ringing phrases from Bracton (as above) have been acknowledged often enough. What has not been generally recognized is the distinctiveness of this advocacy at the time when Hooker wrote:³⁵ its pointedness, its specificity, its

³⁵ The tension between Hooker's constitutionalism and the requirements of Tudor

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complex relation to the existing situation, and the enterprising use of sources by which it is sustained.

After Hooker's death, in the reign of James I, Justice Coke proclaimed the rule of law as a binding principle, not just a happy fact of English life. Coke could draw for support on a native tradition of praise and respect for law, including aphorisms from the great treatise on the laws and customs of England ascribed to Bracton. Spokesmen for this tradition were not plentiful under Elizabeth, however, and Hooker was alone among churchmen of his day in commending law as a *restraint* on royal power in ecclesiastical affairs.³⁶ If only because of this pointed application of the principle of legal supremacy, it would be a mistake to take the exposition of the principle in Book VIII for granted.

Hooker enunciated the rule of law as at least a compelling ideal, and in doing so he was not above exploiting sources in which that ideal was less dominant than in his own thought. For example, in an exquisite passage on the theme, "Happier that people, whose lawe is their King . . . then that whose King is himself their lawe" (3.3; 3:341.25–342.1), he quotes the Pythagorean philosopher-mathematician-statesman Archytas to excellent effect, except that he omits an immediately preceding statement by Archytas that legitimizes the opposite ideal of

monarchy is, however, proposed by Munz to explain Hooker's presumed failure to complete Book VIII, *The Place of Hooker in the History of Thought*, pp. 107–109.

³⁶ This is not to imply that Elizabeth acted as an unrestrained autocrat. She evidently wished to deprive Archbishop Grindal of his office, not merely suspend him, but was inhibited from doing so by the fact that his appointment had not been "at pleasure." Yet this was itself a matter of her own previous choice; see Introduction to Book VII, pp. 318–319, above. Early in the reign Nowell had briefly asserted that the law of the realm was superior to the prince, "as made not onely by the Prince and his authoritie, but also by the whole authoritie and consent of his whole Realme"; *The Reproufe of M. Dorman*, fol. 27^v. A few years later, also in passing, Bridges contrasted the tyrant, "whose will is lawe" (such as the pope) with the king, whose will and power "ought to be restrayned by law and do nothing unskilfully nor uncomely for his estate," but with no implication that a king's actions in violation of such restraints are invalid. Bridges explicitly denied that a king may justly be deposed for not ruling by law or indeed for any other cause; *The Supremacie of Christian Princes* (1573; STC 3737), sigs. 5N3^v, 6K2^v, 6G2^f.

an “animate law” embodied in the king. In other citations of the same body of Hellenistic political philosophy, he also turns the absolutist tenor of these works to his own uses. Hooker’s one citation of Bodin, is an uncharacteristic passage allowing that a sovereign need not be obeyed by foreigners within his domain. Even Bracton must be modified, silently or by spirited translation. Thus, in citing Bracton’s “axioms” on the superiority of law to king, Hooker omits any indication that in context Bracton was urging the ruler to accept legal limitations voluntarily, following the examples of Christ and Mary, who observed the Mosaic law although not bound by it. Bracton’s similarly rhetorical “*Rex nihil potest, nisi quod jure potest*” (literally, “the king can do nothing except what he can do by law”) is rendered by Hooker more bluntly as “The Kings graunt of any favour made contrary to law is voyd” (3:342.20–21).³⁷

In view of the recurrent—and recurrently controverted—perception of Tudor rule as despotic, it is important to ask how Hooker’s constitutionalist revision of his sources is related to the legal situation obtaining when he wrote. Does Hooker merely provide a literary reflection of current English practice, or was he attempting to shape existing practice or make it more acceptable by redescribing it? In considering this complex question, we must note that Hooker’s conception of a royal ecclesiastical supremacy functioning according to law required,

³⁷ The authority of Bracton in Elizabeth’s reign was much less than his use by Coke against James I and in Coke’s own systematic exposition of English law might lead us to imagine. See D. E. C. Yale, “‘Of No Mean Authority’: Some Later Uses of Bracton,” in Morris S. Arnold and others, eds., *On the Laws and Customs of England: Essays in Honor of Samuel E. Thorne* (Chapel Hill: The University of North Carolina Press, 1981), pp. 385–388. Bractonian axioms cited by Hooker had, however, figured provocatively in one of the most famous orations ever delivered in the Commons, the plea for free speech in parliamentary debate delivered by Peter Wentworth on 8 February 1576. Wentworth argued, disingenuously, that to impute to Elizabeth a desire to limit speech in parliament was to pronounce her perjured, for she had sworn at her coronation to execute the law, and this entailed respect for the free expression of views necessary for the making of law. The speech is given from an Inner Temple text in T. E. Hartley, ed., *Proceedings in the Parliaments of Elizabeth I, 1558–1581* (Wilmington: Michael Glazier, 1981), 1:425–434, Bracton at 1:429. For context see G. R. Elton, *The Parliament of England 1559–1581* (1986), pp. 341–349. Coke, it may be remarked, took notes of Hooker’s Temple sermons (*DNB*, Hooker, quoting Fuller).

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not merely a general legal basis for government operations in the area of religion—there is no doubt that this was in place³⁸—but a detailed spelling out, by the law, of how royal authority was to be exercised. Law should be a rule for the king in all his proceedings. Not the most limited but the best limited power is best, Hooker asserts, and that is a power limited by law, not only divine and natural law, but “very nationall or municipall law consonant therunto” (3.3; 3:341.24–25). In the area of civil jurisdiction, this requirement of specific legal warrant for the crown’s proceedings was typically well met under Elizabeth, although Coke’s later controversies about royal prerogative with James I and his counsellors show that the course of the law did not forever run smoothly even in civil proceedings. In the religious sphere, the situation was far less settled. While the traditional system of ecclesiastical justice was not abolished at the Reformation, there were persistent attacks on the church courts’ jurisdiction by the common lawyers. Proposals for reform of the system were made, fruitlessly, from the ecclesiastical side as well. The supremacy legislation passed by Parliament in 1559 gave the crown extensive powers in ecclesiastical affairs. Indeed, since “all jurisdiction ecclesiastical” was annexed to the crown, the church courts, too, became royal courts. In some cases this strengthened their jurisdiction, but only temporarily. Further legal uncertainties arose from the introduction of ecclesiastical commissions, authorized in general terms by the Supremacy Act but appointed by the crown and operating with whatever authority the crown delegated to them, sometimes in the face of legal challenges based on the common law.³⁹

Under these circumstances, certain passages in Book VIII apparently intended to describe the existing state of affairs seem strangely out of place. In chapter 3, for example, Hooker “willingly” accommodates the patristic dictum that a good ruler is within the church, not above it, by asserting that “received” ecclesiastical laws and liberties are limits on royal power:

³⁸ See G. R. Elton, “The Rule of Law in Sixteenth-Century England,” *Studies in Tudor and Stuart Politics and Government* (Cambridge: The University Press, 1974–1983), 1:260–284.

³⁹ See Introductions to Book VI, p. 299, and VII, pp. 315–317, above.

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Wherefore in regard of *Ecclesiasticall* lawes we willingly embrace that of *Ambrose Imperator bonus intra Ecclesiam, non supra Ecclesiam est*. *Kings* have dominion to exercise in *Ecclesiasticall* causes but according to the lawes of the *Church*. . . in whatsoever spirituall businesses for the received lawes and liberties of the *Church*, the *King* hath supreme authoritie and power but against them none. (3.3; 3:347.12–19)

The same confidently constitutionalist tone informs Hooker's description of the dual system of English secular and spiritual courts in chapter 8.9 (3:434.14–435.16). In other passages, however, there are clear indications of dissatisfaction with the existing state of church law. Just before the endorsement of Ambrose quoted above, Hooker remarks that

even in these very actions, which are proper unto *Dominion* there must be some certaine rule wherunto *Kings* in all their proceedings ought to be strictly tied, which rule for proceedings in *Ecclesiasticall* affayres and causes by regall power hath not hitherto been agreed upon with so uniforme consent and certaintie as might bee wish't. (3.3; 3:346.14–19)

A more substantial indication of Hooker's unhappy awareness of current legal uncertainties is found in the Autograph Notes for Book VI of the *Lawes*, where he compiled material in response to his associate Edwin Sandys's observation that the exact jurisdiction of ecclesiastical law was complex, controversial, and much in need of clarification (see pp. 238–242, above).

Our imperfect texts of Books VI and VIII do not rule out the possibility that these different passages express views held by Hooker at different times—views not necessarily consistent with one another—and that further revision would have led to a more straightforward position. We should avoid resorting to such an explanation, however, if a consistent interpretation is available, especially since two of the apparently contrary passages appear within a page of one another.

The passages can indeed be reconciled, if we are prepared to consider Hooker himself as something of a reformer. Hooker, it may be suggested, knew perfectly well that the ecclesiastical legal system was in disarray and that the limits of the crown's power were particularly

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unclear, but he believed that materials sufficient to repair the system existed in the traditional sources of church law: "for the received lawes and liberties of the *Church*, the *King* hath supreme authoritie and power but against them none." The difficulty was that such reasonable laws and liberties as had once been received were no longer agreed upon as uniformly and certainly as was desirable. Hooker hoped that sound research, persuasively presented, might rectify the situation. There was a basis in secular as well as ecclesiastical tradition for claiming that the aim of English polity was to have a system of justice in which law was equitable, clear, and supreme. Confident declaration that such a system was already legally in effect (as in the enthusiastic passage on secular and ecclesiastical courts in chapter 8) might contribute to its own truth by promoting the agreement and consent that were so obviously needed.

If the preceding interpretation is correct, then Hooker's constitutionalist affirmations were not intended, despite their indicative mood, as descriptions of existing practice. Rather, they were attempts to extend existing law-governed practice more securely from the civil sphere to the ecclesiastical. To do this, however, Hooker proclaimed the *principle* of the rule of law in stronger terms than can be found in any other Elizabethan author. Here more than anywhere else, he seeks to shape the English constitution, not merely to defend it as given. Although he was specifically concerned with the supremacy of law in ecclesiastical matters, Hooker's endorsement of legality as a general principle would have been a significant contribution to early seventeenth-century debates about the sovereignty of law or king—had Book VIII been widely known at the time.

The Royal Supremacy Qualified in Relation to the Community: The third "exception" to the term "supremacy" in chapter 2 introduces another major theme in Hooker's construal of royal ecclesiastical authority.

whereas it is not altogether without reason that kinges are judged to have by vertue of their dominion although greater power then any, yet not then all the states of those societies conjoynd, wherein such soveraigne rule is given them, there is not hereunto any thing contrarie by us affirmed . . . (3:332.24–28)

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Hooker here translates the well known proposition that the king is *major singulis universis minor*. He states the Latin phrase itself to begin his discussion in chapter 3 of the "sort" of "human right" on which English royal authority is based. Of all the dense and tangled strands in Book VIII, this is the densest and most tangled.⁴⁰ Nevertheless, Hooker's emphasis on the community as both natural source of political authority and appropriate major participant in the legislative process is on the whole quite clear. His depiction of England near the end of the book (chap. 8.9) as an autonomous community is an idealization. As in his exposition of the rule of law, so in his account of communal authority, Hooker would transform contemporary understanding of established institutions in defending them.

For Hooker, the natural "original" subject of political power is an "independent multitude" or "bodie politique." "God creating mankinde did indue it naturally with full power to guide it self in what kindes of societies soever it should choose to live" (3.1; 3:334.8-10; compare 6.1; 385.19-386.17). This natural original authority of a society comprises the power of dominion in general and, as an especially important part of that power, legislative authority. Understandably enough, mankind typically guides itself to "derive" at least some of its social power of dominion "into many fewe or one under whom the rest shall then live in subjection" (3:334.12-13). Hooker regarded such original derivations of power as having some historical reality, but he did not think of them as determining the distribution of power in a society once and for all. Concerning kings "first instituted by agreement and composition made with them over whom they raigne," the extent of royal power is shown not by "the articles only of compact at the first beginning" but also by "whatsoever hath been after in free and voluntarie manner condescended unto," either by express consent or custom (3:340.8-17). Conquerors make their own charters (see 3:334.13-22; compare 340.3-6), but here, too, change through and towards voluntary agreement is possible.

⁴⁰ On Hooker's method of composition, which provides an explanation of the repetitions and lack of integration of the various passages on communal authority in the surviving manuscripts of Book VIII, see above, Introduction to The Three Last Books and Hooker's Autograph Notes, pp. 243-244.

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By which meanes of after agreement it commeth many times to passe in kingdomes, that they whose ancient predecessours were by violence and force made subject doe growe even by little and little into that most sweete forme of kingly government which *Philosophers* define to be regencie, willingly sustained and indued with cheiftie of power in the greatest thinges. (3.3; 3:340.17–23)

Normal political situations, then, are marked by voluntariness. The state or nature of the kingdom of England, for example, is one “where the people are in no subjection but such as willingly themselves have condescended unto for their own most behoof and securitie” (3.2; 3:336.23–25), and if derivations of a society’s power of dominion work out badly, “it must be presumed that supreme governours will not in such case oppose them selves and be stiff in deteyning that, the use whereof is with publique detriment” (3:339.22–24).

Although Hooker thought of the political life of a society as appropriately beginning with free and voluntary “first institutions” and continuing with free and voluntary revisions of those institutions, in accordance with the society’s experience of them, he did not regard the derivation of dominion from community to ruler(s) as unilaterally revocable at the community’s pleasure. If a particular transfer of power from the body politic to its governors should prove publicly detrimental, and yet the governors refuse to renegotiate the transaction, there is no recourse: “surely without their consent I see not how the body should be able by any just meanes to helpe it self, saving when *Dominion* doth escheate. Such thinges therefore must be thought upon before hand, that power may be limited ere it be graunted” (3:339.25–28).⁴¹ It would be a mistake to interpret this statement as a prohibition of revolution under any circumstances. The passage itself suggests that a body politic is entitled to “help it self” if its rulers attempt to exercise

⁴¹ At one point in the Autograph Notes (3:512.5–8), Hooker refers to “the whole state or parliaments power above the crown.” This tantalizing note is in contrast with his well known description of the English parliament at 6.11 (3:401.22–28) as including the crown. For his intention to include in the final chapter of the *Lawes* a general discussion of the possibility of correcting an erring sovereign, see above, Introduction to The Three Last Books and Hooker’s Autograph Notes, pp. 245–246, and below, 3:503.18–504.2.n.

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powers which they have *not* been given, and the context provides other reasons for a restrained interpretation.⁴² But Hooker does take transfers of political authority seriously: when one party conveys power to another, the second party then actually has that power.

Power can, however, be limited before it is granted, which is to say that not all supreme governors are equally supreme. Siding with Aristotle and disagreeing with the pseudo-Pythagorean Ecphantus (and implicitly with sixteenth- and seventeenth-century ideas of sovereignty descended from such texts), Hooker denies that universality of power pertains to the very being of a king. Mankind's power to guide itself in whatever kind of society it may choose means that absolute monarchy is a legitimate option. But restricting the range of issues government may deal with (essentially the modern Western disposition as concerns religion) is also an option. For Hooker neither of these arrangements is ideal: the former, as we have seen, because power can be abused; the latter, as he will argue in chapter 3.4, because the common good of a society (which includes its religious life) can reasonably be achieved only if there is "a generall mover, directing unto the common good and framing every mans particuler to it" (3:349.18–20). The best way for a community to limit its government, therefore, is not by restricting its sphere of operations but by specifying strictly what it may do in each area. The best limited power is not "that which may deale in fewest thinges," but "that which in dealing is tyed unto the soundest perfectest and most indifferent rule; which rule is the law" (3.3; 3:341.21–23).

Hooker's emphasis on the rule of law—not only divine and natural but also national or municipal law—implies that legislation is properly the supreme political act. It is all the more significant, then, that he regards legislation as properly the act of the whole community or its

⁴² In any but the shortest historical perspective, Hooker could hardly have regarded the removal of an errant sovereign as unthinkable. For the constitutional significance of the five depositions of English kings which took place between 1300 and 1500, see Michael Wilks, "Rebellion and Revolution: A Lockean Theme and Pre-Reformation England," in J. van den Berg and P. G. Hoftijzer, eds., *Church, Change and Revolution*, Publications of the Sir Thomas Browne Institute, n.s., 12 (Leiden, 1991), pp. 4–30.

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personal representatives. As he observes at the beginning of chapter 6, ostensibly a defense of the crown's power in making ecclesiastical laws but more nearly an encomium of legislation by consensus, the good or bad condition of a society depends so much on the power of making laws that "in all well settled States yea though they be *Monarchies* yet diligent care is evermore had that the *Commonwealth* doe not cleane resigne up herself and make over this power wholly into the handes of any one" (6.1; 3:385.21–25). There was no place for such "diligence" at the time of the Norman conquest, when (as Hooker mistakenly believed) King William took the style and title of a conqueror because he knew that if he ruled in virtue of his title as heir to the crown he could not lawfully change the laws of the land by himself. But Hooker regarded subsequent English history as a happily progressive one in which subjection by force and violence had grown into regency willingly sustained. In the *Lawes*, he himself did his best to consolidate and advance this development by eloquently defending the legislative competence of a parliament where "all that within the *Land* are subject unto [the king] are there present either in person, or by such as they voluntarily have derived their very personall right unto" (6.11; 3:401.25–28).

The burden of Hooker's argument for the supremacy of an inclusively constituted parliament is that it is unjust for part of a society to make laws for the rest. It is the assent of the whole community which makes a law binding and coercively enforceable. To be sure, one part of the community may have special qualifications for working out the content of laws in a certain area. Thus, for example, it would be unnatural to doubt the special qualifications of the clergy for devising and discussing laws concerning a religion of which they are the ordained ministers. But it would be unjust if the clergy could impose the results of their deliberations upon the rest of the community as law without its consent. Hooker is so emphatic in asserting this principle of justice that one is apt to forget both that the whole discussion is supposedly limited to the political situation of England and that the English parliament had only recently been willing to act against Protestant sectaries (see above, pp. 34–37). If he had had in mind the short-term advantage of the clerical establishment, he would have done better to emphasize crown prerogatives. An ideal of community

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had apparently so gripped him, however, that he was eager to endorse his country's most distinctively communal political institution, even though that institution had traditionally been weak in supporting his own preferred ecclesiastical policies. And he endorsed it as if it provided the only morally acceptable way of living together.⁴³

The assessment of Hooker's contribution to modern Whig or liberal political thought is beyond the scope of the present introduction. Emphasis here on the limits Hooker built into his concept of a royal religious supremacy should not be taken to suggest that his thinking on such matters was the same as John Locke's (see above, pp. 111–114, and n. 48). It may nevertheless be appropriate to conclude this section with a brief but clear statement by Hooker of a community's authority over its own public life which, had it been known and taken to heart, might have inspired a very different political course from that actually taken by English government in the first half of the seventeenth century. Hooker presents this as a description of Elizabethan reality, in which he may seem naive, disingenuous, or very subtle. However, as a profession of political values by the defender of a strong monarchy, it seems notably enlightened:

The entire communitie giveth generall order by law how all thinges publicly are to be done and the *King* as the head thereof the highest in authoritie over all causeth according to the same lawe every particuler to be framed and ordered thereby. The whole body politike maketh lawes which lawes give power unto the *King* and the *King* having bound himself to use according

⁴³ There is an apparent ambiguity in Hooker's statements of the conditions under which it can be said that "the whole community" has consented to a law. In some passages it appears as if the crown's assent represents the community's consent to a law; see 6.3, 7; 3:387.10–14, 394.11–16. Elsewhere he seems to suggest that royal assent is required for the validity of a law, not in so far as the crown represents the community that is to be governed by the law, but because of a further principle of justice, that it is unjust to expect a government to enforce a law to which *it* has not assented (6.7; 3:393.13–19). Hooker's conviction that a community cannot prudently surrender its inherent legislative power to its rulers argues for the second conception of royal assent as Hooker's preference. In either case, Hooker's arguments are explicitly directed to guarding the laity from the imposition of coercive laws by the clergy. He thus contributed to the liberation, if not the triumph, of the laity.

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unto lawe that power, it so falleth out that the execution of the one is accomplished by the other in most religious and peacable sort. (8.9; 3:434.24–435.4)

3. *Particular Prerogatives*

A royal supremacy qualified or limited in the three ways indicated in chapter 2—by a theologically substantive subordination of human to divine power, by a constitutionally effective rule of law, and by a politically significant emphasis on both original communal authority and continuing communal participation in the legislative process—hardly seems supreme when compared with the sovereignties elaborated by Bodin and Hobbes or claimed by James I. Yet, because the sovereign secular state of modern times characteristically leaves spiritual matters to the discretion of individuals or private groups, Hooker's ascription of ecclesiastical power to the English crown, however limited, inevitably impresses modern readers as dangerously authoritarian. A fair understanding of Hooker depends on recognizing that the modern political treatment of religion—by neglect—was unavailable when he wrote. The perennial need for unity of coercive jurisdiction(s)—the need for that minimal physical order without which there is no living in society—could not then be met without directly addressing religious conflicts in which great numbers of Christians were liable to regard one another as worse than the worst of secular criminals. If religion was too explosive to be ignored politically, it was also by tradition too engaged with public life to be shifted to a purely personal plane, one upon which social and interpersonal conflict supposedly should not arise. And beyond the need for order as a condition for individual life, the positive possibilities for community in a good life Christianly understood also dictated to Hooker that public religious authority should be supported as long as the presupposition of a single underlying religious commitment within the community could plausibly be maintained. Accordingly, although he significantly modified the theoretical basis for the crown's supremacy, emphasizing its legal and constitutional limits, he nevertheless devoted the last six chapters of the last book of the *Lawes* to defending the particular prerogatives of royal religious headship.

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Chapter 4. The Title of Head: To the extent that the title alone was at issue, Hooker's argument is simple: since the term "head" is commonly used to signify all sorts of preeminence, there is no reason *not* to apply it to a ruler exercising the authority granted to the English crown—assuming, as is argued in the rest of the book, that such authority is legitimate. More than the title was at stake, however, for Hooker himself was concerned to distinguish between royal authority (the thing, not the name) and the power of Christ. Chapter 4 thus serves as a bridge between the explicitly general first three chapters and the discussions of particulars that follow (see 3:330.20–331.9 and n).

Chapter 5. The Prerogative of Calling Ecclesiastical Assemblies: This topic, too, could have served as occasion for further discussion of basic principles, especially if the problems involved in convoking a valid ecumenical council had been canvassed. Finding no strong objections proposed against English practice, however, Hooker contents himself with a brief indication of precedents from the patristic period (many in fact bearing on the summoning of general councils) for the authority of Christian rulers in this area.

Chapter 6. The Crown's Power in Making Ecclesiastical Laws: In this long and tangled chapter, Hooker approaches the topic of ecclesiastical legislation from several angles. It is especially pertinent here to recall his method of composition (see above, pp. 243–244) for, although the chapter's various sections are all relevant to the proposed topic and could be fitted together to form a more continuous and systematic treatise, such fitting has not been done in the surviving manuscripts. Important subjects treated in this chapter, besides the crucial role of communal consent in turning wise and prudent counsels into binding laws, include the moral obligation to obey publicly enacted religious laws and the question of which religious matters are subject to human legislation.

Chapter 7. Power in Making Ecclesiastical Governors: Hooker begins his treatment of the historically controversial topic of lay investiture of bishops by rejecting the idea that kings themselves are in some sense ordained persons, "not . . . altogether of the laitie." This rejection is in keeping with the subordination of human to divine power emphasized in chapters 2 and 4, but it may seem politically insignificant in light of Hooker's endorsement of the medieval English laws giving the crown

coercive control over episcopal elections. However, the history he gives of such elections makes clear that, although the electoral role of dean and chapter had become a mere formality in England, it had not always been so. Further, Hooker's forceful admonition to princes to exercise their authority in this matter responsibly (§ 7; 3:419.17–420.16) implies that the episcopal office itself is not a creation of the ruler. The king's right to "place" bishops, to assign them a body of Christians upon whom to exercise authority, and to give them material support, has to do partly with the social system. The king appropriately bestows titles of lay nobility, and bishops are peers of the realm. Royal control of episcopal elections also promotes peace and quiet: popular elections are liable to be tumultuous (§ 6; 3:418.12–419.17), and for "the peacable and quiet practise of their authoritie" upon the king's subjects, bishops, too, should be dependent on the king (App. 4; 3:421.9–11).

Chapter 8. Power in Ecclesiastical Judgment: This is another untidy chapter. In line with his insistence on the king's status as a layperson, Hooker is at pains to emphasize that kings lack the personal qualifications required in ecclesiastical judges. Thus, the power of ordinary judges "is in themselves, and belongeth unto the nature of their *Ecclesiasticall* calling" (§ 3; 3:424.12–13). He rejects the imputation that English monarchs believe they are qualified to decide religious causes themselves (§ 1; 3:421.26–422.11), and he distinguishes the king's personal qualifications from the authority of the crown (§ 7; 3:429.7–430.18). There is need, however, for a universally binding authority in a legally consistent community (§ 4; 3:424.19–26)—an authority that can, if necessary, reform and redress the operations of inferior jurisdictions (§§ 4–6; 3:425.4–427.5, etc.). It is at the end of this chapter that we find Hooker's appealing description of the English legal system as one in which the community declares by law what shall be done and the king by law executes its decisions accordingly.

Chapter 9. Exemption from Judicial Kinds of Punishment by the Clergy: Book VIII begins with a cameo of Old Testament kings exercising supremacy over the religious affairs of the people of Israel. It ends with a guarded discussion of two fourth-century emperors being disciplined by Christian bishops. Hooker contends that the circumstances of these latter encounters were so exceptional as to offer no support for the

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claim to a regular judicial superiority of ecclesiastics over secular rulers. Even in the unfinished form in which the chapter has come down to us, he is careful to restrict the scope of his own conclusion. His purpose is “not to oppugne any save only that which *Reformers* hold.” That is, he wants to argue only against treating the queen of England as if she were an ordinary member of a parish church. The Autograph Notes show that, in addition to attacking an extreme disciplinarian position (which was hardly in the forefront of Puritan demands), Hooker intended in this concluding chapter of the *Lawes* to “open” the “reasons of each opinion” on the greatest question in constitutional theory: whether and how supreme rulers may be subjected to effective human judgment. He clearly meant this to be a substantial discussion.⁴⁴ It is a consummate misfortune that our imperfect version of Book VIII is lacking at just this point.

iv. The Adequacy of Hooker's Idea of a Christian Society

Hooker has been difficult to place in the history of thought. This is due partly to his comprehensiveness, the range of sources and ideas appearing in his work. Anticipations of Lockean consent theory and legislative supremacy share the page with invocations of reverence for rulers as God's lieutenants, and any side of the argument is likely to be buttressed with biblical, classical, medieval, or contemporary citations representing a deliberately wide range of positions. Accordingly, various well-documented but narrow and contradictory readings of Hooker have been advanced, or, if a broader view is sometimes taken, he has seemed to be a learned eclectic using all available materials to bolster the authority of an arbitrarily established regime.

The interpretation offered here takes Hooker's comprehensiveness as central to a logically and morally coherent intention to transform the Elizabethan political establishment in the course of justifying it. In this reading, Hooker sought to describe and promote an establishment that could serve both the minimal communal end of “life” by preserving order in a population of early modern English Christians who were

⁴⁴ See above, Introduction to The Three Last Books and Hooker's Autograph Notes, pp. 245–246, and 3:503.18–504.2.n, below.

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deeply at odds about basic features of their Christianity and also serve the higher aim of a communal "living well" by functioning, under law, as executive agent of the whole body of Christian society.

In relation to the conflicting understandings of the Tudor break with Rome that posed the central political problem for Hooker in the *Laws*, the outstanding feature of Book VIII is the extent to which it places responsibility for resolving conflict on the community to which the contending parties still belonged. A supremacy based on the traditional ideology of theocratic kingship demanded a loyalty to lay religious leadership too much at odds with equally traditional ideas of clerical authority to be acceptable to Roman Catholics and a church too dependent on the monarch's zeal for discipline to be acceptable to Puritans. Furthermore, in its implicit absolutism such a supremacy risked subjecting religion to the arbitrary impulses of rulers isolated from the life and needs of their subjects. In his eloquent comparisons of England with the kingdom of Israel and in the grandeur of his language throughout the book, Hooker preserved the elements of majesty and of personal responsibility to God that were so important to the traditional image of a king. However, by placing both original and continuing authority for law in the whole community of English Christians, Hooker offered to opposing segments of the community a lasting opportunity to sue for broader acceptance of their views. He demanded obedience to English law, but the lawfulness of that law—and the legitimacy of a religious establishment sanctioned by it—required that the whole community be the source of its coercive authority. Hooker himself was happy with the main features of the Elizabethan religious settlement and did not wish either for further reform in the services of the church or for a return to Rome. Nevertheless, the acceptance of a presbyterian discipline or papal supremacy (or indeed, toleration of diversity) was theoretically possible within the framework constructed in Book VIII, if the whole body politic could agree on one or another such course. In the meantime, existing laws against those dispensations must be obeyed. At a time when the conditions for community among English Christians were fragile, Hooker's work was a call to acknowledge such community of faith and moral values as did exist and to take responsibility for preserving and enhancing it.

Hooker's emphasis on the community as responsible and active in

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“caring for” the good life also left room for the expression of secular values. While his advocacy of communal authority was obviously not meant to lessen the influence of religion, he rejected as unjust the claim of ecclesiastics to impose religious obligations on the laity without their consent. Hooker had harsh words for the culture of his time (“this present age full of tongue and weake of braine,” “this golden age” in which only wealth can preserve bishops from contempt), but his favorable attitude towards human reason, his love of philosophy, his sense of the potentialities of education (I.6.3; 1:75.27–76.3) all suggest active sympathy with Renaissance assertions of the dignity of human nature.

The strength of Hooker’s position in relation to Catholicism, reforming Protestantism, and secularism lies in its capacity for including all parts of the community in legislative decisions concerning the community and its insistence that the crown, the “generall mover” framing everyone’s particular good within the universal or common good, operate in accordance with those communal decisions. It would be anachronistic to think of Hooker as an eighteenth-century apostle of toleration, eager to give every religious or anti-religious opinion equal room for expression. Nevertheless, the breadth of sympathy often noted as a trait of his temperament is also embodied in his effort to ground English law in a process by which “the entire communitie giveth generall order . . . how all thinges publiquely are to be done.”

Because of its inclusiveness, Hooker’s account of supreme political authority is progressive in the long term but in the short term conservative. His conception of England as an autonomous Christian community justified the national church’s momentous break with the papacy, and his account of English institutions gave content to the idea of action by the whole church that allowed for further, orderly change. In relation to his own attachment to the existing religious settlement, however, the strength of his political position lay in its conservative elements. Hooker’s emphasis on the rule of law, his apparent intention to urge new respect for previously accepted church law, and the very requirement for broad communal representation in legislation that held open the possibility of orderly long-term change all militated against easy alteration of the religion of the Elizabethan Prayer Book. In relation to this spiritual ethos, which he valued

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especially for its suitability to the character and needs of a whole people, Hooker's principal aim was to consolidate a precious achievement.

With respect, then, to the conflicts that occasioned it, Hooker's comprehensive treatment of the royal supremacy had much to commend it. It was, and it vigorously professed to be, a defense of legally established authority, but the understanding of authority it proposed was one that offered hope of preserving and enhancing the Christian society that was Hooker's deepest concern, the key to his moral integrity and to the coherence of his work. Making allowances for the unfinished state in which Book VIII has come down to us, we must credit Hooker with more than erudition and eloquence. He saw the divisions and divisiveness of his situation more clearly, and in his political program he preserved common spiritual values more effectively and more humanely than any of his contemporaries. That he should have accomplished this by elaborating constitutionalist ideas that later centuries have come to regard as the finest part of the Western political tradition entitles him to a further measure of respect. It is at this point, however, that the problem of placing or assimilating Hooker becomes most severe.

The opening Introduction in this volume began by distinguishing between those things defended in the *Laws* that have passed away and those that, in one form or another, have endured. The burden of this final essay has been to emphasize how closely the latter were bound up, in the *Laws*, with the former—in particular, how closely Hooker's ideas of community and authority were bound up with a specific understanding of the human aims achievable in community. Hooker's vision of a Christian society as the acme of political association was inspired by a conception of human well-being as participation in the life of God. It is the fall from currency of this conception as much as Hooker's comprehensiveness in sixteenth-century terms that has made him steadily harder to understand. In his own time and for perhaps a century afterwards, there was predominant agreement in the West that human fulfillment lay in attaining, or being accepted by, God, through the incarnation of God's son. At the beginning of that period, it seemed necessary that one correct statement of this Christian faith be publicly proclaimed and implemented. But continuing conflict about

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that correct statement led to a clearer recognition that finding or being found by the Christian God was in essential respects an individual matter. The succeeding Enlightenment view was broader yet: the Christian God was no longer the sole acceptable basis for the world order, and eternal blessedness was challenged as a conception of happiness by more mundane ideals. Through various later shifts of cultural emphasis in which Romantic depth of feeling, physical pleasure, self-reliance, personal development, prosperity, existential authenticity, psychological adjustment, and ideological rectitude have made their appeal, no proposal for the *summum bonum* has entirely been dropped, but none has achieved broad acceptance, with the result that each retains a private following but none can assume an authoritative public office. The Church of England remains legally established but not in great comfort with that status. Some of its members would prefer to cut loose from the state, while those who would maintain a sense of more than institutional continuity with Hooker's ecclesiastical polity must draw heavily on inner resources and historical imagination. In the world at large, insistence on a dominant social role for religion is often intense, but such insistence jars with the equally intensely held modern values just sketched.

It would be false to Hooker's own acute sense of circumstance to imagine that this process of fragmentation and privatization can or should be politically reversed. To the extent that the modern decline in a positive religious consensus has been due to warranted criticism of religion from the standpoint of natural science, sociology, economics, or simple morality, a sympathetic reader of Hooker must accept the resulting situation with good grace. To the extent that the decline stems from failure to interpret what is authentic in religion in terms appropriate to modern circumstances or from failure to keep faith with such authentic elements as do not submit to modernization, the damage can only be repaired by intelligence and holy living. Nothing in the *Lawes* suggests that any political maneuver will help.

It would, however, be equally false to Hooker's conviction that one age can learn from another to end with such socially elegiac personal injunctions as these. Even in an age of private religion and morality, especially at a time of widespread tension between spiritual and secular values, the argument Hooker has constructed in the whole course of

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the *Laws* has public import. Hooker's argument demands that we think through and discuss our individual world views and moral principles in social terms. When individual values and beliefs create personal realities that lack all communication with one another, not only does the idea of a shared, communal "living well" lose content, but our personal commitments themselves tend to lose meaning. To be genuinely tenable as a matter of personal conviction, Hooker's argument suggests, a religious or philosophical position must in principle offer a suitable focus of public devotion or respect and be a source of acceptable public policy. There must be a just political system in which it would be at home, and it must be possible to regard it as in some sense what all reasonable political association is concerned, perhaps unknowingly, to discover and promote.

Talk of world views and individual moral principles would no doubt strike Hooker as sadly vague, compared with the convictions of a devout Reformation and Renaissance Christian. Conversely, talk of religion as part—indeed, the chief part—of the common good must strike his modern readers as threatening the private, best self. This is to say that Hooker is more challenging than immediately pleasing. That may be his greatest contribution to our welfare.

The Royal Supremacy: The Growth of the Debate

The following illustrations chart the germination and growth of debate about the last and weightiest issue treated in the *Lawes*, the English royal supremacy, the crown's "power of Ecclesiastical Dominion," the subject of Book VIII. The progression from a single sentence in the *Admonition to the Parliament* of 1572 to chapters, tracts, or books in later works is typical of other issues as well.

An Admonition to the Parliament.

hortation they may be relieued by the parishes, or other
 conuenient almes. And this as you see, is the highest
 parte of his offyce, and yet you must vnderstand it to
 be in suche places where there is a Curate and a Dea-
 con: euery parish can not be at that cost to haue bothe,
 nay, no parish so farre as can be gathered, at this pres-
 ent hath. Now then, if you will restore the church to
 his ancient officers, this you must do. In stead of an
 Archbissop or Lord bissop, you must make (x) equa-
 litie of ministers. In stead of Chancelors, Archdea-
 cons, Officialles, Commissaries, Proctors, Summo-
 ners, churchwardens, and such like: You haue to plat
 in euery congregation a lawfull and godly seignerie.
 The Deaconship (y) must not be conformed with the
 ministerie, nor the Collectors for the poore, maye not
 vsurpe the Deacons offyce: But he that hath an (z) of-
 fyce, muste looke to his offyce, and euery man muste
 kepe himselfe within the boundes and limittes of his
 owne vocation. And to these three ioyntly, that is, the
 Ministers, Seniors, and deacons, is the whole regi-
 ment of the church to be committed. This regiment
 consisteth especially in ecclesiastical discipline, which
 is an order left by God vnto his church, wherby men
 learne to frame their willes and doings according to
 the law of God, by (a) instructing & admonishing one
 another, yea and by correcting and punishing all wil-
 full persons, and contemners of the same. Of this
 discipline there is two kindes, one priuate, wherewith
 we will not deale because it is impertinent to our pur-
 pose, an other publique, which althoughe it hath bene
 long banished, yet if it might nowe at the length be re-
 stored, would be very necessary and profitable for the
 building vp of Gods house. The final end of this dis-

5. "And to these three ioyntly, that is, the Ministers, Seniors, and deacons, is the whole regiment of the church to be committed" (lines 19–21). *An Admonition to the Parliament* of 1572 (STC 10848), sig. A6^r.

the ministerie, nor the Collectours for the poore may not blurpe the Deacons office: but he that hath an^r office must looke to his office, and every man must keepe him selfe within the bondes and limites of his owne vocation.

2
Rom. 12. 7.
1. Cor. 7. 20.

Answer.

Neither do we confounde them, and yet Paule in the place by you quoted in the margent, speaketh not one word of confounding, or not confounding these offices: So the poore be prouided for, it soareth not, whether prouision be made by Deacons or by collectours, by the one it may be well done, by the other it cannot be done in al places, as the state is now: But shewe any Scripture to proue that the poore must onely be prouided for by Deacons, else not.

Admonition.

And to these three ioyntly, that is, the ministers, Seniors and Deacons, is the whole regiment of the Church to be committed.

Answer.

This is onely by you set downe without profe, therefore I will heare your reasons befoze I make you answer. In the meane time I pray you what authoritie in these matters do you give to the ciuill magistrate, me thinke I heare you whisper that the Prince hath no authoritie in ecclesiasticall matters: I knowe it is a receyued opinion among some of you, and therein you shake hands also with the Papistes, and Anabaptistes.

Where is the
princes author-
itie.

Admonition.

This regiment consisteth especially in ecclesiasticall discipline, whiche is an order lefte by
GOD

6. "... me thinke I heare you whisper that the Prince hath no authoritie in ecclesiasticall matters: I knowe it is a receyued opinion among some of you, and therein you shake hands also with the Papistes, and Anabaptistes" (lines 23–27). John Whitgift, *An Answer to a certain libel intituled, An Admonition* (1573, STC 25429; 1st edn., 1572), p. 174.

opinions of men be they neuer so well learned. And if the matter also shoulde be tryed by the iudgement of men I am able to shew the iudgement of as learned as thys age hath brought forth, which thinke that the institution of widowes is perpetuall / and ought to be wher it may be had / and where such widowes are founde. In dedde they are moze rare now then in the Apostles tymes: for then by reason of the persecution, those which had the gift of continency / byd abstayne from marriage after the death of their husbands, for that the sole lyle was an easer estate and lesse daungerous and chargeable when they were diuined to dye, then the estate of those which were maryed. Unto all the rest vntill the ende of the first part of the admonition I haue answered already. Yet there is a poynt or two, which I must touch wherof the first is in the. 112. 6. page, wher he would beare men in hand / that the autho:rs of the admonition and some other of the mynde, would shut out the cyuill magistrate and the Prince / from all authoritie in Ecclesiastical matters, which surmise although I see it is not so much because eyther he knoweth or suspecteth any such tising / as because he meaneth hereby to lay a bayte to entrappe with all / thinking that where he maketh no conscience to geue he careth not what authoritie to Princes / we will be loth to geue moze then the wo:rd of God will permit, wherby he hopeth to draw vs into displeasure with the Prince: yet for because he shall vnderstande, we nozily no opinions secretly which we are ashamed to declare openly, and for that we doubt not of the equite of the prince in thys part, which knoweth that although her authoritie be the greatest in the earth, yet it is not infinite, but is limited by the wo:rd of God, and of whome we are perswaded that as her maiessty knoweth / so hee will not vniwillingly heare the truth in thys behalfe, these things I say being considered / I answer in the name of the autho:rs of the admonition / and those some other which you speake of / that the Prince and cyuill magistrate hath to see, that the lawes of God touching hys worshippe / and touching all matters and orders of the church be executed & dewly obserued / so that euery Ecclesiastical person do that office wherunto he is appoynted, and to punish those which faile in their office accordingly. As for the making of the orders & ceremonies of the church / they doe (where there is a constituted and ordered church) pertaine vnto the ministers of the church and to the ecclesiastycall gouernoures, and that as they meddle not with the making of cyuill lawes and lawes for the common wealthe: so the cyuill magistrate hath not to ordayne ceremonies pertaining to the church. But if those to whome that doth appertaine / make any orders not meete / the magistrate may and ought to hynder them, and dyue them to better, for so much as the cyuill magistrate hath thys charge to see that nothing be done agaynst the glo:ry of God in hys domynion.

Thys distinction if M^r. Doctoz knoweth not, nor hath not heard of, let him looke in the. 2. booke of the Chronicles, he shall see, that there were a number appoynted for the matters of the Lord, which were priestes and leuites / and there were other also appoynted for the Kinges affaires and for matters of the common wealthe / amongst which were the Leuites / which being moze in number then could be applyed to the vse of the church, were set ouer cyuill causes, being therof moze fit, for that they were best learned in the lawes of God, which were the polinck lawes of that countrey. There he may learne if it please hym, that the making of orders and geuing of iudgements in cyuill and Ecclesiastical / in common wealthe and church matters / pertaine vnto dyuers persons, which distinction the wynter to the Hebrewes doth note, when he saith that the Priest was ordayned in things pertaining to God.

Deu. 5. 16

Euseb. li. 2. de
vita Constant,
ep. ad Euseb.

Thys might M^{ast}r Doctoz haue learned by that whiche the noble emperoz * Constantine attributeth to the fathers of the Nicene council and to the Ecclesiastical persons there gathered: which he doth also permit the Bishops /
Orders /

7a. "... he hopeth to draw vs into displeasure with the Prince:" (lines 18–19). The beginning of an indignant response to Whitgift's association of the Admonitioners with Roman Catholics and radicals. Thomas Cartwright, *A Replye to An Answer made of M. doctor Whigifte* (1573; STC 4712), p. 192 (reduced).

P[re]b[ys]ters and Deacons of churches to doe / either by correcting or adding / or ma-
 king new if need be. And by the continual practise of the church in the tyme of
 Christian Emperours / which alwayes permitted vnto the mynisters assembled in
 Sozom. li. 2
 councilles / as well the determination of controuersies which role / as the ma-
 king of the abolishing of needfull or hurtfull ceremonies / as the case required. cap. 17.
 Also by the Emperours epistle in the first action of the council of Constantino-
 ple where by the epistle of the Emperour it appeareth that it was the manner of
 the Emperours to confirme the ordinaunces which were made by the myni-
 2. Tom. con.
 5. lib. cp. 32.
 sters / and to see them kept. The practise of this he myght have also most playnly
 scene in Ambrose / who would by no meanes suffer that the causes of the churches
 should be debated in the Princes consistory or court / but would haue them hand-
 led in the church / by those that had the government of the church: and therefore
 excuseth hym selfe to the emperour Valentinian / so that (being comented to an-
 swere of the church matters / vnto the ciuill court) he came not. And by whom
 can the matters and orders of the church bee better ordayned / then by the myn-
 isters of the church: And if that be a good reason of Maister Doctor in the fortieth
 and sixtenth page / that the Whoppes ought therefore to ordayne mynisters / be-
 cause they are best habile to iudge of the learning and habylite / of those which are
 the fittest / it is also as good reason / that therefore the mynisters and gouernours
 of the church should appoynt and decree of such ceremonies and orders as per-
 tayne to the church / for because it is to be supposed that they can best iudge of
 those matters / bestowing theye studies that wayes / and further best vnderstan-
 ding the estate of the church about the which they are wholly occupied. And this
 is not (Maister Doctor) to shake handes with the papistes. For the papistes
 would exalte their mynesters from the subiection / and from the punishment of the
 cyuill magistratē / which we doe not. And the papistes would that whatsoeuer
 the cleargy both determine / that that forthwith should be holden for good / and
 the Prince should be forthwith compelled to maintayne and set forth that / bee it
 good or euill / without further inquiry: but we say that if there bee no lawfull
 mynistry to set good orders (as in ruinous decayes and ouertrowes of religio-
 on) that then the Prince ought to doe it: and if (when there is a lawfull myn-
 istry) he shall agree of any vnlawfull or vnnecessary order / that the Prince ought to
 say that order / and not to suffer it / but to driue them to that which is lawfull and
 meete. And if this be to shake handes with the papistes / then Maister Doctor
 is to blame / which hath taught vs once or twise before / that the appoynting of
 ceremonies of the church / belongeth vnto the church. And yet I know that there
 is one or two of the later wyriters / that thinke otherwise / but as I take no ad-
 uantage of their authoritie which thinke as I doe / so I ought not to be preiud-
 iced by those that thinke otherwise. But for so much as we haue Maister Doctor
 yet of this iudgement / that the church ceremonies should be ordayned by the
 church / I will trauaile no further in this matter / consydering that the practise
 of this church commonly is to resorte these matters vnto the ecclesiasticall per-
 sons: only this is the difference / that where it is done now of one or a few / wee
 desire that it may be done by others also / who haue interest in that behalfe.
 The other point is in the hundredth thirty and eght page / where hee most
 vntrewely and slanderously chargeth the authors of the Admonition / and ma-
 keth wonderfull outcries of them / as though they should deny that there hadde
 bene any reformation at all / sythens the tyme that the Queenes mathe be-
 gan to raigne / manifestly contrary / not onely to theye meaning / but also to theye
 very wordes / which appeareth in that they moue to a thorough reformation / & to
 contende / or to labour to perfection / denying only that the reformation which hath
 bene made in her mathe's dayes / is thorough and perfect. We confesse willing-
 ly / that next vnto the Lorde God / euery one of vs is most deeply bounde vnto
 her

Of the Authoritie of the civill Magistrate

in Ecclesiasticall matters. *Tract. 20.*

The 1. Division.

Admonition.

Add to these three to witte, that is, the Ministers, Sermons, and Decrees, is the whole reglement of the Church to be committed.

Answer to the Admonition. Pag. 126. Sect. vii.

This is only by you set doone without prooffe, therefore I will heare your reasons before I make you answer. In the meane tyme I praye you what authoritie in these matters doe you give to the civill magistrate, me thinke I heare you whisper that the Prince hath no authoritie in ecclesiasticall matters: I knowe it is a received opinion among some of you, and therein you shake handes also with the Papistes and Anabaptistes.

either is the
prince authoritie.

T. C. Pag. 153. Lin. vii. & c.

Unto all the rest until the end of the fifth parte of the Admonition, I have answered already, yet there is a point or two whiche I w^{ill} like to touche, wherof the first is in the. 126. pag. wherere hee would heare men in hand that the authoritie of the Admonition & some other of their munde, should shur out the civill magistrate and the prince from all authoritie in Ecclesiasticall matters. Whiche

farmise although I see it is not so much, because either he knoweth or suspecteth any such things, as
 because he meaneth hereby to lay a bayte to entrappe suchal, thinking that where (a) he maketh no
 conscience to give he setteth not what authority to princes, woe will be totho to give more than the
 word of God will permit, whereby he hopeth to draw vs into displeasure wth the prince: yet for
 because he shall understand, we nourish no opinions secretly, which we are ashamed to declare o-
 ver, & for that we doubt not of the equite of the prince, in this part, which knoweth that although o-
 ur authority be the greatest in the earth, yet it is not infinite, but it is limited by the word of God, &
 of whom we are persuaded, that as her maiestic knoweth, so she will not unwillingly heare y^r truth
 in this behalf, these things I say being considered, I answer in the name of the autho^rs of the Ad-
 monition and those some other which you speake of, that the prince and civill magistrats (b) hath to
 see, that the lawes of God touching his w^ordly, and touching all matters and orders of the church
 be executed and duly observed, & to see that every ecclesiasticall persone do that office whereunto he
 is appointed, & to punish those which saile in their office accordingly. (c) As for y^r making of y^r orders
 and ceremonies of the church, they do (where there is a constituted and ordered church) pertaine
 unto the ministers of y^r church, & to the ecclesiasticall governours, & that as they neede not wth the
 making of civill lawes, & lawes for the common wealthe: so the civill magistrats hath not to ordeyne
 ceremonies pertaining to the church: w^{ch} if those to whom that both apperteyne make any orders
 not meete: the magistrats may and ought to hinder them, & devise them to better, for so much as the
 civill magistrats hath thus charge to see that nothing be done against y^r glo^ry of God in his dominio.

10. Whitgift.

The wordes of the Admonition pag. 126. be these: and to these three to wit, that is, the
 ministers, Seniors, and Deacons, is the whole regimēt of the church to be committed. Whether
 for that they spoile the civill magistrats of all government in Ecclesiasticall matters: for
 the whole governmēt of the church is to be committed to Ministers, Seniors, & Deacons, what
 authority remaineth to the civill magistrats in y^r government of it: Agreeable to this
 disobedient spirit & erroneous & Popishall doctrine, is that in the second Admonitiō
 Fol. 8. & 9. where the autho^rs of that booke take from the civill magistrats all sup^rmacie in
 ecclesiasticall.

(a) Note these speeches.

(b) What is no more but to see them executed & how differeth this from Papi's see 3:

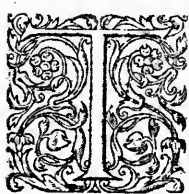
(c) The prince spoyled of authority to make Ecclesiasticall orders.

ecclesiastical matters, and by evident circumstances, call his authority used in those things pursued, pag. 57. they say, only mere civil laws are to be made. And here in this place I. C. Ecclesiastical matters takes from the civil magistrate, all authority of making and appointing orders and ceremonies of the church, and gives the same only to ministers and ecclesiastical governors, he makes it the princes duty to see those laws executed which these ecclesiastical governors shall appoint and prescribe: and in his presence he says that civil persons may not handle ecclesiastical matters and pag. 35. & 145. the civil magistrate may not be head of the church in that commonwealth whereof he is the head. *Wherby* (as I suppose he means) suppresses your rour) and that the Church may be established without him. Pag. 54. he saith that the magistrate ought to prescribe what kynde of apparel ministers should use. *In divers places*, he maketh such a distinction betwixt the church of Christ, & a Christian commonwealth, he hath a Christian magistrate, as he would do betwixt the church & a heathenish commonwealth, he hath a persecuting and an unbenevolent magistrate, and separateth the commonwealth of Englande, as faire from the church of Englande, as he can do the commonwealth of *Turcia*, from the church of Christ in *Turcia*: al this I have noted to this ende, that the good subiect and those that be careful for the preservation of the state of this Realme, and the lawfull authority of hir Majestic, may the better consider and be ware of this doctrine, the which unless I procure to be the selfe same with the Papistes in substance, let me suffice that punishment that is due vnto them whom I burden & charge with forgetfulness of dutie in this point.

Saunders in that traitorous booke of his, wryeth thus, That hath deceived many, because they see kings to be Christians, and to rule over Christians, for they knowe not, or at the Request

the least they will not knowe, what difference there is, whether thou rule ouer a Christian: agree
 in that he is a Christian, or in that he is a man. For a king ruleth ouer Christian men, but not *Sauanders*.
 because they bee Christians, but because they bee men: and by cause by shoppes be men, in
 that respect he ruleth also ouer them. &c. And T. C. in his Reply. pag. 55. writeth on this. *Pag. 35. in the*
manner, saying: That the goule Magistrate is the head of the common wealth, but not of the
miast.
 church. meaning that particular church conterned in the common wealth the wher of
 he is gouernour: and in the same page he saith: that the Christian Magistrate is but on-
 ly a member of that particular church. And pag. 145. he saith, That the Prince may well be
 Monarche immediately betwene God and the common wealth, and not betwene God & the church, *Sett. 1.*
 in that common wealth: or any singular member in the church, and in this place he would haue
 the ciuill Magistrate no more to intermedle with making Ecclesiasticall lawes and orders, than the
 ecclesiasticall minister should deale with ciuill: diuers such nippes and punches he hath at the
 ciuill Magistrate: speaking no other wise of him than of a Turke or a Jewe, and gi-
 uing him no more authoritie in the Church of Christ and ouer Christians, than if he
 were the great Turke, or Wicked Spere. But I answer to them bothe with the words
 of M. Musculus in his common places *Titu. de Magistratu*. Let Ethnickes and infidels
 whiche liue not in the vnitie of truth, but in the confusion of error, haue their diuers lawes
 and magistrates, some prophane and some holy, whose whole life is prophane, whose religio
 is but ecclesiasticall superstition and in the temple only. Christian people are altogether ho-
 ly, and dedicated to the name of Christe, not in temples only and ecclesiasticall rites, but in
 their whole life, in every place at all times, in all things, in all deedes and studies, that accor-
 ding to the admonition of the Apostle. 1. Cor. 10. whether he eate or drinke, or whatsoever he
 doth all may be done to the glory of God, and Col. 3. whatsoever he doth in woorde or in
 deedes, see doe it in the name of the Lorde, &c. Wherefore that distinction of Eccle-
 siasticall & prophane lawes, hath no place in it, because there is nothing in it that is prophane

OF THE AUIORITY OF THE CIVIL MAGISTRATE, IN CAUSES ECCLESIASTICAL: Tract. the twelfth and twentieth, according to the D. page 694.



Here ys a proper place, where the D. (if he had bene able) should haue shewed, that I agree in this cause, with the Papistes: namely in the end of this treatise, where I shew, how far I stand from them in this behalf. Howbeit hauing (beside vntrew surmises) little or nothing at al to mayntein him self with, he hath, to strike a preiudice into the minde of the reader, and to set (as it were) a bias of his iudgment, to draw it vnto his side, here in the forefront set vp this vntrew accusation: whereunto I wil answer, when I come to that place. Now for better clearing of this matter, the distinction *beruene the church and comon vnealth vnder a Christian Magistrate*, denied by him: is to be confirmed.

Vuherin as towching the auiority of the word of god, boeth out of the ould Testament and the newe: I refer the reader, to that which I^s haue writtē. sauing that the place of the Chronicles cometh after to be towched again. In the churches after the Apostles, and that vnder godly Princes: the same differēce, hath bene diligētly obserued, by the ecclesiastical writers. As when it is said, *that the church and common vnealth, not onely suffer but flourish together*: keping this distinction, as wel in the churchis prosperity, as in her aduersity. Also, ^b *that the houses of prayer, being restored to the church: other places were adiudged to the vse of the comon vnealth*. Likewise, ^c *that there is one cause of the Prouince: and another of the church*.

Yf he can not cōceiue, how this should be: he may be giuē to vnderstand it, after this sort. that a man may, by excommunicatiō, be sundred frō the church: which forthwith lee-

a In the 7.
Tract diu.
8. p. 755.

Socr. 5. li. in
prefat.
Sox 3. libr.
26. cap.

b Euse. 3. li.
de vita Cō
stan.

c Aug. epist.
167 ad An
pung.

9. Page 151 of *The Rest of the Second Replie of Thomas Cartwright: agaynst Master Whitgifts second Answer* (1577; STC 4715; reduced). Cartwright's response to Whitgift's Tract. 20 in pages 151–170 of the *Rest of the Second Replie* provided a major text for refutation in Book VIII of the *Lawes*.

Commentary

Preface, Books I–IV

Introduction to the Commentary

Apart from its length, apparent to anyone hefting these volumes, the first characteristic to be noted about our Commentary is that it is collaborative. Individual contributors have, of course, had primary responsibility for annotating those books of the *Laws* for which they have written the Introductions: William P. Haugaard for The Preface and Books II–IV, Lee W. Gibbs for Books I and VI, John E. Booty for Book V, and Arthur Stephen McGrade for Books VII, VIII, and the Autograph Notes. But the design and specifications of the Commentary as a whole are products of an unusually close collaboration, sustained for a decade and a half, among the contributing editors and members of the Editorial Committee. Because the rationale for what information does (and does not) appear in any given note may be not readily apparent to the reader, and because to anyone sampling these notes there will appear to be a certain redundancy in the information supplied, it may be useful to spell out what these design specifications were and what their rationale was.

First of all, the generous scale of commentary is deliberate: although the Edition is aimed at a professional audience, we wanted it to be as broadly useful as practicable, and we felt that one ought not need already to be an accomplished scholar to use it, as, in effect, Keble's annotations require. The level of prior information we assumed of our audience was that of a North American graduate student in English literature or history, church history, theology, or history of political thought; an advanced undergraduate in England, in the same fields; or a specialist in an adjacent field who might wish to pursue an interest in Hooker outside the texts with which he or she was already familiar. Clearly it is easier for expert readers to skip familiar material than it is for novices to supply what they may not even realize is missing.

Secondly, we realized that readers were unlikely to read straight through. More typically, they would browse, using the indices and introductions as guides, or focus on particular books or sections that treated topics of interest to them. Thus, in editing the whole, it has been necessary to strike a balance between making each note self-sufficient enough to satisfy the browser without so much repetition as to put off the seasoned or long-term user.

We quote in the original language materials we judge Hooker had before him when he was composing. Where Hooker (infrequently) condenses a text, we normally make good his elisions, and we always indicate where an elision has occurred. We assume no fluency in either Greek or Latin; accordingly, quotations in either tongue are translated by the editor, if indeed Hooker has not done so himself, either drawing upon a standard series, such as the *Select Library of the Nicene and Post-Nicene Fathers of the Christian Church* (two series) or the *Loeb Classical Library*, or, more commonly, translating the material afresh. For readers who are fluent in patristic Greek and/or Latin, the quotation is always given in the language Hooker himself read it in. One exception is our quotations from Walter Travers's *Explicatio*, which Thomas Cartwright translated as *A Full and Plaine Declaration*. Hooker used Travers's Latin; we quote Cartwright's translation; but where the Latin is fuller than the English, it is quoted as well. If an editor has modified an existing translation, we either direct the reader to "compare" that translation, which is cited, or point to a standard translation within the citation string. Quotations in modern languages—principally those in sixteenth-century French from Guy de Brès in the commentary to The Preface—are not translated.

Although Hooker's own library has not survived, a number of the editions he himself used can be identified (see Bibliography, below), either because they were the only ones available to him or, more rarely, because we can match his occasional page or folio references to particular sixteenth-century editions. Whenever possible, we have checked Hooker's references against editions we know he himself used, but for many standard authors, such as Augustine or Cicero, Hooker could have used any number of editions. For example, he used at least two different editions of Cyprian's letters, that of Simon Goulart (Geneva, 1593), whose annotation he cites in Book V, and one or another of the editions in which the letters are subdivided into books (such as those of Erasmus) rather than (as in Goulart) gathered into a single series. We supply the exact sixteenth-century reference that Hooker himself used when possible; when it is not, we supply a representative one, not because we expect that the reader of this volume can go to a rare book library and call for such a volume, but because our own aim throughout has been to set Hooker's citations and quotations in their relevant sixteenth-century contexts. These rep-

representative editions, which may vary from editor to editor and book to book (not every editor has had access to the same editions) are normally identified by date of publication or place and date when a date alone is insufficient; the Bibliography supplies fuller bibliographical citations. In addition, we supply references to modern critical editions or standard series, such as Migne's two *Patrologia*; a guide to the acronyms and abbreviations appears above, pp. xxvii–xxx. The general pattern of citation within a note is to supply a generic internal reference (book, or book and chapter, or book, chapter, and section) after the title (Hooker's practice); followed by the sixteenth-century reference by page or volume and page; followed by a modern series reference (for example, PL or PG), supplemented when possible with a modern standard 'critical edition; followed by a standard translation and, for Aristotle and Plato, additional references to the Berlin Academy edition for Aristotle and the 1578 Stephanus for Plato, which Hooker himself used. For references to more obscure sixteenth-century controversialists, there is often a proximate source—Bayne's edition of Book V tracked down a number, we have located others—from which Hooker has derived his references; these have been cited when known.

Citations and quotations from Hooker's contemporaries have been checked against original sixteenth-century editions and are referenced to modern reprints (such as the Parker Society's), when available. Of the three works by Cartwright that make up the chief opposition brief Hooker is concerned to answer in the *Lawes*, only the first, Cartwright's *Replye* to Whitgift's *Answere* to the *Admonition*, has been reprinted, and, ironically, it is to be found in the Parker Society's edition of Whitgift's *Defense of the Aunswere to the Admonition against the Replie*, as Whitgift scrupulously quotes the entirety of both his *Answere* and Cartwright's *Replye* in compiling the *Defense*. Because Hooker cites from the second edition of the *Replye*, we supply, in brackets following, the corresponding reference to the first. When citing or quoting from STC or Wing editions, we supply the appropriate STC or Wing number, and we standardize our spelling of the titles, often so lengthy as to constitute blurbs, of these older works to STC forms.

A more traditionally scaled Commentary (such as Keble's) would cite rather than quote, sending the reader to a volume or a series that his or her library might or might not have available, and would not

translate. We felt this policy would substantially impair the usefulness of our Commentary. Accordingly, our guidelines for quotation vs. citation have been as follows: (1) if Hooker had the passage before him when he was writing and does not himself quote it in his notes, we quote it in ours; (2) if Hooker himself quotes it in the original, we note substantive differences between his text and a standard critical edition; (3) if Hooker has excerpted a passage, we summarize or paraphrase the omitted material, unless direct quotation seemed necessary properly to evaluate Hooker's use of this material. We assume that the reader will be using our Commentary in conjunction with Hooker's own citations, which appear at the bottom of our text page and are keyed to the text by italic superscript alphabets; these are usually quite conscientious, if puzzlingly abbreviated, originally appearing in the margins of the early editions.

Secondary material has been sparingly cited in the Commentary (the Introductions, do take it into account), and such items are listed in the Bibliography only when they are cited three times or more in the Commentary proper. Otherwise, full bibliographical details are supplied at the first reference only; that reference can be recovered through the Index, under the author's name.

Crucial omissions from our discursive annotations are Hooker's own scriptural citations. For all of Hooker's sixteenth-century erudition, Holy Scripture remains his foundational "source," and his familiarity with it may be compared to fluency in a language. Nonetheless, to have quoted each scriptural citation would have increased the size of an already large Commentary. Exceptionally, then, in this case, we assume (1) that serious readers will use the Index of Scriptural References (ISR) below *in conjunction with* our discursive notes, and (2) that they will look up the relevant citations and verify their contexts. The consequent distortion of Hooker's intentions if scriptural references are *not* actively and continuously incorporated into one's reading of the *Lawes* cannot be stressed too strongly. Clumsy as it is to keep a book mark or finger in the ISR, it is the only way adequately to follow Hooker's argument. The authority of Scripture was the high ground in the argument over church polity, and Scripture an omnipresent sub-text, or context, throughout the *Lawes*. Nonetheless, when an editorial point needs to be made requiring the wording of the actual text to be put before the reader, we do quote Scripture in our own

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notes, normally from the Geneva translation, and when relevant we cite its annotations to illustrate the doctrinal or polemical point at issue.

Omitted from the discursive annotations are words that require glossing: unless we deem that a substantial confusion would result from a reader's unawareness of the sixteenth-century meaning of a particular word, we normally put glosses of individual words in the Glossary.

References to Hooker's own texts in our Edition are by volume, page, and line number (see the chart for Internal References, p. xxx, above). Running heads supply chapter and section numbers on rectos—parallel to those on the rectos of text pages—so that those readers with older Keble editions can use our commentary with their texts; the extension .0 is used to refer to chapter-titles. We normalize the subdivisions of multi-sectioned works as follows. If only one level of subdivision is cited, we supply a prefix: for example, bk., chap., §, p., or fol. If, however, that level is itself subdivided, we drop the prefix and separate the two (or three, or four) sub-levels with unspaced periods, and we normalize to arabic numerals throughout; thus "3.12.7" typically refers to "book 3, chapter 12, section 7." Our assumption is that any reader using the work so referenced can easily pick up what the exact sub-levels are when confronted by a double, or triple, reference, but that a bare number is confusing. If these sub-divisions differ in modern editions, the differences have been noted. If Hooker's own references are inaccurate—or *seem* inaccurate—we point out the discrepancy and may either emend the text or suggest that it ought to be emended (see Errata and Corrigenda, below): we cannot be certain that the edition he was using did *not* read exactly as he has cited it, and often the error can be traced to Hooker's own sources. The only exception to the normalization to arabic numerals is with the books of the *Laws* itself: here we retain the traditional roman numerals for their iconic value, combined with arabic for Hooker's chapters and for Keble's sections, supplied marginally in our text. Thus "IV.2.3" uniquely refers to chapter 2, section 3, of *Hooker's Book IV*.

We have observed a cut-off point of 1600, the date of Hooker's death, in pursuing parallels for Hooker's own arguments. Thus, important as it is, his influence on subsequent writers does not fall within the purview of this Commentary. Individual Introductions have

treated this issue, though not uniformly. Greater license seemed appropriate there, as introductions have a rhetoric of their own, than for a discursive commentary that we hope will still be as useful fifty—or a hundred and fifty—years from now.

As noted above, “No collaboration perfectly suppresses the individuality of its members, and a careful reader will note that the various contributions differ modestly in style, scope, and detail (viii)”. Partly, this internal variation is the product of the differences in style among the four principal commentators, inevitable in a collaborative project, however close the collaboration. But an equally significant part is due to the quite different tasks each contributor had. John E. Booty, the editor of the commentary to Book V, had at hand the superb 1907 edition of Bayne; he has a different brief than Lee W. Gibbs or Arthur Stephen McGrade, commenting on the posthumous books of the *Lawes*, where there was not only no prior tradition of annotation on which to draw but also where the newly discovered Autograph Notes at Trinity College, Dublin, needed to be taken into account (see the Introduction to the Three Last Books). In the one case, compression and condensation was necessary to accommodate new material; in the other, analysis of new material of daunting complexity in order to construct a Commentary *ab ovo*. Lee Gibbs has annotated the most widely read—and perforce the most widely commented upon—book of the *Lawes*, Book I, as well as the one *least* commented upon, Book VI, which Keble thought not properly a part of the *Lawes*. Annotating The Preface required that William Haugeard reconstruct an exact historical context—Calvin’s tangled early relations with the church at Geneva—that takes up disproportionately more space than the same editor’s annotation of Books II–IV. Internal variation, then, is a function of the nature of the task at hand, quite as much as it is of individual style.

Collaborative as the venture has been, each editor has finally had to work very much on his own, often separated from collections where relevant volumes might be regularly or easily consulted. Indeed, a good college library at Cambridge or Oxford often has a collection that is easier to use in annotating Hooker than many rare book or special collections in North America. The splendid collection of Carl

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H. Pforzheimer,¹ now at the University of Texas at Austin, has six examples of Hooker's own work (items 498–503), but no other work by an Elizabethan religious controversialist. In the early twentieth century, Hooker enjoyed a literary status that Jewel, Whitgift, Cartwright, Travers did not.² Full as this Commentary is, therefore, it is not as complete as it might have been had its editors, having no other worldly responsibilities, been free to travel routinely to relevant collections. Gaps and inconsistencies remain; undetected errors lie buried;³ a handful of quotations remain unidentified. Therefore, "Gentle reader," as Hooker himself addressed *his* reader, "thine helping hand must be craved, [not only] for the amendment of such faults committed in the printing," but for those as well that persist—unrecognized as such—even after its final assembly.

¹ See *The Carl H. Pforzheimer Library: English Literature 1475–1700*, 3 vols. [ed. William A. Jackson] (New York: privately printed, 1940).

² See "Editing Richard Hooker: A Retrospective," *Sewanee Theological Review*, 36.2 (Easter 1993), 187–199.

³ See "The Calculus of Error: Confessions of a General Editor," *Modern Philology*, 75.3 (1978): 247–260.

ECCLESIASTI-
CAR DISCIPLINÆ,
ET ANGLICANÆ ECCLESIAE
AB ILLA ABERRATIONIS, PLE-
na è verbo Dei, & dilucida
explicatio.



Rupellæ

apertis vultu commoda

EXCVDEBAT ADAMVS
de Monte.

M. D. LXXIII.

10. Title page of Walter Travers's *Ecclesiasticae Disciplinae, et Anglicanae Ecclesiae ab illa aberrationis, plena è verbo Dei, & dilucida explicatio* (1574), translated by Thomas Cartwright in the same year as *A full and plaine declaration of Ecclesiasticall Discipline out off the word off God/ and off the declininge off the churche off England from the same* (STC 24184). Travers's *Explicatio* was the major public statement of the disciplinarian platform of church governance against which Hooker contended in Books VI and VII of the *Lawes*, although he was apparently unaware that Travers was its author. The imprint "EXCVDEBAT ADAMVS de Monte." is false; see commentary note at 1:212.4–10.

Of the Lawes of Ecclesiasticall Politie

The Preface

- 1:[xxxix].1 **OF** The "of" in the title may be construed either in a narrow sense where the title "does not profess to deliver a complete scheme or system" (Keble, 1:197) or, preferably, in the earlier sense of the prefix *περὶ*, *circa*, and, above all, the French and Latin *de* in the titles of even the most ambitious and systematic works; for precedents, compare Cicero, *De legibus* and *De republica*; Lucretius, *De rerum natura*; and Jean Bodin's *Les six livres de la Republique* (*De republica libri sex*; 1576), trans. by R. Knolles as *The Six Bookes of a Commonweale* (1606; STC 3193); see Textual Intro., 3:xiii.
- 1:[xxxix].4 **Politie.** Derived from *πολιτεία*, which has to do with the form of administration, government, or constitution of a state. For H's distinction between "politie" and "gouvernement," see III.1.14 (1:206.19–31); see also VIII.2.2 (3:331.11–332.9).
- 1:1.2–5 **To . . . ENGLAND.** The 1572 *Admonition to the Parliament* declared the reformers' dissatisfaction with the uncompleted reformation in the English Church, warning legislators that "either must we have a right ministerie of God, and a right government of his church, according to the scriptures sette up (bothe whiche we lacke) or else there can be no right religion . . . we in England are so farre of, from having a church rightly reformed . . . that as yet we are not come to the outwarde face of the same"; STC 10847, sigs. A1^r, A2^{r-v}; *Puritan Manifestoes*, ed. Frere and Douglas (1907; rpr. 1972), pp. 6, 9; hereafter, *P.M.* See Intro. to The Preface, pp. 8–22, above, and 1:12.5–11.n, below.
- 1:1.9–13 **Though . . . same.** Compare the first paragraph of George Cranmer's *Letter* (1:36.15–53.15.n, below).
- 1:1.16–18 **I have . . . you.** "A View of Popishe Abuses yet remaining in the Englishe Church, for the which Godly Ministers have refused to subscribe," attached to the *Admonition*, declared: "We strive for true religion and government of the church, and shewe you the righte way to throw out Antichrist both head and taile, . . . but [the bishops] after they have thrust Antichriste out by the head, go about to pull him in again by the taile, cunningly colouring it, lest any man should espie his foote steppes . . . If it might please her majesty . . . to heare us by wryting . . . then should appeare what slender stuffe they bring to defend themselves, that are so impudent by open wryting to defend it" (2nd edn., STC 10848; sig. B8^v; *P.M.*, p. 36, nn. 3, 4).
- 1:2.3–4 (*as . . . mainteine*) For a list of such works, see Peter Milward, *Religious Controversies of the Elizabethan Age* (1977), pp. 77–96; hereafter, Milward.

- 1:2.5–6 **the Lords Discipline.** The *Admonition* stated that the church's "regiment consisteth especially in ecclesiastical discipline, which is an order left by God unto his church, wherby men learne to frame their wylles and doyngs accordyng to the law of God, by instructing and admonishing one another, yea and by correctyng and punishing al wylfull persones, and contemners of the same" (sig. B1^r; *P.M.*, p. 16).
- 1:2.12–15 **Apostles . . . held:** Paul in 1 Thess. 5:21. Richard Bancroft (1544–1610), in his *Survey of the Pretended Holy Discipline* (STC 1352), which appeared in the same month as H's *Lawes* (see Intro., pp. 63–64 and nn. 35 and 130, above), described the disciplinarians' unexamined acceptance of the authority of John Calvin (1509–1564) and his colleague and biographer, Theodore Beza (1519–1605), as "follies . . . proceed[ing] from this fountaine, that neither the people, nor their rash seducers, did in time put the holy Apostles rule in practice: vz. try all thinges, and keepe that which is good" (p. 65).
- 1:2.31–33 **in personall respects) . . . with partialities,** Both GB and BB render ἐν προσωποληψίαίς from James 2:1 (H's "with partialities") as "in [or with] respect of person." GB glosses "as esteeming faith and religion by the outwarde appearance of men."
- 1:3.4–5 **cause . . . knoweth)** See Preface, *A Christian Letter* (4:7.8–12 and n; hereafter, *A.C.L.*).
- 1:3.10–12 **The . . . selves.** See *A.C.L.*, chap. 19, "Of Calvin and the reformed churches," and H's Notes (4:55.1–64.24 and nn).
- 1:3.15–29 **His . . . consent.** In 1536, the year in which the *Institutes of the Christian Religion* were published, Calvin accepted the challenge to aid in the reformation of Geneva, a French-speaking city which had recently secured independence from both the feudal bishop and Charles III, duke of Savoy. H used the 1576 Lausanne edn. of Calvin's letters, to which he refers, with its prefixed biography by Beza. He may also have referred to the autobiographical notes in the preface to Calvin's commentary on the Psalms, and four works to which Bancroft referred in the *Survey*: the French political philosopher Jean Bodin's *De la republique* (see 3:397.q), and his *Methodus ad facilem historiarum cognitionem*; the scholarly Zürich pastor Josias Simler's *De Helvetiorum republica*; and the German reformation historian Johann Sleidan's (Joannes Philippsson) *Commentarii* or annals of the Reformation; in English: *A famous concide of oure time, called Sleidanes Commentaries, concerning the raigne of the emperor Charles the ffift*, trans. J. Daus (1560; STC 19848). Bancroft, *Survey*, pp. 9–44, also refers to the letters and Beza's *Life*.
- 1:3.18–20 **author . . . guides:** Throughout the *Lawes* H ascribes to God the provision of dual authority: revelation ("the booke of life") and reason, the latter accessible through personal ability ("wit") and the common heritage of human learning ("helpes . . . guides").

- 1:3.21-25 *he fell . . . place.* With the encouragement of three reforming preachers, Guillaume Farel (1498-1565), Antoine Fromment (1509-1560?), and Pierre Viret (1511-1571), the Genevan syndics declared the bishopric vacant in 1534, a year after Bishop Pierre de la Baume fled for the last time. Calvin arrived shortly after the Geneveans had repulsed the combined efforts of de la Baume and Charles III to resubject the city early in 1536. In the government of Geneva, the four syndics, the state's chief magistrates, joined with twenty-one others to form the Little Council to determine on-going legislative and executive matters. The Council of Sixty was consulted on graver matters, and the Great Council of Two Hundred (Concilium Ducentorum) had the highest legislative authority. The General Council (Concilium Generale, "generall convocation") of all citizens was by this time convoked only rarely as the interlocking aristocratic councils increasingly kept governmental reins in their own hands. H does not distinguish among the three representative bodies, referring only to the "Senate."
- 1:3.25-29 *At the coming . . . consent.* When H judged England's limited monarchy a superior political constitution, he did not even take into account "popular" regiments; see VIII.3.3 [Keble: 2.12-13] (3:341.19-343.2). Bancroft comments: "The course which was taken in *Schwitzerland* . . . (where the people made havocke both of their noblemen, and gentlemen) shall never . . . get my approbation: . . . I will not meddle with such kinde of freedome. If the *Emperours of Germanie* doe thinke it a matter for the glory, and for the strength of their Empire, to have it . . . distributed into so many free Citties, so many popular states, and little petty sovereignties: it were a saucie part for me . . . to busie my selfe with it" (*Survay*, pp. 9-10).
- 1:3.31-32 *Calvin, . . . them,* Beza reported that after Farel invoked God's will in his appeal to Calvin to commit himself to Geneva, Calvin "yielded to the will of the presbytery and the magistracy, by whose votes with the approving general consent of the people he was elected in August 1536, chosen not only preacher (a post he had first refused), but also professor of sacred literature, the one appointment he allowed [delectus non Concionator tantum (hoc autem primum recusarat) sed etiam Sacrarum literarum Doctor, quod unum admittebat]"; *Joannis Calvini . . . epistolarum . . . editio secunda . . . vita eiusdem J. Calvini a . . . Beza* (1576), sig. A8^r; CR, 49:125-126; *Tracts*, 1:xxix. Two 19C translations of Beza's life, first published in the 1576 *Epistolae*, and of some of the letters, not usually followed here, are available: the former in Calvin, *Tracts Relating to the Reformation* (1844), trans. Henry Beveridge, 1:xix-c (pagination followed here); rpr. (1958), 1:lvii-cxxxviii; the latter (most, but not all of the letters by Calvin himself, but none in *Epistolae* by others) in *Letters of John Calvin*, ed. Jules Bonnet, trans. David Constable and M. R. Gilchrist (1855-1858; rpr. 1972). Calvin initially held only the office of lecturer; only later was he authorized to preach. Beza's account blurs this chronology, and H's is yet more misleading.
- 1:4.3-10 *Wherefore . . . purpose.* Beza related that along with Farel and Elie

Courald (d. 1538), an elderly reform-minded priest, Calvin, "attempting to organize the church [Ecclesium componere], while the majority of his colleagues from fearfulness avoided the commotion, some [nonnullis], who were the greatest anxiety to Calvin, even secretly obstructing the work of the Lord, first of all strove with the citizens so that the entire assembled people, after publicly adjuring the papacy, might swear to the Christian religion and its discipline as expressed in a few chief principles [paucis capitibus comprehensam]. Although not a few were unwilling, . . . on 20 July 1537 the Lord brought it about that the Genevan Senate and People swore, with the city clerk dictating, to the chief principles [capita] of Christian religion and discipline"; *Vita . . . Calvini* (1576), sig. A8^r; CR, 49:126; compare *Tracts*, 1:xxxix–xxx. The opposition was deeper and the significance of the July gathering less than Beza's account suggests. The doctrinal statement and articles for discipline presented in January were only partially adopted and negligibly implemented by the city councils. A series of public assemblies in the cathedral for purposes described by Beza met widespread resistance. H's "all" (line 4) is inconsistent with Beza's "some" ("nonnullis").

1:4.10–16 *When . . . lacke*. Beza attributes the Genevans' resistance to their "many shameful iniquities" ("indigna multa flagitia") and to the "old enmities" ("veteres . . . inimicitiae") among the first families of the city. He reports that Calvin, Farel, and Courald, unable to bring the offenders to amendment, announced that they "themselves could not celebrate the Lord's Supper with people in such discord among themselves and so estranged from all ecclesiastical discipline." Beza then identifies as an additional evil that "the Genevan Church differed in certain rites from that of Berne," mentioning three traditional western customs preserved at Berne: unleavened bread at the Eucharist, baptisteries set aside in churches for the rites of Baptism, and the celebration of certain feast days apart from the weekly Sunday observances; *Vita . . . Calvini* (1576), sig. B1^r; CR, 49:127–128; compare *Tracts*, 1:xxxii. In spite of Geneva's resistance to Berne's attempts to subjugate it, Geneva, not yet part of the Helvetic Confederation, depended on its alliance with Berne against Savoy. In 1536, Berne conquered the canton of Vaud with its town of Lausanne and introduced reform initiated by a disputation in which Calvin took part. Enforcing their own rites in Lausanne, a synod convened there in March 1538 pressured the Genevans to follow suit. In the previous month Genevan elections had chosen syndics and councillors opposed to Calvin's policies, and the new magistrates adopted the Bernese ceremonies without consulting the ministers. Beza summarizes: "When a synod of Lausanne, assembled by the Bernese, so determined that the Church of Geneva be requested to restore unleavened bread, the college of Genevese ministers considered it fair, however, that they themselves be heard first, and for that cause another synod was fixed at Zürich"; *ibid.*, sig. B1^r; CR, 49:128; compare *Tracts*, 1:xxxii–xxxiii. Bancroft reported that ministers so administered the discipline "that the rest of the ministers, and the chiefest of the cittie grew quickly, very weary of it. For through their rough dealing in divers pointes: especially in opposing themselves against the orders of Berne, (before that

time received there) and particularly for their obstinate refusing to administer the Lordes supper with unleavened bread; according to a resolution given to that effecte by a *Synode* at *Lausanna* of the ministers of *Berne*" (*Survay*, pp. 18–19).

1:4.10–5.14 *When . . . towne*. See *A.C.L.* (4:59.19–61.27).

1:4.14 *some Churches* *Berne* and its satellite, *Lausanne*.

1:4.22–32 *But a greater . . . taken*. The major themes of Books III (1:4.27–32) and IV (4.22–25). See *A.C.L.* (4:67.1–5 and n).

1:5.10–14 *Calvin . . . towne*. Courald was imprisoned for his opposition to the magistrates' unilateral imposition of the Bernese ceremonies (see 1:4.10–16.n, above); Farel and Calvin were forbidden to preach on Easter, but both did so, refusing, however, to celebrate the customary Eucharist. The city councils met, deprived the three of their offices and ordered them banished. Continuing the account quoted above, Beza relates: "With such opportunities presented to them, those who had been then made syndics, . . . leaders of the factions and dissensions, called the people together, and, although Calvin, with colleagues of the same convictions, vainly offered to render an account of the whole business, they brought the matter to such a pass that, with the larger part prevailing over the better part, the three faithful servants of God were ordered to leave the city within two days because they had refused to celebrate the Lord's Supper"; *Vita . . . Calvini* (1576), sig. B1^r; CR, 49:128; compare *Tracts*, 1:xxxiii. Quoting a letter of Wolfgang Capito in Strasbourg to Farel, Bancroft reported the tale given out by the Genevan authorities: "*They would have bene tyrants over a free citie: they would have recalled a new papacy*"; *Survay*, p. 19; *Epistolae*, no. 6 (pp. 11–12); CR, 38.2:226.

1:5.14–6.10 *A fewe . . . home*. The "Guillermins" (from Guillaume Farel) gained control of the Genevan government in the summer of 1540, and, with the Little Council voting in September to recall Calvin, they began their efforts to persuade him to return from Strasbourg where he had spent most of the intervening years as biblical lecturer in John Sturm's academy and as pastor of the French congregation. Overcoming his initial reluctance, Calvin arrived back in Geneva in September, 1541.

1:5.15 *the places . . . voyde*, Jacob Bernhard (d. 1559), a minister at Geneva in Calvin's absence, wrote him in February, 1541, urging his return and declaring that as he preached one recent Sunday, he saw "our church forsaken (for those who had taken on its care, namely Morentus [Morandus] and Marcutius [Marcurtius], had left; in fact only Henricus [de la Mare] had remained with me—but who are we to lead such a multitude?"; *Epistolae* (1576), No. 24 (p. 52); CR, 39:148. Antoine Marcourt (fl. 1531–1548) and Jean Morand (fl. 1537–1552) had been commissioned by Berne to take the place of the banished ministers; both resigned in September, 1540. H ignores Beza's explanation of the Genevan change of mind: initiated by the disgrace of four of the city leaders who had opposed the reformers,

- "it was as if with the filth of the scum cast out, the city began to feel a need for their Farel and Calvin." Beza also judged Pierre Viret's move from Lausanne to Geneva at this time, with Bernese approval, as providing Calvin an additional inducement to return; *Vita . . . Calvini*, sig. B2^v; CR, 49:130–131; *Tracts*, 1:xxxvii.
- 1:5.17–19 *them who . . . used.* Beza reports that when a Genevan embassy sought approval in Strasbourg for Calvin's return, "the Strasbourgers showed themselves obstinate"; *Vita . . . Calvini* (1576), sig. B2^v; CR, 49:131; compare *Tracts*, 1:xxxvii. The *Epistolae* also include a letter from Martin Bucer (1491–1551) and other Strasbourg ministers to the Genevans expressing their reluctance to have Calvin leave (no. 27, pp. 55–56; CR, 39:97–99).
- 1:5.19–28.b *One of the . . . corner.* In Bernhard's letter (see 1:5.15.n, above), the Genevan pastor describes how he urged the people to pray for a pastor, and then continued: "And let me not lie; I was not thinking of you nor hoping that it might be you. The people prayed, as it is said, with most fervent devotion. The truth, the next day the Senate [as in 5.21–28] . . . the corner. Therefore, come, my reverend father in Christ; you are truly ours, for the Lord God, as you hear, has given you to us"; "In crastinum vero Ducentorum congregatur consilium, et omnes petunt Calvinum: congregatur et generale sequenti die, itidem clamant omnes, Calvinum probum et doctum virum Christi ministrum volumus. Quod cum intellexissim non potui non laudare Deum aliterque judicare quam quod a Domino esset factum istud, et esset mirabile in oculis nostris: quoque lapidem quem reprobarant aedificantes in caput fieret anguli. Veni . . ."; *Epistolae* (1576), no. 24 (p. 52); CR, 39:148–149. The Great and General Councils took the actions, as Bernhard reports, on 19 and 20 October. (H does not distinguish among the three representative bodies, referring only to the "Senate"; see 1:3.21–25.n, above.) Since, however, after the victory of the Guillermins (see 1:5.14–6.10.n, above), the Little Council had already moved to recall Calvin on 21 September, Bernhard's account of the actions as a spontaneous response to his preaching can only be a self-serving attempt to ingratiate himself with Calvin.
- 1:5.28–29 *The other two . . . exile.* Farel fits H's description. Ministering in nearby Neuchatel, Farel was more easily consulted by those who would persuade Calvin to return; see Calvin's letters to Farel, 27 October 1540 and undated; *Epistolae* (1576), nos. 23 and 36 (pp. 50 ff. and 59 ff.); CR, 39:90–93; *Letters* (1855–1858), 1:186–190 and 254–257; Farel's letter to Calvin, 25 August 1541, *Epistolae*, no. 407; CR, 39:265–266. H should have known that Courald, the third exile, had died, for Calvin had mentioned it to Farel in October 1538; *Epistolae*, no. 11 (p. 21); CR, 38.2:273; *Letters*, 1:75. Perhaps he confused him with Viret, although Beza clearly described the latter's move to Geneva where he was to remain until July following Calvin's return (see 1:5.15.n, above). See *A.C.L.* (4:60.23–25 and 61.21–22). Compare Bancroft: "Maister Calvin was the man, whom they all of them most desired: for the rest (being else where placed) they cared not much" (*Survey*, p. 20).

1:5.30-6.2 *First*, . . . *it*. Beza reports that Satan, seeking to overthrow the reformed Genevan church, acquired "some wickedly idle persons who, in order that they might cover over that most iniquitous decree [banishing the three ministers] with an unrecognizable pretext of piety, gave out the opinion that it was right to replace the common bread, which was accustomed to be used in the Supper before, with unleavened bread, undoubtedly in order to provide an opportunity for new disagreements. And this plan would not have failed Satan, had Calvin not advised some good men, who were so thoroughly offended by this change that they even considered themselves obligated to stay away from the Supper, not to start a controversy over that indifferent matter [ob istud ἀδιάφορον]. So the use of unleavened bread obtained, a use which Calvin, when he was later restored, never considered a thing for which he ought to strive, but he did not disguise at all what was, in general, to be more highly recommended"; *Vita . . . Calvini* (1576), sig. B1v; CR, 49:129; compare *Tracts*, 1:xxxiv. This dispute would likely have taken place, and Calvin's advice given, at the time of or shortly after his departure. In letters to Farel in October, 1538 and to the Genevan church in June, 1539, Calvin urges his supporters to accept the new conditions of church life, but he identifies the divisive issues as the lack of discipline to exclude unworthy communicants, the irregularity of the appointments of the new ministers, and possibly unsound points of doctrine, never alluding to the eucharistic bread; *Epistolae*, nos. 11 and 17 (pp. 21-23 and 37-41); CR, 38.2:273-276 and 350-355; *Letters*, 1:75-80 and 118-125; see nn to 1:5.10-14, above, and 289.10, below. Bancroft points primarily to the lack of discipline, but also signaled the bread, concluding like H that if Calvin "came again amongst them, he would use a great deale more mildnesse, and moderation in his proceedinges then hee had earst done" (*Survey*, p. 21).

1:6.2-8 *Again* . . . *hedge*. Activities of the exiled Calvin that might have claimed international attention include lectures at the Strasbourg academy, publications (the reply to Cardinal Sadolet, revision and first French editions of the *Institutes*, commentary on Romans, and the *Short Treatise on the Lord's Supper*), and participation in the 1541 Ratisbon Conference between RC and both Lutheran and Reformed theologians. Beza does not suggest that this growing recognition influenced the Genevan decision; *Vita . . . Calvini* (1576), sig. B1^v-B2^r; CR, 49:129-130; *Tracts*, 1:xxxiv-xxxvi. Bancroft mentions that the reply to Sadolet evoked the "very good contentment" of the Genevans (*Survey*, p. 20).

1:6.9 (*as . . . Tully*) Banished from Rome and handsomely received in various Greek cities, Marcus Tullius Cicero returned in 57 BC: "so great was the joy . . . that what was said by Cicero afterwards fell short of the truth, namely, that Italy had taken him on her shoulders and carried him into Rome"; Plutarch, *Lives*, "Cicero," 33.5; Loeb, pp. 168-169. See *A.C.L.*, 4:61.

1:6.13-24 *For . . . excepted*. H could find many references in the *Epistolae* (1576) to Calvin's concern to establish discipline on his return to Geneva. Beza wrote that

he "had this plan in mind for the church's renewal: namely [as H translates] 'for that he saw how needfull these bridles were to be put in the jawes of that Citie' [see 1:10.4–5.f]), he declared first of all that he could not carry out his ministry unless, along with Christian teaching, a proper presbytery were established with ecclesiastical authority [cum εὐταξίᾳ Ecclesiastica]. . . . At the same time that he returned to the city, . . . nothing was more important to him than that laws of ecclesiastical polity [ecclesiasticae politiae leges] consonant with the word of God should be explicitly written down by agreement of the senate; from these laws thereafter neither citizens nor the ministers themselves would be allowed to deviate [see 7.1–14.n, below]. . . . The firmness of Calvin, combined with remarkable moderation, overcame the difficulties: as when he pointed out that not only doctrine, but also government of the church was to be sought out of the holy scriptures and showed the opinion of the most learned men of his generation . . . out of their own writings; yet on that account neither were those churches condemned as nonchristian which, being young, had not yet advanced that far, nor were these pastors condemned who judged their flocks not to stand in need of this bridle [fraeno]. In short, he showed how much difference there was between the popish tyranny and the yoke of the Lord; he indisputably carried his point that the laws of ecclesiastical polity which this church enjoys even until now be accepted—laws which had been composed with full general consent, had been thoroughly examined, and had been approved by the votes of the people on 20 November [1541]"; *Vita . . . Calvini* (1576), sigs. B2^v, B3^{r-v}, and B3^s; CR, 49:131, 132, and 133; compare *Tracts*, 1:xxxvii, xl, and xl–xli.

In letters to Viret (1 March 1541), Farel (16 September and 11 November 1541), and Myconius (14 March 1542), Calvin expressed his concerns for and satisfaction with discipline in Geneva; *Epistolae*, nos. 25, 50, 39, and 54 (pp. 53–55, 97–98, 76–77 and 102–106); CR, 39:167–169, 281–282, 321–322, and 376–381; *Letters*, 1:206–209, 260–261, 282–283, and 288–296. The 1541 Genevan ecclesiastical ordinances established the consistory with the city ministers and twelve elders (*anciens*), two from the Little Council, four from the Council of Sixty, and six from the Great Council; CR, 38.1:17–30; Calvin, *Theological Treatises*, LCC, trans. Reed (1954), pp. 58–72. Since six ministers served Geneva at this time, H's proportion of lay elders to pastors is accurate. Although elders were required to be presented to the Little Council yearly to determine if they should continue or be replaced, the ordinances declared that it would be inexpedient "to change them without cause as long as they faithfully fulfill their duties" (CR, 38:23; compare *Treatises*, p. 64). Bancroft presented the actual numbers ("twelve Citizens . . . and but . . . sixe Ministers"), but like H he did not cite his source, and he similarly suggested a fixed yearly term of office (*Survey*, p. 23). For Jean Bodin's description of the Genevan consistory, see *De la republique*, 6.1; *The six bookes of a commonweale*, trans. R. Knolles (1606; STC 3193), facsimile edn. (1962), p. 638, and *Methodus*, chap. 6; trans. Reynolds (1945), p. 242.

1:6.26–29 *For their . . . impossible.* See nn to 1:3.15–29 and 3.21–25, above. For

H's view that necessity might render episcopacy dispensable, see Intro. to Books II, III & IV, pp. 178–179, above.

1:6.31–7.1 *But . . . remedy?* Compare Bancroft: “the Cittizens at length were contented. They sawe, there should bee twelue of them continually . . . to sixe ministers: which was oddes inough. They imagined, that notwithstanding they yealded to such a platforme, for the satisfyng of their Ministers importunitie: . . . yet they should in effect keepe the raines still in their owne handes, and be able to curbe them at their pleasure” (*Survey*, p. 23).

1:7.1–14 *Howbeit . . . forme.* In the section of the *Life* quoted in 1:6.13–24.n, above, Beza wrote that the establishment of laws of ecclesiastical polity “was perceptibly hateful indeed to some from among the common people and from the chief citizens, those who did, in fact, put aside the pope but really accepted Christ only nominally. Some of the ministers who remained when these good men had been banished, . . . although they did not dare to oppose what was demonstrated by the evidence of their consciences, yet withstood it secretly and did not willingly suffer themselves to be reduced to order. And really they were not lacking something to put forward as a pretext for their wickedness, namely the example of other churches in which there was no room for excommunication. Nor were there lacking at length those who loudly cried that the popish tyranny was being called back in this manner”; *Vita . . . Calvini* (1576), sig. B3^v; CR, 49:133; compare *Tracts*, 1:xl. Calvin described such conditions in letters to Farel (16 September, 11 and 29 November 1541) and to Myconius (14 March 1542); nos. 50, 39, 40, and 54 (pp. 97–98, 76–77, 77–79, and 102–106); CR, 39:281–282, 321–322, 348–357, and 376–381; *Letters*, pp. 260–261, 282–284 (40 is untranslated), and 288–296.

1:7.4–9 *Of the . . . suite.* The only such letter in the *Epistolae* (1576) was that of Jacob Bernhard (see nn to 1:5.15 and 5.19–28.b, above), who described himself as “in all your wishes, most obedient and devoted” (“in omnibus votis tuis obsequen-tissimum ac deditissimum”); no. 24 (p. 52); CR, 39:149.

1:7.14–26 *This sort, . . . boote?* The “vaine surmises” (line 26) H attributes to Calvin’s 1541 opponents resemble those that might apply to a future England under the discipline of the presbyteries, with the exception that it need not be under the domination of “one onely man” (line 25); see chap. 8.13–14. Bancroft wrote that Calvin was “not ignorant, how easy a matter it would prove, for him and his fellow ministers, to over-rule twelve simple men, all of them unlearned, as being either apronmen, artizans, or marchantes. But his chiefest reach was: that he knewe these twelve ground governours, woulde certainly remember, that their office was but annuall . . . Besides, . . . They saw their cittizens of that *Senate* not onely over-ruled by the said six ministers; but likewise all the ministers so over-topped by Maister Calvin, as that in effect he was *Domine fac totum*: and tooke upon him to doe all in all.” Bancroft quotes a 1547 letter of Calvin to Viret recounting

a petition presented to the councils describing Geneva as a city that “*obeyed the brayne of one melancholy man*”; *Survay*, p. 25; *Epistolae* (1576), no. 77, p. 149; CR, 40:546; *Letters*, 2:109.

1:7.26–8.4 *Brought . . . advantage.* After providing the reasons for Genevan acceptance of the discipline quoted in 1:6.31–7.1.n, above, Bancroft adds: “Upon these and what other such like considerations I knowe not: but after maister *Calvins* very great paines . . . , the Cittie at the length was induced, to admit *of their platforme* And this was the first time, for ought I finde, that the pretended *consistorian Discipline*, ever drew breath” (*Survay*, p. 23).

1:7.32–8.1.d *Wherefore . . . unto:* Calvin did not win the 1541 battle as definitively as H and Beza suggest. The magistrates insisted upon an article in the ordinances whose ambiguity prompted a struggle that continued until 1555 when Calvin’s interpretation prevailed.

1:8.4–10.3 *Not many . . . selves.* Under Calvin’s leadership, the consistory set about to determine and to enforce moral and religious standards consistent with scriptural imperatives. Those in opposition insisted that coercive judicial proceedings belonged to the magistrates and not to the ministerially dominated presbytery. Under the leadership of leading Genevan families, including the Perrins who had initially supported Calvin, these opponents dominated the councils from 1548 to 1554. After a victory in February 1553, they were prepared to challenge the consistory’s authority, seizing on the excommunication of a popular son of a revered patriot, Philibert Berthelet. On 1 September 1553, Berthelet successfully petitioned the Little Council to admit him to communion without reference to the consistory. H resumes his account of Genevan events with this incident, which was to lead to Calvin’s success in affirming the rights of the consistory in excommunication.

Attacking Berthelet’s petition, Calvin preached against the Council’s action in morning and evening sermons on Sunday, 3 September, when Berthelet was expected but did not attempt to receive communion. Calvin won a temporary victory in 18 September when the Little Council agreed to maintain the discipline as previously employed. The issue was raised again in council on 3 November, and the Great Council, to whom the issue was referred, declared on 7 November that “the consistory does not have any power to refuse anyone without the order of the council.” After Calvin testified that the ministers “could not honestly in conscience tolerate” this decree, the Council agreed on 9 November to consult the German-speaking Swiss churches, whose responses were presented on 1 January 1554. On 27, 30, and 31 January, testimony was given of a peace made between Calvin and his opponents that upheld the consistory’s final word on excommunication. February elections gave Calvin’s supporters clear control of the Councils, and on 22 and 24 January 1555, all three reaffirmed the ordinances and, by implication, Calvin’s interpretation. The registers of the consistory, council, and venerable company of ministers, are reproduced in the *Annales* in CR, 49:551–553, 559–561,

563–567, and 593–594. Both H and Bancroft derive their narrative from the *Epistolae* with its biography and letters, the Genevans' own "*bookes and writings*" (9.33; see *Survay*, p. 27). Both follow Beza's erroneously compressed account in which he places the November decree of the Great Council between Berthelet's petition and Calvin's September sermon (see 1:8.4–33.n, below), but Beza's error would have been difficult to detect without recourse to the Genevan registers. See Calvin's letters to Viret of 9 September 1553, to Bullinger of 25 (?) October, and to Bullinger and to the Ministers of Zürich of 26 November; *Epistolae*, nos. 154, 162, 164, and 165 (pp. 260–261, 272–273, and 274–278); CR, 42:605–606, 654–656 (see n. 11 for date), 673–674, and 674–678; *Letters*, 2:405–407 (no. 162 is untranslated), 422–424, and 424–428. Johann Heinrich Bullinger (1504–1575), moderate and influential Swiss reformer, succeeded Zwingli as chief pastor of Zürich; he corresponded with many English reformers throughout the 16C, and at her succession advised Elizabeth herself on the settlement of religion.

1:8.4–33 *Not many . . . strife.* With the exception of lines 11–13, H follows Beza's account, including the chronological displacement (see previous n). Beza describes Berthelet's request to the Little Council (Senatus) that the sentence of excommunication be lifted, continuing: "if this were to have been done, it could not be doubted but that, with the bonds of ecclesiastical discipline broken to pieces, immediately all would have melted away. And so Calvin, in the name of the presbytery, zealously and firmly stood in opposition and demonstrated that the magistrate ought to be the vindicator, not the destroyer of sacred laws. . . . However, the deceitful clamors of those who asserted that the presbytery arrogated to themselves, in certain things, the authority of the magistrate proved so victorious that it was resolved in the Great Council that the final judicial investigation in excommunication belonged to the Little Council, that it might absolve whom they would [ut in Diacosiorum consilio statueretur, ultimum excommunicationis iudicium ad Senatus cognitionem pertinere, ut quos vellet, absolveret]. By which decision of the Senate, . . . Berthelet surreptitiously obtained a decree of absolution confirmed with the seal of the Republic [absolutorias literas sigillo Reipub. communitas; compare lines 6–8]. And Perrin, moreover, with his supporters, then hoped that one of two things might follow: namely, that either Calvin, if he did not obey the order of the Senate, might be crushed by a tumult, or, if he obeyed, he would thereafter destroy all the authority of the presbytery in all matters, which is the bridle for their wickedness. But Calvin, although he was warned of the happening exactly two days before the customary September celebration of the Lord's Supper, during his sermon, after saying many things against despisers of the holy mysteries, with voice and hand raised up, said, 'In the words of Chrysostom, I would rather suffer to die than that this hand should offer the holy things of the lord to those who have been judged despisers of God' [*at ego . . . occidi me potius patiar, quam haec manus Dei contemptoribus iudicatis sancta Domini porrigat*; compare lines 15–16]. This discourse, astonishing to say, had so great an influence over those, as unbridled as they were, that Perrin immediately enjoined Berthelet

in secret not to approach the table, and the mysteries were celebrated with astonishing silence. . . . In the afternoon indeed, Calvin, reflecting by chance on the well-known place in the Acts of the Apostles in which Paul bids farewell to the church of Ephesus, declared himself not to be one who had learned and taught to fight against the magistrate [testatus se eum non esse, qui adversus Magistratum pugnare sciret aut doceret; compare lines 23–24], and he exhorted the assembly by many words that they remain constant in that doctrine which they had heard; at length, as if he were about to deliver this last sermon in Geneva, he said, ‘And since things are this way, let me also be allowed, brethren, to use to you these words of the apostle, “I commend you to God and to the word of his grace”’ [veluti postremam hanc concionem Genevae habiturus, et *quandoquidem* inquit, ita se res habent, liceat mihi quoque Fratres apud vos haec Apostoli verba usurpare, Commendo vos Deo et sermoni gratiae ipsius; Acts 20:32; compare lines 24–26]; which words then wonderfully shattered those impious people and, as well, reminded the good ones of their duty with much more seriousness. The next day Calvin with his colleagues and the presbytery firmly demanded from the Little Council [Senatu] as well as the Great Council [Diacosii] that they be heard before the people themselves since the issue concerned the annulling of a law laid down by the people. Wherefore with people’s desires extraordinarily changed, the decision was modified so that it was resolved that, leaving that decree of the Great Council suspended, views were to be asked from the four Helvetian cities, and, meanwhile, it was necessary that no premature decision be made about laws already received [quamobrem in eam sententiam animis non mediocriter commutatis itum est, ut suspenso illo Diacosiorum decreto, statueretur, petendum esse a quatuor Civitatibus Helveticis iudicium, nec interea praeiudicium ullum fieri receptis legibus oportere; compare lines 28–33]”; *Vita . . . Calvini* (1576), sig. C1^v–2^f; CR, 49:147–148; compare *Tracts*, 1:lxii–lxiv. The precedent of seeking the opinions of the churches of Berne, Basel, Zürich, and Schaffhausen was current in Genevan minds, for in September they had requested from them their judgments on the trials of the heretic Michael Servetus, who had been burned at the stake in October.

- 1:8.11–13 *The report . . . it.* These words do not occur in Beza’s account. After learning of the Council’s admission of Berthelet to communion, Calvin described his efforts in a letter of 4 September to Viret: “I took an oath that I was resolved rather to meet death than foully profane the holy supper of the Lord to such an extent.” To Bullinger on 25 (?) October, he wrote describing Sunday, 3 September: “when I declared myself about to meet death rather than prostitute the sacred bread of the Lord with dogs who were determined to trample under foot the order of the church in public, crassly mocking the gospel But may the Lord make the perverse things of their efforts disappear. I am certain that the discipline which has been accepted here by decree of both senate and people should be sanctioned by death rather than I should allow myself to see it overthrown. If they prevent me from doing my duty, I will depart under constraint rather than retire willingly,

a folly which would destroy my ministry." The conciliar decree was adopted after these two letters. To the Zürich ministers, Calvin wrote on 26 November: "Because I consider that it would be treacherous cowardice as long as I sustain this role not constantly to fight courageously to the utmost for the holy and lawful discipline, I resolved that I would a hundred times rather depart this life, to say nothing of this place, than allow that to be wickedly destroyed which I know to be rightly taken from the word of God. . . . And let it not be supposed that it is by our pedantry that we would rather cede our place than our conviction"; "Ego enim quod perfidae ignaviae esse arbitror, quamdiu hanc personam sustineo, non acriter ad extremum usque pugnare pro sancta et legitima disciplina, centies e vita potius, nedum ex hoc loco migrare statui, quam ut patiar impie labefactari quod ex Dei verbo sumptum esse probe cognosco. . . . Nec morositate nostra fiet, ut loco potius cedamus, quam sententia." This letter refers most clearly to death and banishment and appears the probable source of H's abbreviated quotation. For texts, see *Epistolae* (1576), nos. 154, 162, and 165 (pp. 260, 272–273, and 276–277); CR, 42:606, 655, and 676–677; compare *Letters*, 2:406 (162 is untranslated), 426, and 428.

1:9.1–12 *Calvin . . . same.* No evidence suggests that Calvin wrote private letters to the ministers of all four cities apart from two to Zürich, one specifically to Bullinger. Bancroft assumed as H did but phrased it more hesitantly: Calvin "speedeth a messenger one *Budaeus*, with his private letter unto his private friendes, as to *Maister Bullinger*, etc. and with other letters also to the rest of the said Ministers joyntly" (*Survey*, p. 28). Bancroft, however, noted that Bullinger in his letter to Calvin of 13 December informed him that he had written to the ministers of Schaffhausen and Basel "signifying what aunswere the magistrates of Zurich had made: that they likewise there, might concurre with them in their aunsweres for the peace and edification of the Church of Geneva, although (sayth he) you have not the like forme of discipline in your Churches" (p. 34); see *Epistolae* (1576), no. 166, p. 279; CR, 42:698. (Bancroft ignored Bullinger's subsequent mention of letters to Haller and Musculus at Berne.) In the letter to Bullinger, Calvin declared: "It has now come to this, whatsoever of ecclesiastical order has flourished up until now will be destroyed unless the remedy is brought from you. And for this cause, our most excellent brother M. de Bude has not hesitated to undertake a journey in this inclement season of the year in order that he might advise you of the whole business. In brief, however, the most important point is that your most distinguished senate answer that the form we have followed up to now is consonant with the word of God; next, that they disapprove of novelty. . . . If I can secure these two principles through you, that your senate supports our laws by its vote free from all ambiguity and that they discourage us from striving after novelty, calm will have been given to this church for a long time"; "Brevis tamem summa est, ut amplissimus Senatus vester, verbo Dei consentaneam esse respondeat, quam hactenus sequuti sumus formam: deinde novitatem improbet . . . Si duo illa capita per vos impetro, ut leges nostras Senatus vester suo suffragio confirmet omni

ambiguitate praecisa, et a novitatis studio nostros deterreat, huic Ecclesiae in longum tempus parta erit quies"; compare lines 8–12; *Epistolae*, no. 164, pp. 274–275; CR, 42:674; compare *Letters*, 2:423. To the body of Zürich ministers, he wrote: "First, therefore, let me entreat you, that you do not consider this some ordinary affair for you to put off, but the case is to be regarded as concerning the whole state of this church. . . . Now the wickedness has arrived at this point, that, with all sense of shame cast off, they want to convert the temple of the Lord into a whorehouse. . . . Therefore, it behooves you to take pains, just as if the state of this church were in your hands"; *Epistolae*, no. 165, pp. 276–277; CR, 42:675–677; compare *Letters*, 2:425–428.

- 1:9.13–14 *albeit . . . discipline*, None of the four Swiss churches had adopted a disciplinary system providing for an ecclesiastical body apart from governmental authorities such as the consistory in Geneva. Calvin acknowledged this in his letter to the Zürich ministers: "Today not all feel the same about excommunication. And I am aware that there are pious and learned men for whom excommunication under Christian princes is not seen to be necessary"; *Epistolae* (1576), no. 165, p. 276; CR, 42:676; compare *Letters*, 2:426. Bullinger also referred to the differences in letters to other Swiss churches; see Bancroft's trans. in 1:9.1–12.n, above.
- 1:9.14–19.e *the Senate . . . case*: Bullinger reported these in his 13 December letter to Calvin: "They put three questions before our [Senators]. First, . . . [as H in lines 15–19, except that he generalizes "their Churches" in place of Bullinger's "our church"; the Latin would be better rendered if the comma after "Scripture" were moved after "religion"]; 'Tres proponunt quaestiones nostratibus. 1. Quomodo ex praecepto Dei et secundum Scripturas illibatamque religionem exercenda sit excommunicatio. 2. An non alia ratione quam per Consistorium exerceri possit. 3. Quid hac in re in Ecclesia nostra fiat'; *Epistolae* (1576), no. 166, p. 278; CR, 42:697.
- 1:9.20 *the said Churches*, The response is that of Zürich alone. In a letter to Viret of 30 December, not available to H in the 1576 *Epistolae*, Calvin described the answers: "Those of Zürich prudently advised that nothing be changed; those of Basel sent their ordered edicts without interposing any opinion; those of Schaffhausen were the most sagacious of all; for our neighbors [of Berne] feebly evaded, as I suspected from the beginning"; CR, 42:724; compare *Letters*, 2:431.
- 1:9.20–24 *That . . . were*. Bullinger described Zürich's advice to Geneva as H continues to translate: "That they heard [as in lines 20–24] . . . they were, especially in this epoch in which men are continually becoming worse. And although our discipline may not agree with yours in everything, yours is properly ordered considering reasons of times, places, and persons, and, on that account, we would not wish yours to be overthrown"; "Dudum audivisse nos de legibus istius Ecclesiae Consistorialibus, et agnoscere illas pias esse, et accedere ad verbi Dei praescriptum: ideoque non videri admittendum ut per innovationem mutentur.

Satius esse ut integrae conserventur, hoc praesertim seculo, in quo subinde homines fiunt deteriores. Et quanquam nostra disciplina vestrae per omnia non respondeat, illam tamen pro ratione temporum, locorum et personarum esse temperatum, nec ideo vestram velle subversam"; *Epistolae* (1576), no. 166, p. 278; CR, 42:697–698.

1:9.25–29 *Which . . . slake*. Following the account given in 1:8.4–33.n, above, Beza commented: "Thus this storm was frustrated rather than settled." He wrote of the suppression of conspirators early in 1555: "Thus the republic was freed from these banes when, by another of God's little favors, since the response of the four Helvetian cities had been brought forth earlier, . . . all the old edicts of ecclesiastical polity [vetera omnia ecclesiasticae politiae edicta] were proposed and, against the expectation of the factuous, sustained by the general votes of the city"; *Vita . . . Calvini* (1576), sig. C2^r and C3^v; CR, 49:148 and 150–151; compare *Tracts*, 1:lxiv. Calvin discussed the end to the strife in letters to Bullinger of 23 February 1554 and 15 June 1555; *Epistolae*, nos. 171 and 207, pp. 289–290 and 343–349; CR, 43:39–40 and 676–685; *Letters*, 3:19–21 and 192–202. For chronology, see 1:8.4–10.3.n, above.

1:10.4–5.f *as Beza . . . Citie*. See 1:6.13–24.n, above.

1:10.7 *But . . . truth*. The theme was popular among Reformers who wished to deprecate patristic authority. Hadrian Saravia (1531–1613), the emigré Dutch minister who adopted the English church with enthusiasm and was a friend of H's, wrote in *Of the Diverse Degrees of the Ministers of the Gospell* (1591; STC 21749): "Is there anye thing in the Fathers . . . misliked of us? By and by we have this theoreme at our fingers end: we must remember *they were but men; and because men may easilie erre, we must* [explain] *whatsoever we mis-conceive of them, among the errors of that age. In the meane while, wee never remember our selves, that we also are but men, and therefore may erre with them: yea, we . . . may then er, when we thinke amisse of them, and in that verie thing may wee erre, for the which we condemne them"* (sig. D1^r); for Latin, see *De diversis ministrorum evangelii gradibus* (1590; STC 21746), sig. A1^r. Bancroft described "a certaine Colledge in Cambridge" where during discussions, if patristic authority were claimed, opponents would ask "were they not men?" If, however, any denied the authority of Calvin or Beza, some would smile at the person's simplicity, some became angry at his presumption, and some would leave accounting him "not worthy the hearing" (*Survey*, p. 64; see also pp. 76–77, 343). Compare Matthew Sutcliffe, *A Treatise of Ecclesiasticall Discipline* (1591; STC 23471; hereafter, *Treatise*), sig. B2^v.

1:10.10–13 *Nature . . . it*. This is the last of six instances in this chapter in which H attributes motives to the continental Reformers that were, at best, shrewd guesses (see Intro., p. 68, above). These historical hypotheses rest on a particular interpretation of human motivations: (1) Each continental Reformed church tried "to bee certaine degrees more removed from conformitie with the Church of Rome" (Pref. 2.2; 1:4.23–24); (2) Geneva called Calvin back after his banishment because of his

willingness to compromise on minor matters and because of his growing fame; Hooker ignored the reasons Beza had presented for the recall (2.3; 1:5.19–6.8; 5.15.n and 6.2–8.n); (3) Calvin expected that the ministers would be able to dictate to the larger number of lay elders in the consistory (2.4; 1:6.31–7.20); (4) The elaborate system of lay elders and ministers in the consistory was expressly designed so that “*in effect one onely man [Calvin] shoulde . . . doe all in all*” (1:7.20–26); (5) When the council decided to consult the four Helvetian churches for advice concerning the Genevan rules for excommunication, Calvin wrote personal letters to the chief pastors of each city suggesting the response they should make; evidence exists for only one such letter: to Bullinger in Zürich (2.6; 1:9.1–12.n). (6) Calvin developed the elaborate scriptural basis for the Genevan discipline because “*nature worketh in us all a love of our owne counsels*” (2.7; 1:10.10). Bancroft concurred with Hooker in the last four of these (See nn to 6.31–7.1, 7.14–26, 9.1–12, and 10.10–13). As for (2), Bancroft noted the willingness to compromise, but not the fame (1:5.30–6.2.n). Writing of Calvin “that devised” the discipline and of Beza “who since that time hath bene the principall maintainer of it,” Bancroft insisted that they “have not wanted the common affections of men. . . . the Crow thinketh her owne birde the fairest: and so doe men and women . . . their owne children. Nature . . . sheweth her force most, in the fructs of a mans mind. . . . Few men that we heare of, will give their lives for their children: but many wee see, will do it most readily in the maintenance of their opinions” (*Survey*, pp. 63–64).

1:10.13–23 *Wherefore . . . unto*. Bancroft emphasized that Calvin’s writings presented scriptural evidence for the Genevan discipline “very modestly, rather thereby to proove his owne platforme to be lawfull, than to impeach the forme of church–government, allowed of and established, in any other reformed churches,” attributing the extreme claims for the discipline to Calvin’s followers. But as it came to be “more fully established: then for the better preservation of it, you would hardly bethinke it, what wringing and wresting there hath since bene made of the scriptures, to underprop it, with this translation, with that note, with such an interpretation, and with such a collection [inference]. In so much as now there is seldome mention made of elders . . . , of the greatest and cheefest judges, of bishops, of rulers, of thrones, and of the kingdome of Christ, but maister *Beza*, [François] *Junius*, [Lambert] *Danaeus*, *Cartwright*, *Travers*, and all their schollers: do thinke they heare a sound that ringeth out most plainly in their eares, a formall peale of their presbyteri [*sic*] platforme” (*Survey*, pp. 398–399).

1:10.16 *probable* As the context makes clear, H often uses “probable” in a sense close to modern “possible”: having some evidence in support or appearance of truth, but far from certainty. Often this meaning is reinforced by such modifiers as “merely,” “only,” or “but” probable (see 1:31.14, 33.17–33, 179.29–32, etc.). At times, however, “probably” has the more approving connotation of “reasonably” (see 1:63.25, 80.17), and “probable” can occur in a sense approaching the modern “likely” (1:161.23, 291.3).

- 1:10.30-11.2 *the one . . . consented.* See *A.C.L.*, 4:58.9-12.
- 1:11.5 *Maister of sentences* The *Sententiarum libri quatuor* of the 12C theologian Peter Lombard earned him the title of "Magister sententiarum"; its collection of opinions of the Fathers in an ordered presentation of theological themes became the basis of university instruction in theology and provided renaissance humanists and reformers with a convenient symbol of medieval theology.
- 1:11.6 *reformed Churches* After the hardening of divisions between continental Protestants signaled by the 1577 Lutheran Formula of Concord, "reformed" acquired a double denotation: (1) any of those church bodies rejecting papal authority, or (2), as used here, the family of churches, distinct from Lutherans, who stood in the tradition of such early reformers as Ulrich Zwingli (1484-1531), John Oecolampadius (1482-1531), Bucer, Calvin, or Peter Martyr (Vermigli; 1500-1562).
- 1:11.9 *others abroad* These would include the congregation in Strasbourg and that in London, where the French congregation was originally organized by Valérand Poullain (1520-1558), who had followed Calvin at Strasbourg. In Elizabeth's reign it was reorganized after the Geneva pattern by Nicholas des Gallars (1520-1564?), and it provided an immediate example to nascent Puritans of the pattern of life of the "best reformed churches."
- 1:11.16-17 *and to enter . . . it.* H refers to Berne, whose alliance protected Geneva's newly won independence in the 1530s, and as well to Schaffhausen, Basel, and Zürich, the other three Swiss towns which, according to H, supported Calvin and his supporters in their struggle against the Libertines (see 1:4.13-16 and 9.1-29 and nn to 1:3.21-25, 4.10-16, 8.4-33, and 9.1-12 and 13-14, above); "open conflict" exaggerates the situation between Geneva and other Swiss churches. Their disagreements over discipline never threatened schism to the extent of those over eucharistic doctrine resolved in the 1549 *Consensus Tigurinus*.
- 1:11.17 *one of those* A dispute over discipline broke out in the church in Heidelberg, but Geneva had not received aid from them in their "desperate extremities."
- 1:11.19-20 *divines . . . found.* The elector of the Palatinate, Frederick III (1559-1576), changed the dominant theology in his domains from a liberal Melancthonian Lutheranism to a more strictly Reformed doctrine, supporting such theologians as Pierre Boquin (1512?-1582), Casper Olevianus (1536-1587), a follower of Calvin, Zacharias Ursinus (1534-1583), a student of Philip Melancthon (1497-1560) and then of Peter Martyr in Zürich, Jerome Zanchius (1516-1590), a professor ejected from Strasbourg by strict Lutherans, the Hebrew scholar Emanuel Tremellius (1510-1580), and Thomas Erastus (1524-1583).
- 1:11.20 *Gualters discipline.* Rudolph Gualter (1519-1586), successor to Bullinger as chief minister (*antistes*) of the church in Zürich (1576-1586), visited England in 1537, befriended the exiles under Mary, and corresponded with English clerics. Cited and consulted in church disputes under Elizabeth by both sides, he had been

an outspoken supporter of the Zürich polity that denied any separate coercive jurisdiction to church authorities. John Whitgift (1530?–1604), H's patron and principal establishment apologist in the 1570s, quoted his statement that the distinction between civil and ecclesiastical power "is taken out of the Popes shoppe" *The Defense of an Aunswere to the Admonition, against the Replie of T. C.* (1574; STC 23430), p. 646; PS, 3:190. But the church in Heidelberg was not so clearly patterned after Zürich's as H suggests. Church leaders, especially Olevianus, attempted, with the backing of the Elector Frederick, to establish a Genevan-type discipline, and it was Thomas Erastus's resistance to this polity that led to his protest (see n following). Subsequent efforts to implement it met resistance throughout the Palatinate, and even its high-point, the ordinance of 1570, reserved ultimate power to the elector and won Erastus's grudging approval.

1:11.21–33 *unto . . . thereof.* In the citations of Erastus and Beza in this section, H provides two of the only four references to continental Protestant writers in the Preface, outside of those in this chapter to Calvin's *Epistolae* and Beza's biography, and De Brès' account of the Anabaptists in chapter 8 (the others: to Calvin's *Institutes* at 1:14.23–31 and again to Beza's work cited in this note at 32.24–29). In the preface to his work on excommunication, Erastus writes that the dispute began when an Englishman in 1568, after being denied permission by the Heidelberg theological faculty to offer a doctoral thesis on the vestiarian issues troubling the English church, defended a thesis that "it is necessary in any properly constituted church to maintain an administration in which ministers possess the right with their Eldership, entrusted for that reason, to excommunicate any sinners whatsoever, even Princes"; compare lines 23–25; "oportere in quavis recte constituta Ecclesia hanc servari procuracionem, in qua ministri cum suo delecto ad eam rem Presbyterio jus teneant, quosvis peccantes, etiam Principes excommunicandi"; *Explicatio gravissimae quaestionis, utrum excommunicatio, mandato nitatur divino, an excogita sit ab hominibus* (1589; STC 10511), sig. [A5^v]. The Englishman was George Wither (1540–1605; not the father of the 17C poet), a graduate of Cambridge, who returned to become archdeacon of Colchester. Since the issues touched Erastus's concerns at Heidelberg (see previous n), he opposed Wither in the second day of the disputation and followed up by preparing seventy-five theses. On receiving a copy, Beza wrote a reply, to which Erastus answered in a *Confirmatio* of his *Theses*, all of these circulating only in manuscript. The scene of the debate then shifted to England where, in 1589, six years after Erastus's death, the London printer John Wolfe published the *Theses* and *Confirmatio* as the *Explicatio*. Beza's response was published in 1590 in both London and Geneva, *Tractatus pius et moderatus de vera excommunicatione, et christiano presbyterio* (STC 2048). In all but the most exceptional cases, Erastus denied the need for excommunication, which, as for all but Lutherans, was inevitably linked with coercive jurisdiction, properly the prerogative of government alone. The "Eldership" was involved because it was to this organizational structure that, Beza insisted, the right of excommunication belonged. That Erastus did not argue for what came to be called "Erastianism," the subjugation of

religion to the state, is evident from his resignation from Heidelberg University and departure for Basel after Frederick's 1576 successor introduced a rigorous Lutheran policy.

1:11.33–35 *Amongest . . . things.* In 1551 John Hooper (d. 1555) refused to wear the episcopal garb at his consecration as bishop of Gloucester, as directed by the rubrics of the 1550 *Ordinal*. After Cranmer and the Privy Council stood firm and imprisoned the bishop-elect, he consented to use the traditional rochet and chimere for the ceremony but not thereafter. There was also a dispute over kneeling to receive holy communion as directed in the 1552 Prayer Book. Just before the book was printed, John Knox's sermon before Edward VI led to the order of the Privy Council to add the explanatory "black rubric" that insisted that kneeling did not imply adoration to the consecrated elements. Bancroft merely refers obliquely to Edward's reign, when "certaine malecontents grew up in the Church of *England*; because sundry matters might not bee ordered as they were at *Geneva*: maister Calvin having written sundry letters unto *England* to some suche like effect" (*Survey*, p. 44).

1:11.35–12.5 *And . . . increased.* The reformers who left England for the continent under Mary pursued distinct ecclesiastical policies in different cities. Those in Strasbourg and Zürich maintained the liturgy of the 1552 Prayer Book, whereas those in Geneva adopted the liturgical and disciplinary patterns of their hosts. Frankfurt was the scene of two disputes over liturgy and discipline later described by a Puritan author, traditionally identified as William Wittingham, in *A brieff discours off the troubles begonne at Franckford . . . 1554. About the Booke off common prayer and Ceremonies and continued by the English men theyre to thende off Q. Maries Raigne* (1574; STC 25442); for authorship and date, see P. Collinson, *Journal of Ecclesiastical History*, 9 (1958): 188–208, and M. A. Simpson, *John Knox and the Troubles begun at Frankfurt* (Tweeddale, 1975), pp. 12–24. Bancroft discusses the disputes at length, basing his account on the *Troubles* and Beza's edition of Calvin's letters (*Survey*, pp. 44–48).

1:12.5–11 *Under . . . Geneva.* The vestiarian controversy centered on the requirements of the royal injunctions that clergy wear the customary priest's gown and cap out of doors and of the ornaments rubric in the 1559 Prayer Book that implicitly prescribed the traditional mass vestments for the Eucharist and the surplice for other services. Reformers objected, and even such a moderate as John Jewel (1522–1571), future bishop of Salisbury, could describe vestments as "tawdry . . . fooleries" inappropriate in a properly reformed church (*Zurich Letters*, PS, 1:23). The mass vestments were generally discarded, and the surplice and outdoor garb often disused. In 1565 and 1566 a campaign instigated by the queen and implemented by Archbishop Parker led to the enforcement of the compromise embodied in his "Advertisements." These required use of the outdoor dress, but settled for the surplice at the Eucharist in parish churches and the cope in collegiate and cathedral churches. The militants faced growing opposition from the bishops, and

the 1572 *Admonition* signalled the change of goals and strategy. Some began openly to implement the Genevan presbyterian discipline in England. The *Admonition*, attributed to Thomas Wilcox and John Field, appeared as an anonymous pamphlet in June (see Intro., pp. 71–72, n. 152, above); the diffuse and less influential *Second Admonition to the Parliament* appeared in November (STC 4713); it is often ascribed to Thomas Cartwright (1535–1603) but is possibly by Christopher Goodman; see Milward, p. 30, Collinson, *The Elizabethan Puritan Movement* (1967; hereafter *E.P.M.*) p. 139, and Intro. to Books II, III & IV, p. 149 and n. 44, above, and 5:623–629, this edn.

H's historical sketch follows a well-worn path. Thomas Cooper (1520?–1594), bishop of Winchester, responded in 1589 to Martin Marprelate: "At the beginning, some learned and godly Preachers . . . made strange to weare the *Surplesse, Cap, or Tippet*. . . . Not long after came forth an other sort, affirming that those matters touching Apparell, were but trifles, and . . . that there were greater things of farre more weight. . . . As the booke of Common prayer, the administration of the Sacraments, the government of the Church, the election of Ministers, and a number of other like"; *An Admonition to the People of England* (1589; STC 5682), pp. 160–61; ed. Arber (1882), p. 119. Bancroft wrote in *Daungerous positions and proceedings, published and practised within this iland of Brytaine* (1593; STC 1344): "For the first ten or eleven yeares of her Majesties raign, through the peevisch frowardnes, the outcries and exclamations of those that came home from *Geneva*, against the garments prescribed to Ministers, and other such like matters: no man (of any experience) is ignorant, what great contention and strife was rayseed: . . . About the twelfth yeare, . . . these malecontents . . . began to stir up new quarrels, concerning the *Geneva* Discipline: being the matter indeede which they still aymed at, in all their former proceedings. Hereupon, (the 14. of her Majesty) two *admonitions* were framed, and exhibited to the high Court of Parliament" (pp. [65–66], numbered pp. 41–42).

1:12.11–12 *defendor of which admonitions*, Cartwright; on his debate with Whitgift, see Intro., pp. 72–73, and Intro. to Books II, III & IV, pp. 148–150, above.

1:12.27–13.1. **I speake . . . it.** GB glosses Acts 17:11 (see textual note) differently: the Jews at Berea were nobler because "not more excellent of birth, but more prompt, and couragious in receiving the worde of God," and they considered the apostles' message "not onely to trie if these things which thei had heard were true, but also to confirme them selves in the same, and to increase their faith."

1:13.1–2 *secret judgement* That is, the traditional Christian understanding of conscience as the human faculty to make moral judgments on the basis of available knowledge.

1:13.4–5:j *Saint . . . doth.* GB's note has a different emphasis: "We must be assured in our conscience by *Gods worde* in all things that we do: that if we be strong, we may know what is our libertie: and if we be weake, we may learne to profit daily" (italics added).

1:13.9–12 *For which . . . understand.* At the end of bk. 2 of his anti-Pelagian treatise addressed to Marcellinus "On the Merits and Forgiveness of Sins and on the Baptism of Infants," Augustine discusses the issues of traducianism versus creationism (see 1:179.31–33.n, below), concluding that it is a subject on which the Scriptures provide no final judgment. He continues: "Although I may be ignorant of how anyone of these things may be described and interpreted, yet this I believe: that even on this account a most clear authority is characteristic of the expressions of divine thought [that is, Scriptures] when it concerns a matter of which a man cannot be ignorant without loss of promised salvation"; "De peccatorum meritis et remissione, et de baptisma parvulorum ad Marcellinum," 2.36; *Opera* (1569), 7:718–719; CSEL, 60:128; PL, 44:186; compare NPNF.1, 5:68. Art. 6 states: "Holy Scripture conteyneth all things necessarie to salvation. . . ."; *Articles* (1571; STC 10039), p. 5; Charles Hardwick, *A History of the Articles of Religion* (1895), p. 295. A question posed to those to be ordained priest or bishop was framed with similar language (1552 *Book of Common Prayer*, STC 16286.3, sigs. 2B6^v and 2C3^v).

1:13.18–23.k *If the understanding . . . lyeth?* Claudius Galen, 2C Greek physician employed by Roman emperors, wrote many treatises on logic, ethics, grammar, and, above all, medicine. In his treatise, "Of the best kind of teaching" (Περὶ ἀρίστης διδασκαλίας), he comments after the passage translated by H: "And the teacher does this, as Plato affirmed, and I am persuaded." H's translation "deeper discourse" suggests intellectual activity restricted to more complex levels; the Greek and Latin inclusively designate the whole range of thought and intelligible things (νοημάτα, *res intelligibiles*). Although H cites the title in Latin, various editions of the Greek, as well as four distinct Latin translations, were available, and H usually follows the common convention of using Latin titles for Greek texts. 'Εἰ δ' ἔστι μὲν, ὡς περ ὀφθαλμοῦς τῷ σώματι, τοιοῦτος ἐν τῇ ψυχῇ νοῦς· οὐ μὴν ἅπανι γε ὁμοίως ὄξυς, ἐγγωρεῖ καθάπερ [critical text: ὁ] βλέπων ὄξύτερον ἐπάγει πρὸς τὸ θέαμα τὸν ἀμβλύτερον ὁρῶντα, κατὰ τὸν αὐτὸν τρόπον καὶ ἐπὶ τῶν νοημάτων, ὑπὸ τῶν φθασάντων ἰδεῖν ἐναργῶς τὸ νοητὸν, ἐπάγεσθαι πρὸς τὴν θέασιν αὐτοῖς [critical text: αὐτοῦ] τὸν ἀμβλύτατον. καὶ τοῦτ' ἐστὶν ὁ διδάσκαλος, ὡς ὁ Πλάτων τε φησὶ, κἀγὼ πείθομαι. *Opera* (1525), 1:[first group of folios in vol.], 4^v.57–5^r.3; *Opera*, ed. C. G. Kühn (1821–1833; rpr. 1965), 1:52. "Si vero est qualis oculus corpori, talis mens in anima, non tamen omnibus aequaliter acuta: fieri potest ut velut qui acutius vedit, adducit ad spectaculum hebetius cernentem, Ita etiam in rebus intelligibilibus hebetissima mente praeditus, ab his qui jam evidentem intelligibile cognoverunt, ad speculationem ejus adducatur. Atque hoc praestat praeceptor, velut Plato ait, et ego credo"; "De optimo docendi genere" or "De optima doctrina," near end of work; *Isagogici libri*, trans. J. Cornarius, *Opera* (1538), col. 120.

1:13.26–28.l *the . . . Hosts.* H substitutes "truth" for "law," perhaps in deference to the "law of truth" GB mentions in Mal. 2:6.

- 1:13.29–14.7.*m* **Gregory . . . peace.** Gregory delivered this oration in Nazianzus, Cappadocia, in 374 after attempting to resist pressures to assume pastoral responsibilities on the death of his father, the previous bishop, and before retiring for four years of contemplative life. A 1550 Basel Latin edition of Gregory's works entitled the oration: "Oration of St. Gregory Nazianzen, by which he excuses himself [qua se excusat] for having abstained for so long a time from ecclesiastical functions" (p. 34; compare 1531 edn. of 30 Orations, p. 36). H's citation by the initial words of this discursive descriptive title and his choice of "sedition" (Latin: *seditio*) to translate ἀκαταστασίας argues that he was working from the Latin. This oration is variously numbered 6 (Basel, 1531, Latin), 7 (Basel, 1550, Latin), 8 (Basel, 1550, Greek), 9 (note, PG), and 19 (PG). "Vos oves nolite pascere pastores, neque super terminos eorum elevemini. satis enim vobis est, si rectè pascimini. nolite judicare iudices, nec legem feratis legislatoribus. Deus enim nequaquam Deus est seditiosis et confusionis, sed ordinis et pacis"; *Opera* (1550), p. 37; for the Greek, see Basel edn. of same year, p. 42; PG, 35:1053; see 1:52.20–53.5.*u.n.*, below.
- 1:14.7–12 **But . . . them.** GB interprets Mal. 2:7 (see 1:13.26–28.*l.n.*, above) to show "that whosoever doeth not declare Gods wil, is not his messenger, and priest."
- 1:14.22–23.*p* **upon . . . ignorant.** The GB note to 2 Pet. 2:12 elaborates: those who "speake evil of those things which they knowe not" are "wicked men destitute of the Spirit of God" and "vessels made to destruction"; to H they are simply "ignorant."
- 1:14.23–30.*q* **If it be . . . other;** In this section (4.20.8) of the *Institutes*, Calvin discusses the three classical forms of government: kingship, aristocracy, and democracy. Although "the government of the chefest men, or a state tempered of it and common government farr excelleth al other," he judges that particular "circumstances" require different structures, concluding that if it is God's pleasure "to set kynges over kyngdomes, Senates or officers over free cities, whomsoever he maketh rulers in the places where we are conversant, it is our dutie to shewe our selves yielding and obedient unto them." The section begins: "And truly it were very vaine that it should be disputed of private men, which should be the best state of policie in the place where they lyve: for whom it is not lawful to consult of the framing of any common weale . . . forasmuchas a great part of the order of this question consisteth in circumstances. And if they compare also the states themselves together without circumstances, it shal not be easy to discerne which of them over weieth the other in profitablenesse, they match so egally together"; *The Institution of Christian Religion*, trans. Norton (1561; STC 4415), part 3, fol. 162^v; Hooker makes similar comparisons in I.10.5; VIII.3.3 [Keble: 2:11, 12–13] and 3.4 [Keble: 2:18] (1:100.16–28; 3:340.8–13, 341.19–343.2, and 349.23–350.1); see Intro. to Book VIII, pp. 365–366 and 373–379; for Latin, see *Institutio Christianae religionis* (1576; STC 4414), p. 729; CR, 30:1098.
- 1:15.2–5.*r* **When . . . certaine;** *A Petition directed to her most excellent Majestie* ([1591–

1592?]; STC 1521) is aptly termed “*cunning*” by reason of its use of established English standards in law and liturgy to support the reformers’ program. The work has been attributed to: (1) Henry Barrow (STC), John Penry (Bancroft, *Survey*, pp. 236, 427); (2) “W. St” (Matthew Sutcliffe, *An Answer to a certaine libel supplicatorie*, STC 23450, p. 19); (3) “an eminent lawyer” (William Pierce, *An Historical Introduction to the Marprelate Tracts*, pp. 244–245); and (4) William Stoughton, a Puritan civil lawyer (Milward, p. 99)—the last three evidently to the same man. In the Introduction, he asserts: “I doe not nowe write eyther to pull downe Bishoprickes, or erect presbyteries. With whom the trueth is, I will not determine. For I knowe not. What seemeth most probable and true to me that I knowe” (p. 3).

- 1:15.13–14 **the Cause** For example, in the introductory epistle to Walter Travers’s *Eclesiasticae disciplinae, et Anglicanae ecclesiae ab illa aberrationis, plena è verbo Dei, & dilucida explicatio* (1574; hereafter, *Explicatio*), prefaced and translated by Cartwright, the hope is expressed that “it will come to passe, that those whom we have hytherto felt, somewhat estranged from this cause, wee shall try hereafter freindly and favourable thereunto. For we so trust to the goodnesse off the cause that we can hardly thinke . . . it shoulde be condemned not beinge hard, off so witty a Prince, and so wise counsellers”; *A full and plaine declaration of ecclesiasticall discipline out off the word off God* (1574; STC 24184), sig. A4^v; *Explicatio*, sig. A4^v; see 1:212.4–10.n, below.
- 1:15.14–19 **First . . . good.** Elizabethan Puritan literature frequently attacks bishops and, more occasionally, privy councillors, members of parliament, justices, and other officials who impeded their desired reformation; they did not, however, attack the nobility in general, among whom they numbered many stalwart supporters of their cause. In making a similar charge Bancroft used no Elizabethan Puritan examples but reached back to works of 1556 and 1558; *Daungerous Positions*, p. 35, and *Survey*, p. 8, citing Christopher Goodman (1520?–1603), *How Superior Powers Oght to be Obeyd* (1558; STC 12020), p. 34, and John Poynt (1514?–1556), *A Shorte Treatise of . . . Obedience* (1556; STC 20178), p. [107]. H may imply that Puritans criticized the nobility in unpublished sermons, delivered “in the hearing of the multitude” (line 14).
- 1:15.20–22 **The next . . . established.** In *A Demonstration of the trueth of that Discipline which Christe hath prescribed for the government of his church* ([1588]; STC 24499; see 1:247.8–248.6.g.n, below), John Udall (1560?–1593) claimed that “the gospel can take no roote . . . for want of [presbyterian discipline],” and that by upholding their “course begon” in episcopacy, the bishops were “the cause of all the ignorance, Atheisme, schismes, treasons, poperie and ungodlines, that is to be founde in this land” (sig. A2^v–3^t; see nn to 1:27.11–13 and 247.8–248.6.g, below).
- 1:15.25–26 **(they all confesse)** See III.2.1 (1:207.15–17), 7.2 (217:16–23), 11.2–11.9, and nn to 1:217.16–23.f, 247.8–248.6.g, 248.28–30.j, and 251.14–20.v.
- 1:15.28–29 **(whereof . . . author)** See I.10.11 (1:106.20–29) and III.8.18–9.3.

1:16.1–3 *Having . . . evils*; Cartwright wrote in his *Replye to An answeare made of M. doctor Whitgifte. Agaynste the Admonition* ([1573]; STC 4711–12; H's "lib. 1."): "Seeing that the church and common wealth do embrace and kisse one another, and seeing they be like unto Hypocrates twinnes, whych were sicke together and well together, laughed together and weeped together, and alwayes like affected: it can not be but that the breaches of the common wealth have proceeded from the hurtes of the church, and the wants of the one from the lackes of the other. Neyther is it to be hoped for that the common wealth shall flourishe, untill the church be reformed" (pp. 2–3 of the 2nd edn., STC 4712, from which H cites; sig. A2^f of 4711; PS, 1:23); see 1:15.20–22.n, above, and 1:22.8–23.b.n, below.

1:16.12–19.s *Pythagoras, . . . God*. In the *Metaphysics*, 1.5.1, Aristotle described the followers of Pythagoras as "the first to grasp mathematics, . . . and being trained in this, they supposed that its first principles [that is, numbers] were the first principles of all things"; οἱ καλούμενοι πυθαγόρειοι τῶν μαθημάτων ἀψάμενοι πρῶτοι ταῦτα τε προήγαγον, καὶ ἐντραφέντες ἐν αὐτοῖς, τὰς τούτων ἀρχὰς [οἱ ἀριθμοῖ], τῶν ὄντων ἀρχὰς φήθησαν εἶναι πάντων. *Opera* (1550), 2:337; 985^b; compare Loeb, pp. 30–33.

1:16.19–25 *When . . . sect?* About 1540 a continental merchant and mystic, Hendrick Niclas, drew followers into a tightly organized religious sect. Centered in the Low Countries, the Family of Love also won converts in England, where their conventicles continued until the end of the 17C. With their roots in Queen Mary's reign, the English Familists attracted public attention in the mid-1570s when translations of Niclas's works began to appear (see STC 18548.5–18564). In 1580 the queen issued a proclamation for the apprehension of sect members and for the destruction of their books so as to root out the "privy assemblies of divers-simple unlearned people . . . from further infecting of her realm"; *Tudor Royal Proclamations*, ed. Hughes and Larkin (1964–1969), 2:474–475. J. W. Martin has identified four chief elements in Niclas's teaching: religion as an inner experience, saturation in biblical language and imagery, anticlerical scorn for theological learning, and the gathering of the faithful in intimate groups; see "Elizabethan Familists and English Separation," *Journal of British Studies*, 20.1 (1980): 53–73, esp. nn. 5 and 6.

H may have read some of Familist literature, but the refutations by Puritans would have been more accessible: John Rogers, *The displaying of an horrible secte of grosse and wicked heretiques, naming themselves the familie of love* (1578; STC 21181); William Wilkinson, *A confutation of certaine articles delivered [by H. Niclas] unto the Familie of Love* (1579; STC 25665); and John Knewstub, *A confutation of monstrous and horrible heresies, taught by H. N.* (1579; STC 15040). In the latter, Knewstub derived theological conclusions such as H presents: "Now is Christ come to judgement, and this doctrine is the last trump: they are rysen againe and in perfect joy, who have perfectly imbraced it, and those have already received their judgement and be in hell, who do resist it [sig. *4^r] . . . [H. N.] expoundeth the

doctrine of our resurrection allegorically, and taketh it to be nothing els: but to ryse in our judgemente and affection, from the likyng of all other, too the embracing of his doctrine and religion. And therefore the day of judgement . . . is . . . already come, because the troumpe of his doctrine now soundeth, which woorketh this his spiritual resurrection [fol. 2']. . . . The separation . . . is . . . fulfilled nowe, while some joyne with his doctrine and that his family, and other seperate themselves from it [fol. 11']. . . . By the doctrine H. N. Christ is no one man, but an estate and condition in men, common to so many, as have received his doctrine, that they are growen thereby to perfection, and nowe sinne no more [fol. 32^f] . . . This Mathehaticall Christe which H. N. discribeth, is in the minde of man, as a qualitie or affection thereof, begotten by his doctrine" (fol. 40').

1:16.25-17.8 *And assuredly . . . rest:* The four-fold structure of ministry outlined by Calvin (*Inst.*, 4.3.4 and 8-9) and established in Geneva was advocated with various modifications by English Puritans; the *Admonition*, for example, did not distinguish pastors and doctors (sigs. A5^r-B1^r; *P.M.*, pp. 15-16). Dudley Fenner (1558?-1587), in his 1584 pamphlet, *A Counter-poyson, modestly written for the time, to make aunswere to . . . the answerer to the Abstract* (STC 10770), illustrates the parallels drawn by Puritans between this ministry and OT patterns: "God in altering the outward face of his church under the Gospell, diverse from that under the law . . . did . . . keep the substance of the Churches administration, (namely, in ordayning for Priests, Pastors; for teaching Levits or Doctors of the law, Teachers [that is, doctors]; for rulers of the Synagoy, Church-governors or Elders; for their levitical lokers to the treasury, Deacons, for their presbytery, the eldership" (p. 12). In the 1574 *Explicatio* Travers had emphasized discipline as obedience to Christ as king: "I affirme that Christ hath lefte us so perfecte a rule and Discipline . . . and so necessarie, that without yt this . . . Christiane common wealthe cannot well be kepte under there Prince and king Jesus Christe. . . . [If Christ has not so provided for his church,] what shall become off that septer off Justice and that Chariotte wherein David describeth him sitting in the middest off the church (Ps. 45:7). . . . After he was sette in his kingleie throne, doe we not see how he provided all thinges which were necessarie . . . for the preservacion off [the church] forever by Pastors and Doctors" (trans. Cartwright, pp. 9, 10-11, and 12). Travers also paralleled the OT restoration of the Temple with the need for further reformation in England: "The fashion and paterne of the temple after it was overthrowne was so exactelie drawne out by Ezechiell that the newe temple might be builled [*sic*] againe according to the paterne off God shewed by his Prophete. Wherefore also Ezra and Nehemiah exacte all there reformation to the paterne off Moses, David, and Ezechiel. . . . And how absurde and unreasonable a thing is it . . . to thincke the love and care off God to be demynished towardes his church when he had testified yt . . . by the sendyng off his onlie-begotten sonne" (p. 8). The "mysticall resemblance" (1:17.2-3) between a properly reformed church and the temple site on Mt. Zion in Jerusalem followed naturally. Cartwright prefaced his *Second replie . . . agaynst maister Whitgiftes second answer* (1575; STC 4714; H's "lib. 2."): "The

- Church off God so often in scripture not compared onely, but figured in the Citie Jerusalem: serveth for instruction in this Cause, for as in yt, the wal first broken downe was last made up . . . after the temple builded, so is yt commenly in the spirituall wal off the churche, whiche is the discipline the lorde appointed" (sig. π2^r, citing Ezra and Nehemiah). In 1590, John Penry (1559–1593) declared that although English prelates might be free to wound the church in this "very houre and power of darknes," when God "hath accomplished his work, in mount Sion and Jerusalem, then let them and whosoever favour any of the ofspring of Romish Babell their mother, take heed unto themselves"; *A briefe discovery of the untruthes . . . in a sermon . . . by D. Bancroft* ([1590]; STC 19603), sig. A3^r. For discussions of authorship, see Donald J. McGinn, *John Penry and the Marprelate Controversy* (New Brunswick: Rutgers University Press, 1966), pp. 166–172; and Leland H. Carlson, *Martin Marprelate, Gentleman: Master Job Throockmorton Laid Open in his Colors* (San Marino: Huntington Library, 1981), pp. 52 and 368. As a figure for the persecuting Roman Empire (1 Pet. 5:13 and Rev. 16, 17), or as the pagan conqueror of Israel (Isa. 46, 47), Babylon represented a pagan—and Samaria a heretical—alternative to developed OT orthodoxy. See Bancroft in 1:10.13–23.n, above, and *Survey*, p. 399.
- 1:17.8–9 *admonitions . . . Majestie*, On the two anonymous 1572 *Admonitions*, see 1:12.5–11.n, above. Travers's *Supplication made to the Privy Counsel*, in which he describes his 1585–1586 role in opposition to H at the Temple Church, was still in manuscript in 1593 (5:189–210, 171–186, and 641–648, this edn.); for the anonymous *A petition directed to her most excellent majestie*, see 1:15.2–5.r.n, above.
- 1:17.14–15.t *Dearely . . . Spirite*. All contemporary translations render μη . . . πιστεύτε (from 1 John 4:1) as "believe not." The Vulgate's "credere" may have suggested "Give not credit." The GB identifies the spirits as "they which boast that thei have the Spirit to preache or prophecie."
- 1:18.1–2 *doctrine; . . . discipline*, See III.3.1–4 and nn to 1:209.21–212.15, below.
- 1:18.15–17 *whereby . . . like*. In *The Church History of Britain*, Thomas Fuller (1608–1661) transcribed a set of articles brought against Cartwright before the Ecclesiastical Commission in 1590 found in Travers's study after his death; the twenty-second charge was that "from time to time since his abode in Warwick, . . . he hath nourished a faction and heart-burning of one inhabitant there against another, severing them in his own and his followers' speeches, by the names of *the godly*, or *brethren favouring sincerity*, and *the profane*"; ed. Nichols (1842), 3:105, 109 (1st edn. 1655). Bancroft collected a long series of references to "the brethren" in Puritan correspondence (*Daungerous Positions*, p. 120).
- 1:18.22 *secret conference* Bancroft assembled a vast body of evidence concerning the private meetings of the Puritans in two works that appeared in the same year as the *Lawes*, I–IV: *Daungerous Positions*, pp. [65]–128, and *Survey*, pp. 66–67 and 364–371.

- 1:18.28–31 *Finallie, . . . unwitnessed.* The endowment of lectureships or subscription to their ongoing support provided Puritan clergy with pulpits when it was difficult for them to obtain church benefices by appointment from the patrons; see Paul S. Seaver, *The Puritan Lectureships* (Stanford: Stanford University Press, 1970).
- 1:19.1–7.v *And . . . discipline:* Although John Chrysostom (347?–407) believed Paul in 2 Tim. 3:6 meant sin arising from “foul and obscene desires,” Calvin judged him to refer to “fatuous and trifling desires” of women who do not “seek God from the heart [ex animo], but still want to be considered religious and holy” (CR, 80:377). H’s interpretation suggests that of Chrysostom.
- 1:19.24–27.w *all . . . you.* In his revision of the GB NT, first published in 1576 (STC 2117), Laurence Tomson (1539–1608) glosses 1 John 4:5–6: “the world receiveth these teachers more willingly than the true . . . because they breathe out nothing but that which is worldly: which is another note also to know the doctrine of Antichrist by. He testifieth . . . that his doctrine . . . is the assured word of God: which of necessitie we have boldly to set against all the mouths of the whole world, and thereby discern the truth from falshood.”
- 1:20.1–2.y *Christis . . . mad.* BB’s note to Acts 26:24 supports H’s citation: “worldlings are loth to be cumbered with godly matters, and count al suche foolishhe that trouble themselves therewith.” 16C bibles did not cross-reference Acts 26:25 to Wisd. of Sol. 5:4.
- 1:20.2–3.z *The best . . . minds.* On Mercurius Trismegistus and the Hermetic literature, see 1:60.6–7.c.n, below. H quotes from the ninth treatise, “Concerning thought and perception by the senses” (Περὶ νοήσεως καὶ αἰσθήσεως), addressed in the opening sentence to (in Latin) “Aesculapius.” As the author digresses to consider how thoughts are born in the human mind, he attributes those that lead to good or evil actions to seeds planted respectively by God or by demons. Those who know God have divine thoughts, unlike “the many.” “Consequently,” to be somewhat more literal than H, “neither are those who have such knowledge pleasing to the many, nor the many to them; they are thought mad and bring laughter upon themselves” (9.4). The author adds that such are hated, despised, and may even be killed, a theme H immediately (20:3–17) applies to the Puritans. See *Mercurii Trismegisti Pimandrus utraque lingua restitutus*, ed. F. Flussas (1574), sig. F3^r, 4^r; Greek is same as H except for punctuation; for Latin, see sig. F3^v; *Corpus Hermeticum*, ed. Nock and Festugière (1945), 1:96, 98; *Hermetica*, ed. Scott (1924), pp. 178–79, 181.
- 1:20.z.2–3 *Vide . . . ca.16* In the course of the fifth book, “on Justice,” of *The Divine Institutes*, Lactantius (Lucius Caelius Lactantius Firmianus; 240?–320?), a Christian tutor of one of the sons of Constantine the Great, quotes a section from Cicero’s *De republica* pointing out circumstances in which men, attempting to be just, appear foolish because they act against their own best financial interests (see 1:207.19–20.r.n, below; from a section, after 3.18, unknown except for Lactantius’s

account). Lactantius then comments: "From which he wished it to be known both that he who is just and good is a simpleton and that he who is wise is a knave"; "Unde intellegi volebat, et eum, qui sit justus, ac bonus, stultum esse, et eum, qui sapiens, malum" (5.16); *Divinarum institutionum libri vii* (1570), p. 294; CSEL, 19:450; PL, 6:603; compare ANF, 7:152. Lactantius demonstrates in chap. 16 (17 in PL and ANF) that, although Cicero could not satisfactorily vindicate justice, Christianity's promise of eternal life provided justice with solid foundations.

1:20.3–25 *When . . . punishment.* Although Puritans had been deprived of ecclesiastical posts and imprisoned, the government was preparing to implement even more severe penalties; see Intro., pp. 23–32, above.

1:20.9–25.a *then . . . punishment.* About 417 Augustine wrote to Boniface, an imperial tribune in Africa, concerning the Donatists, a schismatic group that divided the Christian community in North Africa (see V.62.7–10 and Auto. Notes, 3:490.8–30), pointing out that Donatists, sharing the same Christological doctrine, separated because they believed Caecilian to have been consecrated bishop by an unworthy apostate and thereby to have contaminated all who remained in communion with him. Supporting imperial laws against the Donatists, Augustine argued that all be called back from the pernicious schism, "those who can, by the sermons of catholic preachers; others who can by the laws of catholic rulers" (Epist. 50 [185.9]). Donatists, Augustine insisted, divide the church and pride themselves for being persecuted. Then he wrote, as H translates: "Non ergo qui propter iniquitatem, et propter Christianae unitatis impiam divisionem, sed qui propter iustitiam persecutionem patiuntur [Matt. 5:10], hi martyres veri sunt. Nam et Agar passa est persecutionem à Sara et illa erat sancta quae faciebat illa iniqua quae patiebatur [Gen. 16 and 21]. Nunquid et huic persecutioni, quam passa est Agar, comparandus est sanctus David, quem persecutus est iniquus Saul [1 Sam. 18–26]? Valde utique distat, non quia patiebatur, sed quia propter iustitiam patiebatur. [". . .the burthen" (line 15). Is this persecution which Agar suffered to be compared with holy David whom the iniquitous Saul persecuted? Certainly there is a great difference, not because he suffered, but because he suffered for righteousness. "In like sort" . . .] Et ipse Dominus cum latronibus crucifixus est. Sed quos passio iugebat, causa separabat [". . . disjoined" (line 17)]." After expanding on the theme and pointing out (§ 10) that on their own principles the Donatists ought to recognize Caecilian as a member of the true church since their own founders had persecuted him, he returns to the example of Sara and [H]agar ["If that must . . ." (line 17)]: "Si ecclesia vera, ipsa est quae persecutionem patitur, non quae facit: quaerant ab Apostolo [Paul, Gal. 4:22–30], quam ecclesiam significabat Sara, quando persecutionem faciebat ancillae. Liberam quippe matrem nostram, caelestem Hierusalem, id est, veram Dei ecclesiam, in illa muliere dicit fuisse figuratam, quae affligebat ancillam. Si autem melius discutiamus, magis illa persequeretur Saram superbiendo, quam illam Sara coercendo" (§§ 9, 11); *Opera* (1569), 2:211–212; CSEL, 57:8–10; PL, 33:796–797; compare NPNF.1, 4:636–637.

1:21.23-28 *A verie strange . . . it.* In his 1589 Paul's Cross sermon (STC 1346), considered a landmark in more aggressive polemics against the Puritans, Bancroft declared: "It is most manifest that there hath been a diverse government from [that of the Puritans' program] used in the church ever since the apostles times A verie strange matter if it were true, that Christ should erect a forme of government for the ruling of his Church to continue from his departure out of the world untill his comming againe: and that the same should never be once thought of or put in practise for the space of 1500 years" (pp. 10-11). The preface to the Ordinal attached to the Prayer Book began: "It is evident unto all men, diligently readyng holye Scripture, and auncient auctours, that from the Apostles tyme, there hath bene these orders of Ministers in Christes Church: Bishoppes, Priestes, and Deacons" (STC 16286.3, sig. 2A2^r); see also Bancroft's *Survey*, pp. 86-87.

1:22.8-23.b *Ye plainlie . . . times.* The *Admonition* attacked the hierarchy of the English church: "titles, livings, and offices by Antichrist devised are geven to them, as Metropolitan, Archbishoppe, Lordes grace, Lorde Bishop, Suffragan, Deane, Archdeacon All which . . . playnely in Gods word forbidden" (sig. A3^{r-v}; *P.M.*, p. 11). In his *An Answer to a certen libel intituled, An Admonition*, Whitgift provided examples of such offices from early centuries and declared that "hytherto Antichriste had not invaded the Church of Rome" (1572; STC 25427), p. 98 (PS, 2:181). To this, Cartwright responded in the *Replye*: "althoughe there was no one singulare head appeared or lifted up, yet corruption of doctrine and of the sacraments, hurtful ceremonies, dominion and pompe of the cleargye, newe orders and functions of the ministerie . . . were in the church. . . . And although the Louver [see 1:23.22-24.n] of thys antichristian building were not set up, yet the foundations therof being secretly and under the ground laid in the apostles times, . . . the building was wonderfully advanced and growne very highe. And being a very dangerous thing to ground any order or policy of the church upon men at all, whych in deede ought to have their standing upon the doctrine and orders of the apostles . . . Eusibius oute of Egesippus wryteth (Eus. 3. lib. 32) that as long as the apostoles lived the church remained a pure virgin, for that if there were any that went about to corrupt the holy rule that was preached, they did it in the darke, and as it were digging underneath the earth. But after the death of the apostles and the generation was past whych God vouchsafed to heare the "*devine wisdom* [as 22.15-22 with minor differences] . . . *dominion*." Whereupon we see how that it is safe for us to go to the scriptures and to the apostles times for to fetch our government and order. And that is very dangerous to drawe from those rivers the fountaines wherof are troubled and corrupted" (pp. 96-97 [1st edn.: 73-74]; PS, 2:181-184). *Note*: H cites the *Replye* from the 2nd edn., STC 4712; Whitgift, from the 1st edn., STC 4711, which is followed by the Parker Society edn. of Whitgift's *Defense*, the only modern reprint of Cartwright's *Replye*. To facilitate reference, this commentary hereafter includes page references from the 1st edn. in square brackets.

1:22.12–16.c *Out if Egesippus . . . Church.* Cited by Cartwright (see preceding n), the *Ecclesiastical History* of Eusebius (260?–340?) is important, in part, because it incorporated materials, subsequently lost, of earlier writers such as Hegesippus, a 2C Christian convert from Judaism. While relating events described by Hegesippus in the life of the church in the reign of Trajan (98–117), Eusebius remarks: “The same historiographer annecteth [divulges] this: ‘unto those tymes the Church of God remained a pure uncorrupted virgin, for such as endeavored to corrupt the sound rule and the right preaching of the word (if then there were any such) hidd them selves unto that time in some thicke miste, or doungeon of darkenes, but after that the sacred company of the Apostles, was worne, and come to an end, and that, that generation was wholly spent, which by special favour had heard with their eares, the heavenly wisdom of the sonne of God[, then] the detestable error of conspiracy, through deceate of such as delivered straung doctrine took rooting;’” 3.29 [32]; *The Auncient Ecclesiastical Histories*, trans. M. Hanmer (1577; STC 10572), pp. 53–54; for Greek, see *Ἐκκλησιαστικῆς ἱστορίας . . . βιβλία* (1544), fol. 30^v; GCS, 9:270; PG, 20:284; NPNF.2, 1:164. Eusebius also refers to Hegesippus’s description of the early church in 4.21: “they called that church a pure virgin for as yet the devell had not sowne there any corrupt seed of false doctrine”; trans. Hanmer, p. 70; Greek (1544), 4.22, fol. 41^v; GCS, 9:370; compare NPNF.2, 1:199.

1:22.16–19.d *Clement . . . fathers* Cited by Cartwright; Clement, the first great Christian theologian of Alexandria (150?–215?), begins his *Stromateis* or *Miscellaneous Studies* with an autobiographical account, mentioning his teachers: “They, preserving the true tradition of the blessed teaching directly from Peter and James, John and Paul, the holy apostles, the sons receiving it from the father (but few are like their fathers), then came with God even to us, to deposit those fatherly and apostolic seeds”; *Stromata*, 1.1.11.3; *Opera* (Greek; 1592), p. 118; *Opera* (Latin; 1572), p. 89; GCS, 52:9; PG, 8:700, 702; compare ANF, 2.301. Homer in the *Odyssey* had written, “Few sons indeed are like their fathers; most are worse, few better” (2.276–277; Loeb, pp. 56–57). Unlike Cartwright, who suggests that these “sons” corrupted their “fathers’” teachings, Clement attested to the way the “sons,” his teachers, had preserved the “true tradition” [τὴν ἀληθῆ . . . παράδοσιν], and he introduced the “proverb,” perhaps alluding to Homer’s couplet, with the conjunctive particle δὲ [although], which carries adversative force: the apostles’ sons were different.

1:22.19–22.e *Socrates . . . dominion.* Likewise cited by Cartwright, the historian Socrates Scholasticus (380?–450), a native of Constantinople, continued Eusebius’s church history, covering the years from 305–439. Catholic in his loyalties, Socrates nevertheless respected the Novatian schismatics, who were scattered throughout the empire from the mid-3C. Knowing them to be gently treated in his home city, he was outraged by Celestine, bishop of Rome (422–432), who prevented them from gathering for public worship: “They were then hated out of measure

when as the bishop of Rome (no otherwise than the bishop of Alexandria) passing the boundes of his priestly order presumed to chalenge unto himselfe secular power and authority" (7.11); *Histories*, trans. H. Hanmer, p. 381; Greek (1544), fol. 267^v; *Socratis . . . Historia*, ed. Hussey (1853), 2.750; PG, 67:757; compare NPNF.2, 2:158. In 7.7, Socrates had described similar behavior by Cyril, bishop of Alexandria.

- 1:22.29-30 *that Church . . . a Church* The Church of Rome in H's day.
- 1:22.30 *mendicant Friars*, H is being ironic, for the friars, whose pretensions to poverty were frequently ridiculed, had a reputation in Protestant communities throughout Europe for lack of discipline, loose living, and guileful preaching.
- 1:23.1 *staffe nor scrip*, See Matt. 10:10 or Luke 9:3. GB glosses Matt. 10:9: "Because he sendeth them not for a long time, but onley for one journey, he defendeth [forbideth] the things that might let [hinder] them: nether is this a perpetual commandement."
- 1:23.5-6 *bodie mysticall* See III.1.3, nn to 1:195.28-32 and 195.32-196.3.e, and Intro. to Books II, III & IV, pp. 170-173, above.
- 1:23.8-9 *at . . . Apostles* In Acts 2:44 the Jerusalem church is said to have had "all things commune" (GB).
- 1:23.11-12 (*if . . . Cleargie*) The word "clergy" ("clericatus") was distasteful to many 16C Protestants because it suggested a hierarchical distinction of status between ministers and laity rather than describing a function. Thus Cartwright qualifies Eusebius's mention of "the Clergy": "(as they cal them)"; *The Rest of the Second Replie: agaynst maister Whitgiftes second answer* (1577; STC 4715; H's "lib. 3."), p. 219. H consistently regards the clergy as an estate in a Christian society; see III.11.20, V.77.2, VII.15.8 (1:267.27-31, 2:425.24-30, and 3:235.31-236.7), and Intro. to Books II, III & IV, p. 179, above.
- 1:23.22-24 *For . . . times*: From Cartwright's *Replye*, quoted in 1:22.8-23.b.n, above. The "loover" (louver), here represeting the papacy, was a domed turret-like erection on the roof of a medieval building with lateral openings for the passage of smoke or light (OED); accordingly it was one of the last elements to be added in construction. Elsewhere Cartwright uses the image to describe what he judges to be Whitgift's circular reasoning: "yt is to set the fondation upon the lover" (*The Second Replie*, 2:621).
- 1:23.25-26 *and the Apostles . . . doubtfull*, In *A Briefe Discovery* (see 1:16.25-17.8.n, above), the author (Penry?) locates even more explicitly than Cartwright the beginnings of "popery" in the apostolic age: "We know Diotrefhes [who loved preeminence, 3 John 9] to have bin in the church, even in the Apostolic times . . . And therefore we cannot greatly marvel, though even in their time, there had bin a divers government, from this of the lords appointment, which we

labour for. For even in the Apostles time, the mistery of iniquitie beganne to worke" (pp. 20–21).

1:24.1–2.g *the auncienter, . . . are*; Caecilius, the pagan antagonist in Minucius Felix's apologetic dialogue, *Octavius*, begins the section ending with the words in g with his denial of all-powerful diety, quoted in 1:338.2–6.n, below. Then, mentioning a number of local gods, he attributes the success of the Roman empire to its willingness to propitiate these deities as well as its own. He concludes: "And as they adopt the sacred rites of all peoples, they have gained kingdoms over and over again. Hence the [or, this] universal uninterrupted course of reverence continues, which is not impaired, but rather strengthened by a long space of time. Indeed antiquity was accustomed to attribute to ceremonies and temples sanctity proportioned to its length of life"; "Sic dum universarum gentium sacra suscipiunt, etiam regna meruerunt. Sic [critical text: hinc] perpetuus venerationis tenor mansit, qui [quae] longa aetate non infringitur, sed augetur: quippe antiquitas . . . [as in g]" (6.1); *D. Arnobii . . . commentarii . . . in omnes Psalmos, . . . eiusdem disputationum adversus Gentes libri viii* (1560), p. 746 (note H's ref.); see 1:338.2–6.n, below; *Octavius*, ed. Beaujeu (1964), p. 9; CSEL, 2:10; PL, 3:261–262; compare Loeb, pp. 328–329.

1:24.6.h *oscula sancta*. The "holy kiss" served as a greeting among early Christians and as the liturgical "kiss of peace," offered with the ritual words H notes in h.3. Of the five NT references, H omits 1 Cor. 16:20. Tertullian in the treatise *On Prayer* criticizes the practice of some Christians who, when fasting, do not observe "the kiss of peace, which is the seal of prayer, after prayer with the brethren"; "jejunantes habita oratione cum fratribus subtrahunt osculum pacis, quod est signaculum orationis"; *De oratione*, 18.1; *Opera* (1566), 2:546–547; CCSL, 1:267; compare ANF, 3:686.

1:24.6–7.i *feastes of charitie*, The *agape* was a common meal held in the early church in connection with the Eucharist (1 Cor. 11:17–34). Gradually separated from the eucharistic celebration, it retained the character of a formal religious meal with increasing focus on providing food for the poor; by the 7C, it had virtually disappeared. GB glosses Jude 12: "These were general feastes which the faithful kept, partly to protest their brotherlie love, and partely to relieve the nedie, Tertull. in Apologet. chap. 39."

1:24.i **Concerning . . . hom.27**. In a sermon on 1 Cor. 11:17, Chrysostom described how such "feastes" had been practised in Paul's time: "on stated days, they made the table common, and when the liturgical service was completed, after the communion of the mysteries, they would begin a feast, with the rich, indeed, supplying foods, and with the poor and those who had nothing being, contrariwise, invited and all sat down together to eat." The Greek text, except in MSS, would not have been available to H; a slightly different Latin translation appears in the 1536 Paris edn. of Chrysostom's works: "Communes autem faciebant mensas

institutis diebus, ut decebat, et collectione perfecta post mysteriorum communicationem, ad commune epulum conveniebant, et cibi ferebantur per sumptuosos, pauperes et qui nihil habebant, ab illis vocabantur, et communiter omnes discumbant"; Homily 27, in *Opera* (1536), 4:109^r; PG, 61:223–224; *Interpretatio omnium epistolarum Paulinarum per homilias facta*, ed. Field (1847), 2:326; compare NPNF.1, 2:157.

Of the same . . . c.39. Tertullian in his *Apology* describes the fellowship meal, denying pagan insinuations of factionalism and immoral behavior at the *agape*: "Our dinner exhibits its nature in its name. For it is called ἀγάπη, which is, among the Greeks, love. However great the expense may be, it is reckoned a gain in the name of piety." The critical texts differ from the 16C texts in the second sentence: "id vocatur quod dilectio penes Graecos [it is called that which (means) love among the Greeks]"; *Apologeticum*, 39.16; *Opera* (1566), 2:696; CSEL, 1:152; PL, 1:538; compare ANF, 3:47, and Loeb, 180–181.

1:24.19–22 **For of this . . . Churches.** See 1:16.25–17.8.n, above. In his *Treatise*, Sutcliffe had written: "This devise [of the disciplinarians] hath no grounde of Gods worde, nor approbation of antiquitie. the very groundworke of their building is faultie: the Doctor as they understand him, is by them newly framed, his auctoritie is usurped. . . . Elders are officers of a newe creation, and have nothing to shewe for all their office" (sig. B2^r). See also *De presbyterio* (also 1591; STC 23458), esp. chap. 13 (pp. 90–97).

1:25.5–10 **Wherein, . . . dregs.** *A Petition directed to her most excellent majestie* (see 1:15.2–5.r.n, above) declares: "That the same government by Elders should continue under the christian Magistrates, is agreed by John Alasco, Utenhovius, Micronius, Zwinglius, Oecolampadius, Zuichius, Capito, Myconius, Farell, Viret, Melancthon, Bucer, Calvin, Martyr, Junius, Beza, Zanchius, Daneus, Ursinus, Bullinger, Stephen, Calvetus, Colladonius, Tremulius, Pinaldus, Tavergius, Perottus, Chausseus, Bertrandus, Carpenterius, De Plurre, Perilius, Henricus, Serranus, Calvus, Portus, Golartius, Jacomotus, Dupleus, Szegedinus, Heshusius, De Loques, Bastingius, Pollanus, Snecanus, Fulke, Rainolds, and others most rare politikes of this time, especially Euseb. Cosmopolitan and Bodin." Marginal references are given for most of these authorities (p. 12).

1:25.13–16 **Much . . . swarved.** See Bancroft, *Survey*, chaps. 5–19, 24, and 34, on disagreements among the disciplinarians over the offices they claimed to base on the NT.

1:25.25–27 **Deceived . . . agreed.** For Whitgift's use against the Puritans of theologians claimed by them (Beza, Bucer, Bullinger, Calvin, Gualter, Peter Martyr, Musculus, Oecolampadius, and Zwingli), see index to PS edn. of *Works* (3:625–655).

1:25.29–26.2 **For first . . . them.** The French, Dutch, and Scottish churches are possible examples. The French Reformed adopted, along with their 1559 Confes-

sion of Faith, a discipline which adapted the Genevan structures to the needs of a national church, attempting to implement it throughout their long struggle to the grant of toleration under the 1598 Edict of Nantes. The Dutch, during their struggle under William of Orange against Spanish rule, gradually adopted the Genevan discipline, establishing a scheme of government for a national church in a synod at Emden in 1571. In both instances, support of lesser magistrates provided the reformers a semblance of political legality, but they clearly had proceeded in defiance of higher “*publique autoritie*” (line 31). Parliamentary adoption of the 1560 Scottish Confession of Faith marked the formal beginning of that church’s reformation, and although a full presbyterian pattern was not authorized until 1592, many aspects of the Genevan polity were put in practice—despite the protests of Mary Stuart, Scotland’s rightful sovereign, who may also be in H’s mind. His principal point is that the Genevan program, elucidated and theologically justified by Calvin’s *Institutes*, provided a defensible scheme for church reformers who did not win the full support of the civil government.

1:26.7–19.j *Besides, . . . testimonie.* In “Concerning the diagnosis and cure of the errors of every soul” (chap. 6), Galen (see 1:13.18–23.k.n, above) discusses the inaccurate knowledge resulting from rash human judgments. Not only do men err in such matters as appear to the senses (τοις πρὸς αἴσθησιν), but also in that “*higher knowledge*” (line 9) that appears to the intellect (τοις πρὸς λόγον). Galen continues: “I urge you to keep it in mind in these circumstances that you may assent to nothing falsely, in the manner that I see many of my friends do every day; some of these indeed there are who give credence to one person who speaks, but if two, three, or four say the identical thing, then no one holds out; nevertheless those who entirely assent to just one do so recklessly with three or four without determining whether all may be accepting these things as true for one common reason or whether all may be lying for one common reason.” Galen proceeds to tell of a group of friends who told him of a visitor’s arrival on the basis of one man’s “*testimonie*” (line 16). He blames them for not having expressly stated that their information was second-hand, and concludes, “Since, therefore, they do not cease to assent in this reckless manner concerning things done which are soon after proved false, what may one think when they deal with unseen things that are more difficult?”; Ἀναμνησθῆναι σε κἀνταῦθα παρακαλῶ, μηδενὶ Ψευδῶς συγκαταθέμενον ἑαυτὸν, ὡσπερ ἐκάστης ἡμέρας ὀρῶ παμπόλλους τῶν φίλων. [critical text:] ἐνίου μὲν ἐνὶ τῶν εἰδόντων ὅτιοῦν πιστεύσαντας. [] εἰ δὲ δύο [] καὶ τρεῖς [] καὶ τέσσαρες εἴποιεν ταῦτόν [] οὐκ ἀντέχοντας, ἀλλὰ πάντως συγκατατιθεμένους ἐνὶ, προπετῶς δὲ καὶ ὁ τρισὶν, ἢ τέσσαρσιν [] ἄνευ τοῦ διορίσασθαι [] πότερον ἐνδέχεται πάντας αὐτοῦς, [no comma] ἐκ μιᾶς αἰτίας κοινῆς ἀληθεύειν, ἢ Ψεῦδεσθαι πάντας ἐκ μιᾶς αἰτίας κοινῆς . . . ὁπότ’ οὖν ἐπὶ τοσοῦτων πραγμάτων οὐ μακρὸν ὕστερον αὐτοῦς ἔλεγχει [ἐλεγχθέντων] Ψευδομένους, [no comma] οὐ παύονται προπετῶς συγκατατιθέμενοι. [] τί χρῆ νομίζειν ἐπὶ τῶν ἀδήλων αὐστοίς, προσάπτεσθαι, οὕτω δυσκολωτέρων, [αὐτοῖς ὄντων

δυσκολώτερον προσάπτεσθαι); *Περὶ διαγνώσεως καὶ θεραπείας τῶν ἐν τῇ ἐκάστου ψυχῇ ἁμαρτημάτων*, chap 6. For the Greek, see *Opera* (1525), 1 [second group of numbered folios; hence H's "Clas. (=division) 2"]): 180.24–28, 38–39; *Opera* (1823), ed. Kühn, 5:96–97. For the Latin, see *De cuiusque animi peccatorum dignotione [or notitia] atque medela*, chap. 6, *Opera* (1550), 2:59^v (the translation by J. P. C. Patavino appears in all but one of the 16C Latin edns.).

1:26.20–23 *Nor is it . . . large*. See above, chap. 2.8.

1:26.25–28.k *your demaund . . . discipline*. A Petition directed to her most excellent Majestie (see 1:15.2–5.r.n, above) argued for the Genevan eldership on the grounds of patristic evidence, Reformers' use of scripture, opinions of contemporary theologians, and commendation and use by many foreign churches (pp. 11–13). It then declares: "It may be that they who have attained to as sounde knowledge in all pointes of doctrine as any since the Apostles time, shuld mistake in Discipline. It may be that they whom the spirite of wisedome hath guided in expounding the Scriptures should be alwayes forsaken of that spirite, when they came to expounde or speake of a text concerning discipline. It may bee that all these lights of the world . . . did and doe grope in darknesse, and that [defenders of the establishment] have found out the trueth, but untill they have approved them selves as profitable to the Church as the former writers have done, men (not partiall) will still make scruples in these matters" (pp. 13–14).

1:27.5–6 *Thou . . . just* The juxtaposition of a holy and a just God appears in Acts 3:14 and Rev. 15:3–4, but the syntax recalls the BCP version of the *Gloria in Excelsis*: "Thou onely art holy: Thou only art the Lorde"; *The boke of common praier, and administration of the sacraments, and other rites and ceremonies in the Churche of Englande* (1559; STC 16291), fol. [101^r]; *B.C.P., 1559*, ed. Booty, p. 265.

1:27.11–13 *Notwithstanding, . . . disputation*. Reformers found theological disputations, established formalities in medieval university life, to be useful for popularizing their cause, employing them to provide the grounds on which civil authorities introduced changes in religious affairs. Zwingli used them in Zürich in 1523 when the town council rejected Roman authority in deciding for his scriptural interpretations, and subsequent disputations were used for further reforms and against the emerging Anabaptists. Disputations similarly paved the way for reforms in Berne, Basel, and other Swiss cities, as well as in Geneva. In England under Edward VI, traditional academic exercises at Oxford and Cambridge prepared a climate of opinion favorable to reform. In the opening year of Elizabeth's reign, the queen ordered a formal debate in Westminster Abbey between reformers and supporters of Mary's restoration of Roman practice and doctrine. Held while parliament was still considering the legislative cornerstones of the religious settlement, the debate floundered on procedural matters and never proceeded beyond the first of three projected topics. Increasingly opposed in the convocations, the more militant reformers looked to some form of disputation to further their cause. In the

preface to the *Admonition*, they contrast the “proude, pontificall and tyrannous” “rigoure” of the prelates with the “expresse and manifest” Word of God, “as if it pleased the state to examine the matters, it would be evident. And would to God, that free conference in these matters mighte bee had” (sigs. π1^v-A1^r; *P.M.*, pp. 5-6). The *Second Admonition* explicitly calls for such a disputation: “if there were order taken for conferences, such as the scriptures commendeth to the church for the triall of truthe, when it is hard and darke, then were the dealing not harde, but uprighte.” The author appeals to the queen in parliament that the reformers might be “uprightly heard” as presented by “divers of no small learning and judgement, and integretie of life” (sigs. B1^v and H2^r; *P.M.*, pp. 94 and 129). In 1588, Udall challenged the bishops: “Venture your byshopprickes upon a disputation, and wee will venture our lives, take the challenge if you dare. . . . If you refuse still our offer, then must you needes be guiltie eyther of this, that you know your cause will not abide the tryal, or of this, that you wil take no pains to confute us that keep such a sturre in the Church”; *Demonstration*, sig. B1^v-2^r; see 1:247.8-20.n, below. *A Petition directed to her most excellent Majestie* called for either a “Nationall or Provinciaall Councell . . . so that the [bishops] and their followers did not overrule the rest” or that way “much commended by learned men, as a notable meane to compoude [resolve] controversies, namely private conferences by advised writing, not extemporall speaking, the question agreed of. . . . The whole to be published, that your Majestie, the honourable Councillours and Parliament may judge thereof, that those things which on eyther parte are found fautie, may bee redressed” (pp. 3-4; see 1:15.2-5.r.n, above).

- 1:27.15-24 *the schooles . . . you*. In his *Description of England*, prepared as an introduction to Holinshed’s *Chronicles* (2nd edn., 1587), William Harrison (1534-1593) noted that in both English universities during July “the schools are holden, and . . . such as have been called to any degree in the year precedent do there receive the accomplishment of the same in solemn and sumptuous manner. In Oxford this solemnity is called an Act, but in Cambridge they use the French word, Commencement”; ed. Edelen (1968), p. 69. “Schooles” could denote assemblies of university schools, “a public disputation” (OED).
- 1:27.19-20 *the learnedest . . . assemblies*; Collinson notes the regular conferences of Puritan ministers convened at the time of the Cambridge commencements (*E.P.M.*, pp. 219, 305, and 320).
- 1:27.26-27 *till . . . cause*; In the *Demonstration* Udall assures the bishops that if truth be proven on their side, they will “be no more troubled by us” (sig. B2^r).
- 1:27.33-28.2 *A lawe . . . also*. See I.10.8 and W. D. J. Cargill Thompson, “The Philosopher of the ‘Politick Society,’” *Studies in Richard Hooker* (1972; hereafter, *S.R.H.*), pp. 33-34; rpr. *Studies in the Reformation* (1980), pp. 159-160.
- 1:28.4-6 *Lawes . . . themselves*. See I.15.3 (1:132.6-13).
- 1:28.17-21 *that . . . therof*: See 1:2.17-24; H thus insists that the Puritans assume

the posture of "*plaintifs or opponents*" and grants the last word to defenders of the establishment. The 1559 Westminster disputation broke down over the refusal of the participating supporters of Roman obedience to maintain the status of plaintiff, as the ingenious wording of the articles of debate required them to do. See 1:27.11-13.n, above.

1:28.21-28 *secondly, . . . unto*: For H's application of these principles, see chap. 7.3-6.

1:28.26 *come be collected* The sense is: "the issue whereunto both parts are come—till *that* issue be collected, read, etc."

1:29.13 *language*, That is, Latin or English. RC participants in the 1559 Westminster disputation expressed dismay that the debate, originally to be argued in Latin, was ordered to be carried on in the vernacular.

1:29.23-30.2 *What . . . selves*. In his 1587 *Defence of the government established in the church of Englande*, John Bridges (d. 1618) despairs of Puritan accession to any such definitive sentence: "Who shall judge and determine of our disputation? they have before hand debarred the prince, and all that are not teachers and preachers, and both the parties in controversie are teachers and preachers, and they saie it were no reason, that we being the parties in controversie on the one side (though we be teachers and preachers) should be determiners and judges: . . . and maie not we saie the same to them? . . . Except we would yield to them, or they would yield to us, or both to some other, as to hir majesty and the Parliament. But . . . they have alredie before hand . . . avowed [their form] to be true, . . . and so before hand peremptorily prescribed, both to us and to the Parliament, and to the Queens majestie also, that we must all yield of necessitie unto them" (STC 3734; p. 1,385).

1:30.4.m *The . . . knowne*. The verse is among a series of OT quotations (this from Isa. 59:8) Paul employs to demonstrate the sinful state of all mankind apart from Christ and unreconciled to God.

1:30.11-25.n *If . . . Israel*. GB glosses Deut. 17:11, "Thou shalt obey their sentence that the controversie may have an end," qualifying it in a note on 17:12: "So long as he is the true minister of God, and pronounceth according to his worde." BB has similar notes. In the choice of the text from Deut. 17-19 H employed chapters familiar to the disciplinarians who found in it firm justification for the necessity of the Genevan discipline; see Cartwright, *Replye*, 1:205, 209 [164, 168]; PS, 3:400, 425-26.

1:31.6 *Councels may erre*; See II.7.5 (1:180.20-29), IV.13.9 (335.7-10), and 180.23.n, below.

1:31.18-22 *Howbeit, . . . ende*. H differs from the implications of the nn. to Deut. 17:12 in both GB and BB; see 1:30:11-25.n.n, above.

1:32.18–20 **That . . . dye.** Compare 1:30:22–24.

1:32.21–22 **Court of high Commission,** The 1559 Supremacy Act declared that the sovereign might “assign, name, and authorize” persons to exercise those powers of her ecclesiastical governorship that she delegated to them. Along with occasional local commissions and a permanent body for the province of York, Elizabeth established a permanent commission based at London to which she gave wide powers to regulate church life and to enforce statutory and canonical legislation. Although she reconstituted the membership of the commission from time to time, she always included the archbishop of Canterbury, the bishop of London, together with other bishops and higher clergy, and both clerical and lay persons with legal qualifications and experience. As the commission investigated church affairs, adjudicated disputes, and punished offenders, it followed legal procedures, and as these judicial proceedings increasingly dominated its work, it became commonly known as H entitles it. As a means to enforce conformity, the commission drew bitter Puritan protests. A 1586 Supplication to Parliament included a series of grievances: “The High Commissioners, under pretence of her Majesties prerogative in such cases, proceede in matters Ecclesiasticall by their owne discretion to laie anie grievous punishments upon anie godlie professor of the truth, and speciallie upon the preachers of the same, putting them to silence, and forbidding them to preach, Citing them to their courts, . . . thei suspend them, sequester their livinges, and in the end deprive them or cast them into prison”; *The Seconde Parte of a Register*, ed. Peel (1915), 2:87.

1:32.22–23 **the . . . great.** Compare George Cranmer on H’s discussion of Jewish courts in the lost sections of Book VI, 3:118–121 and 122–123.

1:32.23 **other waie** That is, a council; see 1:30.9–10.

1:32.24–29.^p **Maister . . . decided.** See nn to 1:11.20 and 21–33, above. When Beza published his response to Erastus’s book in 1590, he added a preface “To the Christian reader,” in the course of which he notes that “in controversial exchanges and frequent written Apologies, dissensions grow, nourished by the poison on which they feed themselves [. . . altercationibus mutuis, et scriptitandis Apologiis crescant discordiae, quarum veneno ipsi pascuntur].” From those inclined to censure his proceedings in the matter, he asks: “First, that, although I am now engaged in this city and church, they not be astonished that I direct my mind to other more necessary things when so warlike a storm presses close; then, that although I have now been for a long time weary of those wranglings in which it is clear that controversies become brawls rather than being pacified, much less extinguished [. . . jampridem istarum concertationum pertesum, quibus in rixas evadere potius quam mitigari, nedum extingui controversias apparet], they be not unwilling to suffer me either to leave those tasks which must be done, when there is necessity, to other less occupied brethren, or else to wait silently until, either by the prayers of the distressed, the Lord so grants to his church at home and abroad

'that in some' . . . [as H translates in lines 27-29: *ut lites omnes istae communi aliquo legitimo Ecclesiarum conventu decidantur*], or, considering that I have already sojourned seventy-one years on earth, until that haven of blessed and lasting peace is opened to me to which I eagerly strive with body and soul through the compassion of my most merciful Savior"; *Tractatus pius et moderatus de vera excommunicatione, et christiano presbyterio* (STC 2048), sig. A7^v-8^r.

1:32.30-32.q **the waightier . . . undone.** Although the drift of the passage supports H, a strict reading does not, for in the phrase "not to have left the other undone" the text insists that the lesser matters are not to be neglected.

1:33.9 **equitie . . . man,** The series anticipates arguments made in Book I. "*Equitie*" means the appeal to general principles of justice, the "*naturalis aequitas*" (OED), imbedded in the natural and reasonable orders of creation, perceived in the law of "*nature*" established by God. The law of "*God*" is used in the more restricted sense of that known by revelation in scriptures; the law of "*man*" is that established by human societies.

1:33.33-34.3 **In which . . . authoritie.** The *Admonition* declared the BCP to be "patched (if not all together, yet the greatest peece) out of the Popes portius [breviary]" (sig. A3^v; *P.M.*, p. 12). To Whitgift's response in the *Answer* that, if it is good and profitable, "it maketh no matter of whome it was invented," Cartwright replied that the objectionable parts of the book "are not good, then if they were, yet being not necessary, and abused horribly by the papistes . . . ought not to remaine in the church" (1:155 [1st edn.: 123]; PS, 2:589). Whitgift, in turn, judged Cartwright's reasons insufficient, contending that "the judgement of the Churche in determining what is best and moste fittest in matters of order, pollicie and government (not beyng agaynst the worde of God) is to be preferred before any private mans opinion, and imagination" (*Defense*, p. 551; PS, 2:589). In *The Rest of the Second Replie*, Cartwright compared the argument to that of the papists. In matters of both doctrine and order, "the churchis judgment is to be preferred to a private mans," but with the qualification: "when hers is framed according to the word of god." He then insisted that the judgment against the orders of the English church "is not just the opinion . . ." (as in 1:34.2-3; p. 181, in some copies misnumbered 171; see 1:358).

1:34.6-9 **So . . . bodie.** See I.10.4 (1:98.23-99.15) and § 8 (102.18-31).

1:34.9-10 **God . . . Church,** See above, 1:31.32.

1:34.23-36.9 **Wherefore . . . appertaine.** H describes the contents of the eight books to follow, but the titles as printed differ: the description of I is much fuller, and the actual titles of II, III, and IV are closer to these, here set in roman type, than are those of V-VIII, published later. The structure of the *Lawes* outlined here is:

I. Generalities.

A. Introduction: nature, kinds, and qualities of law (Book I).

B. General grounds and foundations of the Puritan cause.

(1) Scripture to be rule of all our actions (Book II).

(2) Necessity of an unchangeable polity in scripture for church (Book III).

C. General accusation of Puritans: Roman practices retained while those of some reformed churches banished (Book IV).

II. Specialities.

A. Puritan objections to forms of public religious duties and to the manner of the disposal of the power of ministry (Book V).

B. Puritan understanding of jurisdiction.

(1) Necessity of lay governing elders (Book VI).

(2) Objections to the power and honor of bishops (Book VII).

C. Puritan objections to the communication of power of ecclesiastical dominion to the prince (Book VIII).

1:36.15–53.15 *How . . . number.* The following text is from a 1642 publication (Wing, C–6826); its foliation is indicated by signatures within brackets; the section numbers in brackets are added from Keble (2:598–610). On the dating of this letter and its relation to The Preface, see Intro., pp. 44–51, above.

*Concerning the New Church Discipline,
An Excellent Letter Written by Mr George Cranmer to Mr R. H.*

[A3^v] CONCERNING the new Church *Government*.

[1] What posterity is likely to judge of these matters concerning Church-discipline, wee may the better conjecture, if wee call to mind what our own age, within few yeares, upon better experience hath already judged concerning the same. It may be remembred that at first, the greatest part of the learned in the land were either eagerly affected, or favourably inclined that way. The Bookes then written for the most part savoured of the disciplinary stile: it sounded every where in pulpits, and in the common phrase of mens speech: the contrary part began to feare they had taken a wrong course, [A3^v] many which impugned the discipline, yet so impugned it, not as not being the better forme of government, but as not so convenient for our State in regard of dangerous innovations thereby likely to grow. One man [Whitgift] alone there was, to speake of, (whom let no suspection of flattery deprive of his deserved commendation;) Who, in the diffidence of the one part, and courage of the other, stood in the gap, and gave others respite to prepare themselves to their defence; which by the sudden eagernesse and violence of their adversaries had otherwise been prevented. Wherein God hath made good unto him his owne emprese, *Vincit qui patitur*, for what contumelious indignities he hath at their hands sustained, the world is witnesse; and what reward of honour above his adversaries God hath bestowed upon him, themselves (though nothing glad thereof) must needs confesse. Now of late

yeares the heate of men towards the Discipline is greatly decayed: their judgments begin to sway on the other side: [A4^v] the learned have weighed it and found it light: wise men conceive some feare, lest it prove not only not the best kind of government, but the very bane and destruction of all government. The cause of this change in mens opinions may be drawn from the generall nature of error, disguised and clothed with the name of truth; which is mightily and violently to possesse men at first; but afterwards, the weaknesse thereof being by time discovered, to loose that reputation, which before it had gained. As by the outside of an house the Passers by are oftentimes deceived, till they see the conveniency of the roomes within: so by the very name of Discipline and Reformation men were drawn at first to cast a fancy towards it, but now they have not contented themselves only to passe by and behold a farre off the forefront of this reformed house; they have entred in, even at the speciall request of the Master workmen and chiefe Builders thereof: they have perused the roomes, the lights, the conveniences they finde them not answerable [A4^v] to that report which was made of them nor to that opinion which upon report they had conceived. So as now the Discipline which at first triumphed over all, being unmasked, beginneth to droope and hang downe her head.

[2] This cause of change in opinion concerning the Discipline, is proper to the learned, or to such as by them have been instructed: another cause there is more open and more apparent to the view of all: namely, the course of practice which the Reformers have had with us from the begining. The first degree was only some small difference about Cap and Surplesse, but not such as either bred divison in the *Church*, or tended to the ruine of the government then established. This was peaceable; the next degree more stirring. Admonitions were directed to the Parliament in peremptory sort against our whole forme of Regiment: In defence of them volumes were published in English, in Latin: Yet this was no more than writing. Devices were set on foot to [B1^r] erect the practice of the discipline without authority; yet herein some regard of modesty, some moderation was used. Behold, at length it brake forth into open outrage, first in writing by *Martin*: in whose kind of dealing these things may be observed. 1. That whereas *T.C.* and others his great Masters had alwaies before set out the discipline as a Queen, and as the daughter of God, he contrariwise to make her more acceptable to the people, brought her forth as a vice upon the stage. 2. Which conceit of his was grounded (as may be supposed) upon this rare policie, that seeing the Discipline was by writing refuted, in Parliament rejected, in secret corners hunted out and descried, it was imagined that by open railing (which to the vulgar is commonly most plausible) the state Ecclesiasticall might have been drawn into such contempt and hatred, as the overthrow thereof should have been most gratefull to all men, and in a manner desired of the common people. 3. It may be noted (and this I know my [B1^v] selfe to be true) how some of them, although they could not for shame approve so lewd an action, yet were content to lay hold on it to the advancement of their cause, acknowledging therein the secret judgements of God against the Bps, and hoping that some good might be wrought thereby for his Church, as indeed there was, though not according to their construction. For, 4. contrary to their

expectation, that railing spirit did not only not further, but extremely disgrace and prejudice their cause, when it was once perceived from how low degrees of contradiction at first, to what outrage of contumely and slander they were at length proceeded, and were also likely further to proceed.

[3] A further degree of outrage was in fact. Certain Prophets did arise, who deeming it not possible that *God* should suffer that undone which they did so fiercely desire to have done, namely, that his holy Saints, the favourers and fathers of the Discipline should be enlarged, and delivered from persecution; [B2'] and seeing no meanes of deliverance ordinary, were faine to perswade themselves that *God* must needs raise some extraordinary meanes: and being perswaded of none so well as of themselves, they forthwith must needs be the instruments of this great worke. Hereupon they framed unto themselves an assured hope, that upon their preaching out of a pease-cart, all the multitude would have presently joynd unto them, and in amazement of mind have asked them, *Viri fratres, quid agimus?* whereunto it is likely they would have returned an answer farre unlike to that of *S. Peter*, such and such are men unworthy to govern, pluck them down; such and such are the deare children of *God*, let them be advanced. Of two of these men it is meet to speake with all commiseration, yet so that others by their example may receive instruction, and withall some light may appeare what stirring affections the Discipline is like to inspire, if it light upon apt and prepared minds. Now if any man doubt of what [B2''] society they were, or if the reformers disclaime them, pretending that by them they were condemned, let these points be considered. 1. *Whose associates were they before their entring into this frantick passion? Whose Sermons did they frequent? Whom did they admire?* 2. Even when they were entring into it, *Whose advice did they require?* and when they were in, *whose approbation? Whom advertised they of their purpose? Whose assistance by prayers did they request?* But wee deale injuriously with them to lay this to their charge: for they reproved and condemned it. How? did they disclose it to the Magistrate, that it might be suppressed? or were they rather content to stand aloofe and see the end of it, and loath to quench the spirit? No doubt these mad practitioners were of their society, with whom before, and in the practice of their madnesse they had most affinity. Hereof read Doct. *Bancrofts* book. [see n. 97, pp. 46–47, above]

[4] A third inducement may be to dislike of the Discipline, if we consider not only how farre the reformers themselves have proceeded, [B3'] but what others upon their foundations have built. Here come the *Brownists* in the first ranke, their lineall descendants, who have seised upon a number of strange opinions, whereof although their Ancestors the reformers were never actually possessed, yet by right and interest from them derived, the *Brownists* and *Barrowists* hath taken possession of them. For if the positions of the Reformers be true, I cannot see how the maine and generall conclusions of *Brownisme* should be false. For upon these two points, as I conceive they stand, 1. *That because we have no Church, they are to sever themselves from us:* 2. *That without Civill authority they are to erect a Church of their owne.* And if the former of these be true, the latter, I suppose will follow. For if above all things men be to regard their salvation, and if out of the Church there be no salvation; it followeth, that if we have

no Church, we have no meanes of salvation, and therefore separation from us, in that respect, both lawfull and necessary: as also that men so separated [B3^y] from the false and counterfeit Church, are to associate themselves unto some Church; not to ours; to the Popish much lesse: therefore to one of their owne making. Now the ground of all these inferences being this, that in our Church there is no means of salvation, is out of the Reformers Principles most clearely to be proved. For wheresoever any matter of faith unto salvation necessary is denied, there can be no meanes of salvation: but the Church of *England*, the Discipline, by them accounted a matter of Faith, and necessary to salvation is not only denied, but impugned, and the professors thereof opprest: *Ergo*. Againe, (but this reason perhaps is weak.) Every true Church of Christ acknowledgeth the whole Gospell of Christ: the discipline, in their opinion, is a part of the Gospell, and yet by our Church resisted, *Ergo*. Againe, The Discipline is essentially united to the Church: by which terme, *essentially*, they must meane either an essentiall part, or an essentiall property. Both which waies it must needs be, [B4^y] that where that essentiall Discipline is not, neither is there any Church. If therefore between them and the *Brownists* there should be appointed a solemne Disputation, whereof with us they have been oftentimes so earnest Challengers, it doth not yet appeare what other answer they could possibly frame to these and the like Arguments, wherewith they might be pressed, but fairely to deny the conclusion, (for all the premises are their own) or rather ingeniously to reverse their own principles before laid, whereon so foule absurdities have been so firmly built. What further proofes you can bring out of their high words, magnifying the Discipline, I leave to your better remembrance: but above all points, I am desirous this one should be strongly inforced against them, because it wringeth them most of all, and is of all others (for ought I see) the most unanswerable. You may notwithstanding say that you would be heartily glad these their positions might be so salved as the *Brownists* might not appeare to [B4^y] have issued out of their loines: but untill that be done, they must give us leave to thinke that they have cast the seed whereout these tares are growen.

[5] Another sort of men there is, which have been content to run on with the reformers for a time, and to make them poore Instruments of their owne designes. These are a sort of godlesse politicks, who perceiving the plot for Discipline to consist of these two parts, the overthrow of Episcopall, and erection of Presbitriall Authority, and that this later can take no place till the former be removed, are content to joyn with them in the destructive part of Discipline, bearing them in hand, that in the other also they shall find them as ready. But when time shall come, it may be they would be as loath to be yoaked with that kind of regiment, as now they are willing to be released from this. These mens ends in all their actions, is τὸ ἴδιον [literally, one's own; = private concern], their pretence and colour, Reformation. Those things which under this colour they have effected to their own [C1^y] good, are 1[.] by maintaining a contrary faction, they have kept the Clergy alwaies in awe, and thereby made them more pliable and willing to buy their peace. 2. By maintaining an opinion of equality among Ministers, they have made way to their own purposes for devouring Cathedrall Churches and Bps Livings. 3. By exclaiming against abuses in the

Church they have carried their own corrupt dealings in the civill state more covertly. For, such is the nature of the multitude, they are not able to apprehend many things at once, so as being possessed with dislike or liking of any one thing, many other in the meane time may escape them without being perceived. 4. They have sought to disgrace the Clergy in entertaining a conceit in mens minds, and confirming it by continuall practise, that men of learning, and specially of the Clergy, which are employed in the chiefest kind of learning, are not to be admitted, or sparingly admitted to matters of State; contrary to the practise of all well governed Commonwealths, [C1^v] and of our own till these late yeares.

[6] A third sort of men there is, though not descended from the reformers, yet in part raised and greatly strengthened by them, namely the cursed crew of *Atheists*. This also is one of those points, which I am desirous you should handle most effectually, and straine yourselve therein to all points of motion and affection, as in that of the *Brownists*, to all strength and sinewes of reason. This is a sort most damnable, and yet by the generall suspition of the world at this day most common. The causes of it, which are in the parties themselves, although you handle in the beginning of the fift booke, yet here againe they may be touched; but the occasions of helpe and furtherance which by the reformers have been yeilded unto them, are, as I conceive, two, sencelesse preaching, and disgracing of the Ministry; for how, should not men dare to impugne that which neither by force of reason, nor by authority of persons is maintained[?] But [C2^v] in the parties themselves these two causes I conceive of *Atheisme*. 1. More abundance of Wit than judgement, and of Witty than Judicious learning; whereby they are more inclined to contradict any thing, than willing to be informed of the truth. They are not therefore men of sound learning for the most part, but smatterers, neither is their kind of Dispute so much by force of argument, as by scoffing. Which humour of scoffing and turning matters most serious into merriment, is now become so common, as we are not to marvaile what the Prophet means by the seat of scorneres, nor what the Apostels by fore-telling of scornere to come: our own age hath verified their speech unto us. Which also may be an Argument against these scoffers and *Atheists* themselves, seeing it hath been so many ages agoe foretold, that such men the later daies of the world should afford, which could not be done by any other spirit save that whereunto things future and present are alike. And even for the maine question of [C2^v] the Resurrection, wheratt they stick so mightily, was it not plainly fore-told that men should in the later times say, *Where is the promise of his coming?* Against the Creation, the Arke, and divers other points, exceptions are said to be taken; the ground whereof is superfluity of wit without ground of learning and judgement. A second cause of *Atheisme* is sensuality, which maketh men desirous to remove all stops and impediments of their wicked life: among which because Religion is the chiefest, so as neither in this life without shame they can persist therein, (nor if that be true) without torment in the life to come, they whet their wits to annihilate the joyes of Heaven, wherein they see (if any such be) they can have no part, and likewise the pains of hell, wherein their portion must needs be very great. They labour therefore not that they may not deserve those pains,

but that, deserving them, there may be no such pains to seize upon them. But what conceit can be imagined more base then [C3^v] that man should strive to perswade himselfe even against the secret instinct (no doubt) of his own mind, that his soule is as the soule of a beast, mortall and corruptible with the body. Against which barbarous opinion their own *Atheisme* is a very strong argument. For were not the soule a nature separable from the body, how could it enter into discourse of things meerey spirituall, and nothing at all pertaining to the body? Surely the soule were not able to conceive any thing of heaven, no not so much as to dispute against heaven, and against God, if there were not in it somewhat heavenly, and derived from God.

[7] The last which have received strength and encouragement from the reformers are Papists; against whom although they are most bitter enemies, yet unwittingly they have given them great advantage. For what can any enemy rather desire then the breach and dissention of those which are Conferedates against him? wherein they are to remember, that if our Communion with Papists [C3^v] in some few Ceremonies doe so much strengthen them, as is pretended, how much more doth this division and rent among our selves, especially seeing it is maintained to be, not in light matters only, but even in matter of faith and salvation. Which over-reaching speech of theirs, because it is so open to advantage both for the *Barrowist*, and the Papist, we are to wish and hope for, that they will acknowledge it to have been spoken rather in heat of Affection, then with soundnesse of judgement, and that through their exceeding love to that creature of Discipline which themselves have bred, nourished, and maintained, their mouth in commendation of her did somewhat overflow.

[8] From hence you may proceed (but the means of connexion I leave to your selfe) to another discourse, which I think very meet to be handled either here or elsewhere at large: the parts whereof may be these: 1. That is this cause between them and us, men are to sever the proper and essentiall points and controversy, from those which are [C4^v] accidentall. The most essentiall and proper are these two, overthrow of Episcopall, erection of Presbyteriall authority. But in these two points whosoever joyneth with them is accounted of their number; whosoever in all other points agreeth with them, yet thinketh the authority of Bishops not unlawfull, and of Elders not necessary, may justly be severed from their retinew. Those things therefore which either in the persons, or in the Lawes and orders themselves are faulty may be complained on, acknowledged and amended; yet they no whit the neere their maine purpose. For what if all errors by them supposed in our Liturgy were amended, even according to their own hearts desire? if *Non-residence*, *Pluralities*, and the like, were utterly [t]aken away; are their Lay-elders therefore presently authorized, their Sovereigne Ecclesiasticall Jurisdiction established?

But even in their complaining against the outward and accidentall matters in Church-government, they are many waies [C4^v] faulty. 1. In their end which they propose themselves. For in declaiming against abuses, their meaning is not to have them redressed, but, by disgracing the present state, to make way for their own Discipline. As therefore in *Venice*, if any Senator should discourse against the power of their Senate, as being either too Sovereigne, or too weake in government, with

purpose to draw their authority to a moderation, it might well be suffered; but not so, if it should appeare he spake with purpose to induce another State by depraving the present, so in all causes belonging either to Church or Common-wealth, wee are to have regard what mind the complaining part doth beare, whether of amendment, or of innovation, and accordingly either to suffer or suppress it. Their objection therefore is frivolous, *Why, may not men speake against abuses?* Yes, but with desire to cure the part affected, not to destroy the whole. 2. A second fault is in their manner of complaining, not only because it is for the most [D1'] part in bitter and reproachfull termes, but also because it is unto the common people, Judges incompetent and insufficient, both to determine any thing amisse, for want of skil and authority to amend it. Which also discovereth their intent and purpose to be rather destructive than corrective. Thirdly, those very exceptions which they take, are frivolous and impertinent. Some things indeed they accuse as impious: which if they may appeare to bee such, God forbid they should be maintained.

Against the rest it is only alleadged, that they are idle Ceremonies without use, and that better and more profitable might be devised. Wherein they are doubly deceived: for neither is it a sufficient plea to say, *This must give place, because a better may be devised:* and in our judgements of better and worse, we oftentimes conceive amisse, when we compare those things which are in devise with those which are in practise, for the imperfections of the one are hid, till by time and triall they be discovered: the others [D1'] are already manifest and open to all. [9] But last of all, (which is a point in my opinion of great regard, and which I am desirous to have enlarged) they doe not see, that for the most part when they strike at the state Ecclesiasticall, they secretly wound the Civill State; For personall faults, what can be said against the Church, which may not also agree to the Common-wealth? In both States men have alwaies been, and will be alwaies men, sometimes blinded with errour, most commonly perverted by passions: many unworthy have been and are advanced in both, many worthy not regarded. As for abuses which they pretend to be in the Lawes themselves, when they inveigh against *Non-residence*, doe they take it a matter lawfull or expedient in the Civill-state, for a man to have a great and gainfull office in the North, himselfe continually remaining in the South? *Hee that hath an office, let him attend his office.* When they condemne plurality of livings spirituall to the pit of hell, what think they of infinite of temporall [D2'] promotions? By the great Philosopher, *Pol. lib.2. cap.9.* it is forbidden as a thing most dangerous to Commonwealths, that by the same man many great offices should be exercised. When they deride our Ceremonies as vaine and frivolous, were it hard to apply their exceptions even to those civill ceremonies, which at the Coronation, in Parliament, and all Courts of Justice are used? Were it hard to argue even against Circumcision, the ordinance of God, as being a cruell ceremony; against the Passeover, as being ridiculous; shod, girt, a staffe in their hand, to eat a lambe?

[10] To conclude, you may exhort the clergy, (or what if you direct your Conclusion, not to the Clergy in generall, but only to the learned in, or of both Universities) you may exhort them to a due consideration of all things, and to a right esteeme and

valuing of each thing in that degree wherein it ought to stand: for it oftentimes falleth out, what men have either devised themselves, or greatly delighted in, the price and excellency [D2^v] thereof they doe admire above desert. The chiefest labour of a *Christian*, should be to know; of a Minister, to preach *Christ* crucified: in regard whereof not only worldly things, but even things otherwise precious, even the Discipline itselfe is vile and base: where as now, by the heat of contention, and violence of affection, the zeale of men towards the one hath greatly decayed their love to the other. Hereunto therefore they are to be exhorted, to Preach *Christ crucified*, the mortification of the flesh, the renewing of the spirit, not those things, which in time of strife seeme precious, but passions being allayed, are vaine and childish. *FINIS*.

1:36.23–26 *them . . . execution*. On Elizabethan separatists, alternately termed Brownists or Barrowists, see Intro., pp. 26, 33–37, above; Cranmer's letter, above; and 1:36.30–39.2.n, below. In 14C England, Lollards gathered for illegal secret worship, and tiny Anabaptist groups existed under Henry and Edward. In the reign of Mary, not only were the exotic Familialists introduced (see 1:16.19–25.n, above), but mainstream Protestants used the English liturgy in secret rather than conform to the testored Latin rites.

1:36.26–30 *These . . . brethren*. See above, 1:18.15–17 and n. *A Briefe Discovery*, after the section cited in 1:37.19–22.u, continues: “. . . our Bishops wil never grant that the visible congregations in England, ought to have this power of binding and loosing [necessary for the true visible church]. . . The crime therefore of scisme and Donatisme, which M. Bancroft and the Prelates would fasten upon us, doth justly cleave unto themselves. And if any of our poore brethern be caried away, to thinke otherwise of the congregations of England, which injoy the woorde truly preached, and the right use of the Sacraments: We cease not to pray, that the Lord would reforme their judgements. But woe bee unto our Bishops which are the cause of this their stumbling” (sig. A4').

1:36.30–39.2 *They . . . not*.” Although H has invented this passage himself (signaled by the quotation marks; see textual note), it reflects a decade of separatist literature. In a 1584 pamphlet, *A true and short declaration, both of the gathering and joyning together of certaine persons: and also of the lamentable breach and division which fell amongst them* (STC 3910.5), Browne described his early conversations with Robert Harrison (d. 1585?) leading to the decision to separate. They disagreed over the question of “Whether those preachers that submitt them selves unto such popish power [of the bishops], or anie way so justefie or tolerate it, as lawefull in some part, or partlie to be liked and used, can themselves be liked off, or do their duetie as lawefull pastors and preachers.” Harrison “did greatlie like off” some of the Puritan preachers and wanted their consent “in the matters that were determined, and also would have them to joine, though it was made plaine unto him that thei nether would, nether could joine, takeing that course which thei did. And as for chaunging of their course there was no hope or likelielihood, that thei would do it. For their living, their glorie, and credit with the people, stood on it . . . Thei have

their tolerations, mitigations, and other trim distinctions . . . Thus thei both please the people, and the bishops also: and so are praised and maintained bie the people, and also suffered off the bishops, because forsooth thei are somewhat conformable." When Harrison pointed to "much good" done by the preachers, Browne insisted that, when they failed to act on their principles, "then thei did twice soe much hurt." Calling down the "woes" of Matt. 23:13 on the "hypocrites, which saie thei desire reformation and yet thei them selves are most unreformed. Thei saie thei mourne and prairie for amendment, and behold thei are fed of the rich and upheld bie great men. . . . Thei wilfully tolerate the things which are against Christ, . . . and how then . . . are thei not antichrists? . . . Therefore [to Harrison] . . . were such things spoken: . . . namelier that we are to forsake and denie all ungodlines and wicked fellowship, and to refuse all ungodlie communion with wicked persons"; only known copy at Lambeth Palace Library: MS. xl.2.23; transcribed in *The Writings of Robert Harrison and Robert Browne*, ed. Peel and Carlson (1953), *Elizabethan Nonconformist Texts* (hereafter, *E.N.T.*), 2:396–429; 2:407–408 and 411–412, from sig. B1 and B2 of the original; for date, see *E.N.T.*, 2:396.

Browne entitled his initial and best known pamphlet: *A treatise of reformation without tarying for anie, and of the wickednesse of those preachers which will not reforme themselves and their charge, because they will tarie till the magistrate commaunde or compell them* (1582; STC 3910; *E.N.T.*, 2:150–170). He declared "all those Preachers and teachers accursed, which will not doe the duties of Pastors and teachers til the Magistrate doe force them thereto. . . . Can the Lordes spirituall government be no waye executed but by the civill sworde?" These preachers, be accused, "lift uppe the throne of the Magistrates, to thrust out the kingdome of Christ[.] For his government or Discipline is wanting (saye they) but we keepe it not awaye. And who then? for most of them dare not charge the Magistrates, but onlie closlie, and with manie flattering. . . . Yea they are bolde also some of them, in open places, so to charge the Magistrate. So they make them enimies, because they saye they withholde the Church government: . . . why then do they not wage that spirituall battell against them, whiche is to cut them of from the Church? For the Scepter and kingdome of Christ is not of this worlde, to fight with dint of sworde, but it is a right Specter, which subdueth the people under us, and the Nations under our feete." Browne challenged, "Goe to . . . yee tolerating Preachers, this you get by your tolerating, to have no name amonge the righteous, nor to be of the bodie of the Church Ye are unholie, in that ye saye, some pollution can not bee censed awaye, but must needes be suffered among you. And this is a certaine trueth, that where anie open disorder is incurable, there is not the Lords Zion: . . . that is, they are not the Lordes Church, over whom he doeth raigne to shewe his kingdome and government" (sigs. A2^v, A3^f, C2^f; *E.N.T.*, 2:153, 154, and 169).

Browne's companion essay, *A treatise upon the 23. of Mattheue, both for an order of studying and handling the Scriptures, and also for avoyding the Popishe disorder, and ungodly communion of all false christians, and especielle of wicked preachers and hirelings,*

centers on the text cited by H (1:38.35–39.2), stressing vv. 2 and 3: “*The Scribes and the Pharises sit in Moses seate . . . after their workes doo not: for they saye and doo not*”; (1582), part 2, sig. G4^v (*E.N.T.*, 2:208–209). Browne insists that the preachers “refuse Christ Jesus to raygne over them, except he come by civile lawes and decrees of Parliamentes, and had rather be under the raigne of Antichrist, then in simplicitie and basenes, together with persecutions to receyve Christes kingdome”; sig. H3^v (*E.N.T.*, 2:217). When Cartwright’s letter to Harrison arguing against separation was circulated in ms., Browne asked the Puritan leader “whether the Kingdome, Priesthood, and Prophecie of Christ be of the essence and life of the Church.” Sure that Cartwright “dare not say nay to this,” he demands, “why then will he have the Lordes discipline or government, to be but an accident or hangby [appendage] to the church.” “Take away the kingdom and government of Christ, and there can be no joyning, or coupling together of the church, no offices nor callings in the Church, yea, no face, or shewe, or rather no parte, signe or token of the church”; *An answer to master Cartwright his letter for joyning with the English Churches: whereunto his letter is annexed* ([1585?]; STC 3909), p. 35 (*E.N.T.*, 2:462).

Henry Barrow was initially arrested in 1587 while visiting a separatist minister, John Greenwood (d. 1593), in prison. Continuing his work from prison, Greenwood in 1590 responded to the anti-separatist pamphlet of a presbyterian-minded minister, George Gifford. In his preface to *An answer to George Giffords pretended defence of read praiers and devised litourgies*, he comments that Gifford, “having made shipwrack of that conscience he sometimes was thought to have,” now “loadeth not only me, but all the faithfull that walke by the rule of God’s worde, with opprobrious titles, of Donatists, Brownists, Anabaptists, heretiques, schismaticques, seditious, folish, frantick, etc.” He concludes: “though nothing els can be looked for at their handes that are apostate from that light they have sometymes themselves published, . . . I cannot hold my tongue”; STC 12339, sig. A2^v–3^f; *The Writings of John Greenwood*, ed. Carlson (1962), pp. 30–92; *E.N.T.*, 4:34–35.

In an unpublished treatise, probably written in 1587, Henry Barrow bitterly warned his reader of “the haynous dealyng of the tolarating prechers, even those that ar best esteemed, and your own fearfull estate that ar misled by them. They . . . betray not onlye themselves and you but even Christ Jesus hime self and his gospell into the hands of antichrist. For see howe these deceivers joyn the word of God and idollatrye together, the gospell of Christ and bondage, Christ and antichrist together in on[e] temple. See what kynd of gospell and what kind of Christ they geve you: a Christ without power to governe and kep his owne, a gospell without lybertie”; “Four Causes of Separation,” *E.N.T.*, 3:60; see *The Writings of Henry Barrow*, ed. Carlson (1962), *E.N.T.*, 3:49–66; from Giles Wiggenton MSS, Congregational Library, Memorial Hall, London, MS. I.e.14, pp. 63–75. In Barrow’s most important work, *A Brief Discoverie of the False Church* (STC 1517), written from prison in 1590, he pointed out how “These your learned preachers, your good men, have not with al their sermons and preaching withdrawne one

soule all this while from the false church, or the abhominable idolatries therin. But on the contrarie, administer in the false church, dawbing her up and retaining al their audiorie in her, hindering and drawing back by their uttermost artes and indevors, al that seeke to walke in the straight and peaceable waies of the Lord. . . . With all this their preaching, they have not all this while given any increase to the bodie, not leading their hearers one step towards perfection: but as they stood 30 yeres agoe, in the self same estate are they still, in the same confusion, idolatrie, disorder in their synagogues, as appeareth by their present estate." He further warns: "They lead you in the crooked pathes of death, they teach and stand ministers in the false church. . . . They are like those inchanters that resisted Moses, who doe all their miracles . . . to deteine the people in Egipt and Babilon"; pp. 153, 154 (*E.N.T.*, 3:500–501, 503).

Barrow is even more biting in *A plaine refutation of M. G. Giffardes booke*, in which Gifford had labeled Brownists "the Donatists of England" (from title, STC 11869). Barrow relates "the sondrie shiftes of these Reformist preachers, these sighers for reformation, these conscience botchers, these preachers of the gospell, to winne and keepe credite with the work; how zealous in some place, tyme, audiorie, where they may be wel backed they wil seeme against some triffls, as though they were of most precise and unstayned conscience. And againe how luke-warme, cold, and backward they wilbe in the same poyntes at an other tyme, place, and audiorie" (STC 1523, p. 140; *E.N.T.*, 5:254).

George Paule, household official and biographer of John Whitgift, reported words attributed to Barrow in April 1592, when one of the archbishop's chaplains came to inform the prisoner that Cartwright, who was also imprisoned in the Fleet at this time and had already had one conversation with Barrow, refused to return for another: "And will he not? Hath he onely brought me into this brake [cage], and will he now leave me? For from him received I my grounds, and, out of his premises, did I inferre, and make the conclusion of the positions, which I now holde, and for which I suffer bands"; *The Life of . . . J. Whitgift* (1612; STC 19484), p. 50 (*E.N.T.*, 6:220).

1:37.4–5.*t* *companions, . . . consultations*, GB glosses Ps. 55:13: "Which was not onely joyned to me in friendship and counsel in worldlie matters, but also in religion."

1:37.19–22.*u* *that . . . discipline*, Before the section to *A Briefe Discovery* quoted in 1:36.26–30.*n*, above, the author wrote: "The visible church of God wheresoever it bee hath the power of binding and loosing annexed unto it, . . . which authority is so essentially tied unto the visible church, that wheresoever this power is to bee found, there the church of Christ is also visible, and wheresoever there is a visible church, there this authority cannot bee denied to be" (sig. A3^v–4^r).

1:38.4–5 *Sion, . . . Babylon?* See 1:16.25–17.8.*n*, above.

1:38.28–31 *Whereupon . . . not*. Whether the scepter of Christ was entrusted to

the sovereign or to the minister was a fundamental problem of political theory inherited from medieval western Christendom.

1:38.32 *Churches abroad* See 1:25.29–26.2.n, above.

1:39.4–5 *Him . . . sproong*. In his *Survay* Bancroft wrote that the Barrowists “are verily perswaded, that they holde almost nothing, but what *Cartwright* and his schollers have taught them” (p. 430). In his *Treatise*, Sutcliffe wrote that if the disciplinarians are right in judging their discipline to be part of the Gospel, “then are not they the true Church of Christ, that refuse the same: then have the *Barrowists* just cause to depart, and separate themselves from us” (p. 228).

1:39.11 *as in the last booke* Book VIII: either H has completed a draft of the full eight books, or he so states by anticipation (see Intro., pp. 39–51, above).

1:39.12–21 *Againe . . . Congregations*. Sutcliffe’s *De presbyterio* described the presumed members of the future presbyteries: “Once the ancient laws and learned men are removed from the helm of the church (which they adminster according to human and divine laws), with how many and with what kind of men, good God, will the presbyters furnish themselves for the business? First will come certain pastors (if you wish to know what sort will be before us), the majority of whom will be very young men, unskilled in affairs, whom you would have wrongly judged to be boys or a serving lad, men scarcely able to rule themselves, so far from being able to govern the most distinguished persons. As ‘jewels in a sow’s snout’ [τὸ ἐπὶ τῇ φακῇ μύρον; ‘perfume in the porridge’] presbyters will certainly be present, men well-bearded and stern, whose kind are most copious; some of them, by all means, will be artists, that is smiths, who will forge discipline by the art of Vulcan; cooks will surely be present, that something may be seasoned in the tasteless presbytery; cobblers, that they may patch up the contradictory judgements of the presbyters; without stonemasons this presbyteral castle cannot be built; besides all these, companies of farmers and merchants will be added; hucksters of patent medicines will not really be missed, for the work will be for them as a plentiful remedy for madness. And so, after all these have been constituted and stitched together, who will not prefer such a kind of presbytery to the archbishops, bishops, and the rest of the rulers of the Church of England?”; see pp. 134–135.

1:39.21–41.1 *Neither . . . them*. When the 2nd edn. of the *Admonition* added “Universitie Doctors and Bachelors of Divinitie” to the list of the “Lordly Lordes, Archbishops, Bishops . . . and the rest of that proude generation,” Whitgift in his *Answer* asked “whether this geare tende not to the overthrowe of Universities, and of all good learning” (STC 10848, sig. A1^r; compare STC 10847, sig. π^v; *P.M.*, p. 5 and n; *Answer*, p. 189; PS, 3:469). The *Second Admonition* stated that “the titles of oure universitie doctors and bachelors of divinitie, are not onely for vayn glory sought and graunted, but there they are the names of course, conferred rather by the prophane judgments of them that know not what office of the church they belong too, . . . For none other are true teachers or doctors, but they which doe

teache, and be founde meete, and be called by the churche to teache, how so ever the universitie doctors seeme to have some indelible Character . . . These vaine names become such vaine men, but the churche of God they become not" (pp. 16–17; *P.M.*, pp. 98–99). Sutcliffe ridiculed another kind of Puritan attack on university prerogatives: "Where they teach, that a Doctor ought to be placed in every parish to informe the youth, and others that are to succede in the Ministrie, they goe about to make an universitie of everie parish: but their devise is like that mans fancie, that imagined he could drinke up the sea. for where are rewards for so manie doctors? where are so manie learned men to be found? beside that, it is impossible to doe it in all, it is unprofitable to attempt it in some, and direct against the priviledges of the universitie, which permitteth not artes to be reade in the countrie"; *Treatise*, pp. 184–185.

- 1:39.23–27.*w,x* *For if the . . . by:* On the authority of the apocryphal *Wisdom of Solomon* and *Ecclesiasticus*, see V.20.
- 1:39.26 *sonne of Syrac* That is, Jesus, the son of Sirach, author of *Ecclesiasticus*.
- 1:40.3 *renowned habitations,* Oxford and Cambridge.
- 1:40.6 *studied, proceeded in, and profest.* All technical academic terms: to study is to be a student of some science or art under a professor or master; to proceed in is to advance from graduation with a bachelor's to some higher degree; to profess is to teach (as a professor).
- 1:40.7–8 *wherein . . . perfection,* Both Cartwright and Travers were fellows of Trinity College, Cambridge, and Cartwright had been Lady Margaret Professor of Divinity before his expulsion for nonconformity.
- 1:40.16–21 *Your . . . tenants.* The heads of the colleges in the universities had the authority of civil magistrates over college precincts and students, and as lay lords in the feudal structure of property rights exercised judicial authority over those who lived and worked on the lands whose income supported their institutions.
- 1:40.21–28 *Your . . . like.* Since the fellows of colleges were ordained clergy, H assumes that Puritans would no more like a permanent headship among these than they would a bishop among the clergy of a diocese.
- 1:40.30 *Schoole of Geneva.* After several false starts, Calvin founded the Genevan academy in 1559 with Beza as its first rector. Patterned after the Strasbourg academy of John Sturm (1507–1589) in its curriculum, it was closely integrated into the structured life of the Genevan church. Sturm's academy had its roots in the medieval Latin grammar schools, but it incorporated new humanist learning, adapted enlightened methods from the schools of the Brethren of the Common Life, adopted Reformation understandings of religions, and extended the curriculum to span both secondary and university levels of education.
- 1:40.30–41.1 *Which . . . them.* The Puritans wished ordination directly related to

specific pastoral responsibilities whereas the English church considered that a wide sphere of potential duties warranted the grant of holy orders; university colleges were staffed by ordained clerics. Travers complained that not only was a scriptural ministerial pattern lacking in parishes, “but even in the midst off the universities, in the scholes and Colledges them selves (from whence as from certen sacred and pure fountaines reformation ought to flowe) from thence . . . shamefull examples off this great disorder and prophanacion do springe . . . iff we seek throughe both the universities what schole is there, what Colledge, society and fellowship off learned men that hath a right and a lawfull pastor amonges them? But either one or moe chaplaines and conductes as they call them are hired to reade the service at the houres appointed, or ells the fellowes off Colledges them selves do read yt being bound by othe to enter into the ministry at a certen time appointed after they become fellowes. Whereupon it commeth to passe that a man may finde sometimes ten or a dossen off these Pastors in a litle Colledge. But one suche Pastor as the word off God doth set out is hardly or not at all to be found amonge them” (*Explicatio*, trans. Cartwright, pp. 149–150; Latin, fols. 115^v–116^r; see 1:212.4–10.n, below).

1:41.1–14.y *Your . . . controversies.* Common law, based on principles of custom and precedence, and civil and canon law, based on codified legal collections, constituted the three professional legal disciplines in 16C England. In 1535 the government ordered university lectures in canon law replaced by studies in civil law and, ten years later, permitted laymen with degrees in civil law to serve as judges and advocates in the ecclesiastical courts. Uniquely in England, these church courts, in addition to adjudicating normal canon law concerns, probated wills according to the norms of the civil law. Otherwise, civil law governed only the maritime tribunals of the Admiralty Court, where litigation involved international law, based on Roman civil law. Laymen with university doctorates in civil law formed the Doctors’ Common in London, a professional institution for the study and practice of civil and canon law. Thus, apart from certain royal courts of privilege (Chancery, Requests, and Star Chamber), only the Ecclesiastical and Admiralty Courts stood outside the powerful interests of the Common Law courts that increasingly dominated the English legal scene. Consequently, Puritans often found themselves in alliance with common lawyers protecting their professional interests against “civilians” who practised in church courts that maintained many of the procedures and much of the substance of the “Romish” medieval canon law. An anonymous Puritan work, assigned to Penry by the STC, *An humble motion with submission unto the . . . Privie Counsell*, denied as a “manifest untruth” the accusation that their program would alter “the whole state of the lawes of this realme.” Rather the abolishment of canon law would be “good for the state of the lawes of this realme.” The author continued, “as for the maintaining of civilians, as the law already maketh no great necessity of them, having little other way to set them on worke, but by the cannon lawe: if such mens studies were converted another way to more profit, in the church and common-wealth, little or no losse of inconvenience would follow” (1590; STC 7754; pp. 50–51; McGinn affirms

Penry's authorship (*Penry*, pp. 172–173); Carlson doubts it (*Martin*, p. 52). The author is responding to Bishop Cooper's accusations in his 1589 *Admonition to the People of England* (p. 86; ed Arber, p. 66; see 1:12.5–11.n, above).

1:41.9–11 *and . . . requisite*. Most European nations used codes of law derived from the *Corpus juris civilis* as their primary legal basis rather than the common law, dominant in England, and commercial ventures often involved issues of maritime and international law; see 1:41.1–14.y.n, above.

1:41.12 *Scripture . . . by*, The principal topic of Book II.

1:41.20–26.a *whereas . . . Country*. “In time of peace, a great waster of prosperity is contention and strife, and many houses lie wast by such inordinate jarring and suites of lawe: here to let passe howe many suits are bred and fed by these disorders, as about advowsons, priviledges and presentments. This one thing . . . [as in 1:41.21–26]. And the daily showing dew of the preaching of peace, will bring forth many counsellours of peace, and many, when they see that such a thing is uncomlie, and to bee answered before the Church, will bee well advised what suits they take in hand” (*An humble motion*, pp. 74–75). The author insists that the increased wealth will enable the English “to beare any burthen that the Commonwealth shal require,” describing how the discipline will forstall sedition and rebellion, encourage quietness when war charges are levied, ensure warlike provision, and help keep soldiers obedient (pp. 75–77). In his 1589 *Admonition to the People of England*, Cooper argued that the Puritans would bring in OT judicial regulations: “For they say already flatly, that no Magistrate can save the life of a blasphemor, stubborne idolator, murderer, Adulterer, Incestuous person, and such like, which God by his Judiciall lawe hath commaunded to be put to death. The same assertion must have like authoritie for the contrarie, . . . that a magistrate ought not to punish by death those offences that God by his Judiciall law hath not appointed to be punished by death, and so may not our lawes punish theft by death, nor other felonies: and so some of them have openly preached” (p. 87; ed. Arber, p. 66). Sutcliffe warned that “neither may the common lawes thinke to goe free in this general reformation.” The common law courts would remain, but with “most of the lawes of the land” dissolved. The special royal courts would not be needed “for they erect a Chancerie in everie parish. all matters of treason, felony, and trespasse (wherin there is breach of Gods lawe) they meane to examine likewise before their consistorie: yea if the Judge do not right, he must answer before them. of which, who doth not see a world of contention, confusion, and slander, that wil arise?” (*Treatise*, p. 184). As a dissuasive from Udall's argument that an office such as archbishop that “is needles in the church is also unlawful” (*Demonstration*, p. 12), an anonymous author warned that “all courtes of Record, as Chancerie and Common pleas, etc. shall be found needlesse if the Consistorie of Presbyters and Elders were set up . . . because they may determine all matters wherein any breach of charitie may be”; *A remonstrance . . . [to] A demonstration of discipline* (1590; STC 20881), pp. 41–42. Although Udall, following Cartwright,

had asserted that church officials might deal in church matters only, including “deciding of controversies, in doctrine and manners, so far as appartayneth to conscience and the church censures” (*Demonstration*, p. 80), the author of the *Remonstrance* warned that “this one limme of authoritie will carry all causes (though most civill in their nature and practice) out of all Courtes in the land unto their Elderships” (p. 178).

1:41.31–42.4.b *that we . . . downe*; Among the Puritan responses to the newly installed Archbishop Whitgift’s campaign for conformity in 1584, one work attempted to gather the legal evidence supporting the discipline: *An abstract, of certain acts of parliament: of certaine her majesties injunctions . . . canons, constitutions, and synodalles . . . for the peaceable government of the church* ([1583]; STC 10394). William Stoughton, a Puritan lawyer, is identified as the author of *An assertion for true and christian church-policie*, STC 23318, 1604; when the work was reprinted in 1642, the preface stated that its author also wrote *An abstract*; Wing S–5760, sig. A4^r. Richard Cosin, as dean of Arches a civil lawyer, responded in *An Answer to the two first and principall treatises of a certeine factious libell, An abstract* (1584; STC 5819.5), and Dudley Fenner retorted to Cosin in *A Counter-Poyson . . . to make aunswere to . . . the answerer to the Abstract* ([1584]; STC 10770). Cosin interpreted arguments of the *Abstract* to suggest that every parish minister would have effective authority to excommunicate, asking whether the author of the *Abstract* himself “had not rather be under the forme now in practise, in regard of his owne contentment, than under the infinit dictatorship of his owne minister” (p. 53). Fenner responds that such reasons “are drawne from the inconveniences which hee thinketh will come unto the Church by this means, as requiring rather (like a Civilian not a divine) what is safe, then what is according to God his wil” (p. 108).

1:42.15–49.30 *One example . . . Aegyptians*. Anabaptists threatened a 16C Europe that assumed a Christian society in which political and ecclesiastical structures were merely different aspects of the same body of people into which all were born and baptized; see Intro., pp. 49, 70–71, above.

By their insistence on a reasoned voluntary decision prior to baptism, Anabaptists repudiated the inherited assumption of a unified society whose religious bonds were symbolized by infant baptism. In the eyes of the overwhelming majority of Europeans, Anabaptism subverted the roots of those social structures that enabled men and women to live in communities with a measure of harmony and mutual support.

The principal Anabaptist groups to emerge from the sixteenth century, Mennonites and Hutterites, not only preserved an unusually supportive ambiance within their gathered churches, but they lived peacefully with their neighbors while refusing to bear arms or to serve in any governmental capacity. However, such continuing pacifist groups shared the opprobrium earned by a small number of short-lived radicals who sought to bring in the kingdom of God by force. Popular opinion linked Anabaptists with Thomas Münzer (1490?–1525), who had, on

eschatological grounds, taken up the cause of the peasants in their abortive 1525 revolt in Germany. Contemporaries found what they judged further incontrovertible proof of the dangers of Anabaptism in the events at Münster in Westphalia in 1534–35 in which fanatical leaders won control of the city, executed those who opposed them, and instituted polygamy, all in the name of the saints (see 3:409.21–24). Put down by combined RC and Lutheran troops, the regime of the zealots became the mark of Cain for communities whose ideals and methods could not have been farther removed from those of the Münster fanatics.

In England, Anabaptists were regarded as dangerous radicals whose teachings threatened the well-being of the nation, and English reformers condemned them as vigorously as they did Rome. In the 1553 Forty-Two Articles of Religion, in addition to implicit rejection of Anabaptist teaching on the sacraments and ministry, the final six Articles were explicitly directed against doctrines and practices judged to be held by them. Although the Thirty-Nine Articles dropped four of these, Article 38 retained the explicit identification of the notion of common ownership of goods among Christians as that of “Certayne Anabaptists” (STC 10039, p. 24; Hardwick, *History*, p. 347). In 1560 Bishop Jewel, in a letter to Peter Martyr, commented that at the beginning of Elizabeth’s reign “a large and inauspicious crop of Arians, anabaptists, and other pests” had been found which had sprung up as mushrooms in the “darkness and unhappy night of the Marian times.” Although he claimed that they had “retreated before the light of purer doctrine,” he and others continued to regard evidence of Anabaptism as *prima facie* proof of heresy in religion and sedition in politics (*Zurich Letters*, PS, 1:92). In his *Answer*, Whitgift declared that he was responding to the *Admonition* because, “if no man had taken upon him the envie of the common sort, in withstanding the enterprises and proceedings of the Anabaptists when they began in Germanie, Anabaptisme had overrunne those Churches, and utterly destroyed them” (p. 5; PS, 1:51). The disciplinarians denied the charge of Anabaptism and applied it to the separatists (on whom see 1:36.30–39.n, above). Bancroft hoped that Cartwright’s defense of the English church against the separatist Harrison indicated that the Brownists’ “giddie and itching humor” bred by Cartwright’s “novelties” would induce the latter to “leave the disciplinarie walles of Geneva, and content himselfe with the ancient fortifications of the church of England” on analogy with the Anabaptists, whose “madnesse kept maister Calvin within some good compas” (*Survey*, pp. 447–449). See III.9.3, V.62.11, VIII.6.9 and 14 (1:238.13–23, 2:277.11–16, 3:395.28–396.8, and 409.21–24). In his notes to *A.C.L.*, H lists Anabaptists among those “a thousand times more execrable and hatefull than popery” (4:67.7–10).

1:42.22–23.c *whatsoever . . . out*, GB glosses Matt. 15:13: “All thei which are not grafted into Jesus Christ by fre adoption, and everei doctrine, that is not established by Gods worde.”

1:42.26–49.30.d *Amongst . . . Egyptians*. Throughout his discussion, H cites but one work: *La racine, source et fondement des Anabaptistes . . . de nostre temps*, by Guy

de Brès (1522–1567); page citations agree with the 1st edn. of 1565, probably published in Geneva; E. M. Braekman, *Guy de Brès, Première Partie: Sa Vie* (Brussels: Librairie des Eclaireurs Unionistes, 1960), p. 219; see Intro., p. 71, above. De Brès followed standard contemporary assessments of the various groups that all commentators, RC, Lutheran, or Reformed, placed under the Anabaptist umbrella. He went to some length to demonstrate that the Mennonites he knew in the Low Countries were cut from the same cloth as the Münsterites. He began his narrative in Saxony with incidents related to the Peasants' War, and he named Thomas Münzer, who never rebaptized adults, as the "first parent and author" of Anabaptism (*La racine*, p. 16). In chap. 2 he turned immediately to relate the violent takeover of Münster a decade later.

Hooker's account reflects these interpretations, condensing de Brès into a few pages. He cites the Belgian's pages in marginal notes; where these are missing, he clearly has drawn his information from de Brès, but he omits all specifics of persons and places. Although he mentions the differences among Anabaptists as evidence of their instability, he does not describe those differences, emphasizing the pervasively fanatical character of the whole movement (1:45.2–11). He adds a few flourishes not found in *La racine*, such as an explanation of the omission of the words of institution in the Anabaptist Eucharist, a reference to St. Stephen's martyrdom, an appropriate quotation from Lactantius, and his own suggestion of the motivations for introducing polygamy (46.5–9, 46, 29–32, 47.6–31 and 48.6–31). Although the largest number of H's citations are from the first of the three "books" of the 900-page volume, he cites from all parts except a concluding essay.

- 1:43.1–4 *that albeit . . . seene*; The Anabaptists "ont troublé les Eglises où l'Evangile estoit nouvellement presché. . . Ils ont rendu la predication de l'Evangile suspect et odieux aux ignorans" (de Brès, pp. 2–3).
- 1:43.4–6 *and that if . . . dwell*. Initial Anabaptist preachers declared dreams as divine oracles: "c'est assavoir qu'il viendroit un nouveau monde, auquel justice habiteroit: et que pour ceste cause il faloit exterminer de la terre tous les meschans, avec tous les Princes et Magistrats infideles" (de Brès, p. 3).
- 1:43.6–44.3 *Private . . . day*. As de Brès begins his account of the takeover of Münster in chap. 2, he describes the initial Anabaptist attitudes: "en leur commencement ils faisoient semblant d'estre humbles, n'ayant en eux rien de resplendissant ou magnifique: mesme ils usoyent de reprehension, et crioient à l'encontre de toute excellence, hauteuse, et magnificance. Ils . . . crioient contre le glaive et la puissance du Magistrat. Les richesses et les honneurs estoyent rejettez d'eux comme vomissement. . . Ils ne parloyent que de mortification du vieil homme, et du renouvellement de l'Esprit, et d'une vie du tout dediee à Dieu. Ils mesprisoyent du tout le monde, et les choses qui sont en iceluy. . . Les plus saintcs Anabaptistes alors mesprisoyent toutes choses du monde" (pp. 16–17).

1:43.9–11.*d* *To this . . . flesh.* Describing the initial Anabaptist expansion in Saxony, de Brès accused their preachers of imparting “zeal without knowledge,” adopting the naked scriptural words without regard to their meaning; thus they appeared very lofty to men, “car ils avoyent toujours en la bouche la charité, la foy, la crainte de Dieu, la mortification de la chair, et la croix” (p. 4).

1:43.15–18.*e* *They were . . . them.* According to de Brès, Münzer taught that whoever would be saved must flee all vices, and “il falloit chastier et macerer son corps par jeunes et vesture simple, avoir un visage austere, peu parler, et porter barbe.” He must avoid the conversation of men “pour souvent penser à Dieu.” If God does not send a sign assuring us of His care, “il faut poursuivre et insister en prieres: mesme se plaindre vivement de luy comme de celuy qui nous fait tort. . . . Il disoit que ce courroux et reproche plaisoit fort à Dieu: pource qu’il voyoit par là l’inclination et ardeur de nostre esprit: et n’y a doute qu’estant pressé en ceste sorte, il ne se declare par quelque signe evident” (p. 5). At the beginning of de Brès’s chapter on the spiritual Anabaptists “separated from the world,” he declared that “ils disent qu’ils ne veulent avoir rien de commun avec les Gentils, comme ils parlent, non pas mesme le jeusne, les observations des jours, la vie, boire et manger” (p. 116).

1:43.18–21.*f* *Where . . . minded.* Relevant generalities appear on p. 16; see 1:43.6–44.3.*n*, above; the following on p. 116 is more specific: the spiritual Anabaptists “establisent une reigle pour scavoir combien simple l’accoustrement doit estre, de quelle matiere, et de quelle forme il doit estre fait, combien long, combien grand, et large: condemnans l’usage de tous vestemens precieux, appellans tous ceux qui usent d’iceux Gentils et payens.” Following passages commented on in *nn* to 43.21–24.*g, h*, and 43.26–44.3.*j*, below, de Brès returns to the topic of clothes: “il se rendent du tout ridicules, par ce qu’ils condamnent les vestemens et parures qui ne sont pas faits à leur reigle et taille par leurs couturiers sur leur forme et patron. Nous ne voulons pas ici lascher la bride à pompe et mondanité: mais nous disons qu’il ne faut pas condamner celuy qui sera vestu selon son estat, et selon la façon du pais, d’un bon vestement. . . . Christ et les Apostres ne nous ont pas baillé reigle pour les accoustremens. Il appartient bien moins aux Anabaptistes de ce faire. . . . Les bruvages [buvages] et les viandes ne sont pas moins libres aux Chrestiens que les vestemens” (pp. 117–118). Although de Brès seems to be using the word “accoustrement” in the normal sense of clothes, H may well have taken his “furniture of house” from the English “accoutrement” which could also apply to house furnishings (OED). After pointing out that the Pharisees consistently criticized Jesus for joining in “banquets et convives de ses amis,” de Brès commented that “les Anabaptistes imitent au jourd’huy ceste bande d’hypocrites qui sont de grands scruples de peu de chose, et passent legerement les grandes” (p. 119).

1:43.21–24.*g, h* *Every . . . lament.* Following the passage on p. 116 quoted in 1:43.18–21.*f, n*, above, de Brès continues: “Quand [les Anabaptistes séparés] voyent

quelqu'un rire et estre joyeux et allaigne, ils crient soudain ce qui est dit en l'Evangile: Mal-heur sur vous qui riez maintenant, car vous pleurerez [margin: Luc 6:12, an error, followed by H, for 6:25]. Ils sont continuellement de grands hauts souspirs, et sont tousjours tristes, ils rejettent les bancquetz et convives qu'on fait aux nopces, tout usage de musique, etc." (pp. 116-117). Shortly after the passage from p. 119 quoted 1:43.18-21.f.n, above, de Brès continues, "Ils condamnent aussi le ris et la liesse, comme une chose mauvaise. Nous confessons que Christ a dit, Mal-heur sur vous . . . , mais aussi il a dit que ceux qui pleureront, riront [margin: Luc 6.21] . . . c'est grand' folie aux Anabaptistes de vouloir bannir toute joye et liesse hors du peuple de Dieu. Tout ris et joye honneste, n'est pas à mespriser ou contemner, ains on doit plustost mespriser ces faux souspirs d'hypocrites, et ces faces tristes et melancholiques, par lesquels ils se veulent eslever pardessus les autres, comme plus saints" (pp. 119-120).

1:43.24-26.i *So great . . . case.* De Brès ends his narrative in Book 1 with a series of Anabaptist inconsistencies and outlandish opinions and practices: "Ils ont la croix en telle estime, que mesme ils mesprisent et rejettent tous ceux qui sont sans croix et persecution: et disent que leur cas ne se porte pas bien: car s'ils estoient en la voye du Seigneur, ils souffriroyent persecution, (disent-ils). Plusieurs pour cela cherchent [cherchent] la croix, autres sont d'autre opinion" (p. 124).

1:43.26-44.3.j *They so . . . day.* Between the passages from pp. 116-17 and pp. 117-118 (see nn to 1:43.21-24.g, h, and 43.18-21.f), de Brès writes: "Quant à cette sentence qu'ils ont à tous propos en la bouche, Ne vous conformez pas à ce monde [margin: Rom. 12:2], ils l'alleguent comme si par cela l'Apostre avoit commandé de changer la nature et propriété de toute chose: et comme si saint Paul commandoit d'aller sur nostre teste, à cause que les Gentils vont sur leurs pieds, ou parler des pieds, et ouir des talons, pource que les Gentils oyent de leurs oreilles et parlent de leur bouche. . . . C'est donc folie à eux de tirer [des passages de St. Paul] hors de leur vray sens, pour les faire servir à condamner un tas de petis fatras qui sont libres aux Chrestiens. Comme aucuns ne veulent point qu'on veste une chemise blanche le jour du Dimanche, pour ce que les infideles font le mesme. Les autres ne veulent pas qu'on die Lundy, Mardy: mais qu'il faut dire le premier et second jour, et autres semblables petites barbouilleries, voulans abstreindre les consciences à tel fatras" (p. 117).

1:44.4-7.k *they boldly . . . taught.* Describing the prophets sent out by the Anabaptist "king" of Münster, John Beukels of Leiden, to announce the establishment of God's kingdom, de Brès reports their answer to questions about their faith and life and the arming of the city: "Ils respondoient, qu'eux seuls avoyent la vraye doctrine: ce qu'ils vouloyent maintenir sur leur vie. Car depuis le temps des Apostres la parole de Dieu n'a esté droictement preschee, et n'y a eu aucune justice" (p. 40).

1:44.7-17.l *Wherefore . . . harts.* In a chapter refuting Münzer's doctrine of the

Holy Spirit, de Brès presents as the radical preacher's own words: "Que l'écriture du vieil et nouveau Testament, et la predication extérieure de la Parole, n'est point la parole de Dieu, et qu'il falloit chercher [chercher] la parole de Dieu dedans nostre coeur en nostre interieur: et que les ministres sont bien trompez, pensans que la foy vienne par lire les Escritures, ou par ouïr prescher, veu que toute l'Escriture dit qu'il faut estre enseigné de Dieu" (pp. 81–82). In the succeeding chapter, treating of the same subject, de Brès writes, "je reviens à la proposition de [Münzer] qui dit que les Ministres sont bien trompez de penser que la foy vienne par ouïr, et qu'il est écrit, Le frere n'enseignera plus son frere, disant, Cognois le Seigneur, car tous me cognoistront depuis le plus grand jusques au plus petit d'iceux, estans tous enseigné de Dieu [margin: Jer. 31:34]" (p. 92). H quotes 31:33 although he cites "31:34"; de Brès cites 31:33 near the beginning of this same chapter (p. 88). The GB note to 31:34 carefully qualifies the replacement of ministers' preaching by direct instruction of the spirit: "the ful accomplishing hereof is referred to the kingdom of Christ, when we shalbe joyned with our head." De Brès notes that "our Mennonites have condemned their father [Münzer] on this point" (p. 91).

1:44.18–19.*m other . . . heare;* According to de Brès, when "King" John (of Leiden) presented his decrees introducing polygamy to Münster, "il proposa quelques articles aux prescheurs, et requit qu'on les refutast par tesmoignage de l'Escriture." When the preachers refused consent, he gathered them to the town hall: "Là en la presence de tous il se despouilla de son manteau, et le jecta à terre avec un Nouveau Testament [which does not countenance polygamy]: et jura par ces marques ou signes, que l'article par luy proposé luy avoit esté revelé du ciel" (p. 29; see 1:48.6–31.n, below).

1:44.21–24.*n one . . . fire.* John Mathijs, a Dutch baker from Haarlem, preceded John of Leiden as the prophetic leader of the Anabaptists in Münster. Killed in defense of the city a few months after his arrival early in 1534, Mathijs had instituted rule by prophetic decree. De Brès reports that "le Prophete commanda que nul ne gardast livres, exempté la S. Bible, et que les autres fussent apportez en public, et abolis. Il se disoit avoir ce commandement de Dieu. Parquoy grand quantité de livres fut là amassée et consumée par feu" (pp. 26–27).

1:44.24–26 *When . . . them.* In the final section of bk. 1, de Brès recounts the variety of Anabaptist teachings and practices, commenting: "Il y en a aucuns qui ont journellement nouveau commandement de Dieu pour le manifester aux freres et aux estrangers" (p. 123). When writing of their understanding of the operation of the Holy Spirit, he notes that leaving Scripture, Anabaptists "pretendent des revelations de l'Esprit, mesprisans toute lecture: se moquans de la simplicité de ceux qui suyvent encore la lettre morte et tuante" (p. 84). Pointing to Münster's precedent, he asks, "N'estoit-ce pas une chose plaisante d'ouïr tousjours sonner en la bouche, L'Esprit m'a revelé, Le Pere m'a commandé?" (p. 96).

1:44.26–28 *Their . . . rehearsed.* In bk. 2, de Brès refutes what he understands to be Anabaptist Christology, and the third appendix attached to bk. 3 treats of the

doctrines of life after death (see 1:42.26–49.30.d.n, above). Articles 39 and 40 of the 1553 Articles of Religion were directed against Anabaptist teachings about the resurrection of the dead, and Article 2, substantially retained in the 1563 Thirty-Nine Articles, affirmed a traditional Christology.

1:44.28–45.5.o,p *And for as . . . mysterie.* At the beginning of 1.7, outlining the “different sects and contrary and pernicious opinions” among the Anabaptists, de Brès comments: “on en trouvera bien peu qui s'accordent entr'eux, qui n'ayent quelque mystere special en la teste, à cause que l'Esprit dont ils sont menez croist tous les jours, et leur met queque chose de nouveau au cerveau, qui puis apres receu des povres simples fols, comme articles provenans du ciel. Ils sont de ceux-la dont parle l'Apostre, tousjours apprenans, et jamais ne parvenans à la cognoissance de verité [margin: 2 Tim. 3:7]. Il est advenu aux Anabaptistes ce que journellement advient à ceux qui ont une fois commencé de se foruoyer et errer hors de la droicte voye: . . . plus ils marchent, et d'autant plus ils errent du droict chemin. Or apres les Anabaptistes ont eu edifié à la tour de Babel, Dieu a confondu leurs langues, desorte qu'ils ne s'entendent plus l'un l'autre, et sont divisez entr'eux. Alors ils se sont prins à excommunier et damner l'un l'autre, et faire diverses Eglises à part” (pp. 65–66). De Brès lists the variety of Anabaptists, ending with the followers of Menno Simons and of Sebastian Franck, whose disputes with each other in the Low Countries had reached their height at the time he wrote his account.

1:45.5–8.q *Whereupon, . . . whole.* In 2.1, de Brès catalogues all the Christological disputes of the first centuries of Christianity, declaring that the devil has newly raised up “nos Anabaptistes Mennonites, et Franiques, et toute la cohorte de ceste mal-heureuse secte. . . L'une des Eglises est excommuniée par l'autre, et se haissent mortellement l'un l'autre. Tant y a toutesfois qu'ils sont bien unis et fort bien d'accord pour troubler et gaster l'Eglise de nostre Seigneur Jesus Christ: et pour ce faire ils ont retiré des enfers ces abominables heresies qui y avoyent esté de long temps ensevelies avec leurs auteurs” (pp. 135–136).

1:45.8–11.r *the founder . . . things.* In 1.2, in which de Brès introduces the story of Münster, he addresses the Mennonites: “Que si maintenant vous dites que vous ne tenez pas ceux-la pour vos freres, et que vous ne consentez pas en tout avec ceux de Munstre: Je vous respon que vous ne differez en rien quant à la principale matiere de la doctrine: car vous l'avez appris d'eux. . . vostre grand docteur Menno Simon [“*the founder*” of 45.8] ne les mescognoit comme plusieurs de vous. Que dites-vous? qu'il n'est pas honteux de les appeller ses freres et soeurs (je di ceux de Munstre . . .) en un petit livre qu'il a fait, intitulé Une belle et profitable admonition et correction au Magistrat. . . Là il dit ces propos: Je croy et espere que nos chers freres [“*THE DEARE BRETHREN*”] ont un Dieu misericordieux, qui par cy-devant ont un peu desbordé du Seigneur en voulant defendre et maintenir leur foy par armes. . . Et dit qu'il laisse ceux de Munstre . . . en la main de Dieu” (pp. 24–25).

1:45.12–15.s,t *Their . . . them.* Following the list of varieties of Anabaptists (see 1:44.28–45.5.o,p.n, above), de Brès turns to some of their “strange opinions.”

Beginning with Münzer, he notes that in the first place, he taught “que les Ministres et prescheurs de l’Evangile, n’estoyent envoyez de Dieu, et ne preschoyent aussi la vraye parole de Dieu, ains qu’ils estoyent Scribes et Pharisiens, preschans seulement la lettre morte de l’Ecriture.” The Anabaptists found it necessary “pleinement nier que les Ministres n’estoyent pas envoyez de Dieu, pour plus aisement retirer et ravir le povre peuple à eux” (p. 67). Later in this section, de Brès addresses them: “Quelle raison avez vous donc de dire que vos ministres sont appelez de Dieu, et que les nostres le soyent du monde et par les hommes?” (p. 71). In his summary at the end of bk. 1, de Brès declares that “en aucuns lieux ils bannissent et excommunient ceux qui auront esté ouy prescher quelque predicant ou Ministre, ils en disent tous les maux du monde, les appellans Scribes et Pharisiens” (p. 124).

1:45.15–21.*u* *As . . . synagogue.* De Brès responds in 3.25 to the Anabaptists’ denial of the value of RC Baptism: “Disent-ils . . . ‘vous avez esté baptisez du Baptesme du Pape, par des meschans ministres idolatres, meschans et despravez en toute leur vie, meurtriers et larrons, au reste qui sont les plus mal-heureux et abominables de tout le monde: mesme ce Baptesme qui vous devoit estre donné en l’Eglise Chrestienne, il vous a esté donné en l’Eglise de l’Antechrist par des bestes du tout ignorans, il faut donc recevoir un nouveau Baptesme’ ” (pp. 764–765). H employs a Puritan phrase, “*Antichrists synagogue*” (line 21) in place of de Brès’s “l’Eglise de l’Antechrist” (see 1:327.9).

1:45.21–22.*v* *The custome. . . scorned.* In the opening sentence of 3.22, on the Anabaptist condemnation of sponsors at baptism, de Brès notes that “ils se viennent jecter sur les parrins et marrines que nous appellons Tesmoins, qui presentent les petis enfans au Baptesme, ils en font une chose si abominable et si horrible que rien plus” (p. 748). English Puritans objected to the BCP’s use of godparents (see V.64, esp. § 5).

1:45.22–25.*w* *Baptising . . . antiquitie,* Book 3.2 on infant baptism begins: “les Anabaptistes veulent dire que les anciens escrivains ont erré et failli en aucunes choses . . .” (p. 512). De Brès points out that in NT times, “mesme que selon vostre Menno, le Baptesme des petis enfans estoit desja en usage” (p. 513), and referring expressly to Menno Simons’s “livre d’Exhortation,” he states the Anabaptist teaching that, although infant baptism was used “mesme du temps des Apostres, et mesme soit fort ancien, neantmoins il y a eu aussi beaucoup d’erreurs fort anciennes et qui estoyent mesme en usage du temps des Apostres” (p. 514).

1:45.25–26.*x* *for that . . . infants,* In 3.18, entitled, “Il n’est point commandé expressement en l’Ecriture da [*sic*] baptiser les petis enfans, il s’ensuit qu’il ne les faut point baptiser, disent les Anabaptistes,” de Brès describes the common Anabaptist argument that since nothing ought to be added to the word of God or done without the Lord’s command, “‘Or,’ disent-ils, ‘le Seigneur n’a commandé nulle part de baptiser les enfans: Ergo, les enfans ne doyyent estre baptisez’ ” (p. 722).

In 3.19, entitled, "Le[s] Anabaptistes demandent qu'on leur prouve le Baptesme des petis enfans de mot a mot par l'Escriture," he presents the Anabaptist insistence that "'Nous tenons pour reigle que tout ce qui n'est expressment commandé et contenu en l'Escriture mot a mot, lettre à lettre, est deffendu. . . . Mais vous autres,' disent ils, 'vous estes tenus de nous produire un commandement expres où il soit escrit lettre à lettre, Baptisez les petis enfans'" (pp. 726-727).

1:45.26-46.5.y *he contrariwise . . . required.* At the beginning of 3.3, de Brès declares, "pour rejeter le Baptesme des petis enfans, ils nous alleguent pour faire leur grand bouclier et la principale forteresse de leur opinion, la premiere institution et ordonnance du Baptesme, laquelle ils disent avoir esté faite par les paroles escrites au dernier chapitre de Saint Matthieu, où il est dit, Allez et enseignez toutes gens, les baptisans au nom du Pere, et du Fils, et du saint Esprit, les enseignans à garder toutes choses que je vous ay commandees [margin: Mat. 28.19]. Et pour renforcer l'ouvrage, ils joignent le passage du dernier chapitre de saint Marc, Qui croira, et sera baptisé, il sera sauvé [margin: Marc 16.91 for 16:16]. Ils triomphent ici et gazouillent à plaisir. Il n'y a si petit entre eux qui n'ait toujours ceste sentence à tous propos en la bouche, pour monstrier qu'on ne doit pas baptiser les petis enfans. Mais que veulent-ils conclure par ces deux textes d'Escriture sainte? Ils disent que par ceste Escriture est clairement demonstrier qui c'est qu'on doit baptiser ou non, et qu'on ne doit recevoir au Baptesme sinon ceux qui premierement auront esté enseignez, et croiront. Car il faut (disent-ils) ensuyvre l'ordre des paroles, premierement enseigner et croire, puis apres on doit baptiser selon l'ordonnance de Jesus Christ" (pp. 518-519).

De Brès alludes to the Anabaptist insistence on this proper order of instruction and faith before baptism in the beginning of 3.15 in which he attacks the inconsistency of Dietrich Phillips (1504-1568) who taught that unbaptized children of believers could be within the covenant of salvation. If so, asks de Brès, "pourquoy les met-il du rang des infideles et estrangers de l'Eglise, en tenant vers eux une semblable ordre et procedure, comme ils sont envers les estrangers de DIEU, et de son Eglise?" (p. 688).

1:46.5-11.z *The Eucharist . . . death.* De Brès describes the meal held during the siege of Münster in the cathedral courtyard with 4,000 attending and "King" John and one of his wives presiding: "Le Roy et la Royne servoyent avec leur courtisans. Le souper quasi fini, le Roy bailla du pain sans levain à tous, disant, Prenez, mangez, annoncez la mort du Seigneur. Puis la Poine presentoit la Coupe, disant Buvez, annoncez la mort du Seigneur. Voila la belle Cene des Anabaptistes qui estoit plustost un banquet voluptueux, et la table des diables, que la table de nostre Seigneur Jesus Christ" (pp. 38-39). H supplies the explanation for the words John of Leiden chose to use. Immediately following, John sent out the preachers to other towns (see 1:44.4-7.k.n, above).

1:46.11-14.a *In rites . . . them.* In the final chapter of bk. 1, describing the various innovations of the Anabaptists, de Brès comments: "Aucuns ont enduré et souffert

de grands tormens, pource que seulement qu'ils ne vouloyent point garder et conserver les Dimanches et festes comme les autres, au despit de l'Antechrist, veu que c'estoyent jours ordonnez de l'Antechrist, avec lequel ils ne vouloyent avoir rien de semblable." However, unlike H, who implies that this applies to all Anabaptists, de Brès goes on: "Les autres observent aussi les festes, mais c'est par charité" (p. 122).

1:46.14–19 *The pretended . . . excommunication.* De Brès interprets the pacifist Mennonite refusal to grant governments the right of execution as another form of the same principles that underlay the Münster rule of the saints. Towards the end of the essay on the Magistrate, he concludes: "il est aisé à voir que nos Anabaptistes sont ennemis mortels de toute bonne ordre et du repos publique. Je vous prie que seroit-ce si le Magistrat ne pouvoit user de son glaive envers les mechans? Si au-jourd'huy il s'eslevoit un semblable Roy, comme il se leva un de leurs freres en la ville de Munstre, . . . quel conseil il donneroyent au Magistrat? . . . On voit evidemment de quel esprit sont menez les Anabaptistes, et combien sont fermes leurs raisons pour vouloir ruiner et du tout abolir les Rois, Princes, et Maistrats de la terre" (p. 847). H emphasizes Anabaptist concern to establish scriptural discipline, as they understood it.

1:46.19–21.b *For this cause . . . Nations;* In the appended essay on the magistrate, de Brès states that the Anabaptists "alleguent que Jesus Christ a dit à ses Apostres, disputans qui seroit le plus grand entr'eux: les Rois des nations les maistrisent, et ceux qui usent d'autorité sur icelles, sont nommez bien-faicteurs: mais il n'est point ainsi de vous, ains le plus grand entre vous oit comme le moindre, et celuy qui gouverne comme celuy qui sert [margin: Luc 22.25]" (p. 841). BB translates Luke 22:25, as did H following de Brès, "kings of nations," rather than the GB's "kings of the Gentiles" (see 1:49.20).

1:46.21–22.c *in abolishing . . . evill;* De Brès declares that, among the various scriptural passages used by Anabaptists to support their views on the magistrate, they give priority to "ce que dit Christ à ses disciples en S. Matthieu, Ne resistez point au mal: ains si aucun te frappe en la joue dextre, tourne-luy aussi l'autre. Ceste doctrine (disent les Anabaptistes) ne peut autrement estre entendue que les paroles ne sonnent: parquoy il faut que tous Chrestiens facent ce que Christ commande: . . . s'ils le font, il ne sera plus lors besoin de Magistrat: que s'ils ne le font, nous ne les pouvons recognoistre pour Chrestiens en resistans à la Parole du Seigneur [margin: Mat. 5.39]" (p. 833).

1:46.22–23.d *in forbidding . . . all;* Following the essay on the magistrate, de Brès's next appendix considers oaths that the Anabaptists refused on grounds of Jesus's command in Matt. 5:34; the essay begins: "Nous voyons que les Anabaptistes d'un erreur sont entrez en plusieurs autres, de sorte que de la rejection du Magistrat ils sont venus à condamner quant et quant le Serment qui se fait pour mettre fin à tous differens entre les hommes [margin: Heb. 6.16]: . . . leurs disciples endurent

plustost la mort que de faire Serment devant le Magistrat ou en quelconque autre façon" (p. 849).

- 1:46.24-26.e *in bringing . . . vertue.* In outlining the message that the preachers from Münster carried with them (see 1:44.4-7.k.n, above), de Brès relates that "Ils leur commanderent de mettre tous leurs biens en commun" (p. 40; see also Münzer's teaching in the passage quoted from p. 7 in 1:47.19-27.k,l.n, below). De Brès describes the introduction of this teaching at Münster by John Mathijs who "commande à toute la ville de mettre en commun tout l'or et l'argent, et autres biens meubles: et que personne n'eust à rien reserver de particulier, sur peine de perdre la vie." Although the people were astonished at the rigor of the edict, de Brès reports its successful implementation (p. 26). Among Anabaptist groups, it was the Hutterites who alone effectively carried out the primitive communism suggested in Acts 2:44-45, which GB glosses: "Not that their goods were mingled all together: but suche served that everie man frankely relieved anothers necessitie."
- 1:46.29-32.f *The . . . evill.* In bk. 5, "On Justice," of *The Divine Institutes*, discussing the persecution of Christians by defenders of traditional religion, Lactantius disingenuously asks the opponents why they do not believe Christians who are familiar with both religions and suggests that they may envy Christians for preferring truth to falsehood. "'But,' they say, 'sacred rites, publicly undertaken, must be defended.' With how good . . . [as in lines 31-32]." "Doe evill" is an unusually strong rendering of "errant"; "are mistaken," "go astray," or "err" would be more natural (5.19 [5.20 in PL, ANF]); *Divinarum institutionum libri vii* (1570), p. 304; CSEL, 19:465; PL, 6:615; compare ANF, 7:157.
- 1:46.32-47.4.g *Luther . . . lived.* In presenting Münzer as the father of Anabaptism, de Brès writes of his ministry in Alstedt in Electoral Saxony, commenting: "Frederic prince de Saxe l'enduroit, mesme à la requeste de Luther: mais quand il se mit à faire sermons seditieux l'an 1523, il s'attacha publiquement, non seulement aux Ministres de la parole, mais aussi contre le Magistrat, et furieusement il preschoit en se complaignant que la liberté estoit esteincte et que le povre et miserable peuple estoit tyrannisé et opprimé par charges insupportables, et que leurs biens et leur labeur estoit devoré par les Princes, et qu'il estoit temps d'y penser" (p. 6). He generalizes de Brès's "il [he]" (Münzer) to include Anabaptists in general. De Brès may have relied here on Luther's 1524 letter to the Saxon princes in which, referring specifically to Münzer, he advised: "Let anyone preach, fresh and in good courage, what they are able and against whom they wish. For, as I have said, there must be sects, and the Word of God must be in the field and fight"; see *D. Martin Luthers Werke, Kritische Gesamtausgabe* (1883-), 15:218.
- 1:47.5-6.h *They . . . thousandes.* At the beginning of de Brès's narrative, set in Saxony in 1521, he writes: "Leur doctrine s'espandit soudain par tout le pais, et amasserent en peu de temps grand peuple apres eux, et en rebaptisoient beaucoup de milles: de sorte que grand nombre de simples gens estans menez d'un zeile sans

science, en ont esté entachez par la belle apparence d'iceux" (p. 4). In chap. 2, attributing the beginnings of Anabaptism in Münster to the arrival of John of Leiden in 1533, de Brès recounts the public witness of a previously hostile minister converted to Anabaptism, continuing: "Pour ceste cause grande esmotion s'esleva contre le peuple, et ceux qui paravant avoyent esté seduicts secrettement par Jean Becold de Leiden, mettoyent en avant leurs opinions, et presque par toute la ville faisoient souvent des conventicules et assemblees secrettement par les maisons privees: et leurs ministres enseignoyent seulement de nuict quand les autres prenoyent leur repos, qui estoit heure propre pour faire leurs mysteres" (p. 20). Elsewhere de Brès describes Anabaptist evangelism employed by the preachers sent out by "King" John to Holland: "ils rebaptisoyent leurs disciples, et secrettement de nuict saisoient leurs conventicules et assemblees" (pp. 41–42).

1:47.6–14.i *The meanes . . . away*: After describing the capture and execution of the Münster Anabaptist leaders, de Brès bears down heavily on their identity with the Mennonites whom he addresses: "Vous avez beau vous desguiser sous ombre de vostre sainteté, de vostre mortification, et renouvellement de vie: on sçait assez bien vostre pretendu. . . . Partant vous perdez peine d'ainsi amaigrir vostre face, et monstrier un visage palle et melancholique aux hommes, pour les attraper à vous. . . . Pour gagner force gens à vostre secte, et faire croistre vostre nombre, vous desguiser tantost en apparence de sainteté, tantost vous detractez des Ministres de l'Evangile et de l'Eglise reformee, tantost vous achetez vos disciples à beaux deniers contant. J'appelle acheter, quand par argent vous les attirez à vous, vous leur montrez la largesse de vostre charité, jusques à ce qu' ils soyent gaignez. . . . Regardez bien diligemment les commencemens de vos freres de Munstre, . . . et vous trouverez qu'ils ont fait en leur commencement pour gagner force gens, tout ainsi comme vous faites au jourd'huy, et seignoyent une sainteté et belle apparence aussi grande ou plus grande que la vostre" (pp. 54–55).

1:47.14–19.j *fourthly, . . . contempt*, According to de Brès, Münzer recruited adherents in Alstedt and "commença a enrroller les noms de ceux qui entrans en sa ligue, et par serment solennel promettoyent donner secours pour despescher les meschans Princes et magistrats (car ils tenoyent en general tous superieurs pour meschans) et en substituer de nouveaux" (p. 6; see also 1:46.32–47.4.g.n, above).

1:47.19–27.k,l *all liberty . . . Prophets*. After recounting Münzer's fortunes under Frederick III (the Wise) and his move to Mulhausen, de Brès describes the preacher's increasing militancy: "il escrivoit deça, dela, pour faire prendre les armes aux subjects contre leurs Princes pour recouvrer leur liberté tant spirituelle que temporelle. Il parloit si bien au gré du peuple qu'il estoit nommé par la bouche de tous, Le vray Prophete [1:47.26–27] . . . Il enseignoit la communauté des biens, et que l'égalité de dignité resentoit fort son humanité, à ce que tout le monde demeurast en sa liberté comme il est créé, et qu'indifferamment on use des biens. Il disoit que cela luy avoit esté revelé divinement, et qu'il devoit rejeter tous les grans et les

Princes: et que le glaive de Gedeon luy estoit donné contre tous les tyrans, pour restaurer la liberté et le nouveau regne de Christ en ceste terre. . . . Il se print donc à jouer son rolle, estimant le temps estre venu d'exploicter sa delibération" (p. 7).

1:47.27-31.*m* *If any . . . them.* Describing the death of John Mathijs in battle at Münster, de Brès commented, "combien qu'on cogneust assez la fraude de ces propheties, le peuple cependant estoit de telle façon enchanté et hors du sens qu'ils regrettoient fort ce beau prophete, en disant qu'il leur adviendrait quelque malheur, puis qu'un tel Prophete leur estoit osté" (p. 27). H introduces St. Stephen.

1:47.31-48.2 *In all these . . . like:* De Brès reported that Münzer addressed the people: "Vous sçavez que je suis le motif et autheur de ceste entreprise, non de mon autorité ou fantasie particuliere . . . mais par le commandement de Dieu. La chose donc estant ainsi conduite il faut que vous et moy obeissions, et n'abandonnions nostre rang, où Dieu nous a ordonnez" (pp. 9-10).

1:48.4-6.*n* *This they . . . association.* See quote at 1:47.14-19.*j,n*, above.

1:48.6-31 *And . . . much.* "Peradventure" suggests that H here presents his own account of the Anabaptists' introduction of polygamy in Münster. Shortly after the passage quoted in 1:44.18-19.*m,n*, above, de Brès describes the implementation of "King" John's articles: "Ce grand prophete Jean Becold de Leiden . . . joua fort bien son rolle: car pour sa part il n'en espousa que quinze, et les tenoit toutes ensemble. Et fut permis a unchacun d'en espouser six ou sept: car it falloit ainsi renouveler la mariage comme ils avoyent renouvelé le Baptesme: et afin qu'aucun ne trovast mauvais leur fait, il avoyent gaillardement agencé et couluré leur villenie avec tesmoignages de la parole de Dieu. Ils amenoyent l'exemple des Partriarches Abraham, Jacob, David et Salomon, et plusieurs autres: et disoyent que la parole de Dieu le nous commande, disant, Croissez, et multipliez, et remplissez la terre" (p. 30). De Brès reports John's chosen title: "LE ROY DE LA NOUVELLE JERUSALEM, ROY DE JUSTICE PAR TOUT LE MONDE" (p. 36). The message carried from Münster by John's appointed preachers proclaimed, "voici le temps predit par les Prophetes, auquel Dieu veut que justice regne par la terre universelle. Et apres que le Roy aura exploitté sa charge, et aura tant fait que justice regnera par tout, lors Christ delivrera le Royaume à son Pere" (p. 40).

1:48.24 *Josuaes, Sampsons, and Gedeons* Three military leaders of ancient Israel; see Josh., *passim*; Judges 13-16 and 6-8. For de Brès's reference to Gideon, see 1:47.19-27.*k,l,n*, above.

1:49.16 *six or seven wives apeece;* See 1:48.6-31.*n*, above.

1:49.20 *poore . . . Nations,* H has in mind the local parish or township "Constables" in England whose status might be compared with Münster's councillors—both far removed from the grandiose "Kings of Nations" invoked by the Anabaptists; see 1:46.21 and 46.19-21.*b,n*, above. De Brès writes that "Au commence-

ment ces Anabaptistes ne pouvoient souffrir ni ouir dire que quelque honneste homme fust Ballif ou gouverneur de quelque village: mais peu apres le vent se retourna bien: car par le commandement du Pere, le Roy ne s'est pas fait roy d'un village, mais de tout le monde" (pp. 37–38).

- 1:49.21–26 *finally . . . pillage*; De Brès writes: "Où sont donc maintenant ces belles criees des Anabaptistes, Ne vueillez resister au mal: et à celui qui te veut oster ton manteau, baille-luy aussi ton saye? Ceux-ci ont plustost pillé et ravis non seulement le manteau aux gens de bien, mais aussi leur ont osté tout ce qu'ils avoyent, et miserablement les ont chasses hors de leurs maisons [margin: Matth. 5.39, Luc 6.28, Rom. 12.17]" (p. 24). H's emphasis reflects 1 Cor. 6:1–8.
- 1:49.26–30.*o,p,q* *which . . . Egyptians*. Describing the trials of the preachers sent out from Münster (see 1:44.4–7.*k,n*, above), de Brès recounts: "Interrogez, pourquoy ils avoyent chassé les gens de bien hors de la ville contre leur foy, ayans retenu leurs biens, femmes et enfans, et par quel texte de l'Escriture ils vouloyent prouver ceste injustice: Ils respondirent que le temps estoit venu auquel, selon le dire de Christ, les debonnaies possederoyent la terre: veu qu'en ceste maniere Dieu donna jadis les biens des Egyptiens aux Israelites [margin: Matt. 5.5, Exod. 11.2]" (pp. 40–41).
- 1:50.3–4. *Pastors, . . . Deacons*, In Martin Marprelate's *Hay any worke for Cooper* (see 1:247.8–248.6.*g,n*, below), the four-fold reformed ministerial titles recur again and again; for example: "God hath ordained pastors, doctors, elders and deacons to be in his Church" (1589; STC 17456); p. 12; facsimile edn. (1967), *The Marprelate Tracts [1588–1589]*.
- 1:50.4–5.*r* *whether . . . no*; Puritan writers consistently avoided any such openly seditious language. H's quote from Martin Marprelate is no exception. Martin insists that the bishops are the "enemies unto the state." Addressing them, he writes that "you confesse" that episcopal government would be unlawful "if her Majesty and the state of the land did disclaime the same. Tell me, doe you not confesse this? Denie it if you dare. For will you say that you ought lawfully to be here in our commonwelth whether her Majesty and the Counsell wil or no?" (p. 26); this is actually the fourth Marprelate tract to appear; H cites the third, *Certaine minerall, and metaphisicall schoolpoints to be defended by the reverende bishops* (STC 17455), a one-sheet folio broadside, at 2:82.9.*n*. If not, Martin concludes, "then you doe not hold your offices as from God, but as from man. Her majestie she holdeth hir office . . . as from God. . . . Your case is otherwise, for you hold your offices as from her Mejestie, and not from God" (p. 27). He then cites John Bridges' *Defence of the government established in the church of Englande* (see Intro., pp. 23–25, above, and 1:212.*v,n*, below) to the effect that "everie B[ishop] must be either the Bishopp of God or the Bishop of the Divel." Since English bishops, therefore, cannot be of man, either "they are the Bishops of the Divell . . . or else

their places ought to be in this commonwealth whether her majestie and our state will or no. . . . So that . . . either our bishops are bishops of the Divil, or their callings cannot be defended lawful without flat and plaine treason in overthrowing her Majesties supremacie. And so Deane Bridges hath written and John Whitgift hath approved and allowed" (pp. 28-29). In the second Marprelate tract, known as the *Epitome* (STC 17453), the author ironically commended Bishop John Aylmer for having approved of parliament's refusal to grant Henry VIII's proclamations the force of statutory law: "I would our parliament men woulde marke this action . . . and follow it in bringinge in reformation, and putting downe lord Bishops with al other points of superstition: they may in your judgment not only doe anything against their Kings or Queenes minde that is behoofull to the honor of God and the good of the commonwelth, but even withstand the proceedings of their soveraigne" (sig. E2'). In his 1589 Paul's Cross sermon Bancroft attacked this argument in words similar to those H used to respond to the subsequent Marprelate tract; Bancroft also quoted the passage of Udall's *Demonstration* H employs in 1:50.12: "Seing . . . how far these men are gone already upon their own needs, who knoweth whether in short time they will not disclaime hir Majesties authoritie: . . . whether they purpose to discharge the estate of [bishops] and to erect of themselves their new found plat for government? . . . [The author of *Demonstration* is] very peremptorie and resolute, that the *Presbyterie must prevaile: and if it come to passe* (saith he to the [bishops]) by that means which will make your harts to ake, blame your selves. Martin in his first booke threateneth *Fists*: and in his seconde, he wisheth that our Parleament, which is now assembled, would put downe Lord Bishops, and bring in the reformation which they looke for, whether hir Majestie will or no" (pp. 82-83). Hooker may have taken his quotation from Bancroft, incompletely correcting Bancroft's reference to the "seconde" book without checking; on the probable haste of composition, see Intro., pp. 39-43, above.

1:50.5-7 *when . . . thousands*; The author of *The Second Admonition* asked Parliament "to pitie [the Puritan] case, and to provide for it. It is the case already of manye a thousand in this land, yea it is the case of as many as seeke the Lord aright, and desire to have hys owne orders restored. Great troubles will come of it, if it be not provided for, even the same God that hath stirred me, a man unknowne to speake, though those poore men which are locked up in Newgate, neither do, nor can be suffred to speake, wil dayly stir up mo as yet unknown" (pp. 59-60; *P.M.*, p. 129); see 1:12.5-11.n, above; H quotes Cartwright's "thousands" at 1:34.2.

The sixth Marprelate tract, *The just censure and reproofe of Martin junior*. By Martin senior, proposed that "al the Puritans in the land, both lordes, knights, gentlemen, ministers, and people, to become joint suiters in one supplication unto her Majestie, and the Lords of her honorable privie counsell. . . . There would be gotten an hundreth thousand hands to this supplication, of knowen men in the land, all her Majesties most loyall and trustie loving subjects" ([1589]; STC 17458; sig. C3', 4').

The author of *An humble motion* compares the situation of the English disciplinarians with that of Christ's followers on the day of his death who could not imagine his coming victory: "How much more may wee thinke it easie to set up Christes discipline in the church, now under so Christian and milde a Queene, . . . after so many yeares of peace and preaching the Gospell, . . . when thousandes sighe for it, and ten thousandes have sought it: and approved and worthy men of all sheires have consented unto it, and in some sorte craved it, and all men almost confesse that wee ought to have it, . . . and no man is able soundly to confute it" (p. 39; see 1:41.1-14.y.n, above). Bancroft referred to both these latter passages in *Dangerous Positions* (pp. 137-138).

- 1:50.7-12.s *when . . . ake*. Shortly after the passage in the preface to Udall's *Demonstration* quoted at 1:27.11-13.n, above, he warned the bishops: "We have sought to advaunce this cause of God, by humble suit to the parliamente, by supplication to your Convocation house, by writing in defence of it, and by challenging to dispute for it, seeing none of these means used by us have prevailed; If it come in by that meanes, which wil make all your heartes to ake, blame your selves; for it must prevail, maugre the mallice of all that stande against it, or such a judgement must overtake this lande, as shall cause the eares that heare thereof to tingle, and make us be a by-word to all that pas by us" (sig. B2^v); see nn to 50.4-5.r, above, and to 247.8-10.g, below.
- 1:50.12-14 *That . . . weale*. Puritans similarly argued against lukewarm supporters of the establishment who regarded episcopal government as doubtful but not explicitly forbidden in Scripture.
- 1:50.18-23 *whether the people . . . other*; See 1:36.30-39.2.n, above.
- 1:50.28-31 *Yea even . . . addicted*. Bancroft documented presbyterian structures secretly organized by ministers serving in the established church, recounting the story in bk. 3 of *Daugerous Positions*. Summarizing the account, he wrote: "they have had their draughts of discipline: they have subscribed a particular book for England: they have put their former platformes, and their said particular booke . . . in practise, as neare as they could; they have had their meetings and *Synodes*, . . . they have made decrees and conclusions, not only to further their own conspiracy, but also to overthrow the present go government of the *Church*: they have had in some places their *Elders*: they have exempted themselves from the ecclesiastical government in this Realme . . . They challenge to their unlawfull and seditious assemblies, the true and most proper name of *the Church*" (pp. 126-127; see Intro., pp. 19-22, above).
- 1:50.31-51.7 *And least . . . be*. In attempting to enforce conformity on Puritan activists, the Ecclesiastical Commission, authorized under the Supremacy Act, often required suspected witnesses to take an oath, *ex officio mero*, and to respond to a prepared set of articulated questions which contained points of accusation against

them. While the *ex officio* oath was a standard procedure of civil and canon law (see 1:41.1–14.y.n, above), common lawyers protested that the presiding officer took the dual role of judge and prosecutor and that witnesses were forced to incriminate themselves. Addressing Archbishop Whitgift, Lord Burghley compared the procedures to those of the Spanish inquisition (Collinson, *E.P.M.*, p. 270). The Puritan lawyer, James Morice, wrote *A briefe treatise of oathes exacted by ordinaries and ecclesiasticall judges* ([1590?]; STC 18106) against the practice, which was, in turn, defended by Richard Cosin, a prominent lay lawyer on the Commission, in *An Apologie: of, and for sundrie proceedings by jurisdiction ecclesiasticall* (1591; STC 5820); on Morice, see Intro., pp. 18, 28–32, and 61, above. H cites Cosin's *Apologie* in his *Auto. Notes*; see 3:481.18 and n, below. Bancroft in his 1593 *Survey* referred to the oath, "which is, and alwayes hath beene ministred in certayne causes, in every Court almost, within the Realme: . . . This kinde of oath, beeing ministred also by her Majesties Commissioners in causes ecclesiasticall, for these four and thyrtye yeares: is now especially greatly impugned, and many exceptions are taken agaynst it. As, a man maye not bee driven, to confesse any thing against himselfe, nor his godly brethren: what you will charge us with, prove it. You may not admit an accusation against an Elder, under two or three witnesses. If you have witnesses, why aske you us? And many such like objections are made, and maintained" (p. 311). The final article of accusation tendered by the commissioners to Cartwright after his arrest in 1590 included the assertion that "it is not lawful to take any oath, whereby a man may be driven to discover any thing penal to himself, or to his brother, especially if he be persuaded the matter to be lawful for which the punishment is like to be inflicted, or, having taken it, in this case, need not discover the very truth"; printed by Thomas Fuller in *The Church History of Britain*, ed. Nichols (1842), 3:111. The final clause here suggests the conclusion proposed in 1:51.3–7.

1:51.24 *my decree brethren* Compare 1:1.13–16, 3.1–6, and 45.9.

1:52.3–6 *Amongst . . . them?* Near the end of his life, Augustine wrote his *Retractiones* reviewing and correcting his earlier work (CSEL, vol. 36; PL, 32:659–868; FOTC, vol. 60).

1:52.9–11.f *Behold, . . . proceed.* Job 39:37b–38 in GB, but 40:4b–5 in BB, AV, and subsequent modern edns.

1:52.20–53.5.u *My . . . disposition.* Approaching old age while serving as bishop of the small town of Nazianzus in Cappadocia, Gregory's father ordained his son by surprise during the Christmas liturgy in 361. After fleeing in anger to seek a withdrawn life of solitude, Gregory reluctantly returned to the duties of an active ministry, and, in explanation of his behavior to the congregation, wrote the treatise variously known as his *Apology* or his *Second Oration*. In the course of the work he described the responsibilities and the challenges of the priestly office in his day.

One of Gregory's best-known works, frequently employed by others writing of the ministry, it would have been available to H both in Greek (which he clearly employed in Book V; *Γρηγορίου τοῦ Ναζιανζήνου τοῦ θεολόγου ἅπαντα*, Basel: 1550, pp. 14–32) and in a number of Latin translations: for example, the ancient paraphrase of Rufinus of Aquileia (*Opera*, Leipzig: 1522), no printed pagination; CSEL, 46:7–83, a translation of Jacques de Billy, first published in 1569 (the basis for PG, 35:407–514), and that of Wolfgang Musculus (*Opera*, Basel: 1550, pp. 1 ff.). H's translation suggests that here, as above in 1:14.1–7, he was using Musculus, quoting six brief but widely separated sections.

In the latter part of the essay (§ 78), Gregory suggests that since he himself had not yet learned to obey a shepherd nor cleansed his own soul, he was not ready to "to be entrusted with the charge of a flock." He continues: "And more than that, in times such as these in which one [or "I" following H and Musculus], seeing everyone else turned topsy-turvy and troubled, my minde . . . [as in 52.20–24] . . . to nothing. And priest is a mere empty name since, as it is said, contempt is poured on rulers [Ps. 107:40]." The next section (79) continues: "All fear has been banished from souls, and shamelessness has been substituted. Knowledge and the deep things of the spirit belong to anyone who so chooses. The only . . . [as in 52.24–26] . . . be ungodly." After Gregory bewails the practice of Christians who appeal to pagan judges and allow unbelievers to attend church services, he continues (§ 80): "Each others . . . [as in 52.26–27] . . . of griefe." After continuing his condemnation of the way Christians behave with one another and of their failure to hold to their professed values, he insists that "we are destroyed by one another" (end of § 81). Noting that people and priests share the same faults, with an allusion to the divisive doctrinal disputes of the 4C, he commends those who defend true doctrine (§ 82). "However," he notes (§ 83), "there are some who quarrel over petty things which are no help to anything, and, with exceeding stupidity and rashness, take as many associates in mischief as they can. Then the faith becomes the reason for all things, and the august name is dragged into all their own rivalries. By these meanes . . . [as in 52.27–32] . . . allow therof. [§ 84] On our . . . [as in 52.32–53.2] of us all." Gregory points out that not only have Christians become a spectacle to the world in Paul's sense (1 Cor. 4:9), but they are caricatured in derision in the theatre. He thus concludes, "This we . . . [as in 53.3–5] . . . mild disposition. This we produce, who love God more than is expedient." Parts of Musculus's translation reflected in 52.20–53.5 and neither literally translated from the Greek nor similar to the renditions of Rufinus and Billy are indicated in italics: ". . . huc inclinat *animus* ut fugiendo e medio *fugiam*, et sub operculum aliquod secedens, *tenebrosam hanc maliciae tempestatem evadem*, qua membra inter se hostiliter belligerantur, et dilectio (si quid tamen de illa reliquum fuit) evanuit. . . . [§ 79] . . . Sumus omnes pii, ex eo duntaxat, quod aliorum impietatem damnamus. . . . [§ 80] Observamus invicem alii aliorum peccata, non ut ea deploremus, sed ut ex-problemus. . . . [§§ 81–82, 83] . . . Et horum gratia, sicuti par est, detestabiles red-

dimur ethnicis: et quod gravius etiam est, *negare* non possumus quin id merito nostro fiat. Infames etiam apud eos facti sumus qui ex nostris sunt probiores: nec mirum, si apud quamplures, qui etiamsi quid *recte gereremus*, aegre commendarent ac probarent. [§ 84] Fabricant autem et peccatores supra dorsum nostrum, et quod invicem alii adversum alios comminiscimur, ipsi contra nos omnes usurpant. . . . [§ 85] *Haec ex mutuo et intestino bello lucrificamus, haec reportamus*, qui nimium et plusquam probitas et mansuetudo patitur, certamus"; Basel (1550), pp. 18–19; for the Greek see (1550), pp. 27–28; PG, 35:485, 489; compare NPNF.2, 6:221–222.

σιναγαγήν τοῖς διδασκτικοῦς τῶν νόμων ἐκλέξασθαι γὰρ εἴ τις
 ἀείροις, ὡσπερ ἑστὶ τὸ ἐκλογικὸν ἔσθην σιωπέσεως καὶ τὸ κρίναι ὀρ-
 θῶς μέγιστον, ὡσπερ ἐν τοῖς κτῆ μοισικῶσι οἱ γὰρ ἐμπέροι παρὲν ἕκαστα
 κρίνοισιν ὀρθῶς τὰ ἔργα, καὶ δι' ὧν ἢ πῶς ἐπιβλήεται, σὺνίσασιν καὶ ποῖα
 ποίοις σὺν ἀδελφοῖς δ' ἀπέριτοι, ἀγαπητὸν δὲ μὴ διαφραδαίναν, εἰ
 δὲ, ἢ κακῶς πεποιήται τὸ ἔργον, ὡσπερ ἐπὶ γραφικῆς· οἱ δὲ νόμοι
 τοῖς πολιτικῶσι ἔργους εὐόκασιν πῶς οὖν ἐκ τούτων νομοθετικὸς γέ-
 νοιτ' αὐτίς, ἢ τοῖς ἀείροις κρίναις γὰρ φαίνονται εἰς ἰατρικῆν ἐκ τῶν
 συγγραμμάτων γίνεσθαι καὶ τὸν παρῶντα γελῶν, εἰ μόνον τὰ θε-
 ραπείματα, ἀλλὰ καὶ ὡς ἰατρικῆν δὲ, καὶ ὡς δεῖ θεραπείαν, ἐκεί-
 σου διελογίσοι καὶ ἕξας. ταῦτα δ' οἱ τοῖς μὲν ἐμπείροις, ὡφελίμα ἐστὶ
 δοκεῖ τοῖς δὲ ἀεπισημοῖς, ἀχρησά. ἴσως οὖν καὶ τῶν νόμων καὶ τῶν
 πολιτικῶν αἰ σὺν ἀγαθῶν, τοῖς μὲν δυναμῶσι θεωρήσασιν, καὶ κρί-
 ναι τί καλῶς, ἢ ποιῶντα, ἢ ποῖα ποίοις ἀρμότῃ, ἀχρησά αὐτῶν εἴη·
 τοῖς δὲ αὐτῶν ἕξας τὰ ποιῶντα διεξιῶσι, τὸ μὲν κρίναι καλῶς, ἐκ αὐ-
 τῶν παρῶν, εἰ μὴ ἄρα αὐτῶν ἀσπίματων ἀσπίματων δὲ εἰς ταῦτα τάχα
 αὐτῶν γίνονται. τῶν ἀπὸ τῶν οὖν τῶν παρῶν, ἀερόδητον δὲ παρὲν
 τῶν νομοθεσίας, αὐτοῖς ἐπιπέξασθαι μᾶλλον βέλτιον ἴσως, καὶ ὅλων
 δὲ παρὲν πολιτείας, ὅπως εἰς δυνάμιν ἢ παρὲν αὐτῶν φιλο-
 σοφία τελεθῆ. παρῶν μὲν ἐν εἰ τι καὶ μέγιστος εἴρηται καλῶς ὑπὸ
 τῶν παρῶν, παρῶν, παρῶν ἐπελθεῖν εἴτα ἐκ τῶν σὺν ἡμέ-
 ρων πολιτικῶν θεωρήσασιν τὰ ποῖα σῶξαι καὶ φθειρῆ καὶ πόλεις, καὶ τὰ
 ποῖα ἕκαστα τῶν πολιτικῶν, καὶ διαφάσιν ἀπίας, αἱ μὲν καλῶς· αἱ
 δὲ ποιῶντα πολιτεῶνται θεωρηθέντων γὰρ τούτων, τάχα αὐτῶν μᾶλ-
 λον σὺν οἰδοῖσιν, καὶ ποῖα πολιτεία ἀείρη, καὶ πῶς ἕκαστη ταρθεῖσα,
 καὶ τίσι νόμοις καὶ ἢ τῶν γραμῶν. λέγαμεν οὖν εἰς ἀμφοῖς.

Τ Ε Λ Ο Σ.

11. "Soundly to judge of a law is the weightiest thing which any man can take upon him." *Laws*, I.16.2 (1:136.3-4 and note j). Hooker underlines the seriousness of his project by appeal to his major philosophical authority. Page 192 of the Frankfurt 1577 edition (reduced) of Aristotle's *Nicomachean Ethics*. The passage quoted and paraphrased by Hooker, τὸ κρίναι ὀρθῶς μεγιστον, is at lines 2-3.

Book I

- 1:55.1–3 **THE . . . generall.** See Pref. 7.2 (1:34.23–35.2).
- 1:56.6 **The cause . . . discourse.** Compare *Pride*, 5:309.6–310.15.
- 1:56.21–23 **we serve the time . . . preferment;** H is unique among establishment apologists in not apparently seeking or enjoying episcopal preferment. After his post as master of the Temple, he took up a country living at Bishopsbourne (Kent); see Chronology. Jewel, author of the *Apologie* (1562), had been designated bishop of Salisbury in 1559; John Bridges was appointed dean of Salisbury in 1577 and consecrated as bishop of Oxford in 1604; John Whitgift, who answered the *Admonition* in 1572 and defended that *Answer* in 1574, became bishop of Worcester in 1577 and archbishop of Canterbury in 1583; Matthew Sutcliffe became dean of Exeter in 1588; Richard Bancroft became bishop of London in 1597 and succeeded Whitgift as archbishop of Canterbury in 1604; Thomas Bilson, author of *The Perpetual Governement of Christes Church*, became bishop of Winchester in 1597.
- 1:56.25–57.12 **Albeit . . . lookers on.** On the necessity of agreement on first principles in the resolution of controversies, see V.5.1 (2:31.28–32) and *Pride*, § 1 (5:313.19–28).
- 1:58.4 **hating to be reformed,** Ps. 50:17. Scriptural quotations and allusions are identified henceforth in the ISR, below.
- 1:58.4–5 **the scepter of his discipline.** “Christ’s Holy Discipline” was the recognized term for Elizabethan presbyterianism.
- 1:58.13–14 **that lawe . . . rest,** For a classical analogue to the idea that divine law is the source of all other laws, see Cicero, *De legibus*, 1.4: “. . . lex est ratio summa insita in natura, quae jubet ea, quae facienda sunt, prohibetque contraria. eadem ratio cum est hominis mente confirmata et confecta, lex est”; “Law is the highest reason, implanted in Nature, which commands what ought to be done and forbids the opposite. This reason, when firmly fixed and fully developed in the human mind, is Law”; Loeb, pp. 317–318. Also, *De legibus*, 2.6: “Hanc igitur video sapientissimorum fuisse sententiam, legem neque hominum ingeniis excogitatam nec scitum aliquod esse populorum, sed aeternum quiddam, quod universum mundum regeret imperandi prohibendique sapientia”; “Well, then, I find that it has been the opinion of the wisest men that Law is not a product of human thought, nor is it any enactment of peoples, but something eternal which rules the whole universe by its wisdom in command and prohibition”; Loeb, pp. 379–381.

- 1:58.16 **the lawe first of nature,** H uses the phrase “the law of nature” in at least three different senses. In its broadest sense, it refers to that manner of working which God under “*the second law eternal*” has set for each created thing to keep; second, to that necessary manner of working which God has set for natural (that is, nonintelligent, nonvoluntary) agents; and third, to that law of reason which applies to the guidance of men (the usual scholastic meaning). Here, H is using the words in the first sense, which includes the law of physical nature pertaining to natural agents (chap. 3), celestial law pertaining to angels (chap. 4), the law of reason pertaining to men (chaps. 5–9), and human laws pertaining to men living in society (chap. 10).
- 1:58.22 **some operation . . . casuall.** Violent or “casual” operation, which occurs either by accident and at random or by force and against a thing’s nature, is opposed to working naturally (according to an agent’s own nature) or, for rational beings, voluntarily; compare Aristotle, *N.E.*, 5.8; 1135a–1136a; Loeb, pp. 298–305.
- 1:58.24 **some foreconceaved ende** Compare Thomas Aquinas, *S.T.*, 1a.44.4: “Dicendum quod omne agens agit propter finem; alioquin ex actione agentis non magis sequeretur hoc quam illud, nisi casu”; “Every agent acts for the sake of an end; otherwise the result of its action would not be this rather than that, unless by chance” (B, 8:20).
- 1:58.26–29 **That which doth assign . . . Lawe.** H’s initial definition of law should be compared with that of Aquinas, *S.T.*, 1a2ae.90.1: “Dicendum quod lex quaedam regula est et mensura actuum, secundum quam inducitur aliquis ad agendum vel ab agendo retrahitur”; “Law is a certain rule and measure of acts, whereby someone is induced to act or is restrained from acting” (B, 28:6).
- 1:59.5 **The being . . . working:** By making God’s (perfect) being “a kind of law to his working,” H subordinates divine reason to divine being and divine will to divine reason, exposing himself to the charge by his disciplinarian opponents, who were Calvinist and voluntarist, that he introduced metaphysical determinism into divine working, thereby compromising the freedom and omnipotence of God. H struggles with this problem throughout the remainder of chap. 2 and the first part of chap. 3 (1:59.6–64.3).
- 1:59.6–11 **Those naturall, . . . be.** H distinguishes theologically between the working of God *in se* and *ad extra*—that is, between “internal,” which is natural and necessary, and “external,” wherein God voluntarily creates and governs the universe—in order to avoid confusion between the begetting of the Son from the Father and the procession of the Holy Spirit from the Father and the Son (an inner action) and God’s creation and governance of the world by means of an eternally decreed law (an external action).
- 1:59.11–12 **Which eternal decree . . . lawe.** H’s identification of “law” with “decree” is an example of his giving the voluntarist tradition its due. Compare this

first definition of eternal law with that of Aquinas, *S.T.*, 1a2ae.91.1: "Et ideo ipsa ratio gubernationis rerum in Deo sicut in principe universitatis existens legis habet rationem. Et quia divina ratio nihil concipit ex tempore, sed habet aeternum conceptum, . . . inde est quod huiusmodi legem oportet dicere aeternam"; "Therefore, the very reason [*ratio*] of the government of things existing in God as ruler of the universe has the nature of a law. And since the divine reason does not conceive of anything in time but only in eternity, . . . therefore this kind of law ought to be called eternal" (compare B, 28:20). H gives a much fuller definition of eternal law at the end of chap. 2 (1:63.1-3).

1:59.12-20 **Dangerous it were . . . fewe.** This famous passage includes the substance of a number of quotations then current in classical and Christian literature. Keble (1:201n) cites Arnobius, *Adversus Gentes*, 1.31: ". . . de quo nihil dici et exprimi mortalium potis est significatione verborum: qui ut intelligaris, tacendum est, atque, ut per umbram te possit errans investigare suspicio, nihil est omnino mutiendum"; ". . . concerning whom [God] nothing can be said or expressed by the signification of human words. That you may be understood, we must remain silent; and since erring conjecture is able to trace you only as a shadow, nothing at all must be uttered"; PL, 5:756. Compare Cicero, *De natura deorum*, 2.22; Augustine, *De ordine*, 2.16 and 18; *Confessiones*, 1.4; *De Trinitate*, 7.6; Minucius Felix, *Octavius*, chap. 19; and Tertullian, *Apologia*, 1.17.

1:59.20-32 **Our God . . . first.** In spite of his disclaimer of concern for "the naturall, necessary, and internall operations of God" (chap. 2.2; 1:59.6-9) and his acknowledgement of the limitations of human understanding of the divine working (lines 12-20), H supplies an orthodox summary of the Christian doctrine of the Trinity in order to stress that, even though distinct, there is a relation between the internal and external working of God. After affirming the subsistence of the three persons of the Trinity within the essential oneness of God, H focuses upon the so-called doctrine of appropriation whereby each person of the Trinity, because of its unique relation to the other two, has a particular role or function assigned to it in the working of God *ad extra*. Hence, by appropriation, all created things are said to be *from* the Father, *by* the Son, *through* the Holy Spirit. If H is not read carefully in this passage—as well as in his other, more historical, exposition of the doctrine of the Trinity in Book V (chap. 42.1-13)—he is subject to the charge of expounding the heresy of subordinationism (that is, subordinating in eternity, power, and being the Son to the Father, and the Holy Spirit to the Father and the Son). Compare the charge of Arianism lodged by the author(s) of *A.C.L.*, chap. 1 (4:9.30-10.15) and prompted by H's discussion in V.54.2 (2:220.29-222.6); H's response to the *A.C.L.* was used as epigraph by Keble for his edn. (1:iv): ". . . an heretike by the help of almighty God I will never be" (4:5.8-9).

1:60.5.b **Διὸς δ'ἔτελείετο βουλή.** *Homeri Ilias*, *id est*, *de rebus ad Troiam gestis*, A; (1553), p. 1. Βουλή denotes "deliberation" and "taking counsel" in all its stages and effects up to "resolve" and "decree." It is sometimes translated as "counsel"

or “deliberation,” referring both to the inner process of deliberation and also to a general characteristic of wise and thoughtful deliberation. At other times it is translated as “will” or “determination,” esp. of the gods. A. T. Murray translates this passage from the *Iliad* (1.5): “and thus the will of Zeus was being brought to fulfillment”; Loeb, p. 3. By translating βουλή as “Counsel,” H is clearly opting for the more rational and deliberative sense of the word. He defines “counsel” as “wise resolution” in chap. 2.5 (1:61.23–24), and identifies “the counsel of God” with the eternal law of God in 2.6 (62.27–29).

1:60.6–7.c *Mercurius Trismegist. . . λόγῳ.* Ἐρμοῦ τοῦ Τριμεγίστου πρὸς τὸν ἑαυτοῦ υἱοῦ τατ, λόγος ὁ κρατήρ, ἡ μόνας, in *Mercurii Trismegisti Poemander, seu de potestate ac sapientia divina* (1554), p. 19; *Hermetica*, ed. Scott (1924), 1:148. Mercurius Trismegistus, “Hermes the thrice-great,” is a name associated with the early mythological identification of the Greek god Hermes with the Egyptian god Thoth. In H’s time, it was understood to be the name of an Egyptian sage who was the earliest teacher of universal human wisdom. *The Poemander* or *The Shepherd* from which H quotes here and elsewhere (Pref. 3.14, 1:20.2–3.z; I.5.3, 1:112.26.w; VII.24.16, 3:301.24–33) is part of the *Hermetica* or *Corpus Hermeticum*, the name given by recent commentators to a collection of about seventeen distinct documents written by Neoplatonist philosophers between the late 2C and 3C AD, which appeared as a collection in the 14C. The heading of the first document is Ἐρμοῦ Τριμεγίστου Ποιμάνδρες. Marsilio Ficino (1433–1499), who published a Latin translation of the first fourteen documents in 1471, mistakenly supposed the heading of the first document to be meant for a title of the whole collection. In printing the *editio princeps* of the Greek text in 1554, Turnebus followed Ficino, entitling Corp. I–XV *Mercurii Trismegisti Poemander*, Corp. XVI–XVIII are gathered under the title *Aesculapii definitiones*. Ficino rightly discerned a relation between Hermetic doctrines and those of Plato, but he inverted the sequence and thought that Plato (and Moses as well) had derived his thought from Trismegistus. The view of Ficino was accepted, at least in its main outlines, by all who dealt with the subject, through the 16C and 17C. See Blossom Feinstein, “Hermeticism,” *Dictionary of the History of Ideas*, ed. Philip P. Wiener (New York: Charles Scribner’s Sons, 1973), 2:431–434. H’s use of the *Hermetica* is noted by Wayne Shumaker, *The Occult Sciences in the Renaissance: A Study in Intellectual Patterns* (Berkeley: University of California Press, 1972), pp. 238–239.

1:60.7–9.d *Thus much confest . . . worker.* Ἀναξαγόρας νοῦν κοσμοποιὸν τὸν θεόν. “Anaxagoras called God, the maker of the world, mind”; *Joannis Stobaei eclogarum libri duo*, 1.1; (1575), p. 2; Ἐκλογαί, in *Joannis Stobaei Anthologium*, ed. Wachsmuth and Hense (1958), 1:34. Anaxagoras of Clazomenae (c. 500–428 bc) was a pre-Socratic Greek philosopher who introduced a nonteleological notion of mind (νοῦς) as the initiator of cosmic motion and the animating principle of plants and animals; see Plato, *Phaedo*, 97.D–E; Aristotle, *Meta.*, 1.4.4–8; 985^{a–b}. H derives not only his refence to Anaxagoras but also his next references to Plato and the

Stoics from Stobaeus's *Eclagues*. The earlier quotations from Homer and Mercurius Trismegistus do not occur in Stobaeus, although shortly before the quotation from Anaxagoras we find: 'Ερμῆς ἐρωτηθεὶς τί θεός, εἶπεν, ὁ τῶν ὄλων δημιουργός σοφώτατος νοῦς καὶ αἰδιος. "Hermes, having been asked, 'Who is God?' replied, 'The creator of all things, most wise and eternal mind'"; *Eclagarum libri duo*, 1.1; (1575), p. 2; *Anthologium* (1958), 1:34. Stobaeus was the author of an anthology of excerpts from poets and prose writers. The work was probably composed in the 5C AD; it originally consisted of four books which later came to be grouped under the titles 'Εκλογαί and 'Ανθολόγια. For H's use of Stobaeus, see P. G. Stanwood, "Stobaeus and Classical Borrowing in the Renaissance," *Neophilologus*, 59 (1975): 141-146. The reference to Plato reads as follows: Πλάτων . . . Πάντα δὲ τὰ τοιαῦτα τῶν ὀνομάτων εἰς τὸν νοῦν σπεύδει. Νοῦς οὖν ὁ θεός. . . . Τοῦτου δὲ πατρὸς καὶ ποιητοῦ τὰ ἄλλα θεῖα ἔκγονα νοητὰ μὲν . . . "Plato . . . Everything having a name hastens on toward mind. Indeed mind is God . . . From this father and maker come the divine offspring perceptible to mind . . ."; 'Εκλογαί, 1.1; *Anthologium* (1958), 1:37. No 16C edn. of Stobaeus available to the editor has in it this quotation from Plato or the following quotation from the Stoics.

1:60.9-11.e **Finalle the Stoikes, . . . κόσμου.** 'Εκλογαί, 1.1; *Anthologium* (1958), 1:37. Cicero attributes these well known words to Zeno (335-263 BC), founder of the Stoic school; he translates them himself in *Natura deorum*, 2.22.

1:60.17-23 **God therefore . . . them.** Compare *Pride*, § 3 (5:341.16-343.8).

1:60.24 **Non est bonum,** From the Vulgate: "Dixit quoque Dominus Deus: Non est bonum esse hominem solum; faciamus ei adiutorium simile sibi"; "The Lord God also said: It is not good that man be alone; let us make for him a helpmate like himself" (Gen. 2:18).

1:60.27-61.4 **God having power . . . worketh,** See 1:59.5.n, above. H continues here and for the balance of chap. 2 to work through the problem of freedom versus determinism with respect to God's working in creation *ad extra*. The distinction which H employs between God's "infinite power" and God's "limited power" may be derived from the scholastic distinction between God's absolute power (*potentia absoluta*) and God's ordained power (*potentia ordinata*); see above, Intro. to Book I, p. 98, n. 30. H's concession to voluntarism is expressed in 1:62.30-63.1, where he grants that God *voluntarily* imposes this order or law upon himself; see pp. 97-99, above.

1:61.4-5 **even al things χρηστώς, . . . sort,** The Greek is from the Septuagint: Διατείνει δὲ ἀπὸ πέρατος εἰς πέρας εὐρώστως, καὶ διοικεῖ τὰ πάντα χρηστώς. "She [wisdom] also reacheth from one end to another mightely, and comely doeth she order all things" (Sap. 8:1).

1:61.9.j **the name of riches.** GB reads "according to his riche grace" (Eph. 1:7),

while BB reads “according to the riches of his grace”; GB reads “all the treasures of wisdom and knowledge” (Col. 2:3).

1:61.18–19 **They erre . . . will.** Compare *Pride*, § 3 (5:341.16–343.8). For the position H is attacking, see Peter Lombard, who cites the authority of Augustine for the affirmation of the following doctrine: “Quod Dei voluntas summa bona, causa est omnium quae naturaliter sunt: cuius causa non est quaerenda: quia nullam habet, cum sit aeterna”; “That the will of God, the highest good, is the cause of all things which exist naturally; the cause of God’s will must not be sought, for, since it is eternal, it has no cause”; *Sententiarum libri iiiii*, 1.45; (1566), pp. 145–146. However, H is thinking even more of Duns Scotus, William of Ockham, and their successors, including Martin Luther (1483–1546), Calvin, and the Elizabethan Puritans. Against this voluntarist school H sides with Aquinas, whom the voluntarists accused of compromising the absolute freedom and power of God; see *S.T.*, 1a2ae.93.4, where Aquinas argues that “God’s will is said to be intelligent [*rationabilis*] . . . and looking at its very nature, his will is better spoken of as intelligence [*ratio*] itself” (B, 28:62–63).

1:62.2–8.*n* **that law . . . everlastingly:** H associates the eternal law of God with the pre-existent wisdom of God. Given H’s assertion in 1:62.29–63.1 that the eternal law is voluntarily imposed by God upon himself, he does not seem to identify it with the divine λόγος. The eternal law is “the admirable frame” within which “shineth with most perfect bewtie the countenance of that wisdom.” The association of the divine λόγος with σοφία (wisdom) and Torah (law) had already taken place in the Wisdom Literature and in rabbinic writings before NT times. Λόγος, σοφία, and Torah had become in Judaism a way of speaking about God’s activity in creation, providence, revelation, and redemption. GB glosses Prov. 8:22: “He [Solomon] declareth hereby the divinitie and eternitie of this wisdom, which he magnifieth and praiseth through this boke: meaning thereby the eternal Sonne of God Jesus Christ our Saviour, whome S. John calleth the worde that was in the beginning, John. 1,1.”

1:62.16–19.*p* **Tamen quoniam . . . law,** H’s quotation of Boethius, *De consolatione philosophiae*, 4.4, should be put in context, for Boethius also deals with the problem of apparent “confusion and disorder in th’affaires of this present world” (lines 15–16): “Nec mirum (inquit) si quid ordinis ignorata ratione temerarium confusumque credatur. Sed tu quamvis causam tantae dispositionis ignores, tamen quoniam bonus mundum rector temperat, recte fieri cuncta ne dubites”; “‘It is no wonder,’ she [philosophy] said, ‘if a thing be thought random and confused, when the true ground of its order is unknown. But you, although you do not know the cause of this great ordering, yet since a good governor does regulate the universe, do not doubt that all things are rightly done’”; *Opera* (1570), p. 1082; CCLS, 94:77–78; Loeb, p. 355. H cites Boethius repeatedly in *Pride* (see 5:348.6–351.7 and nn).

1:63.1–3 **This law . . . by.** H’s most complete definition of eternal law. Compare

Augustine, *De libero arbitrio*, 1.6: “Illa lex quae summa ratio nominatur . . . ut igitur breviter legis aeternae notionem, quae impressa nobis est, quantum valeo verbis explicem, ea est, qua justum est, ut omnia sint ordinatissima”; “that law which we call the highest reason . . . Therefore, let me briefly explain insofar as I am able with words the notion of eternal law which is imprinted upon us. It is that by which it is just that all things be most ordered”; CCSL, 29:220. And compare Augustine, *Contra Faustum*, 22.26: “lex vero aeterna est ratio divina vel voluntas Dei ordinem naturalem conservari iubens, perturbari vetans”; “eternal law is the divine reason or will of God, commanding that the natural order be preserved and forbidding that it should be disturbed”; CSEL, 25:621. Aquinas expanded upon these definitions while modifying their voluntarism: “Et secundum hoc lex aeterna, nihil aliud est quam ratio divinae sapientiae, secundum quod est directiva omnium actionum et motuum”; “And according to this, eternal law is nothing other than the reason of the divine wisdom, according to which the motions and actions of all things are directed”; *S.T.*, 1a2ae.93.1; compare B, 28:52.

1:63.6–64.3 **I am not ignorant . . . things.** Even though the outlines and basic content of H’s theory of law and politics are to be found in the works of Aquinas, H goes beyond him by giving an *initial* definition of law that is noncoercive and by distinguishing between two kinds of eternal law; see Intro. to Book I, pp. 87–88, 92, and 97–99, above. Lines 6–14 call attention to the originality of a non-authoritarian definition of eternal law sufficiently general to be applied even to the activity of God. Even though Aquinas specified in his general definition that “lex sit aliquid pertinens ad rationem” (“law is something pertaining to reason”), he goes on to say that it is “quaedam rationis ordinatio ad bonum commune, ab eo qui curam communitatis habet, promulgata” (“a certain ordinance of reason directed to the common good, made by one having the care of the community, and promulgated”); *S.T.*, 1a2ae.90.4; B, 28:16. Hence, although Aquinas emphasized the intelligibility of God’s activity, he belongs to that majority of previous thinkers who do not apply the concept of law to that activity, since God has no extrinsic superior.

1:63.17–26 **That part . . . law.** H makes more and different distinctions of the (second) eternal law imposed by God on his works than does Aquinas; see Intro. to Book I, pp. 100–102, above. In *S.T.*, 1a2ae.9.2–5, Aquinas distinguishes between “natural law,” as “the participation of the eternal law in the rational creature [both angels and men]”; “human law,” as the particular determination of particular matters not imposed by nature through the efforts of human reason, which begins with the general precepts of the natural law; and “divine law,” known only by special revelation, which not only republishes the natural law but also adds further precepts appropriate to man’s supernatural, eternal happiness and thereby enables man to share more perfectly in the eternal law. Aquinas’s “natural law,” therefore, would embrace what H calls “law *caelestialis* and heavenly” which

binds the activity of angels, and “the law of *reason*,” which binds the reasonable creatures in this world, that is, men. Throughout chap. 3 H is using the words “nature’s law” and “the law of nature” in the restricted sense of the external law imposed by God upon natural (that is, nonrational, nonvoluntary) agents. For Aquinas, this narrow sense is improper, for law is something pertaining to reason; therefore, irrational creatures do not participate in the eternal law except by way of similitude (S.T., 1a2ae.91.2).

1:63.26–64.3 **All things . . . things.** H’s apparently unique distinction between the first and the second law eternal is required because he applies the concept of law to the activity of God. Aquinas approaches this distinction only when, in speaking about the will (*voluntas*) of God, he refers (1) to God’s own willing, which, since it is his very essence, is not subject to his government or to the eternal law but *is* the eternal law, and (2) to the things God wills in creatures, which are indeed subject to the eternal law in that the formative idea of them all is in divine Wisdom (S.T., 1a2ae.93.4). The apparent discrepancies which occur in the realm of jurisdiction of the second law eternal (for example, sin in the realm of the law of reason and contingencies in the realm of nature’s law) fall within the realm of H’s first law eternal.

1:64.s *Id omne quod . . . aeternæ.* “Everything which comes to be in created things is the matter of eternal law.” A paraphrase of S.T., 1a2ae.93.4–6, where Aquinas argues that “all that is in things created by God, whether they be contingent or necessary, is subject to the eternal law.” *Nullò . . . administratur.* Augustine, *De civitate Dei*, 19.12 (CCSL, 48:678): “In no way do things evade the laws and ordination of the high Creator, by whom the peace of the universe is administered”; the passage is found in Aquinas, Art. 6 of Quest. 93. *Imò . . . inordinatus.* The text in roman is H’s; the quote, not found in Aquinas, is from Augustine, *Confessiones*, 1.12: “Even sin insofar as it is justly permitted by God, falls under the eternal law. Sin is also subject to the eternal law insofar as voluntary transgression of the law implants a certain troublesome punishment in the soul, as Augustine has said: ‘You have appointed, Lord, and so it is, that every inordinate impulse is its own punishment’”; *Opera* (1528–1529), 1:50; CSEL, 33:17. *Nec . . . punientis.* Another paraphrase from Quest. 93; in Art. 5 Aquinas affirms that natural contingencies are under the eternal law; in Art. 6 he affirms that human sin and its punishment, as well as all other human affairs, are subject to the eternal law: “The scholastics do not speak badly when they say, ‘just as we see natural contingent things, when they exceed their own particular end and therefore the eternal law, fall under that same eternal law insofar as they follow another end established for them by the eternal law in a particular occurrence: so likewise it is when men sin and revolt from the eternal law as something commanding them only to fall again into the order of the eternal law as something punishing them’” (see B, 28:64–73).

1:64.15–16 **the travaile . . . men,** From Eccles. 3:10–11: “I have sene the travail

that God hathe given to the sonnes of men to humble them thereby. He hathe made everie thing beautiful in his time: also he hathe set the worlde in their heart, yet can not man finde out the worke that God hathe wrought from the beginning even to the end." H modifies the passage in a direction appropriate to his polemical aim of inducing men to obey the law instead of presuming to think that they can comprehend and judge it.

1:64.19-22 *God said, . . . heaven.* From Gen. 1:3, 6, 9, 11, 14. H does not refer to the waters bringing forth (v. 20), to the earth (v. 26), or esp. to man (v. 27), who is an intellectual and voluntary being rather than a natural agent. He attributes the authorship of Genesis to Moses, the traditional author of the Pentateuch.

1:65.19 *made a law . . . raine.* Job 28:26; "When he made a decree for the raine." The Hebrew word for "decree" is פֶּן "statute" or "law." The Vulgate uses "legem" (*lex*).

1:65.19-20 *decree . . . commandement.* Prov. 8:29, quoted from the Vulgate by Aquinas in *S.T.*, 1a2ae.93.5. Compare Jer. 5:22.

1:65.20-66.6 *Now if . . . world?* This oft quoted passage (see *S.R.H.*, pp. 100-101, 150, 258-260) is, as Keble noted (1:208n), a paraphrase of Arnobius of Sicca (d. 330?), *Adversus Gentes*, 1.2: "postquam esse nomen in terris Christianae religionis occoepit, quidnam inusitatum, quid incognitum, quid contra leges principaliter institutas, aut sensit, aut passa est rerum ipsa, quae dicitur appellaturque natura? Nunquid in contrarias qualitates prima illa elementa mutata sunt, ex quibus res omnes consensum est esse concretas? Nunquid machinae hujus, et molis, qua universi tegimur, et continemur inclusi, parte est in aliqua relaxata, aut dissoluta constructio? Nunquid vertigo haec mundi, primogenii motus moderamen excedens, aut tardius repere, aut praecipiti coepit volubilitate raptari? Nunquid ab occiduis partibus attollere se astra, atque in ortus fieri signorum coepta est inclinatio? Nunquid ipse syderum Sol princeps, cujus omnia luce vestiuntur atque animantur, calore exarsit, intepuit, atque in contrarios habitus moderaminis soliti temperamenta corrupti? Nunquid luna desivit redintegrare seipsam, atque in veteres formas novellarum semper restitutione traducere? Nunquid frigora, nunquid calores, nunquid tempores medii inaequalium temporum confusionibus occiderunt? Nunquid longas habere dies bruma, revocare tardissimas luces non coepit aestatis? Nunquid suas animas expiraverunt venti? emortuisque flaminibus neque coelum coarctatur in nubila, nec mandidata ex imbribus arva suescunt? Commendata semina tellus recusat accipere? aut frondescere arbores nolunt?"; (1546), pp. 8-9; CSEL, 4:4-5. Arnobius was a convert and a rhetorician; *Adversus Gentes* defended the consonance of Christianity with the best pagan philosophy; Lactantius was his pupil. See Lee W. Gibbs, "The Source of the Most Famous Quotation from Richard Hooker's *Laws*," *Sixteenth Century Journal*, 21 (1990): 77-86.

1:65.26-28 *if celestiall spheres . . . happen:* Compare V.69.1-3.

- 1:65.28–29 **if the prince . . . course.** In translating Ps. 19:5, GB reads “like a mightie man,” the Septuagint *ὡς γίγας*, and the Vulgate (Ps. 18:6) “ut gigas,” “as a giant.”
- 1:66.7 **Let Phidias . . . had.** Φειδίας (born about 490 BC), a celebrated sculptor of Athens and contemporary of Pericles. Phidias was especially well known for his gold and ivory statue of Athena or Minerva in the Parthenon at Athens; see Cicero, *De oratore*, 2.73 (Loeb, 1:253). The point is famous in the rhetorical tradition: *even Phidias needed the best marble with which to work.*
- 1:66.13–15.μ **Theophrastus . . . perfect:** Theophrastus of Eresus in Lesbos (d. 287? BC) was the disciple, heir, and successor of Aristotle. H quotes from a fragmentary book bearing the same title as one of Aristotle’s, namely, *Περὶ τῶν μετὰ φυσικά*, θ, in Aristotle, *Opera* (1584–1585), 8:261; see Theophrastus, *Metaphysics*, bk. 9, ed. Ross and Forbes (1929), pp. 34–35. This work was often printed and bound with 16C edns. of Aristotle. H quotes it again in chap. 8.5 (1:85.9–10 and o).
- 1:66.17–22 **but the true . . . understanding.** H explains the recalcitrance of the materials of nature often observed by the pagans in terms of the supernaturally revealed doctrine of the divine malediction of nature because of human sin; see Gen. 3:17 and Rom. 8:19–23. For H, grace (or revelation) does not destroy nature (or reason) but completes or perfects it. Compare Aquinas, *S.T.*, 1a1ae.1.1, and see Etienne Gilson, *The Christian Philosophy of Saint Thomas* (New York: Random House, 1956), p. 343.
- 1:66.25–26.ν **those things . . . manner.** Aristotle, *Rhetoric*, 1.10: φύσει δέ, ὅσων ἦτε αἰτία ἐν αὐτοῖς, καὶ τεταγμένη· ἢ γὰρ αἰεὶ, ἢ ὡς ἐπιτοπολὸν ὡσαύτως ἀποβαίνει. “Things which are the result of nature are all those of which the cause is in themselves and regular; for they turn out always, or generally, the same way”; A.1, *Opera* (1584–1585), 2:39–40; 1369^{a-b}; Loeb, pp. 110–111. H uses this passage again in chap. 8.3 (1:83.33 and l).
- 1:66.31–67.3 **Although . . . imitation:** H rejects the Platonic and realist theory of *ἰδέαι*, “exemplary forms,” “patterns,” or “models” to be copied or imitated, existing eternally apart from the actual world, reflected in the world and its cause or ground. H identifies Plato’s demiurge with “nature”; see Plato, *Timaeus*, 30.C–31.A.
- 1:67.4–9.ω **the Oracle of Hippocrates, . . . on:** Hippocrates, *Περὶ δαίτης, Regimen*, 1.5; *Opera omnia* (1588), p. 36; Loeb, 4:236–237. This treatise, which attempts to explain physiological processes by the principles of philosophical physics, was little known in early times. Although attributed by some ancients to Hippocrates, the great physician of Cos (460–357 BC), both ancient and modern scholars remain uncertain as to its authorship. H transposes the order of the first sentence and deletes certain words from the Greek text; his translation is somewhat

free, although he does not distort the basic meaning of the text. H quotes Hippocrates again in V.69.2 (2:361.25-27).

- 1:67.23-24.y **formes . . . being.** "Form" is a technical word derived from the Greek εἶδος, ἰδέα, or μορφή, and from Aristotle's fourfold division (*Meta.*, 1.3) of the αἰτίαι, "causes" or "explanatory factors" of things, namely, the *matter*, the *efficient* acting on the matter, the *end* or "that for the sake of which" the thing exists, and the *form*, that which gives the thing its specific nature and is the cause of its specific properties. Compare H's "forms," which give things their being, with Aquinas: "Sed forma substantialis dat esse substantiale"; "substantial form gives substantial being"; *S.T.*, 1a.76.4; compare B, 11:66-67.
- 1:67.y.1-2 **Forme in other creatures . . . creatures.** Aristotle argues that the soul is substance in the sense that it is the form of a natural body having in it the capacity of life; *De anima*, 2.1; 412'. Compare Aquinas: "Anima autem est forma substantialis hominis"; "But the soul is the substantial form of man"; *S.T.*, 1a.76.4; B, 11:66-67.
- 1:68.8-12 **This appointeth . . . destinie.** H identifies the Greek μοίρα and the Latin "fatum" with divine providence. H appears to have in mind here Aquinas's comment on Boethius's statement, "fatum est inhaerens rebus mobilibus dispositio, per quam Providentia suis quaeque nectit ordinibus"; "Fate is a disposition inherent in things subject to change, by which Providence relates each thing to its proper sphere"; *De consolatione philosophiae*, 4.6; CCSL, 94:79. Aquinas goes on to distinguish the providential ordering or bringing about of effects through intermediate causes first with respect to God himself, which is called "providence," and second with respect to the intermediate causes ordered by God to bring about certain effects, which has the character of "fate"; *S.T.*, 1a.116.1-2; B, 15:116-123.
- 1:68.z **Vide Thom. . . agente.** Aquinas, *Compendium theologiae ad Fratrem Reginaldum; Opera omnia* (1570), 17:10'. H has made a deletion between the two sentences. "Every thing that is moved by another is a sort of instrument of the first mover. . . . But even the unlearned perceive how ridiculous it is to suppose that an instrument is moved unless it be set in motion by some principal agent."
- 1:68.19-24 **Dionysius . . . world;** H refers to a legend about Dionysius Areopagita, who was said to have observed in Egypt an eclipse of the sun at the time of the crucifixion of Jesus Christ. In reciting this story, Suidas (under the article Διονύσιος, in *Suidae Lexicon* (1853), 1:1387-1388, quotes Dionysius as saying: "Ἡ τὸ θεῖον πάσχει, ἢ τῷ πάσχοντι συμπάσχει. "Either God suffers, or he sympathizes with the sufferer." Michael Syngelus of Jerusalem in *Ἐγκώμιον εἰς τὸν ἅγιον Διονύσιον, Encomium Dionysii Aeropagitae*, records Dionysius as saying: 'Ὁ ἄγνωστος, ἔφη, σαρκὶ πάσχει θεός, δι' ὃν τὸ πᾶν ἐξόφωται τε καὶ σεσάλευται. "The unknown God, he said, suffers in the flesh, which is the cause for everything being darkened and shaken"; *Maximi scholia in eos B. Dionysii libros*, in

Opera (1562), p. 353; PG, 4:626–627. According to Christian tradition, Dionysius was an Athenian converted to Christianity around 50 AD by the preaching of the Apostle Paul in Athens (Acts 17:34). It was believed that he was installed as the first bishop of Athens by Paul. Whether Dionysius ever wrote anything is uncertain. A number of 5C or 6C works of a mystical nature, however, were later attributed to him.

- 1:68.25 **workman**, Δημιουργός, the Platonic and Stoic name for the Maker of the world.
- 1:68.26–69.2 **the Heathens . . . them**. Compare V.1.3–5. The Stoics called the one, immortal, perfect deity by many different names according to its various powers as manifest in natural phenomena, as in Diogenes Laertius, *Lives of Eminent Philosophers*, 7.4, “Zeno” (Loeb, 2:250–253); and in Cicero, *De natura deorum*, 2.23–28 (Loeb, pp. 178–193).
- 1:69.10–20 **So likewise . . . common**. Compare Pref. 5.2 (1:27.33–28.8); also I.16.6.
- 1:70.5 **an efficient onely**, God moves natural agents as *efficient* force or cause; he moves intellectual agents as a *final* cause or *end* by attracting and moving their reason and will. Compare chap. 2.1.
- 1:70.f Σὺ . . . τελείται. “Before Thy burning throne the angels wait, Much working, charged to do all things for men.” The verses are attributed to Orpheus (line 17), perhaps the earliest of the Greek poets, immortalized in the myth of Orpheus and Eurydice, though the earliest poems attributed to him postdate Homer and Hesiod (6C BC). The founder of an ascetic religious movement, he transformed the religion of Dionysus, which had come to Thrace from Asia through Phrygia, to suit the Hellenic spirit by making it an instrument for casting off the physical aspects of human existence and guiding the soul to ultimate communion with the immortals. The poem H quotes is taken from a collection, written by Neoplatonists late in the Roman Imperial period, known as Ὕμνοι or *Carmina Orphei*, containing over eighty short hymns, each addressed to a different deity, or in a few cases to the same deity with a different epithet. The *editio princeps* was printed in Florence in 1517; by 1600 there were five more editions, one of which was the Aldine in 1517. The hymn cited by H is addressed to Zeus, Ruler of Ether, Hades, Sea, and Land; it is quoted by Clement of Alexandria (d. 220 AD) in *Stromata*, 5.14; PG, 9:185–186; ed Früchtel (1960), 2:411; ANF, 2:473. See also *Orphica*, Fragment 238; ed. Able (1885), p. 251. H cites the *Carmina Orphei* again in chap. 15.4 (1:133.f).
- 1:70.20–22.g **the mirror of humane wisdom . . . amiable**. That is, Aristotle; he is “the Arch-philosopher” (chap. 10.4; 1:99.28), “the most judicious *Philosopher*” (VIII.2.12; 3:341.8), and “the graund philosopher” (*Answer*, § 14; 5:245.2). The passage in Aristotle’s *Metaphysics* does not deal explicitly with angels but with the eternal, circular motion of the outermost sphere and with the eternal prime

mover which moves it without being moved. According to Aristotle, the first immovable mover moves insofar as it is desired and loved. But desire and love presuppose knowledge; hence, the heavenly spheres can only be moved by intelligent substances acting as motive forces: "There is something which is eternally moved with an unceasing motion, and that circular motion. . . . Therefore the 'ultimate heaven' must be eternal. Then there is also something which moves it. And since that which is moved while it moves is intermediate, there is something which moves without being moved; something eternal which is both substance and actuality. Now it moves in the following manner. The object of desire and the object of thought are the same"; *Meta.*, 12.7; 1072^a; Loeb, pp. 144-146. Compare chap. 11.2 (1:112.7-11 and *v*). Aquinas comments on this passage: "Movet autem ut amatum. Moto vero, alia moventur"; "But it [the unmoved mover] moves as loved. By that motion, other things are moved"; *In Metaphysicae Aristotelis libros commentaria* (1552), p. 161; *Metaphysicorum Aristotelis expositio in duodecim libros*, § 2529 (1950), p. 592. For Aquinas and the Middle Ages in general, as well as for H, the physical universe was that of Aristotelian science brought up to date by Ptolemy of Alexandria (90-168 AD). The earth was the center of the universe, and the crystal spheres (to which the heavenly spheres were attached) rotated around it; see 2:360.8-11.n, below. The acknowledged authority on the orders of being throughout the Middle Ages was Dionysius the Areopagite, who made the definitive synthesis of the biblical concept of angelic messengers and the pure intelligences of astronomical and philosophical speculation. Dionysius's *The Celestial Hierarchy* taught that there were three sets of three angelic beings, who constituted the downward links in the chain of being from God to man. To each of these angelic orders was assigned one of the nine spheres of the Ptolemaic astronomical system. The Seraphs, nearest to God, watched over the outermost sphere, the *primum mobile*, which governed the movement of all the other spheres.

1:70.22-71.15 **Angelical actions . . . employment.** H sets forth three parts of the celestial law that guide the activity of angels: what angels do (1) in regard to their own being, namely, love, adore and imitate God (summarized as praising God); (2) in relation to each other, namely, their willing gradation of themselves in heavenly ranks, one in order and degree above another, and (3) in relation to men, namely, performing works of "ministerial employment" as "*fellowservants*" of men. The polemical implications of the individual angels (1) willingly grading themselves in cooperation with each other (2) and doing works of service to the fellowship of men (3) are clear; compare chap. 16.5-6 (1:139.17-140.6); Pref. 5.2 (1:27.33-28.8), and 6.6 (1:34.6-9); and VII.15.15 (3:241.22-242.8).

1:70.h **Job 38:7** "... and all the children of God rejoiced"; GB comments: "Meaning, the Angels."

1:71.j **This . . . 38.7.** "Now on a day when the children of God came and stode before the Lord" (Job 1:6); GB comments: "Meaning, the Angels which are called the sonnes of God, because they are willing to execute his wil."

- 1:71.10–11 **an Army, . . . another.** See 1:70.20–22.n, above. According to Dionysius the Areopagite, the angelic hierarchy is made up of three sets of three kinds of angelic beings which are, in descending order: Seraphs, Cherubim, and Thrones; Dominions, Virtues, and Powers; Principalities, Archangels, and Angels. Walton recounts how Hadrian Savaria visited H deep in contemplation on his deathbed, not inclined to discourse, “which gave the Doctor occasion to require his present Thoughts: to which he replied, *that he was meditating the Number and Nature of Angels, and their blessed Obedience and Order, without which Peace could not be in Heaven; and oh that it might be so on Earth*”; *Life* (1665), p. 149; Keble, 1:85. Compare V.69.2 (2:360.8–11.n).
- 1:71.25–72.10 **Of any thing . . . interrupted.** A traditional idea; see, for example, Aquinas, *S.T.*, 1a.63.2 and 3 (B, 9:250–59).
- 1:72.10–11 **The fall . . . pride.** Compare Augustine, *De civitate Dei*, 8.14–15; CCSL, 47:230–233.
- 1:72.12–17 **For being dispersed . . . God.** *Ibid.*, 14.14; CCSL, 48:436.
- 1:72.17–20 **These wicked Spirites . . . Nymphes;** Compare Justin Martyr, *Apologia prima pro Christianis*, esp. chaps. 54–62; PG, 6:408–424.
- 1:72.22–23 **dissolved . . . devill.** From 1 John 3:8. GB translates λύση as “lose” [that is, “loose”], not “dissolve.”
- 1:72.29–30 **in possibilitie, . . . in act.** These are technical terms taken by the medieval scholastics from Aristotle’s distinction between ἐν δυνάμει and ἐν ἐνεργεία; see *Meta.*, 9.1–8; 1045^b–1050^a; Loeb, pp. 429–459. Compare Aquinas: “In omni composito oportet esse potentiam et actum; quod in Deo non est”; “In every composite being, it is necessary that there be potentiality and act; which is not the case in God”; *S.T.*, 1a.3; B, 2:42–43.
- 1:72.30–73.3 **an appetite . . . Goodness.** H’s doctrine of appetite or desire is very broad, including inanimate beings as well as living things below man. Compare Aquinas: “Ratio enim boni in hoc consistit quod aliquid sit appetibile, unde Philosophus in I *Ethic.* dicit quod *bonum est quod omnia appetunt*”; “The goodness of a thing consists in its being desirable; hence Aristotle’s dictum that *good is that which all things desire*” (*S.T.*, 1a2ae.94.2). The quotation from Aristotle, also quoted by Thomas in his discussion of natural law (*S.T.*, 1a2ae.94.2), is from the beginning of *N.E.*, 1.1: τὰγαθὸν οὐ παντ’ ἐφίεται. “The Good is that at which all things aim”; 1094^a; Loeb, pp. 2–3. Compare also: “Nam bonum proprie respicit appetitum (est enim bonum *quod omnia appetunt*), et ideo habet rationem finis (nam appetitus est quasi quidam motus ad rem); “For good (being what all things desire) has to do properly with desire and so involves the idea of end (since desire is a kind of movement towards something)”; *S.T.*, 1a.5.4; B, 2:72–73.

1:73.3–5 **And became ... good.** Compare chap. 11.1 (1:110.24–111.6); also *Pride*, 5:310.29–311.16 and 333.16–334.31.

1:73.7–8 **every effect ... proceedeth:** A maxim of medieval philosophy and theology; compare Aquinas: “perfectio autem et forma effectus est quaedam similitudo agentis, cum omne agens agat sibi simile”; “an effect’s perfection and form consists in resembling its cause, since what a thing does reflects what it is”; *S.T.*, 1a.6.1; B, 2:82–83; see also 1a.4.3. Compare *Pride*, 5:341.3–9.

1:73.8–10.q **all things ... himselfe.** The passage from Aristotle, *De anima*, 2.4, that H quotes is germane to his discussion immediately following (lines 14–17) concerning man’s continuation of being through propagation: Τὸ ποιῆσαι ἕτερον οἶον αὐτό, ζῶον μὲν ζῶον, φυτὸν δὲ φυτὸν, ἵνα τοῦ αἰεὶ καὶ τοῦ θείου μετέχωσιν ἧ δύναται πάντα γὰρ ἐκείνου ὀρέγεται, κακείνου ἕνεκα πράττει ὅσα κατὰ φύσιν πράττει . . . ἐπεὶ οὖν κοινωνεῖν ἀδυνατεῖ τοῦ αἰεὶ καὶ τοῦ θείου τῇ συνεχείᾳ, διὰ τὸ μηδὲν ἐνδέχεσθαι τῶν φθαρτῶν ταῦτό καὶ ἐν ἀριθμῷ διαμένειν, ἧ μετέχειν δύναται, ταύτῃ, τὸ μὲν μαλλόν, τὸ δ’ ἥττον· καὶ διαμένει οὐκ αὐτό, ἀλλ’ οἶον αὐτό. ἀριθμῷ μὲν οὐκ ἔν, εἶδει δ’ ἔν. “Each produces another creature like itself; an animal produces an animal, and a plant a plant, in order that they may have a share in the immortal and divine in the only way they can; for every creature strives for this, and this is the final cause of all its natural functions . . . Since, then, they cannot share in the immortal and divine by continuity of existence, because no perishable thing can remain numerically one and the same, they share in the only way they can, some to a greater and some to a lesser extent; what persists is not the individual itself, but something in its image, not identical as a unit, but identical in form”; β.4, *Opera* (1584–1585), 3:28–29; 415^{a-b}; Loeb, pp. 86–87.

1:73.12–14 **The first degree ... being.** Compare *Remedie*, 5:368.5–20 and 374.25–377.24. Also Aquinas: “Secundum igitur ordinem inclinationum naturalium est ordo praeceptorum legis naturae. Inest enim primo inclinatio homini ad bonum secundum naturam in qua communicat cum omnibus substantiis, prout scilicet quaelibet substantia appetit conservationem sui esse secundum suam naturam; et secundum hanc inclinationem pertinent ad legem naturalem ea per quae vita hominis conservatur, et contrarium impeditur”; “Therefore the order of the precepts of natural law corresponds to the order of human natural inclinations. For in man there is first of all an inclination to good in accordance with the nature which he has in common with all substances, inasmuch as every substance desires the preservation of its own being according to its nature. And those things which follow this inclination to preserve human life and impede the contrary belong to natural law”; *S.T.*, 1a2ae.94.2; compare B, 28:80.

1:73.14–17 **All things ... propagation.** See 1:73.8–10.q.n, above.

- 1:73.24 **axiomes in Philosophie** General principles not belonging to any one science but common to all; compare V.5.1 (2:31.28–32.1).
- 1:73.24–25.*r* **The workes . . . bettered.** Compare III.10.5 (1:243.23–25). The second sentence of the quotation from Aristotle in *r*, translated by H in the text, is found in *On the Heavens*, 2.5; 288^b; β.5, *Opera* (1584–1585), 3:44; Loeb, pp. 166–167. The first may be translated: “In these matters, it is necessary by nature that the better if it is possible come to be.” It does not appear in this particular passage from Aristotle or elsewhere in *On the Heavens* and seems to be H’s own paraphrase. But compare the passage immediately following: εἰ γὰρ ἔχει ὡς ἐνδέχεται βέλτιστα . . . ; “For if the existing state of things is the best possible . . .”
- 1:74.5–10 **With Plato . . . divine?** For example, see *Phaedo*, 27–29 (Loeb, pp. 276–283); *Timaeus*, 90.A–D (Loeb, pp. 244–247); *Theaetetus*, 176.A–C (Loeb, pp. 126–129).
- 1:74.10–14.*t* **Mercurius . . . spirits.** A free trans. of *Κλείς* (“The Key”; = bk. 4), in *Poemander* (1554), p. 49; 10.21 in *Hermetica*, ed. Scott (1924), 1:202–203.
- 1:74.20–23 **men if wee view . . . are.** Compare *Matthew* 7.7, 5:385.6–386.2.
- 1:74.25–27 **The soule . . . imprinted;** This analogy of the soul or mind of man as an empty book (*tabula rasa*) originates in the following passage from Aristotle, *De anima*, 3.4: δεῖ δ’ οὕτως ὥσπερ ἐν γραμματεῖῳ ὡ μὴθὲν ὑπάρχει ἐντελεχεῖα γεγραμμένον. “What the mind thinks must be in it in the same sense as letters are on a tablet which bears no actual writing”; 429^b–430^a; Loeb, pp. 168–169. It was appropriated by the Schoolmen; for example, Aquinas: “Intellectus autem humanus, qui est infimus in ordine intellectuum et maxime remotus a perfectione divini intellectus, est in potentia respectu intelligibilium, et in principio est *sicut tabula rasa in qua nihil est scriptum*, ut Philosophus dicit”; “But the human understanding, lowest among intellects and remotest from the perfection of God’s mind, is in a state of potentiality in relation to what it can understand, and is initially *like a blank tablet on which nothing is written*, as Aristotle writes”; *S.T.*, 1a.79.2; *B.*, 11:150–151.
- 1:75.7–27 **For as stones . . . reason.** H sets forth the basic outlines of the Aristotelian-Thomistic doctrine of man. There exists in man but one substantial form, namely, the soul. But this one soul has several powers: (1) the vegetative (nutrition, growth, and reproduction); (2) the sensitive or animal (the five senses and mobility); and (3) the rational soul (speculative or theoretical and practical or moral). See Aristotle, *De anima*, 3.3 (426^a–429^a); also Aquinas, *S.T.*, 1a.78–79. H’s distinction between the two distinctively human perfections (first made in chap. 5.3; 1:73.28–74.1) of the knowledge of truth (chap. 6) and the exercise of virtue (chap. 7) corresponds to Aristotle’s and Aquinas’s distinction between theoretical and practical reason.

- 1:75.12 **phaney** Greek φαντασία, the power of inward mental representation, as distinguished from outward perception by sense. Compare Plato, *Theaetetus*, 152.C; Aristotle, *De anima*, 3.3 (429^a), and *N.E.*, 7.7 (1150^b). See 1:84.24–25.n, below.
- 1:75.16–20 **The soule . . . things.** Compare *Pride*, 5:325.18–21, and *Certainitie*, 5:69.16–19.
- 1:75.v **ὁ δὲ ἄνθρωπος . . . γίνεται.** The quotation from Mercurius Trismegistus, which is not a complete or accurate translation of the Greek, emphasizes the divine nature of man, who is above the gods in heaven, or at least their equals in power. For none of the gods ever leave or cross the boundary of heaven and come down to earth, “but man ascends even to heaven, and measures it; and what is more than all beside, he mounts to heaven without quitting the earth; to so vast a distance can he put forth his power”; Κλείς, in *Poemander* (1554), p. 51; *Hermetica*, 10.21; ed. Scott (1924), 1:204–205.
- 1:75.28.w **the right helps . . . learning** These words reflect the new interest in H’s time in the reform of old—or invention of new—methods as the key to knowledge. Jean Bodin (1530?–1596) had already published *Methodus ad facilem historicam cognitionem* (Paris, 1566). Bacon was soon to publish *The Advancement of Learning* (1606) and the *Novum organon* (1620) emphasizing logical method. A generation later Descartes published his famous *Discourse on Method* (1637). In the midst of these new currents of thought, H unequivocally identifies himself with the traditional Aristotelian *Organon* as “the right helps of true art and learning.” H was criticized for his “scholastic” method and literary style by the author(s) of *A.C.L.*; see 4:71.9–77.19.
- 1:76.5–6 **No art . . . it.** Compare II.2.1 (1:147.19–21).
- 1:76.6–9 **Yet the very first man . . . doone.** Aristotle; see n. w and 1:70.20–22.n, above.
- 1:76.9–20.x **In the povertie . . . over wise.** Compare Pref. 8.3 (1:39.21–41.1). Peter Ramus (1515–1576) and the movement he founded were part of the humanist reform of the arts curriculum. He inherited the passion of Renaissance humanism for method, for enabling students to master “the arts” easily and quickly, and for putting the arts into practical use in everyday life. His democratic desire to make education more easily accessible for all led him into conflict with the more aristocratic tradition of medieval scholasticism, which remained predominantly Aristotelian. Ramus reformed Aristotelian logic, not by rejecting it, but by using a part of it to reinterpret the whole. By identifying “logic” and “dialectic,” and by defining logic or dialectic as “the art of discoursing well,” Ramus modified Aristotelian teaching by conceiving all dialectic or logic in terms of Aristotle’s *Topics*. He further reformed his logic in terms of Ciceronian rhetoric by claiming that invention, disposition, and memory properly belong to the art of dialectic, not to the art of rhetoric; this left rhetoric only with style, or elocution, and delivery. On the

basis of this reform of Aristotelian logic and the correlative reform of Ciceronian rhetoric, Ramus proceeded to "methodize" the entire traditional curriculum, including the higher disciplines of medicine, law, and theology. Ramism spread quickly through all parts of Europe, especially in France, the Netherlands, Germany, Scandinavia, and Switzerland. The simplicity and yet all-embracing comprehensiveness of the Ramist method, along with the all-pervading emphasis on the practical utility of the arts for everyday life, caught the imagination of the rising class of practical-minded burghers and artisans. Ramism as a movement eventually made its way to Scotland and England. Its most congenial acceptance was at Cambridge, the intellectual center of nonconformity and Puritanism, and later at Trinity College in Dublin and at Harvard College. A number of the leaders of Elizabethan Puritanism influenced by Ramism emerged from Cambridge, including Edward Dering, Laurence Chaderton, Francis Johnson, Richard Rogers, George Johnson, Arthur Hildersham, William Perkins, and Alexander Richardson. John Whitgift, Richard Bancroft, and William Covel were also Cambridge graduates and obvious exceptions to this general trend, thereby demonstrating that the traditional scholastic methodology was far from moribund. See William T. Costello, *The Scholastic Curriculum at Early Seventeenth-Century Cambridge* (Cambridge: Harvard University Press, 1958). H's emphatic rejection of Ramism as "Ramistry" is of a piece with the predominant Aristotelianism of Book I in general and with his anti-Puritan polemic in particular. On Ramus see Walter J. Ong, *Ramus, Method and the Decay of Dialogue* (Cambridge: Harvard University Press, 1958). For the spread of Ramism at Cambridge and Oxford in the late sixteenth and early seventeenth centuries, see W. S. Howell, *Logic and Rhetoric in England, 1500–1700* (Princeton: Princeton University Press, 1956), pp. 146–281; on Hooker's views of Ramus, see Lee W. Gibbs, "Theology, Logic, and Rhetoric in the Temple Controversy between Richard Hooker and Walter Travers," *Anglican Theological Review*, 55 (1983): 177–188.

1:76.20–23 **Education . . . evill.** Compare Pref. 3.1–2 (1:12.24–13.7); also, III.8.9 (1:226.2–15).

1:76.26–27 **common sense** A technical term of scholasticism referring to the faculty or power of the sensitive soul to which all sense apprehensions are referred so that it may judge them and distinguish them from one another; see Aristotle, *De anima*, 3.1 (424^b–425^a); also Aquinas, *S.T.*, 1a.78.4. Here and in chap. 15.4 (1:132.26) H uses the term in a much broader sense, approaching the usage of later British empiricist philosophers and the Scots Common Sense School, who contrast "common sense" with more speculative philosophy.

1:77.10–19 **The end . . . men.** See chap. 11.1 (1.111.6–13). Compare Aristotle, *N.E.*, 1.1 (1094^a; Loeb. pp. 2–3); and 6.2.5 (1139^b; Loeb. pp. 330–331). Also, the Augustinian distinction between *frui*, to enjoy a good as an end in itself, and *uti*, to use a good as a means to a further end or good; *De doctrina Christiana*, 1.31; CCSL, 32:25–26.

- 1:77.15.z **Illis . . . videbatur**, Caius Crispus Sallustius (Roman historian, 86?-34? BC), *Bellum Catilinae*, chap. 21, in *Opera Sallustiana* (1517), fol. 13^r; Loeb, 21:38-39. H uses this quotation to downgrade the notion of intrinsically desirable action by assimilating it to hyperactivity or acting for the sake of acting.
- 1:78.3-4 **Goodnesse . . . reason**. Although H's emphasis here on the nonmaterial character of good and the nobility of vision (compare *Pride*, 5:318.29-30) may be construed as common ground with Plato and the Christian Platonists, he is actually closer to the intellectualist tradition of Aristotle and Aquinas. Sight or vision (whether external by means of the eye or internal by means of the light of reason) is the noblest sense. The good which the will necessarily desires is what the intellect apprehends and judges to be a good; hence, the intellect is more noble than the will; compare *S.T.*, 1a.84.5.
- 1:78.22-23 **Finally . . . controller**; Compare *Pride* (5:314.16-26).
- 1:78.26-79.9 **It may . . . before**. Compare Aristotle, *N.E.*, 3.1-3 (1109^b-1113^a; Loeb, pp. 116-141). Also Aquinas, *S.T.*, 1a2ae.18.9; *Laws*, II.8.1 (1:186.10-187.21) and V.48.9 (2:195.20-30).
- 1:79.11-12 **For . . . right reason**. Compare chap. 10.10 (1:105.19). "Right reason" (*ratio recta*) is a technical scholastic term which has Stoic overtones of living in conformity with the universal law of nature which is rationally perceived; compare Cicero, *De republica*, 3.22.33: "True law is right reason in agreement with nature" (Loeb, pp. 210-211); and *De legibus*, 1.12.33: "For those creatures who have received the gift of reason from Nature have also received right reason, and therefore they have also received the gift of Law, which is right reason applied to command and prohibition" (Loeb, pp. 332-333). For H, as for Aquinas, law is "something pertaining to [practical] reason," and the law of reason (H) or the law of nature (Aquinas) is apprehended by reason and then "dictated" as a guide or measure for human activity. The dictates of right reason that distinguish between good and evil are analogous to the first principles or axioms of speculative reason that distinguish between truth and falsehood or error; for example, the principles of identity, noncontradiction, and the excluded middle term of a syllogism. See Robert Hoopes, *Right Reason in the English Renaissance* (Cambridge: Harvard University Press, 1962), esp. pp. 123-127.
- 1:79.23.c **may wish . . . good**, Virgil, *Aeneid*, 8.560: "O if Jupiter would bring me back the years that are sped away"; *Opera* (1532), p. 523; Loeb, 2:98-99.
- 1:79.27-29 **There . . . unto it**. Objected to by the author(s) of *A.C.L.*; see 4:18.3-25.
- 1:80.1-3.d **For evill . . . it**. Although H cites the authority of the Platonist Alcinous (whom the OCD identifies as Albinus), he is affirming the corollary of the Aristotelian-Thomistic intellectualist principles that "the good is that which all things desire or aim at," and that "the will necessarily inclines to that which the

- [practical] reason judges to be good." The quotation from Alcinous may be translated: "If someone moves toward the evil, he does not first move himself as toward the evil but rather as toward the good. . . . For it is impossible for anyone to move toward the evil willing to have it, without having the hope of a good or the fear of a greater evil"; *Ἀλκινόου φιλοσόφου εἰσαγωγή τῶν δογμάτων Πλάτωνος*, bound without pagination after the Latin *Opera* of Apuleius Maunderensis (1521), fol. 315; *Alcinoi in Platoniam philosophiam introductio*, in *Épitomé*, ed. Pierre Louis (1945), pp. 150–153. Alcinous, also known as Alcinous Platonicus, probably lived during the time of the Ceasars and wrote an analysis of Platonic philosophy entitled *Ἐπιτομή τῶν Πλάτωνος δογμάτων*. A translation of the work, *De dogmatis Platonis*, appeared in the Latin edition of Apuleius, *Opera* (1469). The Greek text was first printed in the 1521 Aldone edition of Apuleius.
- 1:80.8–10 **Now pursuit . . . apprehendeth**, Compare Aristotle, *N.E.*, 6.2: ἔστι δ' ὅπερ ἐν διανοίᾳ κατάφασις καὶ ἀπόφασις, τοῦτ' ἐν ὀρέξει δίωξις καὶ φυγή; "Pursuit and avoidance in the sphere of desire correspond to affirmation and denial in the sphere of the intellect"; 1139^a; Loeb, pp. 328–329.
- 1:80.24–29 **For . . . chalenged**. Compare chap. 7.7 (1:81.8–10). For this, the Augustinian doctrine of sin and evil, see *De doctrina Christiana*, 1.23, 26; CCSL, 32:18–19, 21–22. The last phrase may be paraphrased: "the highest priority of being chosen [before other, lesser goods] is rightly claimed for the greatest goods ['best things']."
- 1:80.31–81.1 **abused wee are . . . Eve**; Compare *Answer*, § 8 (5:106.16–108.1).
- 1:81.12–20 **The root . . . us**. Compare chap. 8.11 (1:91.25–93.8), chap. 10.1 (1:96.24–32), 10.4 (1:100.11–15), and 10.13 (1:108.2–22). H's analysis of sin and its consequences is closer to that of Aquinas, for whom original sin is a disease or wound which weakens but does not totally incapacitate the natural powers of the human soul, than to the more Augustinian doctrine of total depravity held by Calvin. See Aquinas, *S.T.*, 1a2ae.85.1–3, and Calvin, *Institutes*, 2.3.1–5. Compare *Certainitie*, 5:71.16–24, and n.
- 1:81.16 **a naturall . . . knowledge** Compare Aristotle, *Meta.*, 1.1: "all men naturally desire knowledge"; 930^a; Loeb, pp. 2–3. The ultimate satisfaction of this desire is good for itself and not for any practical utility.
- 1:82.11–14;j **Neither . . . crooked**, The quotation from Aristotle, *De anima*, 1.5, continues, after "κανών": τὸ δὲ καμπύλον οὐθ' ἑαυτοῦ οὔτε τοῦ εὐθέος; *A.5, Opera* (1584–1585), 3:19–20; 411^a; "For instance, by knowing the meaning of 'straight' we also know the meaning of 'crooked'; for the carpenter's rule is the test of both, but the crooked tests neither itself nor the straight" (Loeb, pp. 60–61).
- 1:82.15 **Goodnesse . . . straightnes**; The sensible image of "straightness," "directness," or "rightness" is the model for the moral conception; compare English "right" and "direct" with Latin "rectus."

1:82.16–20 **For as the straight . . . use.** H explains “the straight way” as the “shortest and easiest way” in *Pride* (5:311.9–312.9).

1:82.23 **amiable** Lovable, that is, to be desired as an end or good in itself and not for any practical utility; compare 1:70.22.

1:82.24–25.*k* **a name . . . goodnes,** καλοκα'γθία, the character of a καλὸς κάγαθός, a beautiful and good person; hence the compound word originally denoted a “perfect gentleman” but was used later in a moral sense to denote a “perfect character.” The word occurs in Aristotle’s *Magna moralia*, 2.9 (1207^b; Loeb, pp. 640–643); compare *Politics*, 4.6.2 (1293^b; Loeb, pp. 316–317).

1:82.27–83.1 **And of discerning . . . there.** The first and more difficult way of discerning goodness by knowing its *causes* refers to scholastic speculations such as those of Aquinas in *S.T.*, 1a.5.1–4 and 1a.19–24, as well as those of the Greek philosophers.

1:83.33.1 **They . . . tenure.** Aristotle, *Rhetoric*, 1.10; 1369^{a-b}; Loeb, p. 110–111; see chap. 3.3 above (1:66.25–26.v) and n.

1:83.33–84.2 **The generall . . . selfe.** The origin of the saying, *Vox populi vox Dei*, “The voice of the people is the voice of God,” is obscure. Aristotle says that what seems good to all is called good; *N.E.*, 10.2 (1153^b; Loeb, pp. 580–583). The words occur in the account of the impeachment trial of Anselm of Canterbury by his secretary Eadmer (c. 1100 AD), who says “and much did we rejoice and receive consolation, recollecting the Scripture (*secundum scripturam*) *Vox populi Vox Dei*”; see Francis Palgrave, *The History of Normandy and of England* (London, 1864), 4:195. Palgrave notes that the source remains untraced and suggests that some apocryphal writing current in the Middle Ages may contain the text. Arthur P. Stanley says that at the time of the accession of Edward III, “in a General Assembly convened in the Abbey, January 20, 1327, Archbishop Reynolds preached on the dubious text, *Vox populi vox Dei*”; *Historical Memorials of Westminster Abbey*, rev. edn. (London, 1868), p. 68. Samuel R. Gardiner points out that the saying was used in the conclusion of the Apology which the commons intended to present to James I in 1604; see *History of England from the Accession of James I to the Outbreak of the Civil War* (London, 1880), 1:185. The germ of the saying is found in a quotation of Hesiod by Aristotle, *N.E.*, 7.13.1: καὶ τὸ διώκειν δ' ἅπαντα καὶ θηρία καὶ ἀνθρώπους τὴν ἡδονὴν σημείον τι τοῦ εἶναι πως τὸ ἀριστον αὐτῆν·

φήμη δ' οὔτις πάμπαν ἀπόλλυται, ἦν
τινα λαοὶ πολλοὶ. . .

“Moreover, that all animals and all human beings pursue pleasure is some indication that it is in a sense the Supreme Good: A rumor which many people express is not easily killed . . .”; 1153^b; Loeb, pp. 440–441. The couplet from Hesiod’s *Works and Days*, line 764, quoted by Aristotle above, ends: θεὸς νύ τίς ἐστι

καὶ αὐτῆ. "It [the rumor] is now a god"; *Works and Days*, ed. T. A. Sinclair (1932), p. 39.

1:84.*m* **Non potest error . . . Polit.** "Error cannot occur where all think the same thing"; *In politica, hoc est in civiles libros Aristotelis* (1587), 1:3. Antonio Montecatini (1568–1597) was professor of civil law at Ferrara when he published this commentary on Aristotle's *Politics*. **Quicquid . . . Idem.** "Whatever is shared in common by all individuals of a species must have a common cause, which is the species and nature of those individuals." **Quod . . . relig.** H has condensed the quotation from Ficino, *De Christiana religione*, chap. 1: "Praeterea meminisse debemus vaticinium illud, quod a tota aliqua animalium specie fit, quia universalis, particularisque naturae fit instinctu, verum existere"; "Moreover, we ought to remember that prophecy which says, 'That which is done by some whole species of animals, because it is universal and happens by instinct of a particular nature, is true'"; *Opera omnia* (1576), p. 2; rpr. (1959), 1.1:2. **Si . . . cap.1.** "If you desire to make progress, first firmly regard that to be true which the sound mind of all men attests"; *Compendium*, chap. 1; *Opera* (1565), p. 239. Nicolas of Cusa (1401–1464) was cardinal under Popes Nicolas V and Pius II. **Non . . . Teles.** "It is not permitted to consider the natural and universal judgment of men to be false"; Bernadino Telesio of Consenza (1509–1588), *De rerum natura juxta propria principia*, 5.2 (1587), pp. 178–179. Telesio was one of the early reformers of the methods of natural philosophy whose third and complete edn. of *De rerum natura* was published in 1587. ***Ο γὰρ . . . cap.2** Aristotle, *N.E.*, 10.2: "For what seems good to all, that we say is good; and he that subverts this belief will hardly speak a more trustworthy belief"; K.2, *Opera* (1584–1585), 9:174; 1172^b; Loeb, pp. 580–583. Keble (1:xvii) cites this array of quotations on what appears at first sight to be a truism as an example of H's wish to exhibit the agreement on the point in question of opposite schools (an Italian jurist, a Renaissance Platonist, a pre-Reformation Cardinal, a "novellist" in natural philosophy), all repeating Aristotle's "axiom." The singular selection of authorities in the note demonstrates how quickly foreign works, such as those of Montecatini and Telesio, made their way to England and how quickly H made use of them.

1:84.8–9.*n* **They are . . . themselves.** Rom. 2:14–15 is the classic scriptural justification of the natural law as written in human hearts; H uses it in chap. 16.5 and in III.2.1, 7.2, and 9.3 (1:138.32–139.10, 207.14–21.4, 217.30–31, and 238.30–239.4.4). See Intro. to Book I, p. 106, above, and 1:223.14–15.*n*, below.

1:84.9–10 **the light . . . world,** Compare John 1:9 and III.9.3 (1:238.25–27).

1:84.24–25 **the judgement . . . moved.** On the terms "common sense" and "phancy" in their technical scholastic senses, see *nn* at 1:76.26–27 and 75.12, above; the "phancy" or "imagination" is the power of the sensitive soul to hold or preserve sensible appearances within itself; see Aquinas, *S.T.*, 1a.78.4.

- 1:85.6–7 **The maine . . . apparent.** Compare II.7.5 (1:179.8–18). H begins here to provide the framework for a rational interpretation of several scriptural precepts. The polemical implication is that these are not isolated, nonrational commands but, in large part at least, reasonable prescriptions.
- 1:85.9–10.*o* **They . . . reason.** Theophrastus, *Περὶ τῶν μετὰ φυσικά*, η; in Aristotle, *Opera* (1584–1585), 8:259; Theophrastus, *Metaphysics*, ed Ross and Forbes (1929), pp. 28–29; see 1:66.13–15.*u.n*, above.
- 1:85.14–15 **That greater . . . lesse.** For Aquinas, the most general principle of practical reason is one founded on the axiom that “good is that which all things desire”; the first precept of the natural law is thus that “good is to be done and pursued, and evil is to be avoided”; *S.T.*, 1a2ae.94.2.
- 1:86.12–13 **so farre . . . preservation,** For Aquinas, the precepts of natural law correspond exactly with the natural inclinations of man; hence three great natural laws bind him, each in its own way: (1) man is a being like all others; as such, he is moved by the instinct of self-preservation or the drive to conserve his being; (2) man is an animal and exercises its functions; hence, he is bound by natural law to reproduce himself, to raise and educate his children, and other similar natural functions; (3) he is a rational being; therefore, he is obligated to seek what is good according to the order of reason; see *S.T.*, 1a2ae.94.2.
- 1:86.21–23 **This . . . earth.** Hesiod, *Theogony*, lines 126–136; *The Homeric Hymns and Homerica*, Loeb, pp. 88–89.
- 1:86.28–29 **that law . . . framed.** A characteristic use by H of “law of nature” to mean “law of reason.”
- 1:87.4–6.*r* **it . . . soule.** In justifying slavery as “natural,” Aristotle argues that the distinction between ruler and ruled pervades all nature. As examples, he points to the soul which rules the body with the sway of a master and the rule of the emotional or irrational part of the soul by the higher intellectual part possessing reason; see *Politics*, 1.2; A.5, *Opera* (1584–1585), 11:7; 1254^{a-b}; Loeb, pp. 20–21; also, 1.5 (cited by H); 1260^a; Loeb, pp. 62–63. Keble cites Eph. 4:23: “And be renewed in the spirit of your minde.”
- 1:87.18.*s* **that . . . children,** “No god is unkind to men”; Plato, *Theaetetus*, 151.D; *Opera* (1578), 1:151; Loeb, pp. 38–39.
- 1:87.19–20.*t* **and unto . . . cause,** “For all believe that God is a cause and a kind of first principle”; Aristotle, *Meta.*, 1.2; A.α, *Opera* (1584–1585), 8:6; 983^a; Loeb, pp. 14–15.
- 1:87.21–22.*u* **That . . . craved,** “But, O Socrates, all men who possess even a small share of prudence always call upon God at the outset of every undertaking, be it small or great”; Plato, *Timaeus*, 27.C; *Opera* (1578), p. 27; Loeb, pp. 48–49.

- 1:87.22–23.*v* *That . . . must:* Aristotle, *N.E.*, 8.14.4: Οὐδὲ γὰρ ἔστιν ἐν πᾶσι καθάπερ ἐν ταῖς πρὸς τοὺς θεοὺς τιμαῖς, καὶ γονεῖς: οὐδεὶς γὰρ τὴν ἀξίαν ποτ' ἂν ἀποδοίη; εἰς δύναμιν δὲ ὁ θεραπεύων, ἐπιεικῆς εἶναι δοκεῖ. “Requital in accordance with desert is in fact sometimes impossible, for instance in honoring the gods, or one’s parents: no one could ever render them the honor they deserve, and a man is deemed virtuous if he pays them all the honor he can”; K.14, *Opera* (1584–1585), 9:154; 1163^b; Loeb, pp. 512–513. Compare V.70.9 (2:368.28–369.2); also, V.79.1 (448.13–16).
- 1:87.24–88.1 *Thou . . . this* H continues rationally to expound scriptural precepts, as at 1:85.6 ff. The laws concerning human duty are part of “the natural law” or “the law of reason” republished in the book of Scripture; compare chap. 12.1–3.
- 1:88.21–24.*y* *That . . . abstayne,* The headnote to the *lex* beginning *In Arenam* is introduced with the italicized words, *Mores quos quis in se approbat, non potest in alio reprobare*; “Those customs which someone approves in himself cannot be disapproved of in another”; *Codex Justinianus*, bk. 3, *De inofficioso testamento*, 28.11; (1575), cols. 509–510. The general title *Quod quisque juris in alterum statuerit, ut ipse eodem jure utatur* (“That which someone in the law legislates for another should be binding upon the legislator as well”) introduces the series of laws in bk. 2.2 of the *Digest*; (1576), 1:175. H’s “That from all violence and wrong wee are utterly to abstayne” is a translation of “*Ab omni penitus injuria atque vi abstinendum*” in *y*. These words do not appear in *Digestum novum, seu pandectarum juris civilis*, 43.24.1 (1576), 3:735, or in the scholia. H summarizes the extensive exposition upon the following Praetorian edict: “*Quod vi aut clam factum est: qua de re agitur, id cum experiendi potestas est, restituas*”; “Concerning what is to be done about that which is done by violence or in secret, you should make restitution if there is any power to do so.”
- 1:89.19–24 *In goodnes . . . weldoers.* H is here rejecting Stoic doctrine that virtue is either perfect or else nonexistent.
- 1:89.28–31 *And the lawe . . . actions.* Compare chap. 8.9 (1:90.19–22).
- 1:90.9–11.*e* *It is no childe . . . sithence.* Sophocles, *Ἀντιγόνη*, in *Σοφοκλέους Αἰ Ἐπιτὰ Τραγωδία* (1568), p. 232; *Antigone*, lines 456–457 (Loeb, pp. 348–349). Aristotle was likely H’s source for this well known quotation: immediately following the words from the *Rhetoric*, 1.13.2 (1873^b), quoted by H below (chap. 10.1; 1:96.*o*), he quotes this passage; *Opera* (1584–1585), 2:49; Loeb, pp. 140–141.
- 1:90.*f* *Th. . . legem.* That is: “. . . omnia peccata in quantum sunt contra rationem, sunt etiam contra naturam, ut patet per Damascenum”; “. . . all sins in so far as they are against reason are also against nature, as Damascene states”; *S. T.*, 1a2ae. 94.3; *Opera omnia* (1570), 11:204; B, 28:84. Aquinas refers to John of Damascus, *De fide orthodoxa*, 1.4: “Ex eo enim quod secundum naturam, ad id quod praeter naturam, per transgressionem abacti sumus”; “For we through transgression have

been changed from the state of being in accord with nature to being against nature [ἐκ τὸ κατὰ φύσιν εἰς τὸ παρὰ φύσιν]"; *Opera* (1559), p. 76; PG, 94:976. **Aug. . . . est.** "But every vice violates nature and is consequently against nature"; *De civitate Dei*, 12.1; *Opera* (1528–1529), 5:361; CCSL, 48:356.

1:91.7–20.g **Certaine . . . world.** Augustine, *De doctrina Christiana*, 3.14: "Qua varietate innumerabilium consuetudinum commoti quidam dormitantes, ut ita dicam, qui neque alto somno stultitiae sopiebantur, nec in sapientiae lucem poterant evigilare, putaverunt nullam esse justitiam per se ipsam, sed unicuique genti consuetudinem suam justam videri: quae cum sit diversa omnibus gentibus, debeat autem incommutabilis manere justitia, fieri manifestum, nullam usquam esse justitiam: Non intellexerunt, ne multa commemorem, Quod tibi fieri non vis, alii ne feceris, nullo modo posse ulla eorum gentili diversitate variari. Quae sententia cum refertur ad dilectionem dei, omnia flagitia moriuntur, cum ad proximi, omnia facinora"; *Opera* (1528–1529), 3:37; CCSL, 32:91.

1:92.2–4 **For examples sake . . . hands,** Compare V.1.3 and 3.2 (2:21.4–15, 28.13–24).

1:92.25–28 **there is no kind . . . things.** H is very close here to the teaching of Aquinas about the *donum superadditum*, "the superadded gift of grace." According to Aquinas, man as originally created had in addition to his natural powers a superadded gift that enabled him to seek the highest good (the supernatural vision and enjoyment of God) and to practice the three Christian virtues of faith, hope, and love. By sinning, Adam caused God in his justice to withdraw the superadded gift of grace. This loss included not only the ability to seek the highest good and to practice the Christian virtues but also the corruption of his natural powers (intellect, will, and affections), so that Adam's state became not merely a lack of original righteousness (*justitia*) but an actual turning toward lower aims. Since Adam's "original sin," man still has the power to attain the four natural virtues (prudence, justice, courage, and temperance), but these natural virtues are not sufficient to enable their possessor to attain the beatific vision. Man's restoration is possible only through the free and unmerited grace of God, by which the superadded gift of grace is restored to man's nature, his sins forgiven, and power to practice the three Christian virtues infused.

1:93.6–16 **That which we say . . . considered.** H characteristically distinguishes between laws known by "necessarie consequence deduced out of cleere and manifest principles" and those which are only "probable collections" or inferences has important polemical implications; see Pref. 6.6 (1:33.16–34.13) and chap. 10.7 (1:101.27–28).

1:93.24 **any one . . . elements,** Compare chap. 3.2 (1:65.20–66.6). The theory of a series of heavens influencing all natural agents beneath them and giving form to the four elements was still part of the popular physics of the 16C. There were ten heavens (Aquinas, *S.T.*, 1a.68.4) of wider or narrower influence: the spheres

of the seven planets, plus those of the fixed stars, the *primum mobile*, and the “empyrean” or heaven of fire, which was the immovable cause of all motion. The nine heavens beneath the highest “empyrean” were the instruments of intelligent powers, the nine angelic orders or choirs; Aquinas, *S.T.*, 1a.108–110. See nn at 1:70.20–22 and 71.10–11, above, and 2:360.8–11, below.

- 1:93.27–28 **man being . . . himselfe**, The ancient theory that man was a microcosm of the macrocosm, a miniature model of the world, and that the world was the image of God and man an extract or compendious image of that world, was still common during the late 16C. Paracelsus and the alchemists made use of this theory in their physical speculations, and Galen speaks of it as old; *Περὶ χρείας μορίων*, ιζ, *De usu partium libri xvii* (1907), 1:7. The germ of the theory is present in Plato’s theory of the Cosmos as a living creature endowed with soul and reason; see *Timaeus*, 30B (Loeb, pp. 54–55). Later Platonists attributed the doctrine to Pythagoras and gave it a moral turn: ὅτι ὁ ἄνθρωπος μικρὸς κόσμος λέγεται, οὐκ ἄρα ὅτι ἐκ τῶν τεσσάρων στοιχείων σύγκειται . . . ἀλλ’ ὅτι πάσας ἔχει τὰς τοῦ κόσμου δυνάμεις· ἐν γὰρ τῷ κόσμῳ εἰσὶ θεοί. “It is said that man is a microcosm, not because he is composed of the four elements, but because he has all the powers of the cosmos. For there are gods in the cosmos”; Photius, chap. 249, *Πυθαγόρας*; in *Photii bibliotheca*, ed. Bekker (1825), p. 440. Philo of Judaeus utilizes the doctrine in *De posteritate Caini*, chap. 58; *Opera*, ed. Wendland (1897), 2:13; in *De plantatione*, chap. 28 (2:139); and in *Quis rerum divinarum heres*, chap. 155 (3:36). The idea was also common in the Greek Fathers; compare Clement of Alexandria, *Λόγος προτρεπτικὸς πρὸς Ἑλλήνας*, *Exhortation to the Heathen*, 1.5; PG, 8:59–60.
- 1:94.6–30 **He doth . . . him**. Compare H’s discussion of degrees of volition with Aristotle, *N.E.*, 3.5 (1113^b–1115^a; Loeb, pp. 142–153); also, Aquinas, *S.T.*, 1a.83.1 and 1a2ae.6.1 and 4–8 (B, 11:236–41; 17:4–11 and 16–61). H emphasizes the complexity of ethical acts.
- 1:95.1–2.m **Take away . . . equall**: In the 16C edn., the law beginning “Foedissimam earum nequitiam . . .” is introduced with the following italicized heading: *Tolle voluntatem de medio, et omnis actus est indifferens*; “Take the will away from the means, and every act is indifferent”; *Codex*, 9.9.20; (1575), col. 2033.
- 1:95.2–3.m **That which . . . done**. H’s words, “Bonam voluntatem plerumque pro facto reputari” (“good will is commonly taken as the deed”), do not occur in the law beginning “Si quis in testamento,” nor do they appear in the heading to or the scholia on the law. The content of the rather lengthy law, and the point H is drawing from it, is summarized in the heading in the 16C edn.: “Si libertas fideicommissaria est relicta uni ex liberis ancillae, quem haeres elegerit: illo moriente nulla facta electione, omnes ad libertatem perducuntur”; “If the freedom belonging to a feoffment is left to one of the children of a female slave whom an heir has chosen, and if that heir dies before his decision has been accomplished, all

- are to pass over into freedom"; *Codex Justinianus*, 5.4.16 (1575), cols. 1522-1523.
- 1:95.7-9 **How . . . that which followeth.** See chap. 10.7-9.
- 1:95.19-22.*n* **the Roman . . . punishment.** H quotes in *n*, as "The Romane lawes called the lawes of the twelve tables," the beginning of Cicero's ideal code in his *De legibus*, 2.8: "Ad divos adeunto caste, pietatem adhibento, opes amovento. Quis secus faxit, deus ipse vindex erit"; "Let them approach the gods in purity, bringing piety, and leaving riches behind. Whoever shall do otherwise, God himself will be the avenger"; *Opera* (1536), 4:394; compare Loeb, pp. 392-393. H refers to "the twelve tables" in *Pride* (see 5:335.19, *n*).
- 1:95.27-96.3 **sufficient to shewe . . . other.** R. W. Church cites Cicero, *De legibus*, 1.16: "nam ut communis intelligentia nobis notas res efficit easque in animis nostris inchoavit, honesta in virtute ponuntur, in vitiis turpia. ea autem in opinione existimare, non in natura posita dementis est"; "For since an intelligence common to us all makes things known to us and formulates them in our minds, honourable actions are ascribed by us to virtue, and dishonourable actions to vice; and only a madman would conclude that these judgments are matters of opinion and not fixed by nature" (Loeb, pp. 346-347).
- 1:96.5-8.*o* **The lawes . . . do.** Aristotle, *Rhetoric*, 1.13.2: "For there is a general idea of just and unjust in accordance with nature, as all men divine even if there is neither communication nor agreement between them"; A.ry, *Opera* (1584-1585), 2:49; 1373^b; Loeb, pp. 138-141. Aristotle cites as an example of this truth the passage from Sophocles quoted above; see 1:90.9-11, *e*, and *n*.
- 1:96.17-20 **Two foundations . . . together.** Compare chap. 15.2 (1:131.10-16). The first of these "foundations" is Aristotle's doctrine that man is by nature a "political animal"; compare Aquinas, *S.T.*, 1a.96.4.
- 1:96.20-23 **The later . . . requireth.** Compare chap. 3.4 (1:67.20-24.y); also 8.6 (1:86.29-87.9). On the end of society as "the common good," see Aquinas, *S.T.*, 1a2ae.90.2.
- 1:96.24-25 **Lawes politique, . . . men,** Compare VIII.2.2 (3:331.11-332.9). Also, Aquinas: "ita etiam ex praeceptis legis naturalis, quasi ex quibusdam principiis communibus et indemonstrabilibus, necesse est quod ratio humana procedat ad aliqua magis particulariter disponenda. Et istae particulares dispositiones adinventae secundum rationem humanam, dicuntur 'leges humanae' . . ."; "so too it is from the precepts of natural law, as from general and indemonstrable principles, that it is necessary that human reason proceeds to determining certain matters more particularly. These particular determinations, devised according to human reason, are called human laws"; *S.T.*, 1a2ae.91.3; B, 28:26.
- 1:96.25-32 **unlesse presuming . . . perfect.** Presupposing the rebellious obstinacy of the human will because of man's fall into sin and consequent corruption, H

- agrees with Aquinas about the necessarily coercive nature of human laws; see *S.T.*, 1a2ae.95.1. Compare Aristotle, *Politics*, 1.1.12: ὡςπερ γὰρ καὶ τελεωθὲν βέλτιστον τῶν ζῴων ὁ ἀνθρωπὸς ἐστίν, οὕτω καὶ χωρισθὲν νόμου καὶ δίκης χέριστον πάντων. “For as man is the best of the animals when perfected, so he is the worst of all when sundered from law and justice”; 1253^b; Loeb, pp. 12–13. Augustine, however, is directly or indirectly H’s most important source for presupposing that the political and legal system is coercive because it is dealing with fallen human nature. For Augustine, the earthly state and its laws are both a punishment for sin and also a partial remedy for fallen man’s sinful condition. Without the state and its coercive measures, anarchy would reign, and self-centered, avaricious, power-hungry, lustful men would destroy one another in a fierce struggle for self-aggrandizement. Augustine clearly distinguishes the external, coercive, repressive, remedial order of the earthly city—and its main virtue is that it is an order—from the spontaneous order of love found among the angels and in the whole City of God. See, for example, *De civitate Dei*, 17.14 (CCSL, 48:578), 4.4 (CCSL, 47:101–102), epist. 153, 6.16 (CSEL, 44:413–414), and *De Genesi ad litteram*, 9.9 (CSEL, 28:277).
- 1:97.1–2 **All men desire . . . life.** Compare Aristotle, *Politics*, 3.5.10: εἰ δὲ μήτε τοῦ ζῆν μόνον ἔνεκεν ἀλλὰ μᾶλλον τοῦ εὖ ζῆν “But if on the other hand the state was formed not for the sake of life but rather for the sake of the good life . . .”; 1280^a; Loeb, pp. 212–213.
- 1:97.20–21 **implements** That is, complements. Compare Aquinas: “Sicut etiam videmus quod per aliquam industriam subvenitur homini in suis necessitatibus, puta in cibo et vestitu, quorum initia quaedam habet a natura, scilicet rationem et manus, non autem ipsum complementum, sicut cetera animalia quibus natura dedit sufficienter tegumentum et cibum”; “Thus we observe that it is by contrivance that he [man] supplies his necessities, for instance food and clothing: nature starts him off with reason and hands, but not with the complete product, unlike other animals who are sufficiently provided with nourishment and covering”; *S.T.*, 1a2ae.95.1; B, 28:100–101.
- 1:97.29–31 **For into . . . body.** Compare chap. 6.1.
- 1:98.10–12 **when families . . . them?** Genesis 5 is the book of ten generations from Adam to Noah.
- 1:98.23–29 **To take . . . procured.** Compare VIII.3.1 [Keble, 2.5] (3:334.3–335.9).
- 1:99.6–9 **except they gave . . . another;** Compare VIII.3.2–3 [Keble, 2.9–11] (3:338.21–340.23).
- 1:99.9–12.c **because . . . disposition;** See Aristotle, *Politics*, 1.2.15; A.3–7, *Opera* (1584–1585), 11:4–10; esp. the following: ὅτι μὲν τοίνυν εἰσὶ φύσει τινὲς, οἱ μὲν ἐλεύθεροι, οἱ δὲ δούλοι, φανερόν, οἷς καὶ συμφέρει τὸ δουλεύ-

ειν, καὶ δίκαιόν ἐστίν. “It is manifest therefore that there are cases of people of whom some are freemen and the others slaves by nature, and for these slavery is an institution both expedient and just”; (1584–1585), 11:8; 1255^a; Loeb, pp. 22–25. Also, 4.9.5–7; A.11 (1584–1585), 11:114; 1295^b; Loeb, pp. 328–331.

1:99.22–23 **by consent . . . God**; Compare chap. 10.8 (1:102.21–31), VIII.3.1 [Keble, 2.5] (3:334.3–335.4), and 3.3 [Keble, 2.11] (340.2–23).

1:99.27–31.*d* **It is no improbable . . . them.** In *Politics*, 1.1.7, Aristotle argues that the family is the primary association, a union of a natural ruler (the husband and master) and a natural subject (the female or slave); related families later formed a village; A.2, *Opera* (1584–1585), 11:3; 1252^a; Loeb, pp. 6–9. Plato gives a similar account of the origins of government in “patriarchal law” (πατριῶσι νόμοι) and the kingship arising out of patriarchal government, “which is of all kingships the most just”: *Περὶ Νομοθεσίας, Νόμων η*; *Opera* (1578), 2:679–681; *Laws*, bk. 3, 680A–681E; Loeb, pp. 176–183.

1:99.31–100.1 **Which . . . made rulers**; Compare Livy on the Roman senators: “Patres certe ab honore, patriciique progenies eorum appellati”; “They [the senators] received the designation Fathers from their rank, and their descendents were called patricians”; *Ab urbe condita*, 1.8.7; Loeb, pp. 32–33; also Cicero on the appointment by Romulus and the Sabine King Titus Tatius of the royal council consisting of the most eminent men (*principes*), “who were called ‘Fathers’ [*patres*] on account of the affection felt for them”; *De republica*, 2.8.1; Loeb, pp. 122–123. See also 2 Chron. 19:8.

1:100.2 **Melchisedec**, The priest and king of Salem, who met Abraham and blessed him; see Gen. 14:18; Ps. 110:4; Heb. 5:6.

1:100.11–15 **Howbeit, the corruption . . . world**, Compare chap. 10.13 (1:108.2–11), and see 1:96.25–32.*n*, above.

1:100.19–28 **At the first . . . them.** Compare VIII.6.1 (3:385.19–25).

1:100.22–25.*e* **till by experience . . . cured.** Cicero, *De officiis*, 2.12: “For, as the masses in their helplessness were oppressed by the strong, they appealed for protection to some one man who was conspicuous for his virtue; and, as he shielded the weaker classes from wrong, he managed by establishing equitable conditions to hold the higher and the lower classes in an equality of right. . . . But when such was not their good fortune, laws were invented”; *Opera* (1536), 4:450; Loeb, pp. 208–211. H has deleted a passage between the two sentences which states that the reason for making constitutional laws was the same as that for making kings, namely, equality of rights.

1:100.28–101.2.*f* **If things . . . things.** “To honor one’s parents, do good to one’s friends and repay favors to one’s benefactors; for these and similar rules are not enjoined on men by written laws but are observed by unwritten custom and

- universal law"; *Rhetoric to Alexander*, attributed in the 16C to Aristotle but now thought not to be by him, chap. 1; B, *Opera* (1584–1585), 2:161; 1421^b; Loeb, pp. 276–279.
- 1:101.9–11.g **many . . . cannot.** Tertullian, *De spectaculis*, chap. 1: "For such is the force of pleasure that it can prolong ignorance to give it its chance, and pervert knowledge to cloak itself"; *Opera* (1584), p. 250; Loeb, pp. 230–231.
- 1:101.11–17 **And because . . . them:** Compare chap. 16.5–6 (1:139.27–140.9). Also *Pride*, 5:314.16–26 and 318.17–23.
- 1:101.22–26 **Wherin . . . appointe.** Compare Aquinas: "Derivantur ergo quaedam a principiis communibus legis naturae per modum conclusionum: sicut hoc quod est 'non esse occidendum,' ut conclusio quaedam derivari potest ab eo quod est 'nulli esse faciendum malum'; quaedam vero per modum determinationis, sicut lex naturae habet quod ille qui peccat puniatur; sed quod tali poena vel tali puniatur, hoc est quaedam determinatio legis naturae"; "Some commands are therefore derived from the general principles of the natural law by way of conclusions; for example, 'you must not commit murder' may be derived as a conclusion from the principle that 'you must do harm to nobody.' Others are derived from the general principles of the natural law by way of determination; for example, the law of nature has it that 'the one who does evil should be punished'; but that he be punished in this or that way is a certain determination of the natural law"; *S.T.*, 1a2ae.95.2; B, 28:106.
- 1:101.27–28 **In laws . . . not so.** Compare V.71.4 (2:374.34–375.7); *Pride*, 5:335.4–336.10. Also, Aquinas: "Praeterea, jus positivum dividitur contra jus naturale"; "Furthermore, positive law is distinguished from natural law"; *S.T.*, 1a2ae.95.2; compare B, 28:104–105. The scholastic distinction between *jus positivum* and *jus naturale* is based upon Aristotle's distinction in *N.E.*, 5.7.1, between the two kinds of political right or justice: Τοῦ δὲ πολιτικοῦ δικαίου τὸ μὲν φυσικόν ἐστι τὸ δὲ νομικόν, φυσικὸν μὲν τὸ πανταχοῦ τὴν αὐτὴν ἔχον δύναμιν, καὶ οὐ τῷ δοκεῖν ἢ μὴ, νομικὸν δὲ ὃ ἐξ ἀρχῆς μὲν οὐθὲν διαφέρει οὕτως ἢ ἄλλως, ὅταν δὲ θῶνται, διαφέρει . . . "Political justice is of two kinds, one natural, the other conventional. A rule of justice is natural that has the same validity everywhere, and does not depend on our accepting it or not. A rule is conventional that in the first instance may be settled in one way or the other indifferently, though having once been settled it is not indifferent"; 1134^b; Loeb, pp. 294–295; see also, 5.10.3–4; 1137^b; Loeb, pp. 314–315; Isidore of Seville, *Etymologies*, 5.4; PL, 82:199; Gaius (2C jurist), *Institutiones*, 1.2.11, in Justinian, *Institutes* (1590), col. 4; Krueger (1963), p. 2; Scott, 2.7.
- 1:102.3–8 **Most requisite . . . regiment.** Compare Aquinas, *S.T.*, 1a.96.4 and 1a2ae.100.1.
- 1:102.17–18 **that the lawe . . . understanding.** Compare Aristotle, *N.E.*,

10.9.12: ὁ δὲ νόμος ἀναγκαστικὴν ἔχει δύναμιν, λόγος ὦν ἀπὸ τινος φρονήσεως καὶ νοῦ. καὶ τῶν μὲν ἀνθρώπων ἐχθαίρουσι τοὺς ἐναντιουμένους ταῖς ὀρμαῖς, κἄν ὀρθῶς αὐτὸ δρῶσιν· ὁ δὲ νόμος οὐκ ἔστιν ἐπαχθῆς τᾶπτων τὸ ἐπιεικές. "But law on the other hand is a rule, emanating from a certain wisdom and intelligence, that has compulsory force. Men are hated when they thwart people's inclinations, even though they do so rightly, whereas law can enjoin virtuous conduct without being invidious"; 1180^o; Loeb, pp. 632-635.

1:102.21-31 **That which . . . tyrannye.** Compare chap. 10.4 (1:99.19-27) and VIII.6.6, 11, and 8.9 (3:393.3-21, 401.22-28, and 434.14-435.4).

1:102.31-32 **Lawes . . . made so.** Compare VIII.6.8, 11 (3:393.3-21, 403.24-404.5).

1:102.32-103.7 **But approbation . . . person.** Compare VIII.6.3 and 6.11 (3:387.7-21 and 3:401.22-28).

1:103.21-25 **Wherefore as any mans deed . . . still.** Compare VII.14.3 (3:219.19-220.7). H resolves the problem of the obligation of later generations to observe the laws agreed upon by their fathers but to which they personally had never given their consent by combining the legal maxim of the immortality of corporations with the concept of representation, which makes it unnecessary for all laws to receive the approval of every individual. Representation already had a long parliamentary history in England. The notion of the immortality of corporations has its origins in both Roman and canon law. The *universitas* was the Roman corporation, but according to Roman law, which conceived of no real legal personality other than that of the individual, the *universitas* was a *persona ficta* that could act in certain ways (own property, sue and be sued, and so forth) as though it were a person. Nevertheless, the personality of a corporation was artificial and depended for its existence on a grant or concession from the state. Even though the phrase *persona ficta* does not occur in Roman law itself, it summarizes the Roman doctrine of corporations. Sempiternity was attributed to the Roman empire: "Licentiam verò universis . . . nuntiare nobis, et at imperium quod semper est"; "We grant permission to all . . . to notify us and the empire, which is forever"; Justinian, *Novellae*, 6.epil. (1590), col. 20; Schoell-Kroll (1913), p. 47; Scott, 16:38. In H's time, the belief in the continuity and identity despite changes of the Roman empire was still current in European political theory. The immortality of the Roman empire, and by implication the Roman people, became the universally applicable prototype of the perpetuity of any *regnum* and every people. For example, the following canon of the Fourth Council of Toledo (633), after having passed through various canonical collections, eventually found its way into Gratian's *Decretum*: "quia numquam eorum moritur patrona, a patrocínio ecclesiae numquam discedant"; "They [freedmen and their descendents] are never cut off from the patronage of the Church, because their patron [the Church] never dies"; *Decreti secunda pars*, 12.2.65; in *C.J.Can.*, ed. Friedberg (1955), 1:708. This notion

of the immortality of the church as a corporation was intimately bound up with the theological concept of "the mystical Body of Christ," where the church was the Body of Christ and where Christ was the Head of his Body, the church. The jurists' "fictitious" or "intellectual persons" are closely related to the universals (*genera and species*) that the nominalists called *fictiones intellectuales*. H most probably conceived of these "immortal corporations" in terms of the Aristotelian and Thomistic concept of εἶδη or *formae*, the immanent actualizations of separate types or species. See Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton: Princeton University Press, 1957), esp. chap. 6; also, F. W. Maitland, "The Crown as Corporation," *Selected Essays* (Cambridge, 1936), pp. 104–127, rpr. from *Law Quarterly Review*, 17 (1901): 131–146.

- 1:103.33–104.4.h **A lawe there is . . . sober.** Pittacus of Mitylene in Lesbos, one of the seven Greek sages, Dictator 589–579 BC. In *Politics*, 2.9.9, Aristotle cites him as "a maker of laws but not of a constitution"; B.12, *Opera* (1584–1585), 11:59; 1274^b; Loeb, pp. 170–171.
- 1:104.13 **those knowne lawes of making lawes,** Compare Cicero's *legum leges*, "the law of laws"; *De legibus*, 2.7.18; Loeb, pp. 390–391.
- 1:105.6–8.i **Now as the learned . . . before:** Sir William Stanford, Lectori [To the reader], *Les ples del coron: divisees in plusiours titles*: "Citavi etiam non pauca, è Bractono et Britono, vetustis legum scriptoribus, hoc nimirum consilio ut cum leges Coronae magna ex parte jure statutorio constant, ponatur ante legentis oculos commune jus, quod fuit ante ea statuta condita. Nam ea res maxime conducit recte interpretandis statutis. Id enim intelligenti, statim occurrunt quae commune jus contraxit. Pervidet autem ille quote illorum malorum parti medetur, et quote non, et sitne hujusmodi statutum novatum jus per se, an nihil aliud quam communis juris affirmatio"; "I have cited more than once from Bracton and Briton, ancient writers on the laws, especially this counsel that says that when the laws of the crown are for the most part based upon statute law, so that the common law (which was established before the statutes) might be put before the eyes of the reader. This counsel is of great service for interpreting statutes rightly. To the one understanding it, those evils which common law has restrained immediately come to mind. For that individual discerns how many of those evils can be remedied in part and how many cannot, and whether a statute of this kind renewed is a law per se or nothing other than an affirmation of common law"; sig. A2^r, 5th edn. (1583; STC 23223). Stanford (1509–1558) was judge of the Common Pleas in 1554. *Les ples del coron*, a digest of criminal law, was first printed in 1557 and reprinted five times by 1607; the 5th edn. of 1583 was the latest H could have used.
- 1:105.8–12 **so heere . . . none.** A provision of human law at variance with natural law is not a law but a corruption of law; see Aquinas, *S.T.*, 1a2ae.95.2.
- 1:105.13–14 **mixedly, . . . meerly humane.** See 3:389.8–21.z and n, below.

- 1:105.19 **right reason** See chap. 7.4 (1:79.11-12 and n), above.
- 1:105.26-29.*k* **the common sort . . . it:** Aristotle, *N.E.*, 10.9.9: "The many are more amenable to compulsion and punishment than to reason and to moral ideals"; K.9, *Opera* (1584-1585), 9:189; 1180^a; Loeb, pp. 632-633. H cites chap. 10.
- 1:106.1-10 **because the matter . . . man.** Compare Pref. 6.6 (1:22.16-25).
- 1:106.17-20 **Wheras now . . . found.** On the expediency and mutability of "meerly humane" law, which is only probable, compare IV.14.1-6, V.7.4-8.2, and VII.15.14 (3:241.4-16).
- 1:106.20-23 **Lawes whether mixtlie . . . Church.** Compare VIII.1.1-7.
- 1:106.23-24 **Of lawes humaine . . . following.** Book III is devoted to examining the necessity or probability of the "external" matter of the laws of church polity or government; summarized in III.11.20.
- 1:106.30-107.2 **Now besides that lawe . . . nations.** The threefold distinction between natural law or the law of reason ("that lawe which simplie concerneth men as men"), civil or positive law ("which belongeth unto them as they are men linked with others in some forme of politique societie"), and the *jus gentium* or "Lawe of Nations," has its foundation in Roman law. Ulpian (early 3C jurist) distinguished law into two kinds, public (having to do with the government of the Roman empire) and private (having to do with the interests of individuals). Gaius further subdivided private law into natural law, the law of nations, and civil law; see Justinian, *Institutiones*, 1.1.4-1.2.2; (1590), col. 3; Krueger (1963), p. 1; Scott, 2:5-6. The threefold distinction of the species of law was later incorporated at the beginning of canon law; see Gratian, *Decretum*, 1.1.6-9; ed. Friedberg, 1:2-3; also, Aquinas, *S.T.*, 1a2ae.95.4. What the Roman jurists meant by *jus naturale* was primarily the expression of "right reason" inherent in nature and man, therefore having a binding force as a law. Ulpian partially obscured the matter by identifying natural law with what nature teaches both to man and all animals (for example, the union of male and female, the procreation and rearing of children), while limiting *jus gentium* to human beings in respect of their human relations. "Natural law" was contrasted with the *jus civile* (the law peculiar to Rome and to other states) and with the *jus gentium* (the sum of the law common to other nations as well as the Romans). In Roman law, the *jus gentium* and the *jus naturale* were often placed under the same head or division, for the law common to all nations was but the embodiment and indication of what right reason commanded of all men; compare the following quotation from the *Institutiones* (161 AD) of the jurist Gaius: "All nations which are governed by statutes and customs make use partly of law which is peculiar to the respective nations, and partly of such as is common to all mankind. Whatever law any nation has established for itself is peculiar to the particular state and is called civil law (*jus civile*), as being the peculiar law of that state, but law which natural reason (*naturalis ratio*) has laid down for mankind in general is

- maintained equally by all men, and is called *jus gentium*, as being the law which all nations use"; Justinian, *Institutiones*, 1.2.1; (1590), col. 3; Krueger (1963), p. 1; Scott, 2:6. Cicero also identifies the law of nature with the *jus gentium* in the sense of law common to all; see *De officiis*, 3.5.23; Loeb, pp. 290–291. He draws the inference that what is part of the *jus gentium* should also be part of the *jus civile*, that is, of the law of each particular state; *De haruspicum responsis*, 14.32; Loeb, pp. 356–357.
- 1:107.6–9.*m* **The chiefest . . . understanding.** Aristotle, *Politics*, 1.1.10: οὐθὲν γὰρ, ὡς φημὲν, μάτην ἢ φύσις ποιεῖ λόγον δὲ μόνον ἄνθρωπος ἔχει τῶν ζῴων. "For nature, as we declare, does nothing without purpose; and man alone of the animals possesses speech"; A.2, *Opera* (1584–1585), 11:3; 1253^a; Loeb, pp. 10–11.
- 1:107.19–21.*o* **Which thing Socrates . . . world.** Cicero, *Tusculanarum quaestionum ad M. Brutus*, 2.37: "Socrates quidem quum rogaretur Cuiatem se esse diceret. Mundanum inquit. Totius enim mundi se incolam, et civem arbitrabatur"; "Socrates, on being asked to what country he claimed to belong, said, 'To the world'; for he regarded himself as a native and citizen of the whole world"; *Opera* (1536), 4:233; *Tusculan Disputations*, 5.37.108; Loeb, pp. 532–535. *De legibus*, 1.12: "Quibus enim ratio natura data est, iisdem etiam recta ratio data est: ergo et lex quae est recta ratio in jubendo et vetando; si lex, ius quoque; et omnibus ratio; jus igitur datum est omnibus. Recteque Socrates execrari eum solebat, qui primus utilitatem a jure seiunxisset, id enim querebatur caput esse exitiorum omnium"; "For those creatures who have been given the gift of reason from nature have also been given right reason, and therefore they have also been given the gift of law, which is right reason applied to command and prohibition. And if they have been given law, they have been given justice also. Now all men have been given reason; therefore all men have been given justice. Consequently Socrates was right when he cursed, as he often did, the man who first separated utility from justice; for this separation, he complained, is the source of all mischief"; (1536), 4:384; *Laws*, 1:12.33; compare Loeb, pp. 332–335.
- 1:108.1–2 **so many Gods . . . men.** Keble cites Erasmus: "Ἄνθρωπος ἀνθρώπου δαίμονιον, that is, "Homo homini Deus," *Proverbiorum chiliarum prima*, 1.69; *Opera* (1703), 2:54. This adage is found in Pliny, *Natural History*, 2.5.18: "deus est mortali iuvare mortalem, et haec ad aeternam gloriam via"; "For mortal to aid mortal—this is god; and this is the road to eternal glory"; Loeb, pp. 180–181.
- 1:108.17–22 **Primarie . . . kept.** H's distinction between the primary and secondary law of nations is explicitly set forth in Roman law: "jus autem gentium omni humano generi commune est. nam usu exigente et humanis necessitatibus gentes humanae quaedam sibi constituerunt: bella etenim orta sunt et captivitates secutae et servitutes, quae sunt juri naturali contrariae. jure enim naturali ab initio omnes homines liberi nascebantur. ex hoc jure gentium et omnes paene contractus

introducuntur, ut emptio venditio, locatio conductio, societas, depositum, mutuum et alii innumerabiles”; “But the law of nations is common to all mankind. For nations have established certain laws as occasion and the necessities of human life required. Wars arose, then followed captivity and slavery, which are against natural law. For by natural law from the beginning all men were born free. From this law of nations almost all contracts have been introduced, as, for example, buying and selling, letting and hiring, partnership, deposit loans returnable in kind, and many others”; Justinian, *Institutiones*, 1.2.2; (1590), col. 3; Krueger (1963), p. 1; Scott, 2:6.

1:108.21 **lawes of armes**, Compare VIII.2.5 (3:334.13–22). Among H’s possible sources and among the first to explicate systematically the laws governing the practice of nations in the conduct of war were Balthazar Ayala, *De jure et officiis bellicis et disciplina militari* (1581), and Albericus Gentilis, *De jure belli* (1589). Hugo Grotius acknowledges his debt to both of these authors, especially the latter, in *De jure belli ac pacis* (1625).

1:108.q **Jose. . . . Appion**. H is referring here to Flavius Josephus, quoted later in chap. 12.2 (1:120.24 and k). “Lacedaemonii namque peregrinos etiam expellebant, et suos cives perigrinari non sinebant, corruptionem extra leges ex utroque metuentes. Illorum igitur citius saevitiam poterit quilibet arguere, qui nulli neque conversationis, neque cohabitationis suae participationem exhibebant. Nos autem aliorum quidem res zelare non dignamur: participari vero cupientes quae sunt nostra libenter suscipimus: quod vitique reor indicium magnanimitatis atque clementiae”; “For the Lacedaemonians also expelled foreigners, and would not permit their own citizens to travel abroad, fearing from each of these things corruption from outside their own laws. Therefore, someone can argue more readily against the rigid severity of the Lacedaemonians, for they gave no one the privilege to communicate with them or indeed leave to live among them. But we, though we do not deign to yearn for the way of others, yet freely admit those desiring to share in ours. And this may, I think, stand as a proof both of our magnanimity and humanity”; *Antiquitatum Judicarum libri xx, contra Apionem*, 2.36; (1535), p. 728; *Opera: Graecae et Latinae* (1865), 2:388; Loeb, 1:396. Josephus (37?–100? AD) was a Palestinian Jewish historian who fought Roman troops in 66–67 and later won imperial honors; he was a major source for Christian writers from early times. In V.71.8 H quotes from the Latin translation of Sigmund Gelenius (Basel, 1548); see 2:380.m.n, below. **Theod. . . . affect.** Παρά δὲ Λακεδαιμονίοις ξενηλασίαν οὐκ ἔστιν ἰδεῖν . . . “Except for the Lacedaemonians, there can be seen no hereditary right for keeping foreigners out of the country”; Theodoret (393?–458?), bishop of Cyrrhus, *Graecarum affectionum curatio*, PG, 83: 1039–1040. The work is a Christian apology that places side by side Christian and pagan answers to fundamental questions such as the nature of God and of man, sacrifice, and the end of the world (ODCC).

1:109.2–7 **Now thing . . . stand**. Compare VIII.2.17 (3:347.23–348.9), where H

again shows no interest in explicating the content of the law of nations but rather focuses upon the analogy between the law of nations and the spiritual commerce between Christian nations regulated by decisions of general church councils; see Acts 15.

- 1:109.18–19 **a thing practised . . . selves.** A reference to the Apostolic Council in Jerusalem (50 AD) called to resolve the conflict over circumcision and other observances of Mosaic law by Gentile converts to Christianity.
- 1:109.20–23 **a thing never . . . purposes.** A reference to the Council of Trent (1545–1563).
- 1:110.17 **a newe . . . laid** H has now completed his discussion of human or positive law (chaps. 9–10), which supplements the law of reason; he now proceeds to discuss a further supplement to it, the divine or supernatural law revealed in Scripture (chaps. 11–15). H lays his foundation anew by recalling at the beginning of chap. 11 (1:110.24–111.6) his former principle (chap. 5.1–2) that the end of all human action, which needs a law or directive rule, is good, ultimately the highest good (compare chap. 8.1; 1:82.1–5). Much of the content and the general structure of chap. 11 is anticipated in *Pride*, 5:310.29–314.26.
- 1:111.6–13 **Wherefore . . . proceed.** Compare chap. 7.1 (1:77.10–19 and n, above).
- 1:111.17–21 **For if every . . . done.** Compare Aristotle, *N.E.*, 1.2: “Πρόξει γὰρ οὕτω γ’ εἰς ἄπειρον, ὥστ’ εἶναι κενὴν καὶ ματαίαν τὴν ὄρεξιν”; “For in this way the process will go on to infinity, so that our desire would be futile and pointless”; 1094^a; Loeb, pp. 4–5.
- 1:112.7–11.ν **Nothing may be . . . desired.** See Aristotle, *N.E.* 10.7 [H: 10.10]: Εἰ δ’ ἐστὶν ἡ εὐδαιμονία, κατ’ ἀρετὴν ἐνέργεια, εὐλογον κατὰ τὴν κρατίστην· αὕτη δ’ εἶη τοῦ ἀρίστου. “But if happiness consists in activity in accordance with the virtue, it is reasonable that it should be activity in accordance with the highest virtue; and this will be the virtue of the best part of us”; K.7, *Opera* (1584–1585), 9:183; 1177^b; Loeb, pp. 612–613. Also, *Meta.*, 12.7.2 [H: 12.6]: ἐπεὶ δὲ τὸ κινούμενον καὶ κινοῦν, μέσον κινοῦν ἔστι τι, ὃ οὐ κινούμενον κινεῖ, ἀίδιον, καὶ οὐσία καὶ ἐνέργεια οὐσα. “And since that which is moved while it moves is intermediate, there is something which moves without being moved; something eternal which is both substance and actuality”; Λ.ζ (1584–1585), 8:202; 1072^a; Loeb, pp. 144–147; quoted in chap. 4.1 (1:70.20–22.g and n), above. Also, *Meta.*, 12.4.8: ἔτι παρὰ ταῦτα, ὡς τὸ πρῶτον πάντων κινοῦν πάντα. “besides these there is that which as first of all things moves all things”; Λ.δ (1584–1585), 8:199; 1070^a; Loeb, pp. 134–135. And *Meta.*, 12.10.13: ἔτι τίνοι εἰ οἱ ἀριθμοὶ ἔν, ἢ ἡ ψυχὴ, καὶ τὸ σῶμα, καὶ ὄλωσ τὸ εἶδος, καὶ τὸ πρᾶγμα, οὐθὲν λέγει οὐθείς· οὐδ’ ἐνδέχεται εἰπεῖν, ἐὰν μὴ ὡς ἡμεῖς εἶπη, ὡς τὸ κινοῦν ποιεῖ. “Yet how the numbers, or how the soul and body,

or how generally the form and the object are one, no one says. It is not possible to explain, except as we have explained that it is the moving cause which makes them one"; $\Lambda.\theta$ (1584–1585), 8:210–211; 1075^b; Loeb, pp. 172–174. See also Aquinas's teleological argument for the existence of God ("The fifth way"), *S.T.*, 1a.2.3 (B, 2:16–17).

1:112.25–113.7.*w* **For while . . . complete.** H has rather drastically edited and rearranged the Greek from Hermes Trismegistus: "Thus in men, Asclepius, there is nothing but the name of good; the thing itself does not exist. That which is not evil beyond measure is named good. That which in this world has the smallest amount of evil is good. It is therefore impossible for things in this world to be pure from evil. And I give thanks to God, the one putting into my mind this knowledge that the good is not possible in this world. For this world is the fullness of evil, while God is the fullness of good or the good of God"; "*Οτι ἐν μόνῳ τῷ θεῷ τὸ ἀγαθὸν ἐστίν*, *Poemander* (1554), pp. 30–31; *Hermetica*, ed. Scott (1924), 1:166–169. For Mercurius Trismegistus, see 1:60.6–7.*n*, above. For another reference to Asclepius from *Hermetica*, see VII.24.16 (3:301.23–33).

1:113.15–17.*x* **Appetitus . . . replenished.** Abbreviated and altered from Augustine, *De Trinitate*, 9.12: "Idemque appetitus quo inhiatur rei cognoscendae, fit amor cognitae"; "And the same desire which longs for knowledge of the thing, becomes the love of the thing when known"; *Opera* (1528–1529), 3:261; CCSL, 50:310.

1:113.22–23 **those supernaturall passions . . . delight.** Compare chaps. 4.1–2 and 6.1 (1:70.22–71.16 and 74.17–23).

1:114.15–16.*b* **It is an axiome . . . frustrate.** Compare VII.15.6 (3:234.11–12). Aquinas repeats this well known maxim from Aristotle: "Hoc autem proponit *Arist.* ut ostendat quod quaerere scientiam non propter aliud utilem, qualis est haec scientia, non est vanum, cum naturale desiderium vanum esse non possit"; "Now Aristotle makes this statement in order to show it is not vain to search for a knowledge that is not useful for anything else, as happens in the case of this knowledge [metaphysics], since a natural desire cannot exist in vain"; Prooemium 1, *Metaphysicae*, *Complectens expositionem, in duodecim libros metaphysices, Aristotelis*; Aquinas, *Opera* (1570), 4:2; (1950), p. 6. Aristotle often repeats this maxim; compare *On the Heavens*, 1.4: $\delta\ \delta\epsilon\ \theta\epsilon\delta\varsigma\ \kappa\alpha\iota\ \eta\ \phi\acute{\upsilon}\sigma\iota\varsigma\ \omicron\upsilon\delta\epsilon\upsilon\ \mu\acute{\alpha}\tau\eta\eta\ \kappa\alpha\iota\ \tau\epsilon\iota\varsigma\ \mu\epsilon\tau\epsilon\phi\upsilon\sigma\iota\kappa\alpha\iota$. "But God and nature do nothing in vain" (271^a; Loeb, pp. 30–31); also, 2.11: $\eta\ \delta\epsilon\ \phi\acute{\upsilon}\sigma\iota\varsigma\ \omicron\upsilon\delta\epsilon\upsilon\ \alpha\lambda\omicron\gamma\omega\varsigma\ \omicron\upsilon\delta\epsilon\ \mu\acute{\alpha}\tau\eta\eta\ \kappa\alpha\iota\ \tau\epsilon\iota\varsigma\ \mu\epsilon\tau\epsilon\phi\upsilon\sigma\iota\kappa\alpha\iota$. "But nature does nothing irrationally or in vain" (291^b; Loeb, pp. 200–201).

1:114.18–19 **Man . . . a triple perfection.** See Aristotle, *N.E.*, 1.51–2: $\tau\rho\epsilon\iota\varsigma\ \gamma\acute{\alpha}\rho\ \epsilon\iota\sigma\iota\ \mu\acute{\alpha}\lambda\iota\sigma\tau\alpha\ \omicron\iota\ \pi\rho\omicron\upsilon\chi\omicron\upsilon\eta\tau\epsilon\varsigma,\ \delta\ \tau\epsilon\ \nu\upsilon\upsilon\ \epsilon\iota\rho\eta\mu\acute{\epsilon}\nu\omicron\varsigma\ \kappa\alpha\iota\ \delta\ \pi\omicron\lambda\iota\tau\iota\kappa\acute{\omicron}\varsigma\ \kappa\alpha\iota\ \tau\rho\acute{\iota}\tau\omicron\varsigma\ \delta\ \theta\epsilon\omega\rho\epsilon\tau\iota\kappa\acute{\omicron}\varsigma$. "For there are three specially prominent lives, the one just mentioned [the majority of vulgar men who identify the good with pleasure, and accordingly look no higher than the life of enjoyment], the life of politics, and thirdly, the life of contemplation"; 1095^b; Loeb, pp. 12–15. Compare

- Origen's threefold meaning of Scripture for three kinds of men: the body, soul, and spirit of Scripture for simple, advanced, and perfect men in *De principiis*, 4.11; PG, 11:364–365.
- 1:115.25–26.d **This last . . . reward.** Augustine, *De doctrina Christiana*, 1.32 [chap. 6 in H]: “Haec autem merces summa est, ut ipso perfruamur et omnes, qui eo fruimur, nobis etiam invicem in ipso perfruamur”; “Now this is our highest reward, that we should fully enjoy Him, and that all of us who enjoy Him, should enjoy one another in Him”; *Opera* (1528–1529), 3:12; PL, 34:32; CCSL, 32:26.
- 1:116.9–12.e **And therefore . . . heaven.** Ambrose, epist. 31, “Divi Ambrosii ad Valentinianum imperatorem, relationi Symmachi respondentis, aptissimisque confutationibus eam refellentis”; *Opera* (1527), 3:144; PL, 16:1015, as epist. 18. The letter is addressed to the Roman emperor Valentinian refuting the demands of a perfect named Symmachus that Christians must worship using Roman ceremonies and render sacrifices to the Vestal Virgins.
- 1:116.13–117.9.f **When men of excellent wit . . . him.** Lactantius, *Divinarum institutionum libri vii*, 1.1; *Opera* (1570), pp. 1–2; CSEL, 19:1–2. A passage is omitted in *f* (line 5) between *inhaerere* and *Sed* and in the text between *honors* and *Howbeit* (line 18).
- 1:117.19–118.4.g **the wittiest . . . retribution.** Johannes Duns Scotus (1264?–1308), Franciscan professor of theology at Oxford and Paris, *Quaestiones in quattuor libros sententiarum cum textu Petri Lombardi*, 4.49.6; (1490), 194^b and 194^r. H's text from “if we speake” (line 20) through “retribution” (line 4) is a rather free translation of Scotus's Latin in *g*; it should be in italics.
- 1:118.11–15 **The light of nature . . . supernaturall,** Compare II.8.3 (1:187.30–188.7).
- 1:118.27–30 **Not that God . . . virtues.** 1 Cor. 13:13. These are the three “supernatural” or “divine virtues,” as contrasted with the “natural virtues” of justice, prudence, temperance, and courage. Compare *A.C.L.* and H's MS Notes (4:19.18–23.9).
- 1:119.18–23 **Lawes . . . withall.** Compare “The Dublin Fragments,” § 7 (4:106.15–107.7).
- 1:119.30–120.1.j **Gratian defining . . . containe.** “Natural law is that which is contained in the Law and the Gospel”; Gratian, *Decretum*, 1.1.1; (1500), p. 2; Friedberg, 1:1. H probably took this quotation from Aquinas, who quotes it twice in *S.T.*, 1a2ae.94.4, and is himself cited in *k*, following.
- 1:120.3–12 **For they are either . . . instruction.** Compare III.3.3 (1:210.20–29).
- 1:120.k **Josephus . . . suis legibus miscere.** “Do we not see how the Lacedae-

monians are not reprehended because of their inhospitality and their neglect of the marriage covenant? Indeed, the Elienses and Thebans thought that they were rightly and usefully practicing sexual union of men with men, an act which is obviously impudent and against nature. And since they performed these things, they mixed them into their laws"; Flavius Josephus, *Antiquitatum Judicarum libri xx, contra Apionem*, 2.37; (1535), p. 729; *Opera* (1865), 2:389; Loeb, 1:402. **vide Th. . . . peccatum.** The full quotation from Aquinas is as follows: "sicut apud Germanos olim latrocinium non reputabatur iniquum, cum tamen sit expresse contra legem naturae, ut refert Julius Caesar in lib. *de bello Gallico* [6.23]"; "For example, at one time among the Germans theft, although it is expressly against the law of nature, was not considered wrong, as Julius Caesar relates in *The Gallic War* [6.23]"; S.T., 1a2ae.94.4; B, 28:90. **August. . . . manifestarentur.** The passage falsely attributed to Augustine (as H himself notes by adding, "Augustine, or whoever the author is") reads as follows: "Who is ignorant of what is fitting for a good life, or who does not know that what one does not will to happen to himself he should not at all do to others? But where natural law has disappeared, vanishing because of overwhelming custom, then it was necessary that it be manifest in the Scriptures, so that all men might hear the judgement of God, not because it was completely obliterated, but because it lacked the highest authority of God, idolatry was pursued, there was no fear of God in the land, fornication was practiced, and there was avid lust for the neighbor's possession. Therefore, the law has been given so that those things which were known might have authority, and so that those things which had begun to disappear might become manifest"; see Augustine, *Quaestiones ex veteri et novo testamento*, quaest. 4; *Opera* (1528–1529), 4:501; PL, 35:2219.

1:121.16–21 **They are, . . . soule.** H's translation of Augustine, *De Trinitate*, 13.9: "Humanis quippe argumentationibus haec invenire conantes, vix pauci magno praediti ingenio *abundantes otio* doctrinisque subtilissimis eruditi ad indagandam solius animae immortalitatem pervenire potuerunt"; PL, 42:1023; CCSL, 50:398.

1:122.22–24.o **the wordes . . . imperavit.** Augustine, *De consensu Evangelistarum*, 1.35: "For whatever God has willed that we read concerning his deeds and sayings, this he has commanded them to write down as it were by his own hands"; *Opera* (1528–1529), 4:279; PL, 34:1070.

1:123.3–8 **When the question . . . no.** H is defending the principle of *sola scriptura* (at least with regard to matters essential to salvation) and the Protestant position on the relation between Scripture and oral tradition against the RC position taken at the C of T, which declared that Christian truth and discipline (revelation) are contained both in written books (the Scriptures) and also in unwritten traditions (divine truths taught or preached by the apostles handed down faithfully in the church although not written down), treating both sources of doctrine "with equal reverence" (*pari reverentia*). The preliminary draft of the decree on the relation between Scripture and tradition of 22 March 1546 reads as follows: "Hanc

veritatem partim contineri in libris scriptis, partim in sine scripto traditionibus"; "This truth is contained partly in written books, partly in unwritten traditions"; *Concilium Tridentinum* (1911), 5:31, 25. Six days later, in the decisive session of 8 April, the Council passed a modified text where *partim . . . partim* ("partly . . . partly") has been replaced by *et* ("and"); see (1911), 5:19. Most interpreters, both Protestant and Catholic, have interpreted the "et" in the sense of "partim . . . partim," although some modern RC scholars argue that the last-minute substitution of "et" meant that the C of T avoided making a final decision about the relation of Scripture and tradition. See Intro. to Book I, pp. 118–120, above, and Egil Grislis, "The Hermeneutical Problem in Richard Hooker," *S.R.H.* (1972), pp. 159–206.

- 1:123.18–20.*p* **Let then that are . . . received.** Compare chap. 15.4 (1:133.24–134.6).
- 1:125.1–2.*q* **whether all things . . . no.** "Whether the supernatural knowledge necessary to the pilgrim is sufficiently handed down in Holy Scripture"; Duns Scotus, *Quaestiones in quatuor libros sententiarum, primus*, Prologus; (1490), fol. 6^{ra}.
- 1:126.10–12 **Being therefore perswaded . . . rest,** Compare II.4.2, 7, and 7.3 (1:153.13–25, 157.7–9, 177.8–34) and III.8.13 (1:230.25–231.15). H is challenging the Calvinistic principle of the self-authenticating authority of Scripture, which carries its own authority with it and is supernaturally guaranteed by "the inward testimony of the Spirit" (*testimonium Spiritus intus*) in the hearts and minds of believers; see *Inst.*, 1.7.4–5. The Calvinist doctrine that the authority of the Bible is not of men (reason), or of churches, or of councils, but of God, was clearly reaffirmed in the opening article of the *Westminster Confession of Faith* (1643); see H. Bettenson, ed., *Documents of the Christian Church* (Oxford, 1943), p. 344. On H's interpretation of the authority of Scripture in opposition to Calvin and the disciplinarians, see Grislis, "Hermeneutical Problem," *S.R.H.*, § 3.
- 1:126.32–127.6 **But let necessary . . . necessarie.** Compare Pref. 4.4 (1:23.15–18 and 24.15–25.2).
- 1:127.12–21 **God hath by supernaturall . . . it.** H formulates his *via media* position on the relation between Scripture and tradition, a position which lies between the C of T's emphasizing Scripture and unwritten tradition as equally authoritative and revered sources of doctrine and discipline and the Calvinists' proclaiming the self-authenticity of all Scripture indiscriminately as the supernatural Word of God; see II.8.7 (1:191.14–192.4). And see 1:123.3–8.n, above.
- 1:127.26.*r* **naturall,** Ephesians 5:25–33 comments on the ethics of a proper marriage, especially sexual fidelity.
- 1:127.26.*s* **historical,** "And as Jannes and Jambres withstode Moses" (2 Tim. 3:8). The GB gloss refers to Exod. 7:12, where Pharaoh's wise men and sorcerers who opposed Moses and Aaron are so identified.

- 1:127.26.*t* **forreine**, That is, pagan; GB glosses “one of their owne prophetes” (Titus 1:12): “He [Paul] calleth Epimenides the Philosopher, or Poet, whose verse he here reciteth, a prophet, because the Cretians so esteemed him: and as [Diogenes] Laertius writeth, thei sacrificed unto him as to a God, forasmuche as he had a marveilous gift to understand things to come: which thing Satan by permission of God hath opened to the infideles from time to time, but it turneth to their greater condemnation.” Epimenides is variously dated 6C–5C BC.
- 1:127.27–128.3 **Now for as much . . . withall**. Compare II.8.5 (1:188.25–189.25).
- 1:128.30–129.3 **so our owne wordes . . . magnified**. Compare II.8.5–6 (1:190.3–191.14). On the relation of faith and reason and of grace and nature, see II.8.3; III.8.3–9.3; VII.11.10; VIII.6.4 [Keble, 6.5] (3:389.5–21); *Justification*, § 26 (5:136.23–139.2); and *Remedie* (5:376.14–377.24).
- 1:129.10–14 **It sufficeth . . . sides**, Compare *A.C.L.* and H’s MS Notes (4:11.10–14.9).
- 1:129.28–30.*z* **that the Apostles . . . writing**. “Deinde, fatemur Apostolos in singulis Ecclesiis ritus aliquos atque consuetudines, ordinis et decori causa, sanxisse, non autem scripsisse”; William Whitaker, *A Disputation on Holy Scripture*, 1.6.6; *Disputatio de sacra scriptura, contra R. Bellarminum et T. Stapletonum*, 1.6 (1588; STC 25366), p. 384; PS, p. 513. Whitaker (1548–1595) was a strict Calvinist who became Regius Professor of Divinity at Cambridge University. He wrote his *Disputation* against the positions of the Roman Catholics Robert Bellarmine and Thomas Stapleton concerning the relation of Holy Scripture (which contains everything necessary for salvation) and human traditions (which are free and might be changed as convenience and different times required).
- 1:130.15–17 **Lawes naturall . . . imposed**. Compare III.9.1–2 and 10.1.
- 1:130.23 **the lawe of Heraldrie** *Jus fetiale*, the law of heralds or ambassadors. This subject was being widely discussed in H’s time under the heading of *jus gentium*. The obligation to receive ambassadors from other sovereign states, the respect due to them, and their impunity in offences committed by their principals or by themselves were discussed by Bodin in *De republica*, 5.6, 2nd edn. (1591), pp. 865–921, and by Albericus Gentilis in *De legationibus* (1585; STC 11737), a work on the law of embassy dedicated to Sir Philip Sidney. Gentilis, an Italian Protestant, obtained the chair of civil law at Oxford in 1582 through Robert Dudley, earl of Leicester.
- 1:130.24 **the judicials . . . Israell** The “praecepta judicialia,” the civil part of the Old Law, as opposed to its “praecepta moralia et caeremonialia”; see Aquinas, *S.T.*, 1a2ae.99.4. Compare III.10.4.
- 1:131.6–11 **The Church . . . supernaturall**, Compare VIII.1.2.

- 1:131.11–16 **although as it is a societie . . . in:** Compare chap. 10.1 (1:96.17–20).
- 1:131.16–20 **yet unto the Church . . . him.** Compare VIII.1.4 (3:323.16–23).
- 1:132.6–13 **On the other side . . . other.** Compare III.10.1–8 and IV.11.4–6.
- 1:132.14–15.*b* **Saint John . . . Gospel,** From the Vulgate: “Et vidi alterum angelum volantem per medium caeli, habentem evangelium aeternum”; “Then I saw another Angel flee in the middes of Heaven, having an everlasting Gospel” (Rev. 14:6).
- 1:132.24–25.*c* **even infidels . . . deceive;** Plato, *The Republic*, bk. 2: “Then God is altogether simple and true in deed and word, and neither changes himself nor deceives others by visions or words or the sending of signs in waking or in dreams”; 382.E; *Opera* (1578), 2:382; Loeb, pp. 196–197.
- 1:132.26 **common sense** See chap. 6.5 (1:76.26–27 and n) above.
- 1:133.3–4 **yet better it were . . . prophane;** Compare V.1.3–3.4.
- 1:133.8–16.*d* **Strabo witnesseth . . . times.** Strabo, *Geography*, 16.2.38; βιβ. ις (1516), p. 333; Loeb, 7:286–287. Strabo was an Asiatic Greek in the age of Augustus and Tiberius.
- 1:133.17–18 **their Gods, . . . Gods:** Compare chap. 4.3 (1:76.10–23).
- 1:133.24–25 **they . . . sea and lande** See Plato, *Laws*, bk. 12; 951.C–D; Loeb, 2:506–507).
- 1:133.27–134.3.*f* **That little which . . . affect;** Compare chap. 4.1 (1:70.17–19.*f* and n), above. H is referring to the entire collection of *Orphei carmina* as an example of “that little which some of the Heathens did chance to heare,” speak, and write, albeit in a strange and different manner.
- 1:134.5–6 **but still . . . overmatched.** Church (p. 133), cites Heraclitus, *On the Universe*, chap. 65: “Ἐν τῷ σοφῶν μόνον λέγεσθαι οὐκ ἐθέλει καὶ ἐθέλει Ζηνὸς οὐνομα. “The one and only wisdom is both unwilling and willing to be spoken of under the name of Zeus” (Loeb, pp. 490–491), and Plato, *Timaeus*, 28.C: τὸν μὲν οὖν ποιητὴν καὶ πατέρα τοῦδε τοῦ παντὸς εὐρεῖν τε ἔργον καὶ εὐρόντα εἰς πάντας ἀδύνατον λέγειν. “Now to discover the Maker and Father of this Universe were a task indeed; and having discovered Him, to declare Him to all men were a thing impossible” (Loeb, pp. 50–51).
- 1:134.11–13.*g* **finally . . . out,** Philo Judaeus, *On the Life of Moses*, bk. 2: “For prophecy finds its way to those things which reason fails to reach”; *Λογος β* (1552), p. 446; Loeb, 6:452–453.
- 1:134.21–31 **Thus farre therefore . . . revealed.** Compare II.1.2–4.

- 1:135.4–7 **But for as much . . . made;** Compare chap. 7.3 (1:78.12–24).
- 1:135.11–13.*h* **as every good . . . lightes;** “The Father of lights” (James 1:17) was a common appellation for God during the 16C and 17C; GB comments: “the sunne which in his course and turning sometime is cleare and bright, sometime darke and cloudie: but Gods liberalitie is ever like it self, bright and continually shining.”
- 1:135.15–19 **and to enforme . . . no.** Compare Pref. 7.1 (1:34.15–23) and chap. 1.2 (1:57.16–20).
- 1:135.21–24.*i* **If all partes . . . originall;** Aristotle, *Physics*, 1.1: ‘Ἐπειδὴ τὸ εἰδέναι καὶ τὸ ἐπίτασθαι συμβαίνει, περὶ πάσας τὰς μεθόδους, ὧν εἰσιν ἀρχαὶ, ἢ αἰτία, ἢ στοιχεῖα, ἐκ τοῦ ταῦτα γνωρίζειν· τότε γὰρ οἰόμεθα γινώσκειν ἕκαστον, ὅταν τὰ αἰτία γνωρίσωμεν τὰ πρῶτα, καὶ τὰς ἀρχὰς πρῶτας, καὶ μέχρι τῶν στοιχείων. “In all sciences that are concerned with principles or causes or elements, it is acquaintance with these that constitutes knowledge or understanding. For we conceive ourselves to know about a thing when we are acquainted with its ultimate causes and first principles, and have got down to its elements”; A.1, *Opera* (1584–1585), 3:5; 184^a; Loeb, pp. 10–11.
- 1:136.1–4.*j* **Yea, the wisest . . . him.** Aristotle, *N.E.*, 10.9.19: “As if to judge correctly were not a very difficult task”; A.9, *Opera* (1584–1585), 9:192; 1181^a; Loeb, pp. 640–641. H paraphrases (“Intelligit . . . iudicium,”): “he means judgment concerning the quality of laws.”
- 1:136.11 **By me . . . by me** “Wisdom” (Prov. 8:15); see 1:62.2–8.*n.n.*, above.
- 1:136.25 **The first . . . agents.** Compare chap. 3.2–5.
- 1:136.30–137.10.*l* **What can be . . . it?** H’s example of how the law pertaining to natural agents is relevant to laws which morally and spiritually concern human beings focuses upon the appetite or desire that all things share for continuing the being, that is, self-preservation; compare chap. 5.2 (1:73.12–17). H has earlier quoted Eph. 5:29 as an example of a “naturall” truth contained in Scripture; see chap. 14.3 (1:127.26.*r*).
- 1:137.18–19 **Would Angels . . . men,** Compare chap. 4.2 (1:71.11–15).
- 1:137.26–30.*o* **Yea, so farre . . . demeanor.** “Therefore ought the woman to have power on her head, because of the angels” (1 Cor. 11:10); GB glosses “power” as “some thing to cover her head in signe of subjection.”
- 1:138.21–22 **So it is . . . Scripture.** This first and basic error is refuted in Book II.
- 1:138.23–27 **By that . . . thereon.** Compare II.2.1.

- 1:138.32–139.3.*r* **Men do both, . . . purpose.** On Romans 2:14–15, see 1:84.8–9.*n.n*, above.
- 1:139.3–10 **The lawe . . . guideth.** Compare chap. 14.5 (1:129.3–14).
- 1:139.17–18 **For which cause . . . powers.** Compare VIII.6.9 (3:397.11–400.4).
- 1:139.18–19 **The publique power . . . societies.** Compare VIII.2.18 (3:349.13–21); Pref. 5.2, 6.6 (1:27.33–28.8, 34.6–9); VII.15.15 (3:241.22–242.8). See also Aquinas on the argument that human law should be framed for the community or the common good rather than for the individual (*S.T.*, 1a2ae.96.1) and on the conditions for changing human laws (97.1–2).
- 1:139.19–23 **And the principall . . . contrarie.** Compare the position of Aquinas on which (just) human laws bind the human conscience and which (unjust) ones do not (*S.T.*, 1a2ae.96.4).
- 1:139.27–140.9 **How commeth it . . . themselves.** Compare chap. 1.6 (1:101.11–17); also, *Pride*, 5:314.27–315.8, 318.16–320.10.
- 1:140.3–6.*t* **Many men . . . handes.** Aristotle, *N.E.*, 5.1. [H has chap. 3] 15: “For there are many who able to practice virtue in their own private affairs but cannot do so in their relation to others”; E.1, *Opera* (1584–1585), 9:79; 1129^b; Loeb, pp. 258–261.
- 1:141.4–5 **that law of reason, . . . drinks.** This is H’s expression of the Aristotelian doctrine of virtue as the mean (H’s “mediocritie”) between two excesses. H is specifically referring in this case to temperance or moderation, which is the moral (as opposed to intellectual) virtue between abstinence on the one hand and self-indulgence on the other; see *N.E.*, 2.6–9 (1106^a–1109^b; Loeb, pp. 88–115) and 3.10–12 (1117^b–1119^b; Loeb, 172–187).
- 1:141.5–8 **The same things . . . come.** See *A.C.L.* and H’s MS Notes (4:19.18–23.9).
- 1:141.14 **lawes concerning food;** Keble cites various statutes of Elizabeth about fish diet; see 5 Eliz. I, cap. 5.14, in *The Statutes at Large* (Cambridge, 1763), 6:179; 27 Eliz. I, cap. 11 (6:371); and 35 Eliz. I, cap. 7.22 (6:437). Church argues that H was probably referring more generally to the regulation of trade and other points relating to food, which were important subjects of legislation in previous reigns (p. 134).
- 1:141.23–27 **Zonaras concerning fastes . . . performed.** The full text reads: Καλὸν μὲν ἡ νηστεία. Τὰ δὲ καλὰ καλῶς γινέσθω· εἰ δὲ τις θεσμοὺς ἀποστολικοὺς ἢ Πατέρων ἀγίων παραιβαίνων νηστεύει, ἀκούσεται ὅτι οὐ καλὸν τὸ καλόν, ὅταν μὴ καλῶς γίνηται. Theodori Balsamonis, Zonarae, Aristenii, *In canones SS. Apostolorum, Conciliorum et in epistolas canonicas SS. Patrum*,

canon 66; PG, 137:172. Keble observes that H is probably referring in this context to the schismatic fasts practiced by many of the Puritans. Johannes Zonaras was a 12C Byzantine canonist and historian, the chief of whose writings were a universal history, *Ἐπιτομή τῶν ἱστοριῶν*, and a commentary on Greek canon law, starting with the Apostolic canons.

1:141.33–142.2.x **that order of abstinence . . . Jews.** A reference to one of the laws deriving from the Noachian covenant (made with all men and not restricted to Jews who are bound to the Law of Moses) and decreed as binding upon Gentile Christians by the Apostolic Council in Jerusalem; compare chap. 10.14 (1:109.17–20 and s).

Q. SEPTIMII FLOREN-
TIS TERTULLIANI
DE CORONA MILITIS
LIBER.



PROXIME facta est liberalitas præstantissimorum Imperatorum. Expungebantur in castris milites laureati. Adhibetur quidam illic magis dei miles, cæteris cõstantior fratribus, qui se duobus dominis seruire posse præsumperat, solus libero capite, coronamento in manu ocioso. Vulgata iam & ista disciplina Christianorum relucebat. Denique, singuli designare, eludere eminus, infrendere. Continuo murmur. Tribuno defertur, & persona iã ex ordine accesserat. Statim Tribunus cur, inquit, tam diuersus habitu? Negauit ille cum cæteris sibi licere. causas exposulatus, Christianus sum, respondit. O militem in Deo gloriosum. Suffragia exinde, & res apud Acta, & reus apud Præfectos. Ibidem grauissimas penulas posuit reuelari auspicatus, speculatoriam morosissimam pedibus absoluit terre sanctæ insistere incipiens: gladium nec dominicæ defensionis necessarium reddidit: laurea & de manu claruit. Et nunc rursus sanguine suo, spe calcæatus, de Euangelij paratura succinctus acutiore verbo Dei, torus de Apostolo armatus, & de martyrij Candida, laurea melius coronatus, donatium Christi in carcere expectat. Exinde sententiæ super illo, nescio an Christianorum, nõ enim aliæ Ethnicorum, vt de abrupto, & præcipiti, & mori cupido, qui de habitu interrogatus nomini negocium fecerit, solus scilicet fortis, inter tot fratres commilitones solus Christianus. Planè superest vt etiam ² martyria recusare meditentur, qui prophetias eiusdem spiritus sancti respuerunt. Mussitant denique tam bonam & longam sibi pacem periclitari. Nec dubito quosdam scripturas emigrare, sarcinas expedire, fuge accingi de ciuitate in ciuitatem. Nullam enim aliam Euangelij me-

*Fratribus,
hoc est Chri-
stianis.*

12. "Which exulceration of mind made him apt to take all occasions of contradiction." *Laves*, II.5.7 (1:164.8-9). Cited by Cartwright to show that Scripture forbids what it does not command, the passage shown in Tertullian's *De corona militis* (*Opera*, Paris: 1566; 1:745; reduced) was first criticized by Hooker and then turned to opposite effect. Commentary notes at 1:164.1-24.i and 164.15-23 quote passages from this page and discuss Hooker's use of them.

Book II

- 1:143.2–8 **Concerning . . . men.** Compare Pref. 7.3, “*What things are handled in the Bookes following,*” and I.16.5 (1:35.2–9, 54.3–5, and 138.18–22).
- 1:144.1–145.34 **As that which . . . examine.** Book II is unique in providing an introduction before the first chapter. H probably added it, in deference to “Mr Sandes judgement” in this “second booke concerning the setting downe of the state of the quæstion,” as Cranmer recommended in his notes on Book VI; see 3:121.29–31 and n.
- 1:144.4–10 **For concerning . . . bred.** That is, redress of misuse of authority belongs to God, not to those subject to it. The bidding prayer all clerics were to say before sermons, lectures, and homilies called on the people to pray that “the whole commons” might live “in humble obedience” and that the queen, clergy, council, and nobility might “serve truly and painfully . . . remembering the account that they must make”; Addenda to the Injunctions of Elizabeth, in Frere and Kennedy, *Visitation Articles*, 3:28–29; Gee and Hardy, *Documents*, p. 441.
- 1:144.21–34 **Now whether . . . graunt.** See Edelen, “Hooker’s Style,” *S.R.H.* (1972), pp. 247–250.
- 1:145.4–5 **a question . . . Churches,** Luther and his followers permitted church rites not prohibited by Scripture; the continental Reformed insisted that these be founded on positive biblical rules; see Calvin, *Inst.*, 3.19.7–8. Some Anabaptist groups approached the scriptural omnicompetence that H suggests here. See Intro. to II, III & IV, pp. 126–127 and 160–164, above.
- 1:145.10–11 **sundry kindes of lawes** See I.16.1 (1:134.21–31).
- 1:145.a **T.C. . . . 60.** Throughout Books II–IV “T. C.” (= Thomas Cartwright) is H’s principal announced opponent, and citations to “T.C. l. [or “lib.”] 1. . . . 2. . . . 3.” refer respectively to *A Replye to An answer made of M. doctor Whitgift. Agaynste the Admonition* ([1573]; STC 4711), *The Second Replie of Thomas Cartwright: agaynst Maister Whitgiftes Second Answer* (1575; STC 4714), and *The Rest of the Second Replie agaynst Master Whitgifts Second Answer* (1577; STC 4715). Accordingly, in citations of these three works of Cartwright’s below, when in context the work meant is clear, “1:” = *A Replye*; “2:” = *The Second Replie*; and “3:” = *The Rest of the Second Replie*. Throughout the *Lawes*, H cites the 2nd edn. of *A Replye* [STC 4712]; additional, bracketed page numbers below are to pages of the 1st edn., which Whitgift cites in his *Defense* and which the PS edn. of Whitgift’s *Works* reprints; see n following. The first volume was ordered suppressed by royal proclamation (STC 8063), along with the *Admonition* (STC 10847) it defended,

and *The Second Replie* and *The Rest of the Second Replie* were published in Heidelberg and Basel, respectively; see STC. See Intro. to The Preface, p. 71, n. 152, above, and Milward, pp. 29–33.

- 1:145.14.a *taking up on a rush or strawe*. In his *Replye*, discussing Rom. 14:23 (see 1:151.19–23.i, below), Cartwright comments that in all our actions “both publyke and private we ought to follow the direction of the word of God” (1:27 [14]). John Whitgift responds that if Paul’s “not to be of fayth” means “contrarie to the perswasion of the faythe and the judgement of the conscience,” then “it is not true that whatsoever can not be proved in the worde of God, is not of fayth, for then to take up a strawe, to observe manie civill orders, and to doo a number of particular actions, were agaynste faythe, and so deadely synne: bycause it is not founde in the woorde of God, that wee shoulde doe them”; *The Defense of the Aunsweare to the Admonition, against the Replie of T. C.* (1574; STC 25430), p. 85; *The Works of John Whitgift*, ed. John Ayre, The Parker Society (1851–1853), 1:193. Thomas Aquinas had used the example of the taking up of a straw to illustrate an act purely indifferent, which can be identified as good or evil only if it proceeds from deliberate reason; *S.T.*, 1a2ae.18.8. Cartwright answers in the *The Second Replie*: “even those things that are indifferent and maye be donne have their fredome grounded off the word off God: so that onlesse the word off the lord either in generall or especiall wordes had determind off the free use off them, there could have bene no lawfull use off them at all. And when [Whitgift] seeeth that S. Paule speaketh here off civill, private, and indifferent actions as off eating this or that kind of meate, . . . he might easely have seene that the sentence off the Apostle reacheth even to his case off taking upp a straw. For iff this rule be off indifferent thinges and not off all, I would gladlie know off him what indifferent thinges it is given off, and off what not. . . . And semethe it so strange a thinge unto him that a man should not take up a straw but for some pource? . . . And iff the taking up off a straw be donne to good ende, either off helping himselfe or others regarde of profite or pleasure or what else, it hathe the testimonie off the word off God” (2:59–60); see nn to 1:154.2 and 190.16–191.14, below.
- 1:145.25–28 *the generall . . . consequence* See chap. 4.1. (1:151–152).
- 1:146.3–4 *containeth whatsoever* Between these two words H has omitted “the direction of all things pertainyng to the church, yea of” (1:26 [14]).
- 1:146.6 *wordes etc.* Cartwright adds “and hyde my precepts” (Prov. 2:1; see vv. 2–8). In glosses on vv. 10–16, GB describes “wisdome, which is the worde of God” as “the onelie light.”
- 1:146.12–19 *Albeit therefore . . . probabilities*. See Edelen, “Hooker’s Style,” *S.R.H.* (1972), pp. 267–269.
- 1:146.25–27 *That the Scripture . . . sinne*; Not a citation, but the premise, supplied by H, on which disciplinarian arguments were based; see Cartwright, 1:25–27

[13-14]; he and Whitgift only glanced at the scriptural basis for "*humaine actions*" in their debate over ecclesiastical *adiaphora*.

- 1:146.32-147.1 *that wisdom* The personified speaker in Prov. 2:9, described, following a long-standing exegetical tradition, as "the eternal worde of God," the second person of the Trinity; see GB, note to Prov. 1:20, and 1:62.2-8.n, above.
- 1:147.6-8 **Wisdom** . . . **things**: In the *Wisd. of Sol.* (10:1-11:20), Wisdom guides Israel's patriarchs through key events related in Genesis and Exodus; chap. 10 refers to Adam.
- 1:147.8-10.b **by the wisdom** . . . **understanding**; GB glosses Ps. 119.99: "whosoever doeth submit him self onely to Gods worde, shal not onely be safe against the practices of his enemies, but also learne more wisdom, then they that professe it, and are men of experience"; see I.15.4 (1:133.21-24).
- 1:147.c **2. Tim.** . . . **matter**. GB's glosses the "man of God" (v. 17) as he "which is content to be governed by Gods worde," and who interprets the role of scripture, not in H's more limited sense, but as that which "sufficeth to lead us to perfection"; see V.22.10 (2:98.18-24). **matter**. As contrasted with form; here, the substance of saving revelation.
- 1:147.27-148.4 **Some things** . . . **practise**. H asserts that Wisdom, the second person of the Trinity, leads human beings to knowledge both by revealed theology, which focuses on scripture, and by philosophy, or natural theology, which considers the data of all creation. Reformed theologians largely rejected this medieval understanding of the two-fold source of theological knowledge in favor of an exclusive concentration on the Bible; see, for example, Calvin, *Inst.*, 1.6. H designates two other modes of theological knowledge: "spirituall influence" (1:148.2), a form of revealed theology in which God offers extraordinary guidance, often described in the Bible (see chap. 6.3 and III.10.2; 1:169.26-170.30 and 241.11-17), and "worldly experience and practise" (148.3-4), a form of natural theology in which H designates the secular orders of human society, not only as God's creation, but also as the locus where men may seek the knowledge that God seeks to impart. See John E. Booty, "Hooker and Anglicanism," *S.R.H.* (1972), p. 220.
- 1:148.8-13 **T.C. I.1. p.27**. Page 14 in the 1st edn. of Cartwright's *Replye*; see 1:145.a.n, above. **S. Paul** . . . **actions**. This quotation follows directly that of chap. 1 at 146.3-8.
- 1:148.10 **obedience**; Reformed theologians emphasized obedience as the chief means of honoring God; Calvin insists it is a precondition for right *knowledge* of God (*Inst.*, 1.6.2).
- 1:148.14-15 **That** . . . **exhorteth**. 1 Cor. 10:31, cited by Cartwright, 1:27 [14]; see *Defense*, p. 83.

- 1:148.17–20 **By being glorified . . . glorie.** Reformed theologians stressed the perfection of God's glory to which creation and human works can but testify (e.g., Calvin, *Inst.*, 1.5.1, 3.13.2, 3.14.16). In contrast, Ignatius of Loyola adopted "ad majorem Dei gloriam" as the motto of the Jesuits, implying that human efforts might enhance that glory ("to the *greater* glory of God").
- 1:148.24–26 *I do in all things . . . saved.* 1 Cor. 10:33. GB glosses "all men" as "the infirme," and "all things" as those "which are indifferent."
- 1:148.28–149.2 **We move, . . . doe.** Compare Whitgift: "We seke the glorie of God in all things, and do nothing that is against his word and commandement. He glorifieth God in meate and drinke which acknowledgeth God to be the giver of them, and then is thankfull for them, and useth them moderately, etc. the like is to be said of all other actions"; *Defense*, p. 84 (PS, 1:192–193).
- 1:149.15–19 **For scripture . . . glorie.** See I.16.1 and 5 (1:135.11–30, 138.18–139.23).
- 1:149.21 *both* The word could be applied to more than two items in a series, as the Greek (1 Cor. 13:32) suggests here.
- 1:149.30–31 **The Churches . . . world,** See 1 Pet. 1:1 and 1:150.13–17.n, below.
- 1:150.4–12 **Seeing therefore . . . actions.** H omits here the classic scriptural justification of the natural law as written in human hearts (Rom. 2:14–15), although he uses it in I.8.3 and 16.5, in III.2.1, 7.2, and 9.3, and, by citation of the related Rom. 1:32, in VII.11.10 (see 1:84.8–9.n.n, above; 138.32–139.10, 207.14–21.q, 217.30–31, 238.30–239.4.u, and 3:211.11–17.l). See Intro. to Book I, pp. 106–108, above, and 1:223.14–15.n, below.
- 1:150.12–17.e.g **Most certaine . . . transgrest.** Rom. 2:23 and 24 parallel 1 Pet. 1:1, alluded to at 1:149.30–31.
- 1:150.20–23 *And that . . . of.* The quotation follows that of chap. 2, above (1:148.8–13). Like Whitgift, H ignores Cartwright's intention that both texts from 1 Cor. and 1 Tim. touching on "meat and drink" be considered as parts of a single argument; see *Defense*, pp. 84–85 (PS, 1:192–193). Cartwright joins them in his *Second Replie*, declaring he has "expressly urged the Testimonie off the worde off God to be required" (2:58; compare *Replie*, 1:27 [14]), for only the sanctifying word of God (1 Tim.) can provide human beings with the knowledge that will enable them to glorify God (1 Cor.).
- 1:150.29 **Gospell of Christ,** H's gloss points to an unacknowledged exegetical disagreement: to H, as to Luther, "the worde" of God is the saving action of God in Jesus-Christ as set forth in the NT; for Reformed theologians, including Cartwright, the primary reference was to the words of Scripture.

- 1:151.8–16 **The Gospell . . . it:** Compare Cartwright: “As no man can glorifie God, but by obedience, and [t]here is no obedience, but here there is a worde, it must followe, that their is a worde” (2:59).
- 1:151.19–23.*i* **place of S. Paule, . . . sinne.** The quotation follows that of chap. 3 at 1:150:20–23.
- 1:151.27–28.*j* **eyther . . . utterer,** Ps. 19:8 and Rev. 3:14 name God as the source of words written; 2 Cor. 1:18, as GB notes, names “God to witnes that he [Paul] preacheth the trueth.”
- 1:152.3–5 **In which generalitie . . . God.** Reformed theologians did not deny the revelatory possibilities of creation, only its usefulness to the believer seeking God whose capacity for right judgment had been impaired by sin. Compare Calvin: “As olde men, or purblinde, or they whose eyes are dimme sighted, if you laye a faire booke before them, though they perceive that there is somewhat written therein, yet can they not read two wordes together; but being holpen with spectacles set between them and it, they beginne to read distinctly; so the Scripture gathering up together in our mindes the knowledge of God, which otherwise is but confused, doth remove the mist, and plainly shewe us the true God”; *Inst.* 1.6.1; trans. Norton (1587; STC 4422), pp. 11–12.
- 1:152.5–15.*k,l* **Though . . . sense?** H here employs Scripture to show its limitations: John 10:38 demonstrates belief by persuasion of reason; 20:25, persuasion by sense.
- 1:152.*m.* **And . . . pag. 27.** The quotation follows the one in chap. 4.1 at 1:151.19–23. *πληροφορία* = “Full assurance”; see Col. 2:2, 1 Thess. 1:5, and Heb. 6:11, 10:22.
- 1:152.16–18 **S. Paule doth meane . . . done;** Whitgift argues that Paul intended the prohibition negatively, that we must not act “agaynste oure conscience”; *Defense*, p. 85 (PS, 1:193–194). Cartwright insists that it applies not merely to an action against one’s “knowledge and persuasion settled,” but what is done “doubtingly” (2:58). H implicitly accepts Cartwright’s exegesis, but he acknowledges sources in addition to Scripture from which conscience may be satisfied with “a full persuasion.”
- 1:152.20 **Tullie,** H quotes Cartwright’s marginal reference to Cicero’s *De officiis*: “Quocirca bene precipiunt qui vetant quicquam agere, quod dubites aequum sit an iniquum”; “Wherefore they gyve good preceptes that forbyddeth a man to do any thyng that he douteth of whether it be ryght or wronge”; *The Thre Bookes of Tulleyes Offyces*, trans. R. Whytinton (1534; STC 5278), sig. B6^v–7^r.
- 1:152.*n* **What . . . pag.60.** Quoted from the end of Cartwright’s answer to Whitgift’s criticism of his use of Rom. 14:23. Cartwright later explains “why it is necessarie to have the worde off God goo before us in all our actions, namely for that wee can not otherwise be assured that they please God” (2:61).

- 1:153.3 **the Jewes** That is, those listening to John 10:38, cited in *k*.
- 1:153.10–11.*o* **Thomas . . . beleevest**, To emphasize the act of seeing, H omits “me,” in both the Greek and the GB texts, after “*thou hast seene*.”
- 1:153.13–25 **Finally we all beleeve . . . doing**. On the self-authenticating character of Scripture, see Egil Grislis, “Hermeneutical Problem,” *S.R.H.* (1972), pp. 192–194; also, 1:177.25–33.*n*, below.
- 1:153.31–154.1.*p* **wheresoever . . . sinne**: To underline its syllogistic form, H adds “and” and substitutes “*Ergo*” for “therefore” in quoting Cartwright’s use of Rom. 14:23 (2:58).
- 1:154.2 **things indifferent** H’s first admission, apart from the quotation at the head of the chapter (1:151.20), that Book II has so far been directed to arguments in Cartwright concerning ecclesiastical *adiaphora*: “that no ceremonie, order, discipline, or kinde of governmente may be in the Church, except the same be expressed in the worde of God”; Whitgift, *Answer to . . . An Admonition*, quoted in *Defense*, p. 83 (PS, 1:190). Responding to Whitgift’s *reductio ad absurdum* of picking up a straw, Cartwright applies the biblical texts to “all indifferent things” (2:59), the contention H has chosen to dispute; see 1:145.14.*a.n*, above, and 190.16–191.14.*n*, below, and III.8.14–15.
- 1:154.33–155.3.*t* **All things . . . not expedient**; Paul is assuming an imaginary opponent: 16C bibles did not set off his words with quotation marks, as do some modern translations. Following a traditional nonconforming argument that began in Elizabeth’s reign with the vestiarian controversy, Cartwright uses this verse to distinguish two classes of prohibitions of things indifferent: “unlawfulnes” and “inconvenience and inexpedience” (3:241). H acknowledges such Puritan use of the verse in IV.12.6 (1:323.35–324.5).
- 1:155.8–11 **whereas the Heathen . . . doings**. See chap. 4.2 (1:152.*n*). H alters “them” and “their” to “us” and “our” to emphasize the consequences of the Puritan “determination.”
- 1:155.33–156.2 **For to the author and God . . . contrarie**. Compare Aquinas: when “an act proceeds from a natural power, in accord with the natural inclination to an end, then righteousness is preserved in the act” (*S.T.*, 1a2ae.21.2; B, 18:106, compare 107); and Calvin: “In all the keeping of the lawe, out understanding marketh not concupiscence at all. For a naturall man suffereth not himselfe to be brought to this, to acknowledge the diseases of his desires. The light of nature is choked up, before that it come to the first entrie of this bottomlesse depth”; *Inst.*, 2.2.24; trans. Norton (1587), p. 84.
- 1:156.17–18 **Seth, . . . Job**, The first five OT patriarchs belong to a line of descendants before the Law was given Moses (see Luke 3:34–38). H adds Job, by tradition a contemporary of Abraham, because of the next citation.

- 1:156.22.*u* as *Eliphaz in Job describeth*. That is, by visions; see Job 4:12–13.
- 1:157.4–7.*v* yet . . . selves, Aristotle, *Politics*, 1.2.13: ἔστι γὰρ φύσει δοῦλος, ὁ δυνάμενος ἄλλου εἶναι διὸ καὶ ἄλλου ἐστὶ [Loeb: ἐστίν]· καὶ ὁ κοικω-
νῶν λόγου τοσοῦτον ὅσον αἰσθάνεσθαι, ἀλλὰ μὴ ἔχειν. “For he is a slave by
nature who is able to belong to another (wherefore he does so belong), and he
partakes of reason only insofar as to apprehend it, but not to have it”; *Aristotelis
Politiconum* (1577), A.3; 1254^b; Loeb, p. 22.
- 1:157.18–21.*w* *Saint Augustine . . . them*. Writing to Jerome (342?–420), Augus-
tine declared that only those authors of the canonical Scriptures were free from
error: “Alios autem ita lego, ut quantalibet sanctitate doctrinaque praepolleant, non
ideo verum putem quia ipsi ita senserunt: sed quia mihi vel per illos auctores
canonicos, vel probabili ratione quod à vero non abhorreat, persuadere potuerunt”;
epist. 19 [82], *Opera* (1528–1529), 2:44; CSEL, 34:354; PL, 33:277. “However, I
read others in such a way that however much they may excel in holiness and
learning, on that account I do not consider something true because they have
judged it so, but because they have been able to persuade me either by means of
those canonical authors or by probable reason which is not inconsistent with the
truth”; compare NPNF.1, 1:350. Epistle 18 (cited in *w*) is short, and in the 1528
edn., its number appears at the top of the page in the running-title although both
18 and 19 begin below.
- 1:157.32–158.1 *Scriptures . . . therefore*, H’s paraphrase; compare Whitgift: “it is
not commanded in the scripture to be done, nor there expressed; *Ergo* it ought
not to be done” (*Defense*, p. 24; PS, 1:62); and Cartwright: “the scripture hath it
not; therefore it ought not to be” (1:10); see Cartwright, 2:81, and below, 1:163.*h*.
- 1:159.5 **credit, besides the relation**, Beliefs, as well as their exposition [in Scrip-
ture].
- 1:159.7–11.*x* *Whether it be . . . accursed*. Augustine, “Contra litteras Petiliani,”
3.6: “Proinde sive de Christo, sive de ejus ecclesia, sive de quacunque alia re quae
pertinet ad fidem vitamque nostram [CSEL: vestram], non dicam nos, nequaquam
comparandi ei qui dixit, Licet si nos, sed omnino quod secutus adjecit, Si angelus
de coelo vobis annuntiaverit praeter quam quod in scripturis legalibus et Evangeli-
cis accepistis, anathema sit”; *Opera* (1528–1529), 7:115; CSEL, 52:168, § 7; PL,
43:351. Augustine, writing to the Donatist Petilian, urges him to come to the
unity of Christ in the Catholic Church, comparing his role to that of Paul writing
to the Galatians: “Whether it be a question of Christ, or of his church, or of
anything whatsoever which pertains to our faith and life (I say not ‘we,’ who are
not worthy to be compared with him [Paul in Gal. 1:8] who said ‘Though we,’
but exactly what he added following), ‘Though an angel from heaven shall tell us
anything besides’ that which you have received in the lawful and evangelical
scriptures, ‘let him be accursed’ ”; compare NPNF.1, 4:599. H follows Cartwright,
2:80–81.

- 1:159.11–15.y *We may not . . . people.* Tertullian, *De praescriptione haereticorum*, chap. 6: “Nobis vero nihil ex nostro arbitrio indugere [CCSL: inducere] licet, sed nec eligere quod aliquis de arbitrio suo induxerit. Apostolos domini habemus autores, qui nec ipsi quicquam ex suo arbitrio, quod inducerent, elegerunt: sed acceptam a Christo disciplinam fideliter nationibus adsignaverunt”; *Opera* (1566), 1:163; CCSL, 1:191; PL, 2:18; compare ANF, 3:245–246. Tertullian repeats the word “choose” (*eligere*) because he has just pointed out that the Greek root of “heresy” is “to choose.” Following these words, he quotes Gal. 1:8, which Augustine also used (see **n** preceding). H uses Cartwright’s translation (2:80–81), but ignores his subsequent application of the passage to counter three citations from Tertullian Whitgift had advanced; *Defense*, p. 96 (PS, 1:216–217).
- 1:159.15–21 *In which place . . . used.* Tertullian is discussing heresy, just described as “false doctrines” (*adulterae doctrinae*); *disciplina* can mean “teaching” as well as the “result of training” or “ordering.”
- 1:159.z. *answerer* Whitgift, author of the *Answer to . . . An Admonition* (1572). *discipline; even* Between these two words Cartwright inserted the line quoted in 1:160.c and the translation of “Cyprian” at 160.9–12 (2:80, not 81). *Heresie of Montanus*, Tertullian, whose theological writings remained orthodox in his doctrine of God and of Christ, joined the Montanists about 207, championing their protest against what they saw to be the moral laxity of the Church. Cartwright emphasizes that *De praescriptione haereticorum* was written before Tertullian’s Montanist period; according to the Montanists, the new truths of the age of the Holy Spirit qualified the apostolic witness. See also 1:164.3–8. H describes Montanist practices in V.72.11–12 (2:393.16–395.9).
- 1:159.21–24.a,b *To help . . . Hilarie.* These references are not in Cartwright.
- 1:159.22–23.a *We believe it not . . . not?* Jerome, “De perpetua virginitate B. Mariae adversus Helvidium,” § 19: “Sed ut haec quae scripta sunt non negamus, ita ea quae non sunt scripta, renuimus. Natum deum esse de virgine credimus: quia legimus. Mariam nupsisse post partum, non credimus, quia non legimus”; *Opera* (1516), 3:6^f; PL, 23:203. “But just as we do not deny these things which are written, so we reject those that are not written. We believe that God was born of a virgin, because we have read it. We do not believe that Mary married after giving birth, because we have not read it” (compare FOTC, 53:38).
- 1:159.23–24.b *We ought not . . . not,* Hilary of Poitiers (?315–367), *Tractatus in CXXXII Psalmum*, on v. 3: “Quae enim libro legis non continentur, ea nec nosse debemus”; *Commentary on Psalm 132* (133 in English Bibles); v. 3a in GB: unity is “as the dewe of Hermón, which falleth upon the mountaines of Zión”; *Opera* (1535), p. 671; CSEL, 22:689; PL, 9:749. After contrasting the blessed Mt. Zion with the accursed Mt. Hermon and relating the tradition that identified the latter as the meeting place for the angels who desired the daughters of men (Gen. 6:4), Hilary writes, “Let us pass over these things,” yet after the line quoted by H, he

explains why they are nevertheless to be remembered. The point in this passage and previous one from Jerome is that the context must be taken into account. See next n.

- 1:160.8–161.8.c **As for those alleaged . . . waight.** H takes up “Cyprian” to show how badly out of context Cartwright had cited him. The 1590 *Remonstrance: or plaine detection of faults in a booke, entituled, A demonstration of discipline* (STC 20881), doubtfully attributed to Matthew Sutcliffe (Milward, pp. 85–86; STC lists it as anonymous), had replied to John Udall’s use of the same passage in his *A Demonstration of the truth of that Discipline* (1588), pointing out that when “Cyprian speaketh of love and charitie, he treateth not there of an Ecclesiasticall pollicie, but thereby meaneth onely the doctrine of the Church, which is recapitulated in love” (p. 17); it continues with the same observation made by H above in relation to Tertullian that *disciplina* is used in the sense of *doctrina*.
- 1:160.9 **those alleaged words** Quoted for or against (compare 1:153.12). The modern sense, “asserted without proof” would incorrectly suggest that H suspected Cyprian did not write these words.
- 1:160.9–12.c **The christian religion . . . conteine:** H is quoting from Cartwright; at 1:160.22–161.2 he himself translates the same sentence.
- 1:160.16–161.2.d **Surely . . . not.** From chap. 4, *De baptismo Christi et manifestatione Trinitatis*, of the *Liber de cardinalibus operibus Christi*, included in 16C and 17C edns. of Cyprian’s *Works*. It was actually by Arnold, abbot of Bonneval in the diocese of Chartres from 1144–1156 (PL, 189:1632^d). In the sentence before, Arnold had written: “It is just, Lord, that we love thee because thou thyself loveth us; and it is altogether unjust that those beloved by thee should offend thee in anything.” The “*commaundement*” (line 16) is love towards God. Erasmus’s text has “*Legat hic unum . . .*” at d.5 (“Let Christian religion read one word on this matter and meditate . . .”); *Opera* (1540), fol. 434^v; he believed the work to be of another hand in the same epoch (sig. A8^v), but neither H nor Cartwright note this.
- 1:160.d.7 **HAC** *This Scripture* in particular, the point of H’s argument.
- 1:161.9–10.e **The scripture, . . . noteth not:** Tertullian, *De monogamia*, chap. 4: “*Semel tamen vim passa institutio dei per Lamech, constitit postea in finem usque gentis illius. Secundus Lamech nullus exstitit, quomodo duabus maritus [CCSL: maritatus]. Negat scriptura quod non notat*”; *Opera* (1566), 2:197; CCSL, 2:1233; PL, 2:934. Tertullian noted that with the exception of Lamech (Gen. 4:19), the generations before Noah were monogamous. “Yet after the instruction of God suffered violence a single time through Lamech, it stood firm constantly to the end of that clan. There arose no second Lamech, in the sense of a husband with two wives. *The scripture denieth what it noteth not*” [as in H]. Cartwright introduced this quotation after that from Tertullian’s letter to his wife; H reversed the order, including this passage with those which apply as well “for matter of opinion as of

action," before moving on those "more apparently" touching action (1:158.25, 162.3).

- 1:162.*f* **And that in indifferent things . . . receyved.** This sentence appears between Cartwright's quotation of Tertullian at 1:159.11–15 and in *e*.
- 1:162.4–5 **writing unto his wife two bookes,** Written before Tertullian become a Montanist; *De monogamia*, written later, opposed second marriages by prescription, not counsel.
- 1:162.9–13 **he urgeth . . . injoyne.** In *Ad uxorem* (2.1.4–2.2.1) Tertullian pointed out that although Paul advised widows to stay single (1 Cor. 7:7–8), he plainly commanded that one "is at libertie to mary with whome she wil, onely in the Lord" (GB: v. 39), for "the Apostle . . . advises when he says, 'For I woulde that all men were even as I my selfe am,' but concerning marrying in the Lord when he adds, 'onely in the Lord,' he is no longer persuading, but he plainly commands. . . . No scripture holds out a licence for [marrying an unbeliever]"; "Apostolus . . . suadet, cum dicit: *Cupio autem omnes meo exemplo perseverare. De nubendo vero in domino, cum dicit, Tantum in domino, jam non suadet sed exerte jubet. . . . Nulla scriptura ejus facti licentiam profferret* [CCSL: profert]"; *Opera* (1566), 2:125–126; CCSL, 1:384; PL, 1:1289–1290.
- 1:162.13–20 **And because . . . made?** Tertullian rejected marriage with an unbeliever on the basis of Paul's injunction that a convert may keep an unbelieving spouse (1 Cor. 7:12–14): "'If,' he says, 'any believer has an unbelieving wife'; he does not say, 'if any believer takes an unbelieving wife' " (*Ad uxorem*, 2.2.2); "si quis, inquit, fidelis uxorem habet infidelem. non dicit uxorem ducit infidelem"; *Opera* (1566), 2:126; CCSL, 1:384; PL, 1:1291.
- 1:162.20 **great reasons showed** In *Ad uxorem*, 2.3–6.
- 1:162.24–163.10.*g* **They that please not . . . evill.** The text in *g* is (with punctuation and capitalization variants) that of *Opera* (1566), 2:130 (*Ad uxorem*, 2.7.3). Cartwright's translation is possible (*f.3*) but not convincing; H's two versions (1:162.15–26, 163.5) are superior. Although "*Quae*" can be feminine or neuter, Cartwright strains the words to fit his neuter subject. Modern texts read "a malo inferentur" for "Malo se inferunt," so that the last phrase may be translated as "certainly attacked by evil" or "certainly produced by evil": neither fits with Cartwright's version; see CCSL, 1:391; PL, 1:1300.
- 1:163.*h* **And to come . . . pleasure.** This section follows the sentence in 1:161.*e*.
- 1:163.15 **Antoninus** That is, Marcus Aurelius Antoninus Caracalla; Tertullian probably wrote *De corona* in 211, just after Caracalla and his brother Geta had succeeded their father Lucius Septimius "*Severus*," an appropriate occasion for a "*donativum*."
- 1:163.17–164.2 **In which number, . . . action.** A summary of events described in *De corona*, chap. 1.

- 1:164.1–2 **Many . . . action.** Unlike H, Tertullian commends the soldier's potential martyrdom: "Thereupon opinions were voiced upon him—I do not know whether by Christians, for they were not different from those of the heathen—to the effect that, being rough and rash and desirous of death, questioned about his dress, he caused trouble to the name [of Christians]; in actuality, he alone brave among so many fellow soldier brothers, he alone, a Christian"; *De corona*, 1.4; see *Opera* (1566), 1:745; CCSL, 2:1039; PL, 2:76; compare ANF, 3:93.
- 1:164.3–12 **Tertullian . . . he wrote it.** Modern scholars agree that *De corona* belongs to Tertullian's Montanist period. The "prophetical Spirit" (line 4) refers to Tertullian's comment that the soldier's critics had "rejected the prophecies of the same Holy Spirit" (*De corona*, 1.4), whose authenticity the Montanists declared. See 1:159.z.n, above.
- 1:164.12–14.i **For first the man . . . Lords.** The phrase as H translates it is "qui se duobus dominis servire posse praesumpserant," the most obvious sense of the phrase and as it appears in 9C and 15C MSS as reported by modern textual editors (CCSL, 2:1039). However, the text H seems generally to have used, *Opera* (Paris: ed. Gelenius, 1566), 1:745 as well as four earlier edns., read "praesumpserat" for "praesumperant," implying that the Christian soldier, rather than his brother soldiers, presumed it possible to serve two masters. The edn. of Pamelius (Antwerp, 1579), whose chapter numbers H does not use, added "non" before the "posse," as did one 15C MS that also used the singular, "praesumperat" (CCSL collations), thereby correcting the sense to state that the soldier presumed that two masters could *not* be served. Unless H had some text before him unknown to us and used it instead of his customary Tertullian text, he corrected the text before him to fit the sense of the passage.
- 1:164.15–23 **It soth even remaine . . . feare.** Tertullian, *De corona*, 1.4–5: "Plane superest ut etiam martyria recusare meditentur, qui prophetias ejusdem spiritus sancti respuerunt. Mussitant denique tam bonam et longam sibi pacem periclitari. Nec dubito quosdam scripturas [CCSL: quosdam secundum scripturas] emigrare, sarcinas expedire, fugae accingi de civitate in civitatem. Nullam enim aliam Evangelii memoriam curant. Novi et Pastores eorum in pace leones, in praelio cervos"; *Opera* (1566), 1:745–746; CCSL, 2:1040; PL, 2:77; compare ANF, 3:93. The modern text, inserting "secundum," would emend H's translation from "*send the Scriptures before*" (line 19) to "wander forth in accordance with the Scriptures," thus clarifying not only the phrase itself but also the subsequent one about the "*point of the Gospel*" they do not "*forget*."
- 1:164.23–25 **Now these men, . . . garland.** *De corona*, 1.6: "At nunc quia maxime illud opponunt: 'Ubi autem prohibemur coronari?' hanc magis localem substantiam causae praesentis aggrediar"; *Opera* (1566), 1:756; CCSL, 2:1041; PL, 2:77. "But now, because they most of all allege this in opposition, 'But where is it prohibited to be crowned?' I will attack this more specific argument of the present issue" (compare ANF, 3:93). H's addition, "*in scripture*," clearly follows Tertullian's meaning.

- 1:164.29–165.1 **Such is that argument . . . delight.** A paraphrase of *De corona*, 5.1–4: “Ideoque haec prima praescribet coronam capiti non convenire. . . In capite quis sapor floris? quis coronae sensus nisi vinculi tantum? Quia neque color cernitur neque odor ducitur, nec teneritas commendatur. Tam contra naturam est florem capite sectari, quam cibum aure, quam sonum nare. Omne autem quod contra naturam est, monstri meretur notam penes omnes: penes nos vero etiam elogium sacrilegii, in deum naturae dominum et autorem”; *Opera* (1566), 1:749; CCSL, 2:1045–1046; PL, 2:82–83; compare ANF, 3:95–96.
- 1:165.3–7 **They aske sayth he, . . . aided.** A free translation of *De corona*, 2.4: “Et facile est statim exigere, ubi scriptum sit, ne coronemur. At enim ubi scriptum est, ut coronemur? Expostulantes enim scripturae patrociniū in parte diversa praejudicant suae quoque parti scripturae patrociniū adesse debere. Nam si ideo dicitur coronari licere, quia non prohibeat scriptura, aequae retorquetur ideo coronari non licere, quia scriptura non jubeat”; *Opera* (1566), 1:746–747; CCSL, 2:1042; PL, 2:78; compare ANF, 3:94.
- 1:165.14–18 **Which thing . . . other;** After discussing customs in Baptism and the Eucharist, anniversary offerings for the dead, the prohibition of kneeling in worship on Sundays and during Easter, and the routine use of the sign of the cross, Tertullian concludes: “If you demand a scriptural law for these and other such orders, you will find none. Tradition will be held up to you as the originator, custom as the establisher, and faith as the observer”; “Harum et aliarum ejusmodi disciplinarum si legem expostules scripturarum, nullam invenies, traditio [CCSL: nullam leges (“you will read none”). Traditio] tibi praetendetur auctrix consuetudo confirmatrix, et fides observatrix”; *De corona*, 4.1; *Opera* (1566), 1:747; CCSL, 2:1043; PL, 2:80; compare ANF, 3:95.
- 1:165.18–19 **that of things . . . sufficient;** Taking the example of the Jewish custom of the veiling of women and finding that Scriptures do not provide a clear law, Tertullian continues: “If I nowhere find a law, it follows that tradition has given the rule to this custom whenever, by the explanation of reason, it may have the authority of an apostle. Therefore, these examples will make it known that an unwritten tradition can yet be maintained in observance as it is established by custom, the proper witness of a tradition tested by the persistence of [its] observance”; “Si legem nusquam reperio, sequitur ut traditio consuetudini morem hunc dederit, habiturum quandoque Apostoli auctoritatem ex interpretatione rationis. His igitur exemplis renunciatum erit, posse etiam non scriptam traditionem in observatione defendi, confirmatam consuetudine, idonea teste probatae tunc traditionis ex perseverantia observationis”; *De corona*, 4.4; *Opera* (1566), 1:748; CCSL, 2:1044; PL, 2:81; compare ANF, 3:95.
- 1:165.19–23 **that in civill affaires . . . it;** Tertullian continues: “But even in civil matters, custom is admitted as law when the law itself is deficient; nor is the case different whether it is fixed by writing [*scriptura*] or by reason since it is reason that

commends law. Further, if law depends upon reason, law will be anything directly produced by anyone which will hold its ground in reason"; "Consuetudo autem etiam in civilibus rebus pro lege suscipitur, cum deficit lex: nec differt scriptura a ratione consistat, quando et legem ratio commendat. Porro si lex ratione constat, lex erit omne jam quod ratione constiterit a quocunque productum"; *De corona*, 4.5; *Opera* (1566), 1:748; CCSL, 2:1044; PL, 2:81; compare ANF, 3:95.

1:165.22 **to alleage reason . . . scripture**; H presses his paraphrase of Tertullian too far here, for although Tertullian argues for the authority of reason led by the spirit of God, the immediate context is the civil law, and hence "scriptura" means simply "writing," not (holy) "Scripture." See *n* preceding.

1:165.22–24 **that whatsoever is reasonable, . . . great**; These brief phrases are based on the conclusion of chap. 4 of *De corona*, in which Tertullian interweaves the authority of custom and of reason. H ignores its Montanist implications. Writing of the way Paul, without a specific command of the Lord, was led by the spirit of God, Tertullian continues: "Therefore, his advice and edict are at once as good as a divine injunction by warrant of divine reason. Now earnestly demand of this reason, with a sound respect for tradition, regardless of who may have passed it on or uttered it; you should not respect the author but the authority, and especially the authority of the custom itself which is, on that account, to be paid respect (granted that the custom is not the interpreter of reason) in order that, if God has also given the reason, then you may learn why you are to observe the custom"; "Itaque consilium et edictum eius divini iam praecepti instar obtinuit, de rationis divinae patrocinio. Hanc nunc expostula, salvo traditionis respectu, quocumque traditore censetur, nec autorem respicias, sed auctoritatem: et in primis consuetudinis ipsius, quae propterea colenda est, ne non sit rationis interpres: ut si et hanc Deus dederit, tunc discas cur nam observanda sit tibi consuetudo." [CCSL: ut, si et hunc deus dederit, tunc discas non an observanda sit tibi consuetudo, sed cur; "if God has also given the author, then you may learn not whether you are to observe the custom, but why." In the 1566 text, "Sed cur" begins the next sentence]; *De corona*, 4.6–7; *Opera* (1566), 1:748–749; CCSL, 2:1045; PL, 2:81–82; compare ANF, 3:95. The modern text reads "hunc" ("the former," masculine, referring to "author") for "hanc" ("the latter," feminine, referring to "reason") before "deus," indicating that God has given not the reason, but the "interpreter" (that is, custom) has.

1:165.24–30 **finalle . . . contrarie**. H concludes where Tertullian had started. At the opening of chap. 3 of *De corona*, Tertullian had asked how long the discussion must go on about negative arguments of Scripture since we "have an old established observance which, appropriately coming beforehand, has established the state of the case" (§ 1; "habentes observationem inveteratam quae praeveniundo statum fecit"; *Opera* (1566), 1:747; CCSL, 2:1042; PL, 2:78; compare ANF, 3:94. He had stated this more fully at the beginning of chap. 2: "I say that not one of the faithful has known a crown on his head at other occasions than a time of such

testing [that is, persecution]. In such wise, all observe this from catechumens to confessors and martyrs or even deniers. They should have perceived where the authority of the custom originates about which the question is just now raised" (2.1). "Neminem dico fidelium coronam capite nosse alias extra tempus tentationis eiusmodi. Omnes ita observant a catechumenis usque confessores, et martyres, vel negatores. Viderint [CCSL: Videris; "may you perceive"] unde autoritas moris de qua cum maxime quaeritur"; *Opera* (1566), 1:746; CCSL, 2:1041; PL, 2:77; compare ANF, 3:94. His subsequent discussion in chaps. 3 and 4 was intended to prove that a long standing church custom had the force of law.

1:165.32–35 *Whereas they aske . . . permitted.* In paraphrasing the final words of chap. 2, H arrives at the citation introduced by Cartwright (1:163.h.1–5) as an example of a negative argument from Scripture. After posing the alternatives, Tertullian asks: "What will the teaching establish? Will it receive both, as if neither of the two were forbidden? Or will it reject both, as if neither of the two were prescribed? But: what is not forbidden is freely permitted. No, rather, what is not freely permitted is forbidden" (*De corona*, 2.4). "Quid faciet disciplina? utrunque recipiet, quasi neutrum prohibitum sit? An utrunque reiiciet, quasi neutrum praeceptum sit? Sed quod non prohibetur, ultro permissum est. Imo prohibetur quod non ultro est permissum"; *Opera* (1566), 1:747; CCSL, 2:1042; PL, 2:78; compare ANF, 3:94.

1:166.1 (if . . . them) H questions Tertullian's Montanist assumption that such a custom would bind Christian consciences.

1:166.11–12 *in doctrine . . . arbitrarie.* See 1:163.h.6–7.

1:166.18–19 *Harum . . . invenies;* See 1:165.14–18.n, above.

1:166.30–167.22 *It is not hard . . . 17.6.* Actually comprised of parts of the *Replye* and *Second Replie*; H responds to this compilation only in the first half of chap. 6 (to 1:170.32), hence its original position after 167.j; see textual note.

1:166.30–167.3 *It is not hard . . . 30.2.* From the *Replye* (1:26); neither Cartwright nor Whitgift cites Jer. 19:5. Both Jeremiah citations refer to the sacrificial burning of sons. The GB note on 19:5 expresses the Reformed understanding of *adiaphora* in worship: "Whereby is declared that what so ever is not commaunded by Gods word touching his service, is against his worde."

1:167.3–6 *And it may be shewed, . . . contrarie* From the *Second Replie* (2:48); Cartwright is answering Whitgift's claim that negative arguments from scripture apply only in cases of salvation and damnation; see *Defense*, p. 78; also, pp. 24, 26, 79 (PS, 1:179, 61, 65, and 181–182).

1:167.6–7 (*as . . . 17.16.*) Added by H, using the citations of Whitgift, *Defense*, p. 78 (PS, 1:179–180); those from Leviticus apply to Jeremiah (child sacrifice); that from Deuteronomy (Egypt) applies to Isaiah, as Cartwright cites them in the *Replye*.

- 1:167.8–22 *In Josua . . . 17.6.* From the *Second Replie* (2:48). H ignores a long discussion about Israel's relations with their neighbors to proceed with the example from Chronicles.
- 1:167.16 *service* Cartwright: "service off god" (2:49).
- 1:167.27–168.5.j *God him selfe . . . tend.* A concise statement of H's view of scriptural inspiration and interpretation; see H. C. Porter, "The *Via Media*," *S.R.H.* (1972), pp. 105–106, and Egil Grislis, "Hermeneutical Problem," *ibid.*, pp. 185–190, and Intro. to II, III & IV, pp. 154–167, above.
- 1:167.j. 1 *John 1:5. . . all.* H's implied exegesis of "light" as "truth" is unusual; GB applies the verse to the "frutes of our faith" and links "light" with "puritie" and "darkenes" with "sinne."
- 1:168.5–8 *Whereupon . . . end.* H distinguishes the use of negative scriptural arguments differently than Whitgift, who based it on content: if it concerns a matter necessary for salvation, the negative argument holds; see *Defense*, pp. 78–83; *Works*, PS, 1:179–183. H looks to the clarity of expression in the passage: can we determine the purpose for which Scripture was written? how necessary is the matter in question for the accomplishment of that purpose? See Intro. to II, III & IV, pp. 159–161, above.
- 1:168.8–12 *As for example, . . . argument.* Heb. 1, which begins, "At sondrie times," compares OT verses applying to angels with those the church applied to Christ. H assumes that Paul was the author; modern scholars consider it non-Pauline.
- 1:168.12–169.4 *The purpose of God . . . strong.* See 1:166.31–167.1, above. H and Whitgift agree with Cartwright on the strength of the negative argument in this case: Whitgift, because murder is a "matter of substance"; H, because God has set down the requirements of sacrifice—what and to whom; see *Defense*, p. 78 (PS, 1:179), and 1:168.5–8.n, above.
- 1:168.k *Levit. . . 18:10.* Three prohibitions of child sacrifice, all cited in GB note; Whitgift notes only the first two, as does H in 1:167.6–7.
- 1:169.4–170.32 *Agayne, . . . nothing.* For H, Cartwright's three other examples concern that special "direction and counsell" available to the Israelites as a "singular priviledge" (see 1:167.2–3, 8–22), in contrast to the Jeremiah passages (166.31–167.1), which H understood to refer to violations of the written laws of the Pentateuch.
- 1:169.31–170.1 *after by Urim . . . Priests,* "*Urim and Thummim*" appear to have been oracular devices used by pre-exilic Jewish priests to determine God's judgments; see Exod. 28:30, Lev. 8:8, Num. 27:21, Deut. 33:8, and 1 Sam. 28:6.
- 1:170.3–5.o *He shall stand . . . Lord:* GB glosses Num. 27:21 as evidence that the

civil magistrate "colde execute nothing but that which he knewe to be the wil of God."

1:170.7–13 **The Jewes . . . Egypt.** Although at the head of the chapter (1:167.7) H, following Whitgift, had cited Deut. 17:16 as a written command to the Jews not to return to Egypt, he here expressly denies such a command. Whitgift's forced use of this proof text violated the exegetical principles H has just laid down (1:168.1–8); see Intro. to II, III & IV, p. 160, above.

1:171.q **M. Harding . . . scene.** This follows the quotation at 1:167.12–22, omitting a paragraph in which Cartwright refutes a text introduced by Whitgift from Zwingli rejecting negative scriptural arguments; see *Second Replie* (2:50–51), and *Defense*, p. 78 (PS, 1:179).

1:171.1 **controversies** There were two between Thomas Harding (1516–1572) and John Jewel (1522–1571). The first developed from a sermon preached 26 November 1559 at Paul's Cross and repeated at court 17 March and again at Paul's Cross 31 March 1560, the so-called "Challenge Sermon" (see STC 14612, pt. 2 [formerly STC 14599a], and Milward, pp. 1–2; PS, 1:3–25), in which Jewel challenged defenders of current RC practices and teachings to prove that they were used and taught in the first six centuries of the church. Harding's *An Answere to master Juelles Chalenge* (Louvain, 1564; STC 12758; 2nd edn., Antwerp, 1565; STC 12759) brought forth Jewel's *A Replie unto M. Hardinges Answere* in 1565 (STC 14606), to which Harding directed his *Rejoindres* of 1566 and 1567 (STC 12760–61; Milward, pp. 3–4). The second controversy was joined when Harding published in 1565 a *A Confutation of a Booke intituled An Apologie of the Church of England* (STC 12762), that is, of Jewel's celebrated *Apologia Ecclesiae Anglicanae* of 1562, which assumed an almost official status in the defence of the catholicity of the English church in company with Lutheran and Reformed bodies on the continent. Jewel's *A Defence of the Apologie of the Church of Englande, an Answere to a Certaine Booke by M. Hardinge* (STC 14600) appeared in 1567, in turn eliciting Harding's *A Detection of Sundrie Foule Errours, uttered by M. Jewel . . .* (STC 12763) of 1568. Jewel's expanded *Defence* (*Whereunto is also newly added an answere unto an other booke*; STC 14601) of 1570 included, section by section, the five successive layers of the dispute. The PS edn. of the *Defence* follows the expanded version, and our Commentary references are also to STC 14601.

1:171.2 **M. Harding,** Harding supported reform under Henry VIII and Edward VI when he became professor of Hebrew at Oxford, friend of Peter Martyr during the latter's university professorship, and chaplain to Henry Grey, duke of Suffolk and father of the short-lived queen, Lady Jane. Accepting Roman allegiance on Mary's accession, he became chaplain to Stephen Gardiner and remained thereafter loyal to Rome. Refusing to conform under Elizabeth, he joined the English exiled at Louvain and helped establish the English College at Douai.

1:171.2–4 **worthiest Divine . . . yerer,** Jewel, who had been associated with

Harding at Oxford (“one Universitie”) in the 1540s, fled to the continent at Mary’s accession and stayed with Peter Martyr at Strasbourg and Zürich. On his return, Elizabeth appointed him bishop of Salisbury. Through the intervention of H’s uncle, John Hooker (1524?–1601), Jewel took an interest in H, helped him through school and into his own college at Oxford, Corpus Christi, where H probably matriculated in 1568. See Chronology.

1:171.5–6.*r* *They learned . . . practise.* Jugurtha, the future king of Numidia (a North African client state of Rome from the second Punic war) and Gaius Marius served together under Publius Africanus in the Numantine wars in Spain about 133 BC. Velleius Paterculus (19? BC–after 30 AD), in his *History of Rome* (2.9), notes that while young, “*they learned,*” etc. In 2.11–12, Velleius describes the Jugurthan war (109–107 BC), which reduced Numidia to a Roman province; Marius, second in command of the troops, later became consul and had Jugurtha brought to Rome to be led in triumph. See *Historiae Romae ad .M. Vinicium. Cos. libri ii* (1571), pp. 34–35; Loeb, pp. 68–75.

1:171.6–8 *Of these two . . . common,* Harding declared that although a 2C bishop of Rome required at least two persons attend mass with the priest, no reference was made to their receiving communion, prompting Harding’s denial of any requirement that others receive the sacrament with the celebrant, “*whiche manner of argument is commonly used of our adversaries*”; see Jewel, *A Replie*, p. 66 (PS, 1:172).

1:171.8–172.6.*s* *This kind of argument . . . good.* Jewel introduces his “*answere*” to Harding’s “*29. Division*”: “the argument that he meaneth, and not very plainly uttereth, is called in the Schooles [the debating halls at the university], *Argumentum ab autoritate negativè*: whiche is thought to be good, when so ever proufe is take of Gods woorde: and is used [as H continues]”; *A Replie*, pp. 68–69 (PS, 1:175).

1:171.13–16.*u* *Likewise saith Origen, . . . day.* In his *Homilia in Leviticum*, 5.8, commenting on Lev. 7:15 (that flesh sacrifices are to be eaten on the day they are made and not carried over till the next), Origen (185?–254?) applied the verse to the teaching responsibilities of the clergy. Unless they bring forth “a present and fresh message out of spiritual learning and the gift of God’s grace,” they praise with their mouths, but their minds are as unfruitful as the offer of yesterday’s meat. The sentence translated by Jewel follows: “*Nam et dominus panem, quem discipulis dabat, et dicebat eis, Accipite et manducate, non distulit, nec servari jussit in crastinum*”; *Opera omnia* (1536), 1:89^a; GCS, 29:348–349; PG, 12:459.

1:172.2–4.*v,w* *Unus est magister vester Christus,* Matt. 23:10: “*Christe onely is your Maister.*” *Ipsum audite.* Matt. 17:5: “*Geve eare unto him*”; as Jewel translates in *A Replie*, p. 68 (PS, 1:175).

1:172.7–173.14 *Againe, . . . not of God.* Turning to Cartwright’s example from the second Jewel–Harding controversy (1:171.q.5–9), H traces the dispute as recapitulated in Jewel’s *Defence*.

- 1:172.7–9 **English . . . nor pardons**, Jewel, *Defence*, p. 627 (PS, 4:884). The Latin reads: “Itaque [Graeci] nec privatas habent Missas, nec truncata sacramenta, nec Purgatoria, nec Indulgentias”; *Apologia* (1581), pp. 138–139 (PS, 3:35). 16C anti-papal reformers objected to the eucharistic celebration by the priest without the congregation (“private Masses”), communion in one kind (“mangled Sacraments”), a place where the saved after death were painfully cleansed from their sins (“Purgatories”), and the use of papal indulgences to ease this process (“pardons”). Jewel correctly invoked the practices of eastern Churches against private masses and communion in one kind. But, although the Greeks rejected indulgences and other western developed descriptions of purgatorial life, their liturgies and teaching did assume a purifying state intermediate between death and heaven.
- 1:172.9–11 **it pleaseth . . . negatives**. “But though (saie ye) those Greekes have many things corrupted, yet holde they stil a greate number of those thinges, whiche they received of the Apostles. . . . Those Greekes holde stil, saithe he. What holde they? Mary they have not this and that. This a newe kinde of holding, for a man to holde, that he hath not. . . . The Turkes, Saracenes, Jewes, Infidels, Idolators, yea, the shepe of Cottesholde also, if yee will, have neither private Masses, nor Communion under one kinde, nor Purgatories, nor Pardons: Ergo, they holde a number of thinges which they received from the Apostles. . . . Such is the Logique, such are the topikes of this newe negative . . . divinity”; Harding’s *Confutation*, quoted from Jewel’s *Defence*, pp. 627–628 (PS, 4:884–885).
- 1:172.12–173.14.x **The auncient . . . not of God**. H omits the Latin of the patristic quotations, except for Irenaeus, which Jewel inserted; see *Defence*, p. 629 (PS, 4:886–887). The last section (173.8–14, “By such . . . God.”) appeared only in Jewel’s 1570 expansion, suggesting that H was working from the 2nd edn.
- 1:172.12 **auncient learned Fathers** That is, of the first six centuries; see 1:171.1.n, above.
- 1:172.20–23.y **The auncient father Irenaeus . . . deliver**. Recounting the complicated cosmology of the Valentianian heretics, Irenaeus (130?–200?) in *Adversus haereses* comments: “Since such is their argument, which neither did the prophets publish, nor our Lord teach, nor the Apostles deliver, . . . they try to adapt for themselves these things which have been related, whether parables of the Lord, or sayings of the prophets, or words of the apostles so that their inventions may not be seen to be without witness”; “Cum sit igitur tale illorum argumentum, quod neque prophetae praedicaverunt, neque dominus docuit, neque apostoli tradiderunt, . . . aptare conantur his quae dicta sunt vel parabolas dominicas, vel dictiones prophetias, aut sermones apostolicos, ut figmentum illorum non sine teste esse videatur”; 1.8.1 [1.1.15 in Greek]; *Opus . . . Irenaei* (1534), p. 14; 1.7.5 in W. W. Harvey, ed. (1857), 1:66–67; 1.8.1 in PG, 7:519–522; compare ANF, 1:326. The Greek would not have been available in the 16C.
- 1:172.23–25.z **By a like negative . . . increased**. Among the various Arian groups

that developed between the Councils of Nicaea (325) and Constantinople (381), the extremists were the Anomeans, who claimed that the Son was “unlike” the Father. John Chrysostom (347?–407) referred to the heresy as a “wild and unfruitful tree that is to be cut off” and declared that “*This tree . . . increased*, but rather an untimely searching of theories planted it, foolish pride watered it, and vain ambition gave it growth”; “*Hanc etenim arborem non Paulus plantavit, non Apollo rigavit, non deus auxit; sed plantavit rationum intempestiva scrutatio, rigavit superbia stolidia, auxit ambitiosa cupiditas*”; *De incomprehensibili Dei natura*, Homily 3.1; *Opera* (1536), 5:109^o; PG, 48:719 (Latin trans. from Greek varies from 1536). The Greek would not have been available, unless in manuscript, to Jewel and H; see SC, 28 bis (1970): 188. The passage alludes to 1 Cor. 3:6.

- 1:172.25–173.1.a *What needeth it . . . delivered?* In this letter, “Ad Turribum, Austricensem Episcopum,” Pope Leo I (d. 461) identifies the teachings of the Priscillianists with the heresies mentioned in Col. 2:8–23. He continues, as Jewel translates (*Defence*, p. 629): “*Quid ergo opus est in cor admittere, quod lex non docuit, quod prophetia non cecinit, quod Evangelii veritas non praedicavit, quod apostolica doctrina non tradidit?*”; epist. 93.12; *Opera* (1569), fol. 149^o; PL, 54:686 (epist. 15.12). E. Schwartz omits this letter as spurious; ACO, 2.4 (1932): ii; compare NPNF.2, 12:24.
- 1:173.2.b *How . . . knewe?* Writing to his namesake, Emperor Leo I, in defense of his christological views, Leo I appended a set of quotations to demonstrate that he was in agreement with “the public declarations of the venerable fathers”; epist. 97.2; *Opera* (1569), fol. 153^o; ACO, 2.4:118; PL, 54:1171 (epist. 165.10); compare FOTC, 34:273. This sentence is from Ambrose (d. 397), “Of the Incarnation of the Lord against the Apollinarians,” 6.52: “*Et mihi frequenter Nicaeni Concilii tractatum se tenere commemorant. Sed in illo tractu Patres nostri non carnem, sed Dei Verbum unius substantiae cum Patre esse dixere. Et Verbum quidem ex paterna processisse substantia, carnem autem ex virgine esse confessi sunt. Quomodo igitur Nicaeni concilii nomen obtenditur, et nova inducuntur quae numquam nostri sensere majores?*”; epist. 97.3, *Opera* (1569), fol. 154^o; ACO, 2.4:123; PL, 54:1179, as epist. 165, “*Testimonia*,” item 10. “And they often mention to me that they hold to the treatment of the matter by the Council of Nicaea. But in that treatment our fathers said that the Word of God, not flesh, is of one substance with the Father. And they acknowledged indeed that the Word proceeded from the substance of the Father, but that the flesh was from the Virgin. Therefore, by what means is the name of the Council of Nicaea alleged, and new things brought in that our forefathers never held as an opinion?”; compare FOTC, 34:279.
- 1:173.2–5.c *S. Augustin . . . Donatist.* In advising one Generosus how to respond to a Donatist presbyter who had listed the episcopal succession in his town down to the present Donatist bishop, Augustine suggests “how much more certainly and truly advantageously” he might enumerate the succession from Peter, and lists the traditional bishops of Rome from Peter, Linus, and Clement to Anastasius of his

own day. The comment Jewel quotes follows: "In hoc ordine successionis nullus Donatista episcopus invenitur"; epist. 165; *Opera*, ed. Erasmus (1528–1529), 2:483; CSEL, 34:153–154 (53.1.2); PL, 33:196; compare NPNF.1, 1:298.

- 1:173.5–8.d *S. Gregorie . . . Singularitie*. Gregory I, bishop of Rome (590–604), regarded the assumption of the title "Oecumenical Patriarch" by the bishop of Constantinople as an offense to his own and other bishops' prerogatives. Jewel conflated two letters on the subject, but cites only the second. Writing to Eulogius and Anastasius, bishops of Alexandria and Antioch, Gregory declared that the Council of Chalcedon had offered such a title to the pope, but that "*None of all . . . Singularitie*, because clearly, if one patriarch is said to be universal, the name of the patriarchs is diminished for the rest"; "Sed nullus unquam *decessorum meorum hoc tam profano vocabulo uti consensit*: quia videlicet si unus Patriarch universalis dicitur, patriarcharum nomen ceteris derogatur" (italics designate words quoted by Jewel in *Defence*, p. 629); epist. 4.36, *Opera* (1591), 4:134; *Gregorii I Papae registrum epistolaram*, MGH, 2nd edn., ed. Ewald and Hartman (Berlin, 1957), 1:332 (5.41); PL, 77:771 (5.43); compare NPNF.2, 12.2:179. Writing to Emperor Maurice, Gregory again mentioned the offer of Chalcedon to the "pontiff of the Romans": "But none of them ever took to himself this name of singularity, nor consented to use it lest something special be given to one, and the whole body of bishops be deprived of their due honor"; "Sed *Nullus* eorum unquam *hoc singularitatis nomen assumpsit* nec uti consensit, ne dum privatum aliquid daretur uni, honore debito sacerdotes [usually referring to bishops, not presbyters] privarentur universi" (italics designate words quoted by Jewel in *Defence*, p. 629); epist. 4.32 (1591), 4:130; MGH (1957), 1:322–323 (5.37); PL, 77:747 (5.20); compare NPNF.2, 12.2:170. The modern texts omit "assumpsit nec," "took to himself . . . nor."
- 1:173.11–12 *private Masse, . . . prayers*. See 1:172.7–9.n, above; "*barbarous unknowne prayers*" were prayers for the dead meant to procure relief from purgatorial pains.
- 1:173.19–20 *How are these . . . knew?* See 1:173.2.b.n, above; working from the Latin in Jewel's text, H does not notice that Leo was quoting Ambrose.
- 1:173.20–26 *When . . . negative*. H turns the negative argument against presbyteries, seen as ecclesiastical innovations; see Pref. 4.5 and Intro. to The Preface, pp. 45–48, above.
- 1:173.21–25 *as . . . persuaded*, See 1:173.2–5.c.n, above. H misrepresents Augustine, who presented his catalogue to counter the Donatist list by the example of a succession begun by the apostle Peter in a major city recognized throughout the world: "their wisdom, piety, and learning" were incidental.
- 1:174.1–3 *even as Hiero . . . believed*. In his commentary on Euclid, 2.3, Proclus tells of King Hieron of Syracuse who had had a large ship made. When the Syracusans were unable to launch it, Archimedes constructed a device which

enabled Hieron to haul the ship himself. “Astounded,” the king said, “*From hence forward,*” etc.; “*ab hac (inquit) die de quocunque dixerit Archimedes, illi credendum est*”; *Procli . . . in primum Euclidis, . . . libri iiiii*, ed. Barocius (Padua, 1560), p. 37; *A Commentary on the First Book of Euclid's Elements*, trans. and ed. Morrow (1970), p. 51. Quite likely this type of anecdote would be passed on unrelated to any text, and H offers no reference.

1:174.11 *Irenæus, Chrysostome, and Leo*, See 1:172.20–173.1.nn, above. H cites Cartwright's examples from Jewel's *Defence* (1:171.q.6–8), but, like Cartwright, does not include the example of Origen from Jewel's *A Replie* (171.14–16).

1:174.13 (**even . . . also**) The second reference from Leo I, at 1:173.2.

1:174.18–20 **Nor . . . scripture**. Compare H's distinction at 1:168.5–8.

1:174.25 **negatively**. H omits: “*Foras it is no good argument to say, it is not true because Aristotle or Plato sayde it not: so is it not to saye it is true because they sayde so*” (1:25 [13]); see Whitgift, *Defense*, p. 77 (PS, 1:176).

1:175.8–16 **For the . . . neglected**. See Pref. 1.1, 8.1–2, and 8.13–14 (1:1.9–13, 39.2–8, 51.7–22), above; and chaps. 7.6 and 8.6 (183.11–19, and 191.9–14), below. Although chap. 7 treats a fundamentally philosophical issue, “*The force of arguments . . .*” etc., H relates it here to his concern for the stability of English society in the face of the revolutionary potential of the disciplinarian movement.

1:175.8–9 **scope . . . authoritie** Cartwright introduces such “pleading” in the *Replye* (1:25–27 [13–14]) and develops it in the *Second Replie* (2:17–23); H quotes from both (1:174.24–175.3, 178.h, 181.i, and 186.k). Whitgift does not respond to Cartwright's initial attack on human authority (*Defense*, pp. 84–86; PS, 1:191–195), but attacks Cartwright's use of them: “*I have always greatly esteemed the judgments and opinions of learned men. . . . I thinke my selfe to have reason sufficient, when I have good authoritie of the scriptures, and of learned writers. Aristotle spake as a heathenish Philosopher, of such prophane sciences, as be grounded not upon authoritie, but upon naturall and humane reason: but that that we professe is of an other nature, for it is grounded upon authoritie, and for the authority sake to be beleaved, what reason soever there is to the contrarie. . . . Therefore to answere you briefly in this matter, I think authoritie in divine matters to be the best reason, whether it be of the scriptures themselves, or of such learned men as to rightly interpret the same*” (*Defense*, p. 200; PS, 1:435). Cartwright has this passage in mind when he deals with the issue in the *Second Replie*, for he refers to Whitgift's “*learned men as do rightly interpret the scripture,*” comparing the value of reason with that of authority: “*forso much as reason without authoritie is good and authoritie without reason nothing worth, . . . those argumentes whiche are grounded upon reasons are better then those which are grounded upon authoritie*” (2:20; between quotations in 178.h and 181.i). While sharing Whitgift's criticism of Cartwright's disrespect for authority, H has little sympathy for the

- archbishop's disparagement of reason in theological matters. As he does earlier in Book II, H places his argument here on different grounds and in a wider context than had Whitgift (see 145.14, 146.25–27, 152.16–18, 154.2, 168.5–8, and nn, above; also, 184.24–185.7 and n, below). For an early statement of H's views of "theologicall reason," prompted by Walter Travers's attack, see *Answer*, § 24 (5:254.21–255.24); see Intro. to II, III & IV, pp. 165–167, above.
- 1:175.27–28.g **Sayth . . . confirmed?** A basic principle of Jewish legal procedure, ascribed as well to Jesus's teaching, as H indicates.
- 1:175.29 **law of God** That is, supernatural law, as in the Scriptures, as contrasted with natural law, which, H insists, is equally of God; see I.12.1, 13.1, and 16.1 (1:119.26–29, 122.7–24, and 134.21–31).
- 1:176.4 **title** Evidence of right to any property, but also alluding to the claim to ecclesiastical office with its attached benefice, for the initial certificate of presentment was so named. See V.80 (2:463–472) and 2:463.7.n, below.
- 1:176.18–20 **For which cause . . . Empirick.** In his fifteen commentaries on Hippocrates (c. 400 BC), Galen (129–?199 AD) differed with his mentor so often that the saying "Hippocrates says yes; but Galen says no" became a way of signalling individuals or groups adopting opposing views; an "Empirick" (ἐμπειρικὸς) was one of a sect of ancient physicians ignorant of scientific knowledge; hence the force of H's example.
- 1:176.24–28 **As for . . . Godfathers,** Both bell-ringing and godparents were relatively neutral issues. Puritans objected to ringing when it suggested prayers for the dead and to abuses of the role of godparents in baptism. Regarding the latter, most agreed with Cartwright in not rejecting "the thing itself, considering that it is so generally received of all the churches" (1:168 [135]). See V.64.4–6.
- 1:176.35–177.1 **The Chronicles . . . conquest;** There had been a number of Anglo-Saxon kings named Edward, but only after 1066 were numbers assigned to royal names; hence Edward I ascended the throne in 1272 and H was born in the last year of the reign of Edward VI.
- 1:177.6–7 **or that negatively . . . all.** H disagrees with Whitgift, who insists that the negative argument from authority is "no good argumente," as "all Logicians confesse"; see *Defense*, p. 26 (PS, 1:65).
- 1:177.9–14 **Men . . . others.** Reformed theologians so emphasized the deleterious effect of the fall on man's reason that revealed truth in Scripture provided the *only* trustworthy source of knowledge of God and of his relation to his creation; see Calvin, *Inst.*, 1.6.1–2, 1.15.4, and 2.3.2. Rejecting so negative a judgment of human reason, H nonetheless acknowledges the limitations sin has placed upon the ability of men and women to discern truth; see 1:174.25.n, above, and 178.20–179.2.

- 1:177.19 *Pius Quintus* . . . 13. Both popes of H's own epoch: Pius V (1566–1572) excommunicated Elizabeth I; Gregory XIII (1572–1585) founded the English College in Rome.
- 1:177.25–33 **Yea, . . . things.** On the authority of Scripture and H's rejection of its self-authenticating character, see I.14.1 (1:124–126 and 126.10–12.n, above), chap. 4.2 (153.13–25 and n, above), and III.8.12–15 (230–233 and 232.16–25.n, below).
- 1:177.34–178.5 **Upon . . . all.** Compare Whitgift's statement that whereas "prophane sciences" are grounded upon reason, he judged "authoritie in divine matters to be the beste reason" (see 1:175.8–9.n, above). Just before the passage quoted in *h*, Cartwright wrote: "I confesse it hathe so iff the authoritie off the Scripture bee considered: But as for the authoritie off men, for the which cause he alledgeth this, yt be farr otherwise. For yff the authoritie off man in humane sciences and in mens matters be off small force, off how muche lesse force owght yt to be in Godes matteres ys to clene contrarie therefore to that the D. sayth" (2:19).
- 1:178.h.7–9 *which the Apostle . . . Rom. 3.* GB glosses "I speake as a man" (v. 5): "Whose carnal wisdome wil not obey the wil of God."
- 1:179.6–8 **For mine owne part, . . . therein.** See III.8.14–15 (1:231–233).
- 1:179.8–18 **The truth is, . . . incline.** Compare *Certainitie*, § 1 (5:69.16–70.30) and a Puritan response (5:286.16–17); also, I.8.5 (1:85.6–15).
- 1:179.27–180.8 **For which . . . beare.** What might be legitimately placed, and under what circumstances, among the *adiaphora* was the subject of much controversy. In the Cartwright-Whitgift debate, "things indifferent" generally concerned church customs, ceremonies, and organization; without using the actual words, H here applies the concept to matters of doctrine.
- 1:179.28–31 **concerning . . . Angels;** Medieval theologians determined the year of the creation and the fall by the chronology presented in OT genealogies and successions of rulers. However, not only were different interpretations of the same text possible, but the two texts known in the 16C, the Jewish Hebrew (Masoretic) and the Greek Septuagint, differed from one another by about 1,450 years. Various computations arrived at dates from 3,784 BC to 6,984 BC Only in the 17C did 4,004 BC gain acceptance among editors of English bibles. The first serious attempt to relate the various classical and near-Eastern calendars to the Hebrew account was that of the learned Reformed scholar, Joseph Scaliger (1540–1607), in a 1583 discussion of the date of creation; *De emendatione temporum* (1593), pp. 198–201 and 376–377. The work is cited in V.13.4 and 26.3 (2:55.g and 118.m).
- 1:179.31–33 **of some things . . . propagation,** H favors creationism, the teaching that each human soul is a new creation, *ex nihilo*, which God infuses into its destined body at conception. The contrary opinion, traducianism ("propaga-

tion”), taught that the soul was transmitted through the parents, sometimes including the notion that God had conveyed something of divine essence to Adam that was passed down through the generations. Aquinas (*S.T.*, 1a.118.2, 3) and Calvin (*Inst.*, 1.15.5, 6; 2.1.7; 2.14.8) declared for the probability of creationism, but like Luther, who tended to traducianism (see the 1545 academic disputation of Petrus Hegeman, *WA*, 39.2:341, 349–351, 354–355), H regarded it as a matter of theological opinion, not dogmatic definition.

1:180.1–5 **the mother of our Lorde . . . contrary**; As H here indicates, the virginity of Mary prior to the birth of Jesus (*ante partum*) was regarded as integral to the doctrine of the Incarnation and clearly stated in the creeds (“born of the Virgin Mary”). Although there was some disagreement over her virginity after the birth (*post partum*), by the fourth ecumenical Council (451) at Chalcedon, her perpetual virginity was widely accepted, and the fifth council (553) included the phrase “ever-virgin Mary” in its dogmatic definition. Although 16C Reformers, including Luther (*WA*, 2:340, 11:319–320, 324; 26:579), Zwingli (*CR*, 88:422; *Werke*, 1830, 2.1:211), Calvin (*CR*, 38:656, 45:30, and 70:426), and Jewel (*PS*, 3:440–441), rejected devotional practices centered on Mary, all accepted her perpetual virginity. H thus considers an undisputed teaching with a heavy weight of tradition to be at least debatable.

1:180.14 **spirite of God** H here protests the error, or misuse, of Calvin’s teaching on the inner testimony of the Holy Spirit; see Intro. to II, III & IV, pp. 156–157, above.

1:180.20–181.4 **I . . . nature**. H agrees with Cartwright that reason and Scripture are superior to human authority; see 1:175.8–9.n, above.

1:180.23 **generall Councils** Article 21 declared that such councils “may erre, and sometyme have erred, even in thinges parteining unto God”; *Articles of Religion* (1571; STC 10039), p. 14; Hardwick, p. 293. A proviso of the 1559 Act of Supremacy conferred a negative sanction on the councils, esp. the first four (Nicaea, 325; Constantinople, 381; Ephesus, 431; Chalcedon, 451), by declaring that no person could be convicted of heresy unless it could be proven by “thauthoritee of the Canonically Scriptures, or by the first fowre generall Councelles, or . . . by any other generall Councell wherin the same was declared Heresie by the expresse and playne woordes of the sayd Canonically Scriptures”; *Statutes of the Realm* (1819), 4.1:354.

1:180.26 **mouth of God** That is, Holy Scripture or direct communication, described as the special privilege of OT Jews in chap. 6.3 (1:169.26–170.30).

1:181.3–4 **notwithstanding . . . nature**. See § 3 (1:177.9–14) and n, above.

1:181.4–182.2.i **And whereas . . . place**. Compare Cartwright on the relative force of authority and reason, 1:175.8–9.n, above.

- 1:181.i **Of . . . worth.** H omits Cartwright's references to Whitgift's defense of human authority; for patristic references, see nn following.
- 1:182.2–16 **Irenaeus . . . nothing.** Combining a dualistic Gnostic cosmology with a concern for church organization and an authoritative canon of scriptures, Marcion (d. about 160) distinguished between the demiurge (creator) known to Jews in the OT and the God of grace and love whose revelation by Jesus Christ was preserved in selected apostolic writings. In his work *Against the Heresies*, Irenaeus refutes Marcion as H describes. After quoting Acts 14:15–17 describing a sermon of Paul, he shows that Paul's own letters agree with this description. He continues, as H translates (1:182.8–14): "Nobis autem conlaborantibus his ostensionibus quae ex Scripturis sunt, et quae multifarie dicta sunt, breviter et compendiose annuntiantibus, et tu cum magnanimitate intende eis, et non longiloquium putare: hoc intelligens ["understanding this," omitted by H] quoniam," etc. (lines 11–14); *Opus . . . Irenaei*, ed. Erasmus (1534), p. 164; ed. Harvey (1857), 2:65; modern numbering, 3.12.11 or 3.12.9; PG, 7:904; compare ANF, 1:434. See V.67.9 (2:337.8–14) and 2:337.9.n.
- 1:182.16–22 **And concerning . . . learned?** Jerome comments on Ps. 87 [86 in Vulgate]:6, which, according to his text, reads: "The Lord shall tell, in his record, of the peoples and princes who have been born" in Zion. Identifying the record (*scriptura*) with Holy Scripture and the princes (*principum*) with the evangelists and apostles, Jerome notes that the verb ("have been") is in the perfect, not the present tense. He concludes that whatever is said after these princes should *not* have the force of authority. Continuing with the phrase translated by Cartwright (181.i.6–7; "Quamvis ergo sanctus sit aliquis post apostolos, quamvis disertus sit: non habet auctoritatem"), Jerome ends: "because in the record of the people and the princes, the Lord tells of those who have been born in her"; "Tractatus de Psalmo LXXXVI," *Opera*, ed. Erasmus (1516), 8:61¹; CCSL, 78:116; PL, 26:1084; compare FOTC, 48:142–143. H differs from Cartwright by assuming that Jerome is speaking of the unique authority of recorded revelation, not of any authority whatsoever.
- 1:182.23–33 **Saint Augustine . . . spared.** H responds to four passages cited by Cartwright from Augustine in two discussions; the first treats the first two quotations (1:181.i.7–12). H himself used the same passage in Augustine's letter to Jerome to support the use of reason (see 157.18–21, *w*, and *n*; Cartwright and H both cite epist. 19 as 18). In the second, Augustine writes to a Vicentius, a follower of one Rogatus, who had separated from the schism of Donatus with which Augustine was contending. Answering Vicentius's complaint that Catholics were using imperial power to persecute Donatists, Augustine argues that the government is aiding the church in fulfilling its missionary imperative, citing Mal. 1:11, "for my Name is glorified among the nations, saith the Lord." He then emphasizes the divine origin of this imperative, "Audi, dicit Dominus, non dicit

Donatus, aut Rogatus, aut Vicentius, aut Hilarius, aut Ambrosius, aut Augustinus, sed dicit Dominus,” trans. by Cartwright at 181.i.9–11; epist. 48, *Opera* (1528–1529), 2:114; CSEL, 34:465; PL, 33:331; compare NPNF.1, 1:389 (epist. 93.6[20]).

1:182.34–183.11 **In that auncient strife . . . woorth.** H here responds to the second set of passages from Augustine (1:181.i.12–20). In the first, Augustine defends, against the Arian Maximinus, the word “homoousios” (ὁμοούσιος; “of one substance”), adopted by the Council of Nicaea (325) to define the relation of the Son to the Father, thereby rejecting the teaching of Arius. A series of councils following Nicaea rejected *homoousion* as a novelty, and credal statements were produced expressing various forms of Arian doctrine, one known (erroneously) as that produced by a Council at Ariminum (359). Augustine describes the origin of the *homoousion* at Nicaea “by the catholic fathers with the authority of truth and the truth of authority” and the subsequent attempt to eliminate it (supposedly) at Arminum. He asks, “What is ‘homoousion’ unless it is ‘I and the Father are one?’” (John 10:30). The passage translated by Cartwright follows (i.12–17): “Sed nunc nec ego Nicenum, nec tu debes Ariminense tanquam praejudicaturus proferre concilium: Nec ego hujus autoritate, nec tu illius detineris: scripturarum autoritatibus, non quorumque propriis, sed utrisque communibus testibus, res cum re, causa cum causa, ratio cum ratione concertet”; “Contra Maximinum,” 3.14; *Opera* (1528–1529), 6:508; PL, 42:772 (2.14.3). The second passage is from Augustine’s “Letter to the Catholics against the Donatists,” commonly called “On the Unity of the Church,” in which he responds to a letter of the Donatist Petilian (Augustine’s authorship of the letter has been questioned). The Donatists insisted that they, untainted by clergy who had betrayed the church during persecution, represented the true church. The letter declares the question between them to be, “Where is the Church?” After discussing the futility of an argument in which opposing parties simply state contradictory positions, the writer proposes, as Cartwright summarizes (i.18–20): “But that I may begin to speak, let us not hear, ‘I say this,’ ‘you say this’; but let us hear, ‘thus saith the Lord.’ There are certainly the dominical books to whose authority we both consent, we both submit, we both pay heed; there let us seek the church, there let us analyze our cause”; “Sed ut dicere coeperam, non audiamus, haec dico, haec dicis, sed audiamus, Haec dicit dominus, Sunt certe libri dominici, quorum autoritate utrique consentimus, utrique cedimus, utrique servimus: Ibi quaeramus ecclesiam, ibi discutiamus causam nostram”; “Liber sive Epistola contra Petiliani Donatistae epistolam” or “De unitate Ecclesiae,” chap. 3; *Opera* (1528–1529), 7:345; CSEL, 52:236; PL, 43:394 (chap. 3 or § 5). Although H makes no attempt to examine the contexts of the passages, his discussion suggests he may have referred to them.

1:183.11–19 **Which opinion . . . religion.** See 1:175.8–16.n, above, and compare Augustine’s letter to Vicentius cited by Cartwright, 181.i.9–11, and n.

1:184.8–14 **No, . . . learned?** See H’s similar comment on *A.C.L.* (4:13.1–6).

1:184.24–185.7 **Shal I adde further, . . . divine.** For H the force of human

authority constitutes a special case of the authority of reason; see 1:175.8–9 and **n**, above; Intro. to II, III & IV, pp. 165–168, above; also, Grislis, “Hermeneutical Problem,” *S.R.H.* (1972), p. 179.

- 1:185.7–20 **Thus it fareth . . . cause?** Compare Pref. 1.2, 2.7, III.10.6, 8 and 11.20 (1:2.5–6, 10.7–27, 243–244, 245.28–246.9, and 268.30–269.8).
- 1:186.2–5.**k** *They doe it . . . rather.* Not a quotation, but H’s exegesis of **k**; H introduces “reason” on the basis of Cartwright’s *Second Replie* (2:20), quoted in 1:175.8–9.**n**, above.
- 1:186.**k** *If at any time . . . part.* H omits a passage concerning the inadequacies of Whitgift’s arguments and an interpretation of Augustine on the Councils of Nicaea and Ariminum. Cartwright notes marginally two references to Augustine: bk. 2 of *Contra Julianum* and the *Liber de natura et gratia*. In the debates of Harding and Jewel (*Defence*, STC 14600, pp. 66–69; PS, 3:227–231), Harding had introduced the former and Jewel not only the later, but also all the patristic references cited by Cartwright in 1:181.**i** except Irenaeus. Jewel concludes that Augustine “so often appealed from al Fathers, and Councelles unto the Scriptures” (*Defence*, p. 69; PS, 3:231).
- 1:186.10–192.4 **But to the end . . . was.** On chap. 8, see H. C. Porter, “Hooker, the Tudor Constitution, and the *Via Media*,” *S.R.H.* (1972), pp. 105–107.
- 1:186.10–187.30 **But to the end . . . allowable.** H bases this discussion of voluntary actions on that of knowledge and will in I.7.1–4.
- 1:186.19–20 **Beastes naturally . . . them.** See I.8.4 (1:84.19–25).
- 1:186.20–26 **If men did . . . not.** See I.7.3–5 and 8.4–5 (78.31–79.27 and 85.2–15).
- 1:186.23.**l** **disciples,** Christ so addressed Peter, not all three disciples present. Here H seems to have been working from memory (in Luke 22:46, Christ does speak to all three), and similar instances of minor memory slips appear elsewhere in H’s citations of NT texts. At 1:187.16–17, H cites as a phrase from Matt. 5:46, “if ye doe good,” whereas the text is “if ye love.” Luke 6:32–33 has the phrase “if ye do good,” but refers to “sinners,” not the “publicans” of H’s text. At 188.15–17, H cites Matt. 10:42, as a reference for the cup to be given “for his sake”; the text calls for the cup “in the name of a disciple.” At 191.10–11.**t**, H writes of servants commanded “to goe,” but in Luke 7:8 which H cites, the centurion speaks of *soldiers*, to one of whom he says, “Goe, and he goeth”; to his *servant*, he says “Doe this, and he doeth it.”
- 1:187.3–15 **it may perhaps . . . it.** Compare chap. 2.1–2 (1:148.26–149.15).
- 1:188.2–7 **In actions . . . ende.** See I.11.5–6 (1:118.11–119.23) and 14.1–4.
- 1:188.7–25 **Finally . . . tyed him unto.** H approaches the medieval distinction between evangelical precepts, binding on all Christians, and counsels, available for

those seeking perfection (without identifying these with monastic vows), which both Lutheran and Reformed rejected (see the Augsburg Confession, Art. 27; Calvin, *Inst.*, 4.13.12) and comes close to affirming works of supererogation, condemned by Art. 14; *Articles* (1571), p. 10. That “the measure of [human] glorie shal not be equall in heaven” was, as Calvin states, “out of all dout with us” (*Inst.*, 3.25.10; trans. Norton [1587], p. 335; compare Aquinas, *Summa contra Gentiles*, 3.58). By linking such heavenly inequality with earthly acts not commanded but of great “acceptation with God,” H approaches a doctrine of merit, but he remains firmly on the Reformers’ side of the crucial debate over justification: merit from such works cannot contribute to God’s saving action; it only provides a basis for distinctions once a person’s justification may be presumed. For H’s response to the charge of *A.C.L.* that he advocated a doctrine of works of supererogation, see 4:24.22–25.11 and 4:24.11–12.n.

1:188.28–30 **and that his very . . . scripture;** See 1:149.15–19.n, with references to Book I.

1:188.32–189.2 **how it can stand . . . men.** Compare the head-title to Book II (1:143.6–8).

1:189.2–11 **The testimonies of God . . . tendeth.** See references at 1:188.2–7.n, above.

1:189.5–8 **Therefore accordingly . . . divisinges.** See I.13.3 (1:124.19–26).

1:189.17, 27 **they, they** That is, Montanists (“newe revelations”) or Roman Catholics (“to ad to”) and disciplinarians (“racking and stretching”).

1:189.31–32 **We compt those things perfect . . . instituted.** This definition of perfection, assumed throughout Aristotle and Aquinas, is implicit in the Greek τέλειος (perfect, complete) whose root is τέλος (end, completion).

1:189.32–190.1 **As therefore . . . it,** See I.11.3–6.

1:190.11–13 **which is an infallible knowledge . . . men,** See I.16.5 (1:138.32–139.3) and compare I.6.1 (74.25–27); for human acquisition of the natural law, see 1:74.25–27.n, above, and Cargill Thompson, “Philosopher of the ‘Politic Society,’” *S.R.H.* (1972), pp. 27–28.

1:190.16–19.s **Admit this; . . . despaires?** Compare Whitgift on the effect of a doctrine of scriptural omniscience on a troubled conscience: “Whyche doctrine muste needes bryng a greate servitude and bondage to conscience, restrayne or rather utterly overthrowe that parte of Christian libertie, whiche consisteth in the free use of indifferent thinges, neyther commaunded nor forbidden in the worde of God, and throwe men headlong into desperation”; *Defense*, p. 85 (PS, 1:193–194); see 1:145.14.n, above. Cartwright’s response, quoted in *s*, follows the passage quoted by H in chap. 4.2 and 4 (1:152.n and 155:8–11); H omits an intervening paragraph attacking Whitgift’s exegesis of Rom. 14:23 (2:60–61).

1:190.16-191.14 **Admit this; . . . unfit.** The "taking up of a straw," which Whitgift had introduced as a *reductio ad absurdum* argument (see nn to 1:145.14.a and 1:154.2), H develops by the repetition of "Admit this." Although the controversy arose out of the debate of ceremonial *adiaphora*, Cartwright chose his new ground with deliberation. Of the scriptural passages discussed by H in chaps. 1-4, he concludes that Whitgift "saieth that thes places doo prove as muche for all cyvill actions as for ecclesiasticall: and that I can no more prove by thes that a certaine forme off discipline is appointed in the Scripture then that everie civill action is precisely commaunded to be donne without any change: I graunt it: neither did I alleadge them therefore but was driven into this disputation onely by occasion before alleadged . . . and manifestly expressed in the next [section]" (2:61). Next Cartwright embraces Whitgift's argument that the ceremonial laws drawn from Paul's letters were in fact rules prescribed "unto private men, and not generally unto the church," judging that the extension of the argument over things indifferent into nonecclesiastical spheres strengthened his case. Even if the practice of none of the disciplinarians agreed with H's theoretical formulation, he was attacking no straw man, for Cartwright had staked out the ground and defended it; see Cargill Thompson, "Philosopher," *S.R.H.*, pp. 24-25; also, see Intro. to II, III & IV, pp. 162-164, above.

1:191.5-6 **natures light . . . discretion** The same division of natural philosophy into the "work of nature" and "worldly experience and practise" appears in chap. 1.4 (1:147.27-148.4 and n, above).

1:191.9-14 **Admit this, . . . unfit.** See 1:175.8-16.n, above.

1:191.14-25 **Two opinions . . . sinfull.** In claiming for his own the classical locus of truth, the mean, H identifies one extreme, Rome, by name; the "others," his disciplinarian opponents, he does not link to any ecclesiastical body.

A DEMONSTRATION

the Church. Therefore that word must direct ministers for ever: and consequently they neither may add to, nor take from it, but govern it only by the rules that be there prescribed.

2 Every house ought to be ruled by the orders of the skillful, wise, and careful householder onely: but the Church is the house of God, and God is such a householder: Therefore the Church ought to be ruled by the orders of God onely, which are no where to be had, but in his word.

3 That which teacheth every good way, teacheth also how the Church must be governed: but the word of God teacheth every good way: pro. 2.9. therefore it teacheth how the Church must be governed.

4 We cannot glorifie God, but by obedience to his word: in all that we do, we must glorifie God. 1. Cor. 10. 31. Therefore in all that we do, we must be obedient to the word, and consequently in governing his Church.

5 If meat and drinke be not sanctified unto vs, but by the word & prayer, then much lesse is any thing holy which is done in the government of the Church besides the word: But the former is true by the testimonie of the Apostle 1. Tim. 4. 5. therefore the latter must be true also.

6 All lawfull things are of faith. Rom. 14. 23. All lawfull things that are of faith, have a warrant from the word, for the word is the foundation of faith: therefore all things lawfull, have their warrant from the word: and consequently every lawfull action in the government of the Church.

7 Ey-

OF DISCIPLINE.

7 Eyther hath God left a prescrip^t forme of government for the Church, vnder the new testament: or he is lesse careful for it now, then he was vnder the lawe; for, his care is in guiding it: But he is as careful now for his church as he was then: Therefore hath he left a prescrip^t forme to gouerne it.

8 He that was as faythfull as Moses, left as Heb. 3. 2. clear instruction, both for the bylding of faith, and government of the Church, as Moses did; but Christ was as faythfull in Gods house. Heb. 3. 2: therefore he lesse as cleare instruction for them both as Moses; but Moses gaue direction euen for every particular, as appeareth in the bylding of the Tabernacle, and order of the priesthood: Therefore hath Christe also giuen particular direction for the government of the Church.

9 If the word of God, haue described sufficient ministers and ministeries, for the bylding of the Church, and keeping it in good order, then is our assertion true: But it hath set downe sufficient for doctrine, exhortation, ouerseeing, distributing, and ordering of every particular of the Church, or generall Synode: Therefore is our assertion true. See Countesp. page 11.

10 That government which the Apostles taught and planted, is expressed in the word of God: But the Apostles taught and planted, pastors and teachers for instruction, elders for ouersight, and deacons to distribute, and that vniiformely in every Church, as appeareth by their writings and practises: Therefore a certaine forme of government is expressed in the word.

13. John Udall, *A Demonstration of the truth of that discipline which Christe hath prescribed in his worde for the government of his Church, in all times and places, until the end of the world* (1588; STC 24499), pp. 2-3. The concise logical form of Udall's arguments posed a methodological challenge to those who held a more complex view of the issues in dispute.

Book III

- 1:193.2–6 **Concerning . . . altered.** Compare Pref. 7.4 and “*What things are handled in the Bookes following*” (1:35 and 54.6–8). Book III completes H’s analysis of “*the generall grounds and foundations*” of the Puritan cause (35.18).
- 1:194.17–18 **What the Church is, . . . required.** H devotes chap. 1 to the character of the church and only by implication to her “*lawes of politie.*” Compare I.15.2, V.68.6–9, VIII.1.2, and *Just.*, § 9 and 27 (1:131.6–25, 2:348–355, 3:317–320, and 5:117–118 and 146–148). For H’s understanding of “*politie,*” see § 14 (206.19–31). For possible collaboration with John Spenser, see Intro. to II, III & IV, pp. 170–173 and n. 119, above.
- 1:194.27–32 **That Church . . . body.** The description of the church as “the mystical body of Christ” originates in Paul’s use of the analogy of the body (Rom. 12:4–5, 1 Cor. 12:12–27, Eph. 4:1–12 and 5:30, Col 1:18 and 3:15) and in early theologians who employed “mystical” to signify those made members of Christ by the rites of initiation (from $\mu\upsilon\sigma\acute{\epsilon}\omega$, “to initiate into the mysteries”); see V.56.7–13 (2:238–244), 1:195.32–196.3.e.n, below, and Intro. to II, III & IV, pp. 186–189, above.
- 1:195.3–26 **Whatsoever . . . company.** Compare Calvin: “holy Scripture speaketh of the Church after two sortes . . . all the electe that have ben sins the beginning of the world . . . the universall multitude of men scattered abrode in the worlde, whiche professe that they worship one God and Christ”; *Inst.*, 4.1.7; trans. Norton (1561; STC 4415), part 4, sig. 4^v.
- 1:195.8–22 **They who are . . . his?** Article 19 speaks of “the visible Church of Christe” and only implies the invisible church, the company of the elect, a category employed by Reformed theologians and many of H’s fellow Anglicans; *Articles* (1571), p. 13; see Intro. to II, III & IV, pp. 170–173, above.
- 1:195.28–32 **Which company . . . Christ.** See Aquinas, *S.T.*, 3a.8.3.3, and Calvin, *Inst.*, 2.11.2 and 4.2.7, for similar identifications of pre-Christian Israel as the church.
- 1:195.32–196.3.e **And therefore . . . one bodie.** The Ephesian references specifically assert that, as the GB note to 2:16 puts it, “of the Jewes and the Gentils he made one flocke.” The section of Aquinas to which H refers (question 8, not 7) supports much of the ecclesiology that H sets forth in this chapter. The article begins: “The difference between the natural body of a man and the mystical body of the Church is that the members of a natural body all exist together, whereas members of the mystical body do not . . . the body of the Church is made up of people from the beginning to the end of the world. Nor are they all together in

grace, because at any given moment there are people who do not have grace just then but may have it later on; and there are others who already have it. So people can be classed as members of the mystical body because of their potentiality, and not merely when they are actually in it. Some members have a potentiality that will never be actuated. Others are eventually actuated, and this in three degrees: the first is by faith, the second by charity on earth, and the third by the enjoyment of heaven"; S.T., 3a.8.3; B, 49: 60–62; Lyons (1581), 3:64.

1:196.3–7*f* **The unities . . . initiated.** Ephesians 4:5 provides the structure for the following sections: "Lord," § 4; "faith," § 5; "baptism," § 6; summary, § 7.

1:196.14–17 **And from . . . Heathen.** See Acts 11:26 and Tacitus passage below.

1:196.*i* **Vide . . . celebranturque.** This celebrated passage, one of the earliest (?116) extant non-Christian references to the new movement, occurs in Tacitus's discussion of the fire in Rome in 64 AD, rumored to have been instigated by the Emperor Nero himself; it begins: "Ergo abolendo rumori Nero subdidit reos et quaesitissimis. . ."; *Annales*, 15.44; *Opera*, ed. J. Lipsius (1588), p. 363; "Therefore, to eliminate rumors, Nero substituted as the culprits and punished with the most extraordinary tortures those loathed for their shameful crimes whom the people called Christians. Christ, the originator of this name, had been punished by death during the rule of Tiberius under the procurator Pontius Pilate. And held back for a time, the noxious superstition broke out afresh, not only in Judea, the source of this evil, but even in Rome, in which all atrocious and shameful things from all over flow together and are practised" (compare Loeb, p. 283).

1:197.6.*l* **Angel of Pergamus** The GB gloss on Rev. 1:20 identifies the "Angels of the seven Churches" of Asia Minor as "ministers" and the "Angel of the Church of Ephesus" (2:1) as one such, "called by this Name, because they are Gods messengers." H interprets them as guardian angels (I.4.2; 71.11–16), as well as pastors (VII.11.3; 3:205.20–24.*e*).

1:197.8–10.*m* **Concerning which faith, . . . anew.** Tertullian's "rule of faith" distinguished true doctrine from heresy. In his treatise on the "veiling of virgins," he argued that the Holy Spirit directs the Christian conscience to new standards in such practical matters. That doctrine is summarized, as H translates, in the unchangeable rule of faith: "Regula quidem fidei una omnino est, sola immobilis, et irreformabilis"; *De virginibus velandis*, 1.3; *Opera* (1566), 2:57; CCSL, 2:1209; PL, 2:889; compare ANF, 4:27. See **n** following.

1:197.10–11 **What . . . believe.** The contents of Tertullian's "regula fidei": "thus believing in one God almighty, maker of the world, and in his son Jesus Christ, born of the virgin Mary, crucified under Pontius Pilate, raised from the dead on the third day, received in the heavens, now seated at the right hand of the Father, coming soon to judge the living and the dead even through the resurrection of the flesh. While this law of faith remains constant, other points of teaching and manner

of life [*disciplinae et conversationis*] admit the novelty of correction"; *De virginibus velandis*, 1.3–4 (see previous n); compare *Adversus Praxean*, chap. 2, and *De praescriptione haereticorum*, chap. 13.

1:197.11–12 **And before Tertullian, Ireney;** When Ireneus (130?–200?), a native of Asia Minor and bishop of Lyons, died, Tertullian (160?–220?) had just begun his twenty-five year career in North Africa.

1:197.12–14.*n* **The Church . . . beleefe.** Ireneus's "the canon of the truth" ("regula veritatis"; 1.1 [1.9.4]) was his term for the church's oral tradition. After contrasting the heretics' misuse of scriptural texts, Ireneus declares: "Ecclesia enim per universon orbem usque ad fines terrae seminata, et ab Apostolis, et a discipulis eorum accepit eam fidem"; *Adversus haereses*, 1.2; ed. Erasmus (1534), pp. 19–20; 1.10.1, ed. Harvey (1857), 1:90; PG, 7:550; compare ANF, 1:330. The Greek was not available to H.

1:197.14–16 **The partes . . . inferreth.** Ireneus's summary of Christian "fides" follows: "which is in one God Father almighty, who made the heaven and the earth, the sea and all that is in them; in one son of God Jesus Christ, incarnate for our salvation; and in the Holy Spirit, who through the prophets proclaimed the dispensations of God, the coming, and that generation from a virgin, and the passion, and the resurrection from the dead, and the ascension into the heavens of our beloved lord Jesus Christ, and his coming from the heavens in the glory of the Father." A description of the last judgment follows; *Adversus haereses*, 1.2; (1534), p. 20; 1.10.1 (1857), 1:90–91; PG, 7:550; compare ANF, 1:330–331.

1:197.16–20.*n* **This faith . . . speake.** Ireneus continues: "Hanc praedicationem cum acceperit, et hanc fidem, quamadmodum praediximus, ecclesia, et quidem in universon mundum disseminata, diligenter custodit, quasi unam domum inhabitans, et similiter credit iis, videlicet quasi unam animam habens et unum cor, et consonanter haec praedicat et docet et tradit quasi unum possidens os"; *Adversus haereses*, 1.3; (1534), p. 20; 1.10.2 (1857), 1:92; PG, 7:550; compare ANF, 1:331. H ignores Ireneus's opening elaborations that the church receives (*acceperit*) and carefully (*diligenter*) preserves this preaching (*praedicationem*) and this faith, but he expands the final "as if possessing one mouth."

1:197.20–23 **He which amongst . . . faith.** H omits a passage on the unity of tradition in the face of distinctions of languages and geography; Ireneus continues: "Et neque qui valde praevallet in sermone, ex hiis qui praesunt ecclesiis, alia quam haec sunt dicet, Nemo enim super magistrum est: neque infirmus in dicendo deminoravit traditionem"; *Adversus haereses*, 1.3; (1534), p. 20; 1.10.2 (1857), 1:94; PG, 7:550; compare ANF, 1:331. H omits the comment that "for no one is above the master" and provides an imprecise paraphrase of the last clause: "nor do those weak in speaking diminish the tradition." The next sentence concludes: "For since the faith is one and the same, neither does he who can speak at length about it enlarge it, nor he who speaks less diminish it."

- 1:197.28.*q* **by Peter** The GB chapter summary states that Peter, who preached, also baptized; 2:41 says simply that “they that gladly received his work, were baptized.”
- 1:198.1.*q* **visible Church.** Neither the Greek nor the BB mentions “the . . . Church” in Acts 2:41; GB does, but the “visible” is H’s addition.
- 1:198.1–7 **As for those vertues . . . charitie.** See *A.C.L.*, chap. 3, and H’s Notes (4:13–14.9 and 14.7–8.n); see Intro. to II, III & IV, pp. 171–172, and n. 96, above. For H’s views on the relation of justification and works, see *Just.*, esp. §§ 3 and 21 (5:109 and 129–131). H implies the four natural virtues (justice, prudence, fortitude, and temperance) in 198:1–2 and proceeds to name the three theological virtues in lines 6–7 (faith, hope, and charity; see 1 Cor. 13:13).
- 1:198.7–9 **But we speake now . . . baptisme.** H’s use of “marke” suggests that the three categories from Eph. 4:4 be taken for the essential outward signs by which the church may be known. Traditionally, these “marks” or “notes” were either the credal adjectives, “one, holy, catholic, and apostolic,” or defined by the two-fold test, introduced by Luther, adopted by most Reformed churches, and implicitly approved by Art. 19: “The visible Church of Christe, is a congregation of faythfull men, in the which the pure worde of God is preached and the Sacramentes be duely ministred”; *Artides* (1571), p. 13; see Augsburg Confession, Art. 7, and Calvin, *Inst.*, 4.1.9; compare *Just.*, § 9, 5:117–118. Confessional statements of Reformed churches sometimes added discipline as a third mark; see 1:210.17–18.n, below, and Intro. to II, III & IV, pp. 176–179 and nn, above.
- 1:198.12 **and Infidels** Having mentioned the Saracen Moslems outside and the Jews largely within Christendom, H designates by “Infidels” both “those who deny the divine origin of Christianity” (OED) within Christian nations and the peoples of the newly discovered lands of eastern and western hemispheres; see § 11 (1:203.9–10).
- 1:198.13–33 **Others . . . most execrable.** Compare *Just.*, esp. §§ 33–36; also, IV.5.1 and V.28.1 (1:128 and 2:121); and *A.C.L.*, chap. 11 (4:28–31); compare Calvin, *Inst.*, 4.2.1, 11–12.
- 1:198.33–199.1.*r* **Our Saviour . . . fish;** The Greek suggests that the net draws various species (γένοϋς) of fish; GB trans.: “all kinds of things”; BB: “all kinde”; only Rheims has “all kind of fishes.” H suggests that the net draws not good and bad fish, but fish and nonfish.
- 1:199.1–4.*s* **his Church . . . world.** GB glosses Matt. 13:25: “He teacheth that the good and the bad shal be mixte together in the Church, to the end that the faithful may arme them selves with patience and constancie”; and 13:30: “Christ meaneth onely that the Church shal never be without some wicked men: althogh they be never so sharply punished by suche meanes as he hath left to purge his Church.”

- 1:199.8–11.*w* **when they burnt . . . them**, GB glosses “the workes of mans hand” that anger God (2 Kings 22:17) to be “all that man inventeth beside the worde of God, which are abominable in Gods service.”
- 1:199.26–28 **betweene the Church . . . lesse**, H’s introduction of degrees of doctrinal soundness within an acknowledged true church contrasts with theologians who allow only vestiges of the true church when doctrine is corrupted; see 1:203.2–3 and compare Calvin, *Inst.*, 4.1.13, 17, 4.2.12, and 4.8.12.
- 1:199.29–31 **who thinke . . . God**. From the time of Tertullian, the ark of Noah, with its “cleane and uncleane” animals (*Jude* 1, § 8; 5:21.22–23), was understood to be a type of the church; see 1 Pet. 3:20–21, which implies such an identification by comparing the saving water on which the ark floated with the water of baptism, the initiatory rite of the church. H is referring to Cyprian’s statement in *De unitate ecclesiae*, chap. 6, that only if any outside Noah’s ark had been able to escape might “any who were outside the church escape”; *Opera* (1540), p. 164; CSEL, 3.1:214; PL, 4:503; compare ANF, 5:423; ed. Benevenot (1971), p. 66. H combines this typological symbolism with the prevalent historical concept that even before the call of Abraham, God had had a church, identified with the family of Seth; see, for example, Luther on Gen. 6:3, *W.A.*, 42:280–282; Calvin on Gen. 4:26, CR, 51:102–103; and H’s contemporary Thomas Bilson, *The Perpetual Governement of Christes Church* (1593; STC 3065), pp. 3–6. By making no distinction between the mystical and visible bodies, Cyprian had ignored the fact that many who drowned out of the ark were members of the visible, although ultimately shown not to be of the mystical, body.
- 1:199.31–201.2 **From hence . . . baptisme**. 3C churches followed different norms in receiving heretics as converts: in some cases, rebaptism was required; in others, a laying-on-of-hands for repentance. From the time of Tertullian at least, the North African church practised rebaptism, and, when in mid-century the widespread Novatian schism increased the number of such candidates for reception, Cyprian, bishop of the leading city of Carthage, followed African tradition. Stephen, bishop of Rome, insisted on accepting Novatian baptism as true baptism and forbade rebaptism. Councils convoked by Cyprian in Carthage in 255 and 256 reaffirmed his policy, and he received written support against Stephen from Firmilian, the bishop of far-away Caesarea of Cappadocia; see V.62.5–6 (2:271–273) and nn.
- 1:200.9–30.*a* **That heretiques are not . . . consecrate**. H has taken these speeches from the account of the Council of Carthage held in 256; so Mansi, 1:951–957; see *Concilia* (1585), 1:406–409, which dates the council in 254, and Cyprian, “Concilium Carthaginense sub Cypriano [Septimum: Quod de Baptisma tertium est],” *Opera* (1540), pp. 334–338; CSEL 3.1:435–461; PL, 3:1050–1078; ANF, 5:565–572.
- 1:200.9–10.*a* **That . . . Christ**. This was the assumption behind the speeches at the

Council, but the closest words to those indicated by H's italics are either in the speech of Successus, immediately before that of Fortunatus, "Haereticis aut nihil licet, aut totum licet" ("Either heretics are allowed nothing at all, or everything is allowed them"), or in the speech of Mommillus (or Monnulus), five speeches before Fortunatus, "Cùm ergò manifestè sciamus, haereticos non habere nec Patrem, nec Filium, nec Spiritum sanctum, debent venientes ad Ecclesiam matrem nostram, verè renasci et baptizari"; "As, therefore, we plainly know that heretics have neither the Father, nor the Son, nor the Holy Spirit, coming to our mother church, they must be truly reborn and baptized"; *Conalia* (1585), 1:408; Cyprian, *ibid.*, *Opera* (1540), pp. 334–338; Mansi, 1:953–954; CSEL, 3.1:442–444; PL, 3:1060–1062; compare ANF, 5:567.

1:200.10–14.*b,c* *Our Saviour . . . cannot.* This speech of Fortunatus of Tuccaterebinthina in Zeugitana (a North African province, centered on Carthage) occurs in the middle of the council session: "Jesus Christus Dominus et Deus, natus Dei Patris [all post 15C edns.: et Deus noster, Dei Patris], et Creatoris filius, super petram [CSEL: Petrum] aedificavit ecclesiam suam, non super haeresim, et potestatem baptizandi Apostolis habere dedit [CSEL and PL: baptizandi episcopis dedit], non haereticis. Quarè, qui extra ecclesiam sunt, et contra Christum stantes, oves eius et greges spargunt, baptizari [CSEL and PL: et gregem spargunt, baptizare] foris non possunt"; *Concilia* (1585), 1:408; Cyprian, *ibid.*, *Opera* (1540), p. 337; Mansi, 1:954; CSEL, 3.1:444; PL, 3:1061–1062. The passage begins: "Our Lord and God Jesus Christ, born of God the Father, and son of the Creator, founded . . . [as in H, lines 10–14]." The three biblical citations (*b,c*) are in the margin of the 1585 work, only Matt. 7 in Cyprian.

1:200.14–20.*d,e* *Are heretiques . . . descend.* Seven speeches later Secundinus of Carpi, also in Zeugitana, declared: "Haeretici Christiani sunt, an non? Si Christiani sunt, cur in Ecclesia DEI non sunt? Si Christiani non sunt, quomodò [CSEL: non fiant, aut quo] Christianos faciunt? Aut quò pertinebit [post-15C texts: pertinet] sermo Domini, dicentis: Qui non est mecum, adversùs me est: et qui mecum non colligit, spargit. Undè constat, super filios alienos et soboles Antichristi, Spiritum sanctum per manùs impositionem tantummodò non posse descendere, cùm manifestum, haereticos baptismum non habere"; *Concilia* (1585), 1:409; Cyprian, *ibid.*, *Opera* (1540), p. 338; Mansi, 1:955–956; CSEL, 3.1:445–446; PL, 3:1063. The last sentence concludes: ". . . of Antichrist, the Holy Ghost cannot descend with only the imposition of hands, since it is manifest that heretics do not have baptism"; compare ANF, 5:568. H's citation of Matt. 12:30 in *e* is in the margin.

1:200.20–30 *But none . . . consecrate.* It was not Cyprian, who opened the council, but the next speaker, Caecilius of Bilta in Mauritania, who spoke these words: "Ego unum baptismum in Ecclesia sola scio, et extra Ecclesiam nullum. Hoc erit unum, ubi spes vera est et fides certa. Sic enim scriptum est: Una fides, una spes, unum baptismum. Non apud haereticos, ubi spes nulla est, et fides falsa: ubi omnia per mendacium aguntur, ubi exorcizat daemonicus: sacramentum interro-

gat, cuius os et verba cancer emittunt: fidem dat infidelis, veniam delictorum tribuit sceleratus, et in nomine Christi tingit Antichristus: Benedicat a Deo maledictus: vitam pollicetur mortuus, pacem dat impacificus, Deum invocat blasphemus, sacerdotium administrat prophanus, ponit altare sacrilegus. Ad haec omnia accedit et illud malum, ut antistes diaboli audeat Eucharistiam facere, aut qui illis assistant, dicant haec omnia falsa esse de haereticis"; *Concilia* (1585), 1:408 [=407]; Cyprian, *ibid.*, *Opera* (1540), p. 334; Mansi, 1:952; CSEL, 3.1:436–437; PL, 3:1054–1055. H omits a section in line 22: ". . . without the Church. This one will be where there is a true hope and a fixed faith. For thus it is written, 'One faith, one hope, one baptism.' Not with heretics where hope is null and faith, false, where all is conducted by deceit, where he that doth cast out. . . ." The final sentence of the quotation is completed: ". . . to consecrate, or rather those that help them say that all these things about heretics are false"; compare ANF, 5:565–566. Caecilius is really following the normal 3C order of baptism, as H clearly understood: the exorcism, examination of faith, profession of faith, declaration of absolution, water baptism, blessing, promise of everlasting life, the exchange of peace, prayer, all followed by the eucharist. H translates "antistes," a presiding priest, as "bishop," the normal minister at a 3C baptism-eucharist. "Tinget" (moisten) suggests that action of water baptism rather than the signing with the cross implied by H.

1:201.3.f **condemned by a better advised council** The Council of Nicaea (325), which H cites, did not lay down a general principle about receiving heretics, but its canon 8 ordered that clergy of the "Carthari" (the Novatians with whom the Councils of Carthage had largely been concerned), were to be received with the laying on of hands. If Novatian clerical orders were so recognized, their baptisms were obviously assumed and accepted. Canon 19 ordered the "Paulianisti" (followers of Paul of Samosata; see V.62.6, 2:273.1–2, and nn) rebaptized; see *Concilia* (1585), 1:485, 489; *Conciliorum oecumenicorum decreta* (1973), pp. 9–10, 15; NPNF.2, 7:20 and 40. These Nicene canons point to the eventual universal church policy in which converts from Christian heretical groups were rebaptized only if the form of baptism had been defective or the sect's doctrine of God was too far removed from the church's teachings, summarized in canon 95 of the Quinisixt or Trullan continuation (692) of the second and third Councils of Constantinople; *Concilia* (1585), 3:405; Mansi, 11:983–984; NPNF.2, 7:405.

1:201.3–4.f **and also revoked . . . themselves.** In the course of Jerome's *Dialogue against the Luciferians*, the followers of a vigorously anti-Arian bishop who refused any conciliation with repentent Arians seeking admission to the catholic body, Jerome summarized the dispute of Cyprian with Stephen and observed that the same bishops who had joined with Cyprian in synod to insist on the baptism of heretics, "having returned to the old custom, issued a new decree" ("illi ipsi episcopi, qui rebaptizandos haereticos cum eo [Cypriano] statuerant, ad antiquam consuetudinem revoluti, novum emisere decretum"; *Hieronymi orthodoxi et Luciferiani dialogus*, § 23; *Opera*, ed. Erasmus (1516), 3:66^v; PL, 23:178. Jerome's

statement conflicts with canon 8 of the Council of Arles (314), which suggests that the Africans were then continuing to baptize converts from heretical groups; however, if H consulted his usual edition of conciliar canons, he would have found "Arians" in place of "Africans"; *Concilia* (1585), 1:606; Mansi, 2:272. Jerome also interprets the Nicaean canon 19 as H presents it: that synod "received all heretics, except for the disciples of Paul of Samosata. And what is more significant for this, it reserved the grade of presbyter for a Novatian bishop, if he were converted, a sentence which strikes at both Lucifer and Hilary, for the same cleric is also baptized"; "Synodus quoque Nicaena . . . omnes haereticos suscepit: exceptis Pauli Samosatani discipulis. Et quod his maius est: episcopo Novationorum, si conversus fuerit, presbyterii gradum servat: quae sententia et Luciferum impugnat, et Hilarium [a deacon in Rome]: dum idem et clericus, et baptizatus"; § 27; *Opera* (1516), 3:67^r; PL, 23:181. See V.66.6.

1:201.4–9 **What is it . . . Christ.** Roman Catholics taunted all bodies rejecting papal authority with variations on this question. In spite of the differences which many reforming groups had with Luther, they acknowledge his pioneering role. When Harding charged Luther with inconsistency, calling him the Reformers' "patriarch," Jewel defended him (*A Replie*, pp. 105–108; PS, 1:214–217), accepting the historical role of Luther's reform while rejecting Harding's accusation that his actions had led to the formation of a new church.

1:201.12–24.g **In the daies of Abia . . . him.** Abia (or Abijah or Abijam), Solomon's grandson as king of Judah, fought Jeroboam, king of Israel. Although 1 Kings 15:1–8 suggests that he, no less than Jeroboam, encouraged idolatrous worship in his kingdom, the Chronicler credits him for maintaining the Jerusalem sanctuary to Jahweh. H quotes the introductory address from v. 4 and most of vv. 9–11; compare *Jude 1*, § 15 (5:30.28–31.6).

1:201.24–27 **In Saint Paules time . . . were.** Jerome's *Dialogue against the Luciferians* (§ 24), immediately following his description of Cyprian's dispute with Stephen, continues with examples that parallel these of H: "But why talk of later times? When the apostles were still in Judea with Christ's blood recently shed, the body of the lord was declared a phantasma. When the Galatians were brought to an observance of the law, the apostle was again troubled. When the Corinthians did not believe in the resurrection of the flesh, he tried to draw them to the true way by many arguments." Jerome mentions a series of early heretical movements, most of which "erupted while the apostle John was living." He turns to "John's" Book of Revelation (chap. 2) to observe that "the angel of Ephesus is imputed to have left her love. In the case of the angel of Pergamus, the eating of meat sacrificed to idols and the doctrine of the Nicolaitanes is censured. So with the angel of Thyatira, the prophetess Jezebel and the foods of images and fornications are reprov'd." Jerome's point is that the call to repentance implies that God is willing to pardon without any suggestion of rebaptism. This passage may have suggested H's examples of the varying soundness of parts of the church; *Opera* (1516), 3:66^v; PL, 23:179.

- 1:201.25–26 **Rome** See Rom. 1:8–12, 15:24, 30; and 16:19. **Corinth** See 1 Cor. 1:10–12; 3:3–4; 4:14–21; 5:1–2; 6:1–6; 11:17–22; 15:12; 2 Cor. 1:23–2:11; 7:8–15; 11:1–4; 12:20–21; 13:10. **Galatia** See Gal. 1:6–7; 3:1–5; 4:8–20; 5:4; and 6:12–13.
- 1:201.28–202.25 **We hope . . . doctrines:** See *A.C.L.*, chap. 11, esp. 4:29.15–30.17.
- 1:201.30–202.3 **Other difference . . . superstition.** See 2 Kings 18–23.
- 1:202.8–11 **The indisposition . . . duetie.** See IV.14.1–6.
- 1:202.11–23 **Notwithstanding . . . Church we are.** See 1:198.13–33.n, above.
- 1:202.25–28 **so we have . . . selfe.** See Pref. 8.1 and nn (1:37–39).
- 1:202.30–203.2 **If an Infidell . . . Church.** The one exception made in early centuries of the Christian era by those who otherwise insisted upon the necessity of baptism for salvation was martyrdom, “baptism by blood.”
- 1:203.2–14 **Heretikes therefore . . . thereunto.** See 1:199.26–28.n, above, and Cargill Thompson, “Philosopher,” *S.R.H.* (1972), p. 54.
- 1:203.9–10 **Infidels . . . Christianity,** See 1:198.12.n, above.
- 1:203.19 **Farell** Guillaume Farel, the French Swiss Reformer, persuaded Calvin to remain in Geneva in 1536. After both were exiled, Farel took up ministerial duties at Neuchatel, where he remained even after Calvin was recalled to Geneva, but they continued to correspond. See 1:3.21–25.n, above.
- 1:203.19–28.k **In this consideration . . . them.** The case Farel raised in a letter of 14 July 1553 concerned an infant whose mother and grandmother had been members of a Reformed congregation; see Calvin, *Epistolae* (1576), no. 147, pp. 252–254; CR, no. 1758, 42:567–570. The grandmother had encouraged her daughter’s marriage to a RC, to whose religious practice the daughter had conformed, then sought to have the grandchild baptized in Farel’s congregation. Calvin’s response is translated by H: “Quod de causa apud vos dubia sententiam nostram rogas frater et Symmysta in Domino venerande [“venerable brother and fellow-initiate in the Lord”]. Liceatne ordinis nostri ministris, qui puram Evangelii doctrinam profitentur ad Baptismum admittere infantem, cuius pater ab Ecclesiis nostris alienus est: mater vero ad Papatum defecit: ita ut parentes ambo sint papistae, ita respondendum censuimus. Absurdum esse ut eos baptizemus, qui corporis nostri membra censi nequeunt. Quum in hoc ordine sint Papistarum liberi, quomodo Baptismum illis administrare liceat, non videmus”; no. 149 (1576), p. 256; no. 1759, CR, 42:570. H ignores Calvin’s subsequent account of his reasons for this advice: he stresses the necessity of assurance that the child will be brought up in the faith. Those who sponsor him must be able to fulfill what they promise lest God be “publicly mocked.” He stresses the need for a liberal interpretation: “Since the Lord extends his grace to many ages, it is not for us to fetter it.

And certainly the common rule applies: favors are to be broadened. Yet there are two things to be considered in this case, whether the grandmother may guarantee the education of the infant, . . . whether the grandmother herself is a member of our body and maintains a place in the assembly of the pious." By marrying her daughter outside of the church, the woman has merited excommunication for "cheating the church of a sheep." Had she been penitent for her action, "it would not have been just to repudiate the off-spring born of a marriage wrongly contracted," but under the circumstances such a baptism by the Reformed community would be a mockery. Calvin's judgment was certainly narrower than what H describes as his own (1:204:24–28), but it was more generous and less "crased" than H's selective quotations suggest.

1:203.28–29 **Sounder a great deale . . . Geneva** H's distinction between the "answere of Calvin unto Farrell" and that of the "Ecclesiasticall Colledge of Geneva unto Knox" exaggerates the evidence: Calvin wrote both. Although the former was a personal letter, as his 19C editor suggested, Calvin was responding "both for himself and in the name of his colleagues, to the questions put forth in the preceeding letter" (CR, 42:570). H based his description of the collective authorship of the letter to Knox on more explicit evidence than that in the earlier correspondence with Farel. Knox addressed his letter (28 August 1559) with its inquiries to his Genevan "brothers in Christ," using the second person plural throughout; *Epistolae* (1576), no. 283, pp. 460–461; CR, no. 3106, 45:619–620. Calvin responded (8 November 1559): "About the questions whose explanations you request, after I consulted with my colleagues, we arrived at a common opinion to be sent on to you"; he uses "we" from this point on, as he had done in the letter to Farel; no. 185 (1576), pp. 461–464; no. 3128, CR, 45:665–668; compare *Letters of John Calvin*, 4:73–76. There is no suggestion that Calvin has any reservations about the common opinion he is himself reporting.

1:203.30–204.6.l **who having signified . . . the truth.** John Knox (1513–1572), who had ministered in Edward VI's England, spent the early part of Mary's reign largely in Geneva but returned to reform the Scottish church on the pattern of Geneva. In his letter of 28 August 1559 ("Epist. 283."), Knox sought opinions on two articles under dispute in Scotland, one on the use of church properties, the other H paraphrases: "An ad Baptismum admitti debeant spurii, idololatrarum et excommunicatorum filii priusquam vel parentes per resipiscentiam sese subdiderint Ecclesiae, vel ii qui ex huiusmodi prognati sunt Baptismum petere possint." **For thus thinking . . . truth.** "Haec [the two articles] quia nego, plus aequo severus iudicor, non a solis Papisticis, verumetiam ab iis qui sibi veritatis patroni videntur"; *Epistolae* (1576), pp. 460–461; CR, 45:619.

1:204.6–9.m **Their sentence was, . . . them.** H extracted this sentence from the body of Calvin's discussion: "ita ubicunque non prorsus intercidit, vel exincta fuit Christianismi professio, fraudantur jure suo infantes si a communi Symbolo arcentur"; "Epist. 285.," *Epistolae* (1576), p. 462; no. 3128, CR, 45:666. In

addition to the "reason" which H describes, Calvin qualifies this judgment in ways H ignores: he commends Knox for raising the question: "For we are always to be attentively on our guard not to prophane the sanctity of this mystery, which it certainly would be if it be promiscuously conceded to strangers or if it be received by anyone without capable sponsors who also can be numbered among the legitimate citizens of the church." He elaborates: "For nothing is more preposterous than to insert into the body of Christ those whom we do not hope to be his disciples. Wherefore, if no one from among the relatives appears who will pledge his faith for the church and undertake care for the teaching of the child, the act is a mockery and baptism befouled. Nevertheless when anyone among the children is offered with a legitimate pledge brought forth, we do not see why he ought to be rejected"; (1576), p. 463; CR, 45:667; compare *Letters of John Calvin*, 4:74–75. These are precisely the conditions he had laid down six years earlier in his letter to Farel. The advice is more generous to baptismal candidates because of Scotland's situation: "a church being reborn, rather than one properly formed and settled." Neither letter substantiates H's implication that Calvin was inconsistent or that the "Ecclesiasticall Colledge" overruled him.

1:204.11–13 *The promise . . . descent.* "Promissio autem non sobolem tantum cuiusque fidelium in primo gradu comprehendit, sed in mille generationes extenditur"; *Epistolae* (1576), no. 285, p. 462; CR, 45:666. H then omits two further sentences: "Whence it has been brought about that the interruption of piety which has raged in popery did not take away the vigor and efficacy of baptism. For the origin is to be regarded, and the reason and nature of baptism are to be appraised out of the [divine] promise" (compare *Letters of John Calvin*, 4:74).

1:204.14–16 *Infants therefore . . . apostates:* "Nobis ergo minime dubium est, quin soboles ex sanctis et piis atavis progenita, quamvis apostatae fuerint avi et parentes, ad Ecclesiae tamen corpus pertineat"; *Epistolae* (1576), no. 285, p. 462; CR, 45:666; "We therefore have little doubt that infants whose great grandfathers . . . [as in H, line 14]." Before the definitive "sentence" that H translates above (lines 6–9), he omits: "For just as it was through a perverse and mad superstition in popery that children of Jews and Turks were stolen and snatched and thereupon forced to baptism, so wheresoever . . ." (compare *Letters of John Calvin*, 4:74).

1:204.16–19 *Because . . . betweene.* This clause follows immediately the clause translated in lines 7–9: "quia iniquum est, cum Deus ante annos trecentos vel plures adoptione sua eos dignatus fuerit, ut quae deinde sequuta est parentum impietas, coelestis gratiae cursum abrumpat"; *Epistolae* (1576), no. 285, p. 462; CR, 45:666–667; *Letters of John Calvin*, 4:74.

1:204.19–22 *By which reason . . . himselfe,* H assumes the promises of salvation were included in God's words to Adam (Gen. 2); for the chronology of the OT, see 1:179:28–31.n, above. H must be assigning each generation at least fifty-three years to reach back to the later estimates of creation of his day.

- 1:204.23–28 **only their alleaged conclusion . . . extinguished.** H has “construed” the conclusion to fit his own generous understanding of requirements for the baptism of children, ignoring the qualifications which Calvin included in his advice to Knox; see 1:204.6–9.m.n, above.
- 1:204.29 **their parents . . . Church,** H and Calvin differ over whether RCs are “within the Church”; compare 1:202:14–18 with Calvin’s remarks in 1:203:19–28.k.n, above; see also Calvin, *Inst.*, 4.2.11–12, and citation in 1:201.28–202.25.n, above.
- 1:205.6–9 **With what congruitie . . . Christ,** The RC Catechism of Lawrence Vaux asks: “Who be alienated and utterly separated from the Church of Christ?” The response follows H’s description: “The Jewes, and al Infidelles, and they that by apostacie forsake their faith. Add Heretikes, which although they be christened, yet obstinately defend error against the Catholike faith. Moreover Schismatikes, which separate themselves from peace and Catholike unitie: also they that be lawfully excommunicated”; *A Catechisme, or a Christian Doctrine, Necessarie for Children and Ignorant People* (Antwerp, 1574; STC 24626), fols. 11^v–12^f.
- 1:205.9–10 **the Pope . . . error,** Although the doctrine of papal infallibility was current among 16C RCs, it was not dogmatically defined at Trent, and those who accepted papal authority disagreed over the extent to which the pope might err in matters of faith and morals; see 1:205.14–17.n, below.
- 1:205.10–12 **he may. . . being Pope?** Contemporary Protestants recounted many failings of those who held the papal see. Whitgift’s doctoral thesis defended the proposition that the pope was the Antichrist (Whitgift, *Works*, PS, 3:vi). Particular accusations can be found in Jewel’s writings against Harding (see 1:171.1.n, above). On the basis of spurious documents, Marcellinus (pope, 296–304) was alleaged to have “openly made Sacrifice unto an Idole”; Jewel, *A Replie*, p. 275 (PS, 1:400); also, *Defence*, pp. 162, 662 (PS, 3:339–340 and 4:926). Sylvester II (pope, 999–1003), whose learning in mathematics and astronomy made him suspected by contemporaries of magical arts, was, according to Jewel’s sources, “a Conjuror” who “gave himselfe whole Body, and Soule, unto the Diuel, and by the Divels procuremente was made Pope”; *Defence*, p. 162 (PS, 3:340); see also citations for Marcellinus). An assortment of popes were identified as heretics censured for their false doctrine; *Defence*, pp. 163–169 and 662–670 (PS, 3:341–347 and 4:926–939); *A Replie*, pp. 275–277 (PS, 1:399–402).
- 1:205.14–17 **when they cannot . . . same?** In his dispute with Jewel, Harding had stated: “the Pope, although he maie erre by personal erreure, in his owne private judgement, as a man, and as a particular Doctour in his owne opinion: yet, as he is Pope, . . . in deliberation and definitive sentence he never erreth, nor ever erred”; see Jewel, *Defence* (1565), p. 783 (PS, 4:1067). Hooker’s witness to the contrary opinion is probably Alfonso de Castro, who is so cited and quoted by Jewel as a RC witness opposed to papal infallibility; *A Replie*, pp. 259 and 275 (PS

1:381 and 399); *Defence*, pp. 165–166, 662, 664, and 784 (PS, 3:343–344, 4:925–926, 929, and 1068). De Castro (1495–1558) was a Spanish Franciscan who accompanied Philip II to England on his marriage to Mary Tudor. His *Adversus omnes haereses* (1st edn., 1534) appeared in at least eight edns. in his lifetime. Jewel and Harding debated the authenticity of the original. Revised edns. of 1539 (fol. 9), 1546 (p. 29), and 1571 (*Opera*, cols. 20–21) omit part of the section quoted and translated by Jewel, but they still retain an explicit denial of infallibility; 1539 edn. not examined; see *The Works . . . of . . . William Laud* (1849), 2:294–295n.

1:205.23–27 **as the maine body . . . selfe.** See Cargill Thompson, “Philosopher,” *S.R.H.* (1972), p. 55.

1:206.2–4.n **Where but three . . . assemblie.** In arguing against second marriages for a widow or widower, Tertullian points out that such marriages are forbidden to clergy and ought also be forbidden to laity: since all laymen are potentially priests, those who have the right should also be under the discipline. He explains: “Where ecclesiastical order is not established, a priest who is there alone both offers [the eucharist] and moistens [in baptism]. But even more, where there are three, the church is—and it is allowed for laity [to offer and moisten]”; “Ubi ecclesiastici Ordinis non est consessus, et offert et tingit sacerdos qui est ibi solus. Sed et [CCSL: et offers et tinguis et sacerdos es tibi solus; scilicet] ubi tres, ecclesia est, licet laici”; *De exhortatione castitatis*, chap. 7.3; *Opera* (1566), 2:179; CCSL, 2:1025; compare ANF, 4:54, whose translator ignores the significance of “licet laici.” H quotes the first of these two sentences from 1566 in VIII.8.2 (3:185.l; see n). As it is irrelevant to his immediate purpose, in neither of these two instances does H treat the primary import of the text, the sacerdotal functions of lay persons in cases of necessity.

1:206.8.o **Breaking of bread,** GB glosses the phrase (Acts 2:42): “. . . the ministration of the Lords Supper.”

1:207.10–24 **Nor is it possible . . . Scripture;** H agrees with the initial assertions of the Puritan argument but questions the subsequent ones; compare William Fulke (1538–1587), *A Briefe and Plaine Declaration* (STC 10395): “The Church of God is the house of God, and therefore ought to bee directed in all thinges, according to the order prescribed by the Housholder himselfe: Which order is not to bee learned else-where, but in his Holy worde” (p. 1). Fulke’s *Declaration* had been in MS since 1573 but was published in 1584 by John Field without Fulke’s permission; Part 1 dealt with Articles 1–19, Part 2 with Articles 20–39 (Milward, pp. 79–80).

1:207.12–13.p **Those thinges . . . author.** Arguing for simplicity of adornment, including undyed material, in the clothes of women, Tertullian points out that God could have made the fleece of sheep purple or sky-blue; that he did not is evidence that it is not allowed. “Therefore, those things are not best by nature which are not from God, the author of nature; thus they are understood to be

from the devil, the corrupter of nature. For they cannot be of any other if they are not of God, because it is inevitable that those things that are not of God be of the adversary, and there is no other adversary of God than the devil and his angels"; "Non ergo natura optima sunt ista, quae a deo non sunt autore naturae. Sic a diabolo esse intelleguntur, ab interpolatore naturae. Alterius enim esse non possunt, si dei non sunt: quia aemuli sint necesse est, quae dei non sunt. alius autem praeter diabolium et angelos eius aemulus dei non est"; *De habitu muliebri*, chap. 5, *Opera* (1566), 2:87; *De cultu feminarum*, 1.8.2–3, CCSL, 1:350; compare ANF, 4:17.

1:207.17–19.*q* **or else as those things . . . ende.** On Rom. 2:15, see 1:150.4–12.n, above, and 1:217.30–31.n, below.

1:207.19–20.*r* **The verie lawe of nature . . . of God,** Most of Cicero's *Republic* was lost until 1820, but H's quotation comes from a passage preserved in *The Divine Institutes* of Lactantius, who judged the words to be almost divine. Writing as an apologist for Christianity, Lactantius commended the faith to educated Romans partly on the basis of its congruity with the best in pagan thought. In this passage (from 3.22), Cicero is quoted as judging the law to be right reason in agreement with nature, eternal and unchangeable, applicable to all nations; he declared that "one common god will be as the master and leader of all, for he is the author, arbitrator, and proposer of this law." "Unusque erit comunis quasi magister, et imperator omnium Deus; ille legis . . . [as in *r*]"; 6.8, *Divinarum institutionum libri vii* (1570), p. 333; CSEL, 19.509; PL, 6:661; compare ANF, 7:171. Lactantius identified the passage as from the third book (p. 332), and it can be found in modern edns. of *The Republic* at 3.22.33 (Loeb, p. 210–211). H cites Lactantius in I.11.5 (1:116.13–117.9.f).

1:208.12–209.19.*s* **First therefore . . . dyet.** Whitgift had written in his *Answer* to the *Admonition* that "nothing ought to be tollerated in the Church, as necessarie unto salvation, or as an article of faythe, excepte it be expresly contayned in the worde of God, or may manyfestly thereof be gathered: and . . . that nothing in ceremonies, order, discipline, or government in the Church is to be suffred beyng against the worde of God: . . . But, that no ceremonie, order, discipline, or kinde of governmente may be in the Church, except the same be expressed in the worde of God, is a great absurditie, and breedeth many inconveniences"; quoted from *Defence*, pp. 78–79, 83; *Answer* (1572), p. 21; PS, 1.180, 190. In Book II, H considered Cartwright's application of the principle that what Scripture does not command is forbidden. Here H turns to the specific issues of church polity. H quotes from a section of Cartwright's *Replye* from which he had already drawn extensive passages; see II.1.3, 2.1, 3.1, 4.1–2, 7.1 (1:146.3–8, 148.8–13, 150.20–23, 151.19–23, 152.m, and 174.24–175.3), and nn, above.

1:208.14 **matters necessairie unto salvation** See Art. 7; *Articles* (1571), p. 5.

1:208.15 **Ceremonies, . . . Church-governement;** On H's omission of the word "Discipline," compare 1:208.s.7 and see 1:209.21.n, below.

1:209.1 **or else . . . same.** See I.14.2 (1:126.13-24).

1:209.21 **matters of discipline** H substitutes "*discipline*" for "*Church-politie*" used in 1:193.13: the word in H's use connotes "ceremonies, order, and the kinde of Church-governement," including, but not limited to, matters of excommunication and the ministerial offices to exercise it; in the writings of both Cartwright and Whitgift "*discipline*" usually connotes the narrower usage; see nn to 1:208.12-209.19.s and 208.15, above.

1:210.12-13.t **who know that . . . Discipline.** In his response to § 4 of the opening "Epistle of T. C." in the *Replye*, Whitgift claimed: "this is not plaine dealing, to make the reader beleewe that we doe withstande the doctrine of the Gospell, when we only resist your contentions about externall matters, wherby the doctrine of the Gospell is hindered, and the Churche of Christ disturbed"; *Defense*, p. 4 (PS, 1.21). Cartwright replies: "he needed not to have charged us with wante of plaine dealing, seing we offer . . . [as in t.1 and concluding as in 1:244.a.1-2]" (*Second Replye*, 2:1). Whitgift commented in the margin: "T. C. maketh greater accompte of the government than of the Gospell itselfe" (p. 7; PS, 1:26). Cartwright calls this a "manifeste untrewethe," following the phrase quoted in t.2 with the words: "and therefore neither under nor above the Gospell, but the Gospell" (2:5). Further on, he makes the explicit distinction which H proposes: "the doctrine off the Gospell cannot have the full practise unles yt have therunto joyned the discipline" (2:5). H could have cited many other examples, for the question was not whether or not doctrine and discipline could be distinguished, but whether they were of equal necessity.

1:210.17-18 **Doe not they . . . Church?** See 1:209.21.n, above. Although the *Admonition* discussed the organization of the ministry under both the first and final of the three-fold marks of the church (preaching, sacraments, and discipline), the treatment under the third, discipline, was more complete (sigs. A1^v-A3[2]^v, [A4^r]-B1^v; *P.M.*, pp. 9-13, 15-18; see 1:198.7-9.n, above. Although Puritans vary in use of the word "discipline," Cartwright more commonly uses it in the stricter sense, distinguishing it from the government that supports it: "as for Discipline and government, . . . they are of the substance of the gospell if to have Excommunication be to have Discipline, or if to have pastors or Byshops and Doctors and Deacons be government of the Churche" (1:48).

1:210.22-29 **And because nature . . . him.** See I.11.5-12.3 (1:115-122).

1:211.2-13 **we teach . . . same.** Compare Whitgift: "Affirmatively the argument is alwayes good of the authoritie of the Scripture: as God hathe there commaunded it to be done, therefore it muste be done. Or the Scripture affirmeth it to be so, *Ergo*, it is so. But negatively it holdeth not, excepte in matters of salvation and damnation"; *Defense*, p. 78 (PS, 1:179).

1:211.7-8 **articles of Christian fayth,** That is, the creed, in particular the Apostles' Creed; see the BCP, Confirmation rubrics, and Catechism (1559, ed. Booty, pp. 282, 284, 287).

- 1:211.13–23 **But as for . . . thornes.** See nn to 1:145.4–5, 179.27–180.8, and 199.8–11.w, above.
- 1:211.28–31 (**wherein . . . Church-actions**) Whitgift responded to Cartwright's argument that the Lord's supper and baptism were ceremonies and necessary to salvation: "there be two kyndes of Ceremonyes, the one substantiall, the other accidentall: substantiall Ceremonyes I call those which be *de substantia Religionis*, . . . and commaunded in the worde of God as necessarie, and have promyses annexed unto them, as the Supper of the Lorde, and Baptisme"; *Defense*, p. 80 (PS, 1:183).
- 1:212.v.1–3 **The government . . . Booke.** From the Puritans' side, the distinction came originally from "A Preface," probably written by Field when he had Fulke's 1573 MS, "A Learned Discourse . . .," published in 1584 as *A Briefe and Plaine Declaration* (see 1:207.10–24.n, above). Under the pressures for subscription to Archbishop Whitgift's articles for conformity, Field urged a conference on the points of disagreement between the Puritan ministers and the bishops. Suggesting that the Puritan request was of a different order from that proposed by exiled English RCs, Field argued: "Concerning the matter, they make it in the substance of religion which hath in divers assemblies abroad and at home beene disputed, resolved, and now publicly maintayned for our true and holy faith. We in matters concerning the government of Christ of great moment indeed, yet never thus handled, nor urging the alteration, but perfection of the estate of the Church" (sig. A4^r). John Bridges in 1587 published *A Defence of the government established in the Church of Englande for ecclesiasticall matters. Contayning an aunswere unto* [Fulke's *Declaration* and Theodore Beza's *Judgement* (STC 2021)] (STC 3734); see Intro. to The Preface, pp. 25–26, above. Bridges asked that, if "all this a-doe about government is not of the matter concerning the substance of Religion," dare the Puritans "adventure so farre, to urge . . . to alter the government established for such a matter . . .?" (p. 49; see pp. 38–49). Finally, Dudley Fenner in the same year published, as H suggests, *A Defence of the godlie ministers, against the slaunders of D. Bridges. Contayned in [A Defence]* (STC 10771). Fenner refers to the earlier exchange: "we thought we desired this conference touchinge matters of great moment, as namely, the *gouvernement of the Church of Christ, yet neither of the substance of Religion, nor so disputed and resolved of, as the doctrine or foundation of Religion had bin*. . . . It differed from the Papistes challenge: in that our conference was not to call in doubt the matter and substance of faith, but out of it, to deduct the right Ecclesiasticall gouernement of the Church" (pp. 121, 122); on Fenner, see 1:41.31–42.4.b.n, above.
- 1:212.4–10 **Doe they not . . . attyre?** The imagery is from Cartwright, quoted in 1:208.s.11–19 and paraphrased at 209.11–19, but the substance recalls Walter Travers's *Eclesiasticæ disciplinae . . . explicatio* [Heidelberg: Michael Schirat], (1574); in Cartwright's translation: "so fewe are carefull for the maynteyning and preserving off [the restoration of the church] that being content . . . to be in good health by

preaching off the gossell, they care not for discipline whereby this healte maye be the better preserved and also the strengthe and beawtie (which was lost by former sicknes) be recovered and gotten againe. . . . Our churche being thus recovered was contented with physicke onlie and goode diette for hir healthe and used no exercise to gette hir colour and strengthe againe” (pp. 5, 6; Latin, fols. 2^r–3^r). In the *Explicatio* Travers provided a basic handbook for those seeking to establish presbyterian discipline in England. Its detailed description of the officers of the congregation was founded on the conviction that the scheme accurately reflected NT pattern. Cartwright supervised its printing at Heidelberg by Michael Schirat (the volume has a false imprint, “Ruppelae” [La Rochelle], and a fictitious printer, “Adamus de Monte”) and translated it as *A full and plaine declaration of Ecclesiasticall discipline outt off the word off God and off the declininge off the churche of England from the same* (1574; STC 24184). See S. J. Knox, *Walter Travers* (1962), pp. 29–31 and nn; also see Intro. to The Preface, pp. 13–15, 51–52, 54, and 72, and Intro. to II, III & IV, pp. 150–152, above; also 1:15.13–14.n and 1:40.30–41.1.n, above.

1:212.16–17 *That we do not . . . truth.* See above, 1:208.s.11–19 and 209.11–19.

1:212.20–22.w *that she provideth . . . needefull,* In his *Politics*, 1.3.22, Aristotle draws a parallel between the responsibility of a householder towards his family and of nature towards her creatures, pointing out that nature provides food by means of the same elements, the earth and sea, out of which animals themselves were made. He then remarks: φύσεως γὰρ ἐστὶν ἔργον τροφήν τῷ γεννηθέντι μαρέχειν παντὶ γὰρ ἐξ οὗ γίνεται τροφή τὸ λειπόμενον ἐστὶ. “For the work of nature is to furnish nourishment to that which is brought forth, since for every creature, nourishment is what is left remaining of that out of which he comes”; § 22; 1258^a; *Opera*, ed. Erasmus (1550), 2:113, A.7 (not 8, as H cites); compare Loeb, pp. 50–51. Plato in his *Menexenus* (chap. 7) suggests the maternal character of his native land; in the midst of pointing out that the land has given both birth and nourishment to her people, he declares: πᾶν γὰρ τὸ τεκὸν τροφήν ἔχει ἐπιτηδεῖαν ᾧ ἂν τέκῃ. “For everyone who is born has the necessary nourishment of whom he is born”; 237.E; *Opera*, ed. Stephanus (1578), 2:237; compare Loeb, 7:342–343. According to the standard divisions of Aristotle’s *De anima*, H’s cited chapters do not contain relevant material. However, in bk. 2.4, Aristotle writes on the nutritive faculty of the soul: ἡ γὰρ θρεπτικὴ ψυχὴ καὶ τοῖς ἄλλοις ὑπάρχει, καὶ πρώτη καὶ κοινοτάτη δυνάμις ἐστὶ ψυχῆς, καθ’ ἣν ὑπάρχει τὸ ζῆν ἅπασιν. “For the nutritive soul belongs to all the rest [of the animals] as well as man, and it is the first and the most common faculty of the soul, by means of which life belongs to them”; 415^a; (1550), 1:291; compare Loeb, pp. 84–85. In 3.12, in again discussing the nutritive soul, he declares: ἀνάγκη ἄρα ἐνεῖναι τὴν θρεπτικὴν δυνάμιν ἐν πᾶσι τοῖς φυομένοις, καὶ φθίνουσιν. “It is then necessary for the nutritive faculty to be in all that is born and dies”; 434^a; (1550), 1:303; compare Loeb, pp. 194–195.

1:212.23–25 *as to affirme . . . them:* See 1:208.s.13–17.

- 1:213.2–33 **Wherein seeing . . . layd.** See Edelen, "Hooker's Style," *S.R.H.* (1972), pp. 251–255.
- 1:213.23–24 **(although . . . upholde)** See chap. 11.16 (1:264.3–15) and Book VII.
- 1:213.26–31 **us which are . . . it;** See 1:208.s.11–15.
- 1:214.4–5 **and what scripture . . . upon.** Added to the description at 1:193.18–20.
- 1:214.5–11 **But so easie . . . contradiction.** See Edelen, "Hooker's Style," *S.R.H.* (1972), pp. 244–245.
- 1:214.15–21.x **They which first gave out, . . . you.** The wording is from Cartwright's interpretation of the *Admonition* in his *Second Replie* (2:55; see 1:280.21–22.q.n, below); its substance, with the citations from Deut., appears in the opening sentence of the 1572 *Admonition*; Parliament was urged to "true religion and reformation," not only in abandoning popery, "but also in bringing in and placing in Gods church those things only, which the Lord himself in his word commandeth" (sig. A2^r; *P.M.*, p. 8). Compare GB note on Deut. 4:2: "God wil not be served by halves, but wil have ful obedience." Whitgift saw this assertion as "the chiefe and principall grounde . . . of their booke"; *Answer*, p. 44; quoted from *Defense*, p. 76 (PS, 1:176), and he and Cartwright debated the application of Deut. 4:2 and 12:32 to Christians; *Replie*, 1:25, 34–36; *Defense* (1574), pp. 116–128 (PS, 1:264–289); *Second Replie*, 2:95–119. Whitgift argued that whereas under the OT, God had prescribed judicial and ceremonial as well as moral law, under the gospel, he has left judicial law to the magistrate and ceremonial law to the church "as shall from time to time be thought most expediente and profitable"; *Answer*, p. 60; quoted from *Defense*, p. 123 (PS, 1:279). Travers used the same verses to support the discipline "off the Churche off Christe ordeyned and appointed off God" in his 1574 *Explicatio*; the church ought not to "be lefte free for us to rule it as we liste, seing that in the olde churche off the Jewes All thinges . . . were so diligentely and exactelie distributed and bothe commanded by god and commended to writyng by Moses that yt was expresslye forbidden that Nothing should be added unto yt nor taken from yt"; trans. Cartwright, p. 6; Latin, fol. 5^r; for ellipsis, see 1:248.28–30.j.n, below.
- 1:214.22–28 **as marrying . . . scripture,** The items in this list can be extracted from many places in the controversial writings of the era. H treats of each of these, except for university degrees, in some detail in later books. For "marrying with a ring," see "A View of Popishe Abuses," 1.9, appended to the 1572 *Admonition*, sig. C2^v (*P.M.*, p. 27) and V.73.6 (2:404). For "crossing" in baptism, see *Admonition*, sig. A3^v (*P.M.*, p. 14), "A View," 1.8, sig. C2^r (pp. 26–27), and V.65. For "kneeling" to receive holy communion, see *Admonition*, sig. A3^v (*P.M.*, p. 13), "A View," 1.4, 2.0, sig. C1^r (pp. 21 and 24), and D2^v (pp. 24–25 and 35) and V.68.3 (2:346). For "festivall dayes" besides Sundays, see *Admonition*, sig. A3[2]^v

(*P.M.*, p. 12), "A View," 1.3, sig. B3^v and C1^r (pp. 21 and 24), and V.69-71. Days for "abstinence" from flesh-meat were implicitly or explicitly enjoined by the royally promulgated 1561 calendar, by parliamentary acts from 1563 to 1588 to encourage the eating of fish, and by yearly royal proclamations designating the Lenten fast. Puritans disliked them because "they are of many superstitiously kepte and observed"; see "A View," 1.3, sig. C1^r (*P.M.*, p. 24); Whitgift defended them; see Tract. 10, "Of holy dayes," *Defense*, pp. 538-554 (PS, 2:565-595); and Albert Peel, ed., *The Seconde Parte of a Register* (1915), 1:212. For H's treatment, see below, V.72. For the "churching of women," see "A View," 1.12, sig. C3^{r-v} (*P.M.*, pp. 28-29), and V.74 (2:406-409). The author of the *Second Admonition* objected to "degrees taken by divines in Universities" both for their ostentation and their conferment by "prophane judgments" outside a properly disciplined church; see pp. 16-17 (*P.M.*, p. 98); and see 1:12.5-11.n, above, and 1:263.13-21.n, below; for related university problems, see above, Pref. 8.3 (1:39.32-40.15). Nonscriptural church offices provided a major theme of Puritan protest; see *Admonition*, sigs. A3[2]^{r-v} and A4^r-B2^r (*P.M.*, pp. 11, 15-19), "A View," 1.14-20, sigs. C4^r-D2^v (pp. 30-34), *Second Admonition*, pp. 18-19 and 49-57 (*P.M.*, pp. 100-101 and 122-128), V.78.1-10 (2:435-446), and VII.

1:214.30 **But that which . . . repeald.** In declaring the Puritan proof-texts to be "repeald" ("repelled," rejected as unfounded, OED; see textual note), H may be referring to failures of Puritan legislative initiatives or to such establishment defenses as that in Whitgift's lengthy discussion cited in 1:214.15-21.x.n, above.

1:215.8-12 **when they . . . lawe.** See chap. 11.5-6, 11, and VI.2 (3:4-6).

1:215.17-19 **For the sentence of God . . . scripture.** See Rev. 22:18.

1:215.27 **all Churches in the worlde,** H includes by implication those Reformed churches abroad that served as exemplars to English Puritans; see IV.13, esp. 1:334.1-2.

1:215.30-31 **Church of God . . . Christ** 1C Judaism.

1:215.32-216.4.y,z **In their domesticall . . . him?** Although, in contrast to the other gospels, John suggests that the last supper was *not* a passover meal, in the 16C, as the GB note to 13:2 (which says it was) testifies, the scriptural inconsistency was not recognized. H's exegesis is singular. He implies that in washing the apostles' feet, Jesus followed a current Jewish custom for the chief at a banquet, not that Jesus performed a menial task usually done by a slave. H's assumption that the action took place in the course of the meal accords with modern textual criticism and the BB, but it runs counter to the received Greek, Latin, and GB texts, which state that he rose only after "supper was done" (13:2). The garment which Jesus retained was presumably a tunic, identified by H as a "feast-robe," equivalent to the wedding garment of Matt. 22:12, not the slave's attire suggested by his girding himself with a towel (13:4). The word *caenatorium* (z) does not appear in the

Vulgate in either John or Matthew (*vestimenta, vestem nuptialem*); the singular form usually designates the dining room, and the plural, the dining garment. However, a fragmentary stone inscription of an undated meeting of a traditional Roman college of priests, the Arvales Fratres (14–241 AD) uses the singular to designate clothes, and H may have known a similar use in his patristic or medieval sources; see *Acta Fratrum Arvalium*, ed. Aelius Pasoli (1950), p. 173.

1:216.4–8 **What scripture . . . observe?** The Letter of Aristeas, a court official of the Hellenistic ruler of Egypt, Ptolemy Philadelphus (285–246 BC), was in fact the composition of a Greek-speaking Jew writing sometime between 200 BC and 33 AD. The Letter included the story of Ptolemy's supposed sponsorship of the Septuagint translation of the OT into Greek. After first greeting the king each morning, the translators went to their own house. "Having washed their hands in the sea, as is the custom of all Jews, as soon as they prayed to God, they turned to the reading and they clarified the reading of each verse. And asked this [following 1561 Latin; 1561 Greek: "they asked"; 1962 Greek: "I asked"]: 'why do they pray at this time after just having washed their hands?' They explained that it is a witness that they have done no evil, for all actions are done by the hands"; §§ 305–306; *Aristeae, de legis divinae ex Hebraica lingua in Graecam translatione . . . historia*, ed. Simon Schardius (1561), p. 82; Latin, pp. 93–94; SC, ed. André Pelletier (1962), 89:230–232.

1:216.9–10 **The custome . . . life,** In his autobiography, Josephus describes a council of war held on the sabbath in the Palestinian town of Tiberias, declaring that the majority so disagreed with the leadership that "they would surely have fallen into sedition, if the arrival of the sixth hour had not put an end to the meeting, at which hour on the sabbath, it is our custom to eat our breakfast"; καὶ πάντως ἂν εἰς στάσιν ἐχώρησαν, εἰ μὴ τὴν σὺννοσον διέλυσεν ἐπελθοῦσα ἔκτη ὥρα, καθ' ἣν τοῖς σάββασι ἀριστοποιεῖσθαι νόμιμον ἔστιν ἡμῖν. Chapter 54, § 279; *Opera* (1544), p. 645; *Autobiographie*, ed. André Pelletier (1959), p. 46; compare Loeb, pp. 104–105.

1:216.10–11.a **and by . . . signified.** Peter points out that his associates seized by the Holy Spirit could not be drunk since "it is but the thirde houre" (Acts 2:15). 1C Jews normally did not eat before prayers at the third hour, but H links Peter's observation with the sabbath custom noted by Josephus.

1:216.22–217.8 **And therefore . . . glory of God.** Cartwright wrote in his *Repye*: "I will here set downe . . . those rules which Paule gave in such cases as are not particularly mentioned of in scripture. The first that they offend not any, especially the Church of God. The second is (that which you cite also out of Paul) [see Whitgift, *Answer*, p. 22; *Defense*, p. 94; PS, 1:212] that all be done in order and comelynes. The thirde that all be done to edifying. The last that they be done to the glory of God. So you see that those things which you reckon up of the houre and time and day of prayer, etc. albeit they be not specified in the scripture, yet

they are not left to any to order at their pleasure or so that they be not agaynst the worde of God: but even by and according to the word of God they must be established: and those alone to be taken which do agree best and nearest with these rules before recited. And so it is brought to passe . . . that al things in the church should be appoynted according to the word of God" (1:27 [15]). See 1:208.12–209.19.s.n, above, for context; the passage follows that mentioned in 1:145.14.a.n, above.

1:217.8.c,d,e *All to the Glory of God.* An interpretation of Rom. 14:6; the actual words are from 1 Cor. 10:31.

1:217.8–218.9 *Of which kind . . . meete.* H's argument differs from that of Whitgift, who writes of Cartwright's four rules (see n above) that "truly we refuse them not," but insists Paul's first and third "rules" apply only to particular issues and his fourth generally to all of life and not especially to church ceremonies. Whitgift himself proposes the second as authorizing church officials to order ceremonies (*Defense*, pp. 86–87; PS, 1:196–198). H accepts all four as applying to church affairs, but as reflecting a binding natural law expressed in these scriptural texts, not as special divine revelation otherwise unavailable.

1:217.16–23.f *In the Church . . . instituted?* Arguing against the application of Deut. 4:2 and 12:32 to the Christian church, Whitgift declares that, in contrast to the NT, "God in the old law to his people, prescribed perfect and absolute lawes, not only morall and judicciall, but ceremoniall also: neither was there the le[a]st thing to be done in the Church omitted in the law"; *Answer*, p. 60; quoted from *Defense*, p. 116; (PS, 1:263–264); see 1:214.15–21.x.n, above. In attempting to minimize the differences between the testaments, Cartwright replied: "To the ordering and governing of the church, they had only the moral and ceremoniall law: we have the same morall that they had . . . We have no ceremonies but two, . . . and we have as certaine a direction to celebrate them as they had . . . What houre had they for their ordinarie and daily sacrifices: was it not left to the order of the church: what places were apointed in their severall dwellings to heare the woorde of God preached continually when they came not to Jerusalem? . . . where was pulpittes commaunded or chaires? and yet they had both. Where any forme of buriall in the law[?] and yet it is a thing pertaining to the church that the deade be after a comely sorte buried. Where any order or forme of mariage? and yet it is knowne they had." He concludes that inasmuch as we have the NT as well as the OT, "we have also precise direction of our religion as they had" (1:35 [21]); see Whitgift, *Defense*, pp. 118–120 (PS, 1:267, 269, and 270). H here appropriates Cartwright's arguments to his own use; see 1:251.14–20.v.n, below.

1:217.24–25 *Did they hereby . . . did?* See above, chap. 5.1 (1:215.12–19).

1:217.30–31 *that lawe, . . . hearts;* Another allusion to Rom. 2:15; see nn to 1:150.4–12 and 207.17–19.q, above.

- 1:218.31–35 **The plaine intent . . . scripture.** Travers urged that the remains of “Popishe tyrannie” be taken away in order that “in place theroff a better and more holie government of the churche according to Goddes worde maie be established”; *Explicatio*, trans. Cartwright, p. 5; Latin, fol. 4^r.
- 1:218.35–219.3 **The selfe same drift . . . commaunded.** See 1:214.15–21.x.n, above. H may have intended to include the author of the *Second Admonition* among the Admonitioners (see 1:12.5–11.n, above). Towards the end of the treatise, after attacks on the organization and practice of the English church and promotion of the presbyterian discipline, the author asks that the queen might “have the hearing of thys matter of Gods, and to take the defence of it upon her. And to fortifie it by law, that it may be received by common order throughout her dominions. For though the orders be, and ought to be drawne out of the booke of God, yet it is hir majestie that . . . shuld see every of these things put in practise” (p. 60; *P.M.*, p. 130).
- 1:219.3–15 **Which not remembring, . . . unconformable.** Whitgift similarly responds to Cartwright’s four rules: “seeing you and I agree in this, that the Church hath authoritie to ordeyn ceremonies and make Orders, whiche are not expressed in the worde of God, it remayneth to bee considered wherein we differ: . . . I say, ‘the Churche of England hath lawfully used her authoritie, in suche ceremonies and orders, as she hath appointed, and nowe retaineth,’ and you denie the same . . . the things you misselike in this Church, are the *office and name of an Archbishop*, . . . *oure ministrie, the government of our Church*, and (as you say) *other more*, that is, all thinges at your pleasure”; *Defense*, p. 88 (PS, 1:200).
- 1:219.16 **that grand axiome:** See chap. 5.1, above (1:214.2–4, 16–17).
- 1:219.24–33 **As therefore . . . practised.** For H’s critique of adoration of the crucifix as he judged it to be practised and theologically justified in the Church of Rome, see V.65.15–16 (2:314.18–315.30).
- 1:219.31–2, 220.3, 221.16, 223.4 **uncontrowled, controwlement, controwling, controlled** In all these, “control” is used in the sense of “censure” (OED).
- 1:220.17–239.16 **The last refuge . . . which is due.** On chaps. 8 and 9, see Grislis, “Hermeneutical Problem,” *S.R.H.* (1972), pp. 215–224; see Intro. to II, III & IV, pp. 153–168, above.
- 1:220.17–235.18 **The last refuge . . . world.** H has carefully constructed chapter 8; see Intro. to II, III & IV, pp. 135–137, above. On the later impact of H’s arguments in this chapter, see Booty, “Hooker and Anglicanism,” *S.R.H.* (1972), pp. 215–224.
- 1:220.18–19 **Nothing ought . . . God,** See 1:214.15–21.x.n, above. H’s *Answer* noted Travers’s objections to his use of “the distinctions and helpes of schooles,” referring to the forms of arguments set forth in the traditional classical logic and rhetoric of the universities (§ 16; 5:245.10–246.20).

- 1:220.19–24 **All Church orders . . . made.** Just before the section quoted in 1:216.22–217.8.n, above, Cartwright writes: “Not that we say . . . that no ceremonie, etc. may be in the church except the same be expressed in the word of God, but that in making orders and ceremonies of the church, it is not lawfull to doe what men list, but they are bound to follow the generall rules of the scripture”; *Replye*, 1:27 [15]. Whitgift agrees, but insists that Cartwright’s assertion supports his contention that church authorities had lawfully made orders and ordained ceremonies; *Defense*, pp. 84–86 and 87–88 (PS, 1:191–195 and 199–200). Cartwright distinguishes between the Admonitioners and Whitgift in his *Second Replye*: “they will have those things not onely not to be against the worde, but to be grounded upon the worde: and he saithe it is enough they be not against the worde. . . . He that so saithe that certaine things must be doone not against the worde [so, in a manner] that he wil not also accorde that they should be doone accordinge to the worde gyvethe thereby to understand that there is some star or light off reason or learninge or other helpe whereby some act may be well doone and acceptably unto God in which the worde off God was shut out and not called to counsaile: as that which either coulde not or neede not give any direction in that behalfe” (2:56).
- 1:220.31–221.1.g **If when a man . . . desireth,** In the *Politics*, 1.1.4, Aristotle’s discussion of the organization of human society begins with the family: “The first uniting of those two who are not able to exist without one another is a necessity, of male and female for the sake of the race, and this is not from deliberate choice, but as with other animals and plants, the longing is implanted by nature to leave behind another of such a kind as oneself”; A.1, *Opera* (1550), 2:109; 1252^a; compare Loeb, pp. 4–5.
- 1:221.2.h **Saint Paules judgement;** GB glosses 1 Cor. 7:1, “It were good for a man not to touche a woman”: “mariage, thorow mans corruption, and not by Gods institution bringeth cares and troubles.”
- 1:221.18–19 **the starre of Reason . . . helps** See Cartwright, in 1:220.19–24.n, above; compare *Answer*, § 16 (5:245.10–246.20), on “the distinctions and helpes of the schooles.”
- 1:221.22.i **starre** GB glosses Rev. 8:10: “some excellent minister of the Church, which shal corrupt the Scriptures” by the waters of “false and corrupt doctrine.”
- 1:221.30.j **naturall man** GB glosses him as one “Whose knowledge and judgement is not cleared by Gods Spirit.”
- 1:222.18–21.m **My preaching, . . . God.** Compare Cartwright in 1:175.8–9.n, above. In Field’s Preface to Fulke’s *A Briefe and Plaine Declaration*, Field cites 1 Cor. 2:4 but does not reject the proper use of reason: the determining of scriptural interpretations by free discussion and consensus, “without stopping of free and sufficient answer, without Lordly carrying away of the matter with no substance

of reason, where no authoritie, pregnancie of wit, plausible persuasion of mans wisdom, shall turn the truth aside, but al shal stand in the evident demonstration of Gods spirite" (sig. A3^r; see 1:207.10–24.n and 212.v.1–3.n, above).

1:223.9 **first** The answer to the initial Puritan argument at 1:221.29–32 above; subsequent answers are indicated by arabic numerals.

1:223.13–14.n,o **how they knewe . . . God.** GB's note on Rom. 1:31, "Which Law God writ in their consciences, and the Philosophers called it the Law of nature: the lawyers, the law of nations, whereof Moses Law is a plaine exposition," can be interpreted in two ways: either the divine law in the Pentateuch is God's application of natural law in a particular situation, or it provides man the fullest and clearest statement of natural law; see Intro. to II, III & IV, pp. 153–157, and 1:150.4–12.n, above.

1:223.14–17 **Other things . . . spirit.** See I.11.4–6.

1:223.20 **Festus** The procurator of the Roman province of Judea who, on coming into office, found Paul a prisoner; see 1:230.10–25 and Acts 24:27–26:32.

1:223.24–25 **The Apostle . . . Ghost,** See § 4 (1:222.17–21).

1:223.28–29 **nature hath need . . . nature.** This complementary relation between nature and grace penetrates much of the thought of Aquinas; for example, whether man can know any truth without grace: "the human intellect has a form, namely the intelligible light itself, which is sufficient of itself for the knowledge of certain intelligible realities, those, namely, acquaintance with which it can reach by way of sensible realities. But the human intellect cannot know more profound intelligible realities unless it is perfected by a stronger light, say the light of faith or prophecy; and this is called *the light of grace*, inasmuch as it supplements nature"; S.T., 1a2ae.109.1 (B, 30:71). Compare I.3.3 (1:66.6–22).

1:223.29–224.11.s **Philosophie . . . spoileth.** GB glosses "*Philosophie*" (Col. 2:8) as "vaine speculations, as worshipping of Angels, of blinde ceremonies and beggerlie traditions" (v. 18), not to knowledge attained by natural reason; ignoring this interpretation, H recognizes that reason's skills may be misused; the argument leads directly to his answer on the next point, "3." (§ 8).

1:224.19–21 **In so much . . . subtilties.** Cresconius (fl. 405), a scholarly Donatist lay person, wrote against an anti-Donatist treatise of Augustine, who in reply defended his use of dialectical argument, insisting that use determines value. Pointing out that Paul had debated with the Stoics and Epicurians in Athens, he continued: "For what are dialectics other than the discriminating discussion of experiential knowledge? On which account I considered this something for the revealing of truth, yet because you wanted the same thing to be held out against me as if it were not congruent with christian truth, your doctors appraised me as a dialectical man rightly to be avoided and guarded against, rather than to be

refuted and convicted. As to that, they did not prevail with you, for you were not ashamed to dispute against us, even in writing. You, however, have reproached me for dialectics, by which you beguiled the ignorant, and you praised those who had not wanted to contend with me in debate. But do not you clearly employ dialectic when you write against us?" *Contra Cresconium*, 1.13 [16]; *Opera* (1528–1529), 7:141; CSEL, 53:339; PL, 43:455.

1:224.30–225.21. *u* **The cause whereof . . . flesh.** In "On the Resurrection of the Flesh" [or ". . . of the Dead"], Tertullian wrote against a dualist gnostic sect that denied that God created the material world or that Jesus was incarnate in the flesh, rejecting the resurrection of the body as irrelevant to the salvation of the purely spiritual soul. Although he had once asked, "What has Jerusalem to do with Athens, the church with the academy?" (*De praescriptione haereticorum*, chap. 7), Tertullian here recognizes a legitimate use of things naturally known ("naturaliter nota" as in CCSL): "Est quidem et de communibus sensibus sapere in Dei rebus, sed in testimonium veri, non in adiutorium falsi: quod sit secundum divinam, non contra divinam dispositionem. Quaedam enim et natura nata sunt [literally, "For there are some things even born of nature"; CCSL: naturaliter nota sunt, "some things even naturally known"], ut immortalitas animae penes plures, ut Deus noster penes omnes. Utar ergo et sententia Platonis alicuius pronuntiantis, Omnis anima immortalis [*Phaedrus*, 245C]. Utar et conscientia populi, contestantis deum deorum, utar et reliquis communibus sensibus, qui deum iudicem praedicant: Deus videt. Et, Deo commendo [between *Gods* and *But* in 1:225.8, H omits these last two sentences: "I myself too will use the other public persuasions which foretell of God the judge: 'God sees' and 'I commend him to God.'"]. At cum aiunt, Mortuum quod mortuum: et, Vive dum vivis: et, Post mortem omnia finiuntur, etiam ipsa: tunc meminero et cor vulgi cinerem a deo deputatum, et ipsam sapientiam saeculi, stultitiam pronuntiatam. Tunc si haereticus ad vulgi vitia, vel saeculi ingenia confugerit, discede dicam ab ethnico haeretice, et si unum estis omnes, qui deum fingitis, dum hoc tamen in Christi nomine facis, dum Christianus tibi videris, alius ab ethnico es; redde illi suos sensus, quia nec ille de tuis instruitur. Quis caeco duci inniteris [CCSL: duce niteris], si vides: quid vestiris a nudo si Christum induisti? Quid alieno uteris clypeo, si ab apostolo armatus es? Ille potius a te discat carnis resurrectionem confiteri, quam tu ab illo diffiteri"; *De resurrectione carnis* [alt.: . . . *mortuorum*], chap. 3.1–4; *Opera* (1566), 1:80–81; CCSL, 2:934–935; PL, 2:798–799; compare ANF, 3:547. If H did use the 1566 text, his translation "knowne by nature" in 225.4 suggests that he corrected the "nata" in the text to read "nota."

1:226.5–11 **Whether it be . . . Gamaliell,** H's divisions of human knowledge reflect distinct sources. Mathematical and rational/oratorical knowledge suggest the traditional liberal arts, the former indicating the quadrivium of geometry, astronomy, arithmetic, and music, and the latter the trivium of grammar, logic, and rhetoric. Natural, moral, and civil wisdom correspond to Aristotle's metaphysics

- and physics, ethics, and politics. Judicial knowledge refers to Jewish interpretation of the revealed divine law as contrasted with natural law.
- 1:226.6 **Egyptian and Chaldaean** Herodotus describes early Egyptian skill in astronomy (*History*, 2.4); Strabo indicates a similar skill among the Chaldeans (*Geography*, 16.1.6); Philo comments on both (*Moses*, 1.5).
- 1:226.7.w **Moses** Acts provides the only biblical reference although Philo describes Moses' learning of Egyptian wisdom. Daniell GB carefully limits Daniel's education (1:17) to "the liberal sciences, and natural knowledge," excluding "the magical artes which are forbidden," citing Deut. 18:11.
- 1:226.8.x **Salomon excelled all men;** GB glosses the "children of the East" (1 Kings 4:30), whose wisdom "Salomons excelled," as "the philosophers and astronomers."
- 1:226.9–11.y **which the Apostle . . . Gamaliell,** Tarsus, the birthplace of Paul, a city near the southern coast of Asia Minor, was of predominantly Greek culture. Jewish tradition reveres Gamaliel, a 1C teacher of Pharisaean pietism, as belonging to the succession of great rabbinical leaders.
- 1:226.15–24 **But there are . . . Christ;** See § 4, point 4, and I (1:222.7–13). H assumes familiarity with 1 Cor. 1:22–24 as well.
- 1:226.29–30.z **Scribes by wisdom instructed** Contrary to H's exegesis, GB glosses such a scribe as he "that doeth interpret them [Scriptures] aright, and according to the Spirit" (Matt. 13:52).
- 1:227.2–3 **Unto the word of God . . . selfe,** See I.14.3–5 (1:127.6–129.10).
- 1:227.9–21 **Touching . . . utterance.** See 1 Cor. 1:27–29, which links the quotations from 1:19 and 2:4 at 1:222.8–13 and 18–21.
- 1:227.23–24 **his education . . . not;** See 1:226.9–11.y.n, above.
- 1:228.3.b **ἐξουθενήμενος,** "Of no account," from the word οὐθείς, "nothing."
- 1:228.4–5 **but in the power . . . Apostls.** See Acts 16:25–34, 19:11–20, and 28:16 for some exceptions.
- 1:228.5–6 **Hereupon it riseth . . . apologies.** See 1 Cor. 4:15 and references in ISR, at 1:227.24–32.
- 1:228.11–14.c **My preaching, . . . God.** H's translation differs from the GB text of 1 Cor. 2:4 at 1:222.18–21. "*Perswasive speeches*" (πεισιῶις) and "*demonstration*" (ἀποδείξει), which serve H's argument, are closer to the root meanings than GB's "entising speache" and "plaine evidence." "*Humaine*" (ἀνθρώπινης) was in the Greek text of H's time but is not in modern critical texts.

- 1:228.18 and *d persuaded* Closer to ἐπειθέν than GB's "exhorted" (Acts 18:4).
- 1:229.11–12 *meere Christian men*, Not the Apostles, whose words were confirmed by miracles, but Paul, who employed sophisticated learning, as well as others who did not.
- 1:229.12 *wisdom of man* See A.C.L.'s objections to H's use of "*Schoolemen, Philosophie and Poperie*" (chap. 20) and H's Notes (4:64–71 and nn).
- 1:229.13–230.7.e *Yea whatsoever . . . truth*. Compare II.7.3, 5, and 9 (1:177.27–33, 179.18–27, and 184–185), and see nn to 177.25–33 and to 184.24–187.7, above.
- 1:229.27–29 *Let men bee taught . . . Ghost*; Compare II.1.4.
- 1:230.2 *Theologie what is it . . . divine?* The second assertion at the opening of Aquinas's S.T. (1a.1.2).
- 1:230.4–7.f *Judge you . . . truth*. Paul is speaking in 1 Cor. 10:15 to "them which have understanding."
- 1:230.7–8 *Scripture indeed . . . unto*. See I.11.5–6 (1:118.8–119.23).
- 1:230.10 *Festus* See 1:223.20.n, above.
- 1:230.11–12 *King Agrippa* Herod Agrippa II, son of Herod Agrippa I (Acts 12:1) and grandson of Herod the Great (Luke 1:5); by Roman appointment he ruled the tetrarchies of Philip and Lysanius to the northeast of Galilee, had custody of the Jerusalem temple treasure, and appointed the high priest. Although many Jews considered the Herods only half-Jews because of their Idumean descent, they held to Jewish faith and practice.
- 1:230.25–232.16 *Because we . . . point?* See I.14.1 and II.4.2 and 7.3 (1:126.9–13, 153.13–25, and 177.25–33) and Grislis, "Hermeneutical Problem," pp. 192–195, and Booty, "Hooker and Anglicanism," pp. 217–219, S.R.H. (1972).
- 1:230.29–231.2 *As though . . . evident*. Compare Aquinas: "As the other sciences do not argue in proof of their premises, but argue from them to bring out other things in their field of inquiry, so this teaching does not argue to establish its premises, which are the articles of faith, but advances from them to make something known. . . . Sacred Scripture . . . disputes the denial of its principles; it argues on the basis of those truths held by revelation which an opponent admits"; S.T., 1a.1.8 (B, 1:29–31).
- 1:231.12–22 *Scripture teacheth us . . . Church*. See A.C.L., chap. 4, "*Holy scripture above the Church*," and H's Notes (4:14–17 and nn).
- 1:232.1–6 *In which case . . . should*. Without specifying them, H may be referring to Justin Martyr and Clement of Alexandria, both of whom argued for the congruity of scriptural revelation with Greek philosophers; for example, Justin,

Apology, 1.44 and 46 (ANF, 1:177–178); Clement, *Stromata*, 5.4–14 and 6.5, 7–8; (ANF, 2:414–476 and 489–96). Justin’s *Apology* is cited at 1:72.17–20 (but not in this context and not by H) and with some frequency by H in V (20.1 and 6, 21.4, 63.1 and 3, and 64.5; 2:73.1–4.e, 76.12–18.x, 86.9–11.s, 290.24–26.m, 292.8–11.3, and 299.f.3–4).

- 1:232.16–25 **Neither . . . minds.** Compare Calvin: “Prophane men . . . do covet and require it to have it proved to them by reason, that Moises and the Prophetes spake from God. But I answer that the testimonie of the holy ghost is better than all reason . . . the same worde [shall] never finde credit in the hartes of men until it be sealed up with inwarde witness of the holy ghost”; *Inst.*, 1.7.4; trans. Norton (1561); part 1, fol. 15^r; also, Peter Martyr: “by the spirite we understand the renuing of the minde: whereby it willingly embraceth, and desyreth that whiche is contained in the outward commaundement of the law. For the spirite sometimes is taken for the excellenter part of the minde, and sometimes for the power and faculty, whereby God chaungeth and regenerateth a man. But we here by the spirite understand the mynd of man compacte of them both, being renued by the holy Ghost”; *Most learned and fruitfull commentaries . . . upon the Epistle . . . to the Romanes*, trans. H. B[illingsley], on Rom. 2:28–29 (1568; STC 24672), fol. 49^r. Peter Martyr Vermigli (1500–1562), an Italian Augustinian, renounced his monastic vows and took refuge in the cities of Basel, Zürich, and Strasburg where he became a leading Reformed theologian. Coming to England in 1547, he held the Regius Chair of Divinity at Oxford. Returning to the continent early in Mary’s reign, he influenced the English exiles who were to lead the Elizabethan church.
- 1:232.25–33 **For otherwise . . . suggesteth.** Compare Aquinas: “When anyone has a ready will to believe, he loves the truth he believes, he dwells upon it and treasures any supportive arguments he may discover. Then human reasoning does not take away the merit of faith, but is rather a sign of greater merit”; *S.T.*, 2a2ae.2.10 (B, 31:103).
- 1:232.29–33 **so likewise . . . suggesteth.** Paul includes “the discerning of spirits” as one of the gifts of the Holy Spirit (1 Cor. 12:10); GB glosses: “to trie bothe the doctrine and the persons.”
- 1:232.33–233.9 **The operations of the spirit, . . . spirit.** Distinguishing the work of the Holy Spirit in a human being has always posed a problem for Christian theologians. Aquinas carefully differentiates the virtues from the gifts of the spirit, four of which pertain to the reason (wisdom, science, understanding, and counsel): “These Gifts are sometimes called virtues in the common meaning of the word *virtue*. However, there is something in them that transcends the common meaning of virtue in that they are divine virtues and pertain to man in so far as he is moved by God”; *S.T.*, 1a2ae.68.1 (B, 24:11). Calvin writes similarly of the work of the spirit, without, however, explicitly linking it to the exercise of reason: “by the breathe of hys power he so breatheth divine lyfe into us, that wee are not nowe

styrred by oureselves, but ruled by hys styrring and movynge"; *Inst.* 3.1.3; trans. Norton (1561), part 2, fol. 107^v.

- 1:233.9–15.*h* **To goe . . . meant.** The 16C ascribed the Psalms to King David. According to Acts 13:32–37, Paul quoted Pss. 2:7 and 16:10, just as Peter, according to 2:34–35, quoted Ps. 110:1, as Jesus had done, according to Mark 12:35–37, Matt. 22:41–46, and Luke 20:41–44: all reasoned that David could not have intended the words to apply to himself.
- 1:233.15–18 **Exclude the use . . . us?** Compare Aquinas: "The truth of faith is contained in Sacred Scripture, but diffusely . . . that is why there was a need to draw succinctly together out of the scriptural teachings some clear statement to be set before all for their belief. The symbol [creed] is not added to Scripture, but drawn from Scripture"; *S.T.*, 2a2ae.1.9 (B, 31:51); see III.1.5 (1:197.4–23) and *nn* above.
- 1:233.21–25.*i* **Can Christian men . . . thereunto?** The Greek of 1 Pet. 3:15 supports H; GB reads: "Be readie alwaies to give an answer to everie man that asketh you a reason of the hope that is in you." The Greek for "answer" (ἀπολογία) connotes a reasoned defense, and the phrase for "that asketh . . . a reason" (αἰτοῦντι . . . λόγον) also implies a rational explanation.
- 1:234.4–7.*j* **That Christ . . . Lord?** H has just cited Peter's use of Ps. 110:1, which underlies Jesus's argument in the gospels (see 1:233.9–15.*h,n*, above).
- 1:234.13–18.*k* **O men . . . gladnes.** H freely renders parts of Acts 14:15 and 17; no texts support his "joy and gladnes" for "food and gladness" (τροφῆς καὶ εὐφροσύνης).
- 1:234.20–25.*l* **In that . . . us.** The so-called Council of Jerusalem established the principle that Gentiles might be admitted to the Christian church without observing the full Jewish law; H quotes Acts 15:8 (see 1:241.11–26.*n*, below).
- 1:234.26 **starre of natural reason** See 1:221.17–25 and 1:220.19–24.*n*, above.
- 1:235.17–18.*m* **instinct of the holy Ghost . . . world.** This canon, purporting to come from the 4C Pope Damasus, declared those who wilfully disobeyed the canons to be guilty of the unforgivable sin against the Holy Spirit (Matt. 12:31–32, Mark 3:229, Luke 12:10). It begins: "Those who violate the canons of their own accord are harshly judged by the holy fathers and are condemned by the Holy Spirit (by whose instinct [in the sense of instigation] and gift they have been dictated)"; "Violatores canonum voluntarii graviter a sanctis patribus iudicantur: et à sancto spiritu (instinctu cuius, ac dono dictati sunt)." After specifying what constitutes a willful violation, the canon concludes by declaring that the violator "acts against him by whose credit and will the sacred canons were decreed"; "Contra eum agit, cuius nutu et gratia sancti canones editi sunt"; *Decretum Gratiani*, 2.25.1.5; (1582), cols. 1897–1898; *Corpus juris canonici*, ed. Emil Friedberg, 2nd edn. (1959), 1:1008. The second half of H's quotation is not from canon 5

("Violatores"), but perhaps from canon 1 of the same question, affirming papal responsibility for enforcement of the canons: "We firmly believe that no see is more suited before the others than the first . . . to execute the rule which the assent of the universal church has accepted"; "constitutum, quod universalis ecclesiae probavit assensus"; (1582), col. 1896; (1959), 1:1007.

1:235.19 *regiment* In two other descriptions of this chapter, H uses "politie" interchangeably: see 1:194.8 and 264.32.

1:236.9–10 *lawes some . . . positive*: See I.12 and 15 (1:119–122 and 130–134).

1:236.21–23.*n* *To refuse . . . impietie*. The quotation appears neither in the chapter cited, nor elsewhere in *De Trinitate*. The sense of the quotation, however, is by no means foreign to the chapter. Although the topic is the numerological significance of the hours between the crucifixion and the resurrection of Christ, Augustine ends the chapter with an appeal to the authoritative foundation on which he bases this and, presumably, other theological discourses: "I have made these [points] either from the authority of the church as passed down [tradita] from our forebears, or from the witness of the holy scriptures, or from the reasonableness [ratione] of the numbers and metaphors [similitudinum]. Against reason [rationem], no prudent person [nemo sobrius], against the scriptures, no Christian person, against the church, no peace-making person [nemo pacificus] will make a judgment [senserit]"; *Opera* (1569), 3:302; PL, 42:895; CCSL, 50:175; compare NPNF.1, 3:75. Augustine thus establishes a three-fold court of appeal: reason, Scriptures, and church tradition. This conclusion to the chapter had not gone unnoticed by commentators. *De Trinitate* was published in 1515 lightly glossed with a commentary by Franciscus Maroni. The editor picked out the final sentence as the twelfth of thirty-one "truths" (*veritates*) in bk. 4 of the work, commenting: "Moreover this saying introduces a demonstration that the way of confirming his proposition is three-fold: either from authority [without Augustine's descriptive qualification of church authority as that which has been passed down], or from the witness of the scriptures, or from reason"; "Istud autem dictum inducit ad ostendendum quod triplex est via confirmandi suum propositum: vel ex autoritate: vel scripturarum testimoniis: aut ratione"; *Divi Aurelii Augustini . . . de summa Trinitate* (Basel, 1515), sig. D3^r; also (1520), fol. 27^r. H's mistaken Latin quotation may well have been a gloss on the chapter in an edition he used or even a summary comment he himself had recorded in notes on the book and later mistook for a quotation. Augustine employs the images of light and darkness in the chapter; forms of "lux" appear four times. Just before the concluding two sentences, he uses the word "stultus" to describe one foolish enough to think that the numbers were included in Scripture without any reason for their inclusion.

1:236.27–237.6.*o* *Out of . . . lawes*. S. T., 1a2ae.91.3; (1575), p. 242; B, 28:26–27. Question 90 defines law, and 91 describes the varieties of law; 91.3 justifies the existence and use of human law. H's explanatory gloss ("that is . . .") is reflected in 90.3, in which Thomas states that either the whole people or whoever has been

entrusted with their care is competent to make law for the common good (B, 28:12–15); see also nn to 1:58.26–29, 59.11–12, 85.14–15, 86.12–13, 90.f, 96.24–25 and 25–32, 97.20–21, and 101.22–26 and 27–28, above, and to 237.24–27.p and 240.14–32, below.

1:237.8–9 **That which . . . reason.** At the beginning of his reply in 91.3 Aquinas states, as he has already established (90.1, reply to obj. 2), that law is, so to speak, a dictate of the practical reason (“quoddam dictamen practicae rationis”; B, 28:24).

1:237.15–18 **As for example, . . . not marry.** The prohibition of the marriage of first cousins, incorporated in medieval canon law, was reaffirmed in England by the Table of Kindred and Affinity promulgated by Archbishop Parker in 1560, *An admonition . . . to all suche as shall intende hereafter to enter the state of matrimonye godly and agreablye to lawes* (STC 19285.2).

1:237.24–27.p **Humane lawes . . . nature.** In *S.T.*, 1a2ae.95.3, Aquinas agrees with Isidore of Seville that law be consistent with religion, in agreement with good discipline, and conducive to our welfare. Relating these criteria to Aristotle’s dictum that anything must be both proportioned to its purpose and configured to that which rules and measures it, Aquinas states: “Human law meets both requirements, for, first, it is something ordered to a purpose, and, second, is a sort of rule and measure itself ruled and measured by a higher. This last . . . is twofold, namely divine law and natural law”; “*Lex autem humana utrumque habet: quia et est aliquid ordinatum ad finem, et est quaedam regula vel mensura regulata vel mensurata quadam superiori mensura. quae quidem est duplex, scilicet divina lex et lex naturae*”; (1575), p. 253; B, 28:108–109; see 1:236.27–237.6.o.n, above.

1:237.29–239.16 **Unto lawes thus made . . . due.** See I.16.5–7 and VII.14.3.

1:238.1–5.r **My sonne . . . disobedient.** The metaphor of the church as mother to those whose father is God, partly linked with an exegesis of Gal. 4:26, goes back at least to Cyprian; see *De unitate ecclesiae*, chap. 6; CSEL, 3.1:214. It was reaffirmed in the 16C by Reformed theologians such as Calvin (*Inst.*, 4.1.1).

1:238.13–23 **It is a loose . . . Evangelists.** H again links Puritan and anabaptist teachings; see Pref. 8.6–13 (1:42–51, nn) and Intro. to The Preface, pp. 49–50 and 70–71, above. Anabaptists emphasized the moral exhortations of the gospel accounts as providing a full pattern of law for believers. Their 1632 Dordrecht Confession declared that Christ in his law, which is the gospel or the NT, “caused it to be declared, that all men without distinction, if they are obedient, through faith, follow, fulfill and live according to the precepts of the same, are His children and rightful heirs”; see John C. Wenger, *The Doctrines of the Mennonites* (Scottsdale, Pennsylvania: Mennonite Publishing House, 1952), p. 80.

1:238.25–27 **The light of naturall . . . world.** Compare I.8.3 (1:84.9–10).

1:238.27–28.t **If there proceed . . . darknes,** GB glosses John 1:5: “Mans minde is ful of darkenes because of the corruption thereof.”

- 1:238.31–239.4.*u* **And therefore . . . hartes.** See 1:150.4–12.*n*, above. By “God him selfe,” H suggests the divine authorship of the cited verses in Paul’s letter.
- 1:239.32–240.2 **The nature . . . end.** See *nn* at 1:58.24 and 1:237.24–27, above, for Aquinas’s use of this Aristotelian understanding of law.
- 1:240.4–8 **As why God . . . unknown.** See Gen. 2:17 and 3:15; GB suggests that God commanded “thou shalt not eat” of “the tre of knowledge” “so that man might knowe there was a soveraigne Lord, to whome he owed obedience.”
- 1:240.8–11.*v*, *w* **Why the Jewes were forbidden . . . obscure.** These arbitrary commands reflect an underlying Semitic concern to keep distinctions and right order in the created world; see also Lev. 19:19.
- 1:240.14–32 **But if the reason why . . . chaungeable.** Compare Aquinas: “natural law comprises universal commands which are everlasting, whereas human positive law comprises particular commands to meet the various situations that rise” and “justice must always be observed; but the determination, by human or divine ordinance, of what is just must needs vary according to the different states of man”; *S.T.*, 1a2ae.97.1 and 104.3; B, 28:145 and 29:261; see 1:236.27–237.6.*o.n*, above.
- 1:240.30 **in writing** The Decalogue; see Deut. 4:13, 5:22, and Exod. 24:12, 31:18.
- 1:240.33 **The law of ceremonies** The ceremonial requirements of the OT were considered by Christians to have been abrogated with the coming of Christ; Moses was judged to be the author of the Pentateuch, which contained the law.
- 1:241.9–11.*x* **That which . . . free.** *Decretum Gratiani*, 1.1.1.41; (1582), cols. 683–684; this edn. adds “utique” (“certainly”) after “debet”; *C.J.Can.*, ed. Friedberg (1959), 1:374. “Quod pro necessit.” identifies the canon. Following “*urgebat*,” the canon concludes: “quia alius est ordo legitimus, alia usurpatio”; “because in the one case it is the legitimate arrangement, in other circumstances, a usurpation.”
- 1:241.11–26 **Which thing . . . given.** Although H points to the Council of Jerusalem as a scriptural example of the continuing legislative authority exercised by the church (see Pref. 6.2, I.10.14, 16.7, and chaps. 8.17 and 10.7; 1:30.5–10 and 25–31, 109.7–23 and *s*, 141.28–142.2 and *x*, 234.20–25 and *l*, and 245.1–4 and *l*), he distinguishes between the special and miraculous working of the Holy Spirit at that council from its operation in subsequent councils; see VIII.6.6 [Keble: § 7] (3:391.24–393.3). The decree for Gentile Christians who observed the Jewish law healed the threatening schism between Gentile and Jewish Christians (Acts 15:20, 29). The subsequent disappearance of Jewish Christians who observed the ritual requirements of the Torah made the requirement obsolete. A GB note to Acts 15:20 explains that “The heathen thoght this [fornication] no vice, but made it a commune custome,” but as for the food regulations, unclean meats “were not unlawful of them selves, and therefore were observed but for a time.”

1:241.26–243.12 **But such as . . . necessary?** As §§ 3–4 treat an issue mentioned in the chap. heading (“*nor . . . instituted*”; 1:239.18–19) but not in the contents (194.11–13) or in the summaries at the end of the chap. (245.24–28) and the book (264.34–265.7), they may not have been in H’s original draft.

1:241.26–242.9.z **But such as . . . him.** The anonymous 1584 *Abstract, of Certain Acts of Parliament*, responding to Whitgift’s *Articuli per archiepiscopum, episcopos et reliquum clerum Cantuariensis provinciae in synodo* of 1584 (STC 4583), which in turn were issued to “reinstat[e] uniformity of liturgical observance in the Church,” reminded “the ecclesiastical authorities of various legal and statutory provisions” that Puritans judged to have been circumvented by Whitgift’s Articles (Milward, pp. 77–78). The *Abstract* argued that the Ordinal authorized by statute “hath appointed, as well the discipline of Christ, as the doctrine and sacraments to be ministered, as the Lord commanded onely, and none otherwise” (p. 36). Cosin’s *An Answer to . . . An abstract* granted this interpretation of the statute as a generality but not its applicability to every circumstance: “For else how could the primitive church without any prescript word . . . have altered the sabboth daie . . . or yet the time of receiving the sacrament of the eucharist, being according to the institution usuallie received after supper, to have it received as it is in the morning fasting?” (p. 60). Fenner’s *A Counter-Poyson* uses the argument cited by H in his reply to Cosin’s example. Noting that scriptural accounts in Acts suggest other hours, Fenner adds: “Neither can that be saide to be according to the institution, which being done upon a particular cause (as all Divines agree) shold not be observed wher that cause ceaseth” (p. 8). Having disposed of Cosin’s arguments, Fenner declares: “the whole substance of the ordinary government of the church, that is to say, the unchaungable lawes of the holy things, of Offices, callings, examinations, abdications, executions, and of the reason and distinction of every one of them, is prescribed of God in his holy Worde, as a perpetuall Lawe unto his Church” (pp. 8–9). On the Abstract Controversy, see nn at 1:41.31–42.4.b, above, and 2:472.10–11, below.

1:242.9–13 **Wherein they . . . worke.** H follows Aquinas in insisting on these two conditions for the law; see nn to 1:237.24–27.p and 240.14–32, above.

1:242.29–243.6 **In a word . . . change.** This three-fold division of the OT law was followed by Aquinas (*S.T.*, 1a2ae.99) as well by Luther, implicitly in the preface to his translation of the OT, and more explicitly by Philipp Melanchthon (1497–1560; 1521 *Loci communes*, “De divinis legibus”) and by Calvin (*Inst.*, 4.20.14). All three agree with H as to the standing of the laws for Christians, although in emphasizing justification by faith Melanchthon actually declares the moral law abrogated while insisting that it still be kept; see *Loci communes*, “De discrimine Veteris ac Novi Testamenti.” For Luther, see *Martin Luthers Werke: 2. Deutsche Bibel* (Weimar, 1906–1961), 8:16–19; *Luther’s Works*, ed. Pelikan and Lehmann (1955–1986), 35:240; for Aquinas, see *S.T.*, 1a2ae.99.8, 103.3 and 4, and 104.3; for Calvin, see *Inst.*, 4.20.15–16. Both Whitgift and Cartwright used these

traditional divisions (see nn to 1:214.15–21.x and 217.16–23.f, above), but Cartwright qualified the abrogation of the judicial laws for Christians: “As for the judicial lawe, for as muche as there are some of them made in regarde of the region . . . and of the people, . . . the Prince and Magistrate keping the substance and equitie of them . . . may change the circumstances of them as the times and places and manners of the people shall require. But to say that any magistrate can save the life of blasphemers, contemptuous and stubborne Idolators, murderers, adulterers, incestuous persons, and suche like, whych God by hys judiciall lawe hath commaunded to be put to death, I doe utterly denye”; *Replye*, 1:35–36 [22]; Whitgift, *Defense*, pp. 119–120 (PS, 1:270).

1:243.12–24 **They which do . . . bettered.** Fenner, for example, wrote: “the which God kept for the time of the Gospell, he did in perfect wisdom ordayne and prescribe, and that which Christ did inrich and inlarge, he wolde not have men cut of and abolish. Wherefore, if they will still rowle the stone of mans power, to alter and change this order of God, let them shewe how men can take away that which God hath set in his Church”; *Counter-Poyson*, p. 13; compare Pref. 4.4.

1:244.5–7.a **Discipline . . . a common cause.** See 1:210.12–13.t.n, above.

1:244.10–15 **Touching pointes of doctrine, . . . nature.** Compare 1:260.11–13, 261.11–13, and 267.18–21.

1:244.18–20.b **The rule of faith, . . . anew.** See 1:197.8–10.m.n, above.

1:244.20.c **The lawe of outwarde order . . . so.** In a commentary to 1 Sam. 14, Peter Martyr discusses ecclesiastical laws; *In duos libros Samuelis Prophetarum* (1564), fols. 82^r–83^r. Most of the passage was included in his *Loci communes*, ed. R. Massonius (1576; STC 24667), pp. 769–771. A. Marten’s translation appeared in 1579 and 1583; *The common places of . . . Peter Martyr* (1583; STC 24669), part 4, chap. 4; pp. 41–44. Both the Latin and English collections cite “I. Sa. 14. at the end.” The English includes: “it is lawfull for the Church to make to it selfe, either Canons, or lawes, or decrees, or statutes, or call them by what name thou wilt. For the Church is a companie, and must be ruled by the word of God, especially because it belongeth to the salvation thereof, and to the worshiping of God. But there be other things which belong onelie unto outward discipline. For there is neede of certaine outward bondes, to the end that the fellowship of the people maie be retained . . . the Apostles in the Actes [15:20], decreede ‘that we should abstaine from bloud, from strangled, and from things dedicated unto Idols.’ And alwaies in Councils after they had done with doctrine, they began to intreate of discipline. Finallie so did all the Fathers as Tertullian, Origen, Basill, Augustine and Jerom. The end of these lawes must be edefying and good order. But for so much as they be not of necessitie, they maie be changed according to the times and places”; p. 42; Latin (1564), fol. 83^r; *Loci communes* (1583), p. 770. Marten does not translate “ratione” (“on reasonable grounds”) in the final sentence.

- 1:245.1–7.*d* **But touching things . . . require.** A paraphrase of Peter Martyr, who also cites Acts 15; see *n* preceding.
- 1:245.16–17 **Their distinction . . . serve.** Replying to Cosin's examples of changes in the day of the sabbath and in the hour for the Eucharist (see 1:241.24–242.9.*z.n*, above), Fenner wrote: "when as the Question was of Discipline, to be administered as the Lorde commaunded, that is, of the substantiall forme of Christes government, [Cosin] carieth it to the ceremonies and circumstances of Discipline"; *A Counter-Poyson*, p. 4.
- 1:245.28–246.23 **But of one thing . . . spoken.** This section, together with 1:264.3–15 and 268.6–13, suggests that H's views of episcopacy at the time he completed Book III are substantially consistent with those expressed in V.78.4–12 and in VII, esp. chaps. 4 and 5.
- 1:246.6–9 **Our perswasion is, . . . contrarie.** See Pref. 2.1–7, 3.9, and 4.1–6.
- 1:246.14–15.*e* **and which . . . all times.** H quotes the initial heading in the analytical table inserted before p. 1 in Travers's *Explicatio*: "Discipline is the polity of the Christian Church that God established for its proper direction, and therefore, it must be sought out of his word, and, for the same reason it is common to all Churches and to all times"; Cartwright also provides the chart in his English translation, but he abbreviates this passage to "Discipline is an order for the good government off the churche off Christ. fo. 6." Although the volume is paginated from the beginning of Travers's text, Cartwright uses folio citations throughout the chart. If the foliation began with the title page, "fo. 6" would correspond to pp. 9–10. On p. 9, Cartwright writes of the "rule and Discipline" left by Christ "which is common and generall to all the churche and perpetuall for all tymes."
- 1:246.21–23.*f* **that whether it be . . . spoken.** In the introductory section to the final book of *Nicomachean Ethics*, Aristotle insists that anyone who would convince others must conform his life to his own teaching: "Therefore it seems that the truths of words are not only most useful for knowing, but also for life. For echoing the deeds, they are believed"; 10.1.4; *Opera* (1550), 2:52; 1172^b; compare Loeb, pp. 578–579.
- 1:246.24–25 **Whether Christ . . . scripture.** Compare the wording in the list of chapter-heads above (1:194.14–16), and chap. 11.17 (265.8–16), a description of the topics of the first two main sections of the chapter (§§ 2–10, §§ 11–13), which leads up to the summary of the arguments of Book III (§§ 14–17) and its conclusion (§§ 18–21).
- 1:247.8–248.6.*g* **To prove therefore . . . possession.** H employs two relatively recent examples of this frequently used Puritan argument. The first, H's only direct citation of Martin Marprelate ("M. M.") outside the Preface (8.13; 1:50.4–5), comes from the fourth publication, *Hay any worke for Cooper: or a briefe pistle directed to the reverende byshopps* ([1589]; STC 17456). Replying to the accusation that the

Puritans attack the state in their demand for changes in church government, Martin argues that the bishops say “That Christ hath left the government of his own house unperfect and left the same to the discretion of the magestrate wheras Moses . . . made the government of the legal politie so perfect as he left not any parte thereof to the discretion of the magestrate. . . . Why Moses the servant otherwise governed the house in his time. And the sonne is commended in this point for wisdome and faithfulness before him. Heb 3.6. Either then that commendation [as in g.1–5].” The next Marprelate pamphlet, published a few months later, states in its fifth thesis: “That if Christ did not ordein Church-governement, which at the pleasure of man can not be changed, then hee is inferiour unto Moses . . . Heb.3.2, 3.”; *Theses Martinianae: that is, certain demonstrative conclusions* ([1589]; STC 17457), sig. A3^v. On the Marprelate pamphlets, see Intro. to The Preface, pp. 23–25, and 1:50.4–5.r.n, above.

In his uncompromising presbyterian pamphlet, *A Demonstration of the Trueth of that Discipline* ([1588]; STC 24499; see 1:27.11–13.n, above), John Udall includes among the propositions that disprove the bishops’ contention that discipline and church offices are “in some points left to the discretion and libertie of the Church,” which H in g summarizes: “He that was as faythfull as Moses, left as clear instruction, both for the buylding of faith, and government of the Church, as Moses did: BUT Christ was as faythfull in Gods house. Heb. 3.2: therefore he lefte as clare instruction from them both as Moses; . . .” (pp. 1, 3). John Penry, a participant in the Marprelate project if not now thought to be Marprelate himself, repeats the same argument in his 1589 *Appellation of John Penri, unto the highe court of Parliament*: “Th’outwarde regement [of the church] cannot be held changeable under the Gospell, according to times, places, countries, and states, but Christ Jesus must be made inferiour unto Moses . . . Heb. 3.6.” (STC 19602; p. 18).

In his *Counter-Poyson*, citing Heb. 3:1–2, Fenner likewise argued that unless God provided for the government of his church under the NT as under the OT, “it were to make God lesse carefull of his Church under the gospel, and to make the ministry of *Moses* more excellent then that of *Christe*” (p. 9). Drawing on the same servant-son contrast from Hebrews, Travers in his 1574 manifesto argues that Christ “hath fullie and perfectlie declared unto us whatsoever was nedefull for the government off the church: excepte we will robbe him of some parte off his Prophetically office, or preferre a serva[n]te be he never so faithfull before the only begotten sonne, and as yt were Eliezer before Isaac in his fathers howse which surelie they doe who thincke the servante to have omitted nothing in this behalffe, that the heire hath omitted all: and that Moses lefte all thinges perfecte, but Christ eyther beganne them not or did not fynishe that which he beganne”; *Explicatio*, trans. Cartwright, p. 9; Latin, fol. 7^v. On Udall and Penry, see Intro. to The Preface, pp. 29 and 30, above.

1:247.21–25 **Moses erected . . . think.** Treating the same issue, Cartwright uses the tabernacle and temple, along with the ark, as figures of the church; *Replye*, 1:84 [63] (Whitgift, *Defense*, pp. 304–306; PS, 2:92–95). Travers also cited the detailed divine

instructions for the tabernacle and the temple as models for God's ordering of church government; *Explicatio*, trans. Cartwright, pp. 7–8; Latin, fols. 5^v–6^v.

- 1:248.1–6 **The Apostle . . . possession.** H attributes, as modern critics would not, Hebrews to Paul. The italics for “in,” “over,” and “as a servant” identify quotations (Heb. 3:2, 6, and 5), but “his by charge” suggests a logical extension of the assertion that Moses is a servant in his house (3:5), and “his owne intire possession” is an interpretative paraphrase of ἐπὶ τὸν οἶκον αὐτοῦ (“over his house,” 3:6).
- 1:248.7–8.h **I have geven . . . me.** H introduces John 17:8 to further his own argument; none of his Puritan sources cites it.
- 1:248.9–11.i **But did any part . . . Jewes.** Immediately before the proposition H cites above (247.g), Udall included another: “Eyther hath God left a prescript forme of governement for the Church, under the newe testament: or he is lesse careful for it now, then he was under the lawe; for his care is in guyding it: But he is as careful now for his church as he was then: Therefore hath hee left a prescript forme to governe it”; *Demonstration*, p. 3. Fenner argued similarly (see 1:247.8–248.6.g.n, above), as had Cartwright and Travers: “The church of the other side riseth against [Whitgift], for that he maketh Christ les carefull for her then he was for that under the lawe”; *Replye*, 1:84 (Whitgift, *Defense*, p. 304; PS, 2:90) and “how absurde and unreasonable a thing is it then especially to thincke the love and care off God to be demynished towards his church when he hath testified yt with a most certeine and undoubted testimony”; *Explicatio*, trans. Cartwright, p. 8; Latin, fols. 6^v–7^f.
- 1:248.16–22 **An heathen Philosopher . . . Stepdame.** The Greek poet Philemon contrasted man's miserable life with that of all other animals whom the earth fed but made no mention of nature as mother or stepmother; see Johannes Stobaeus, *Ἐκλογαὶ ἀπόφθεγματων καὶ ὑποθήκων* (1549), pp. 527–528, listed as Serm. 96.17; *Aristophanis comoediae . . . Menandri et Philemonis fragmenta*, ed. Dübner (1877), p. 118, listed as Stobaeus, Serm. 98.17. In an opening section to bk. 3 of *The Republic*, preserved only in Augustine's *Contra Julianum Pelagianum*, Cicero refers to man, frail in body and spirit, brought into life by nature, “not as by a mother, but as by a stepmother” (12.60); *Opera* (1528–1529), 7:713; PL, 44:767; FC, 35:218. At the beginning of bk. 7 of his *Natural History*, before listing the advantages of other animals over man, Pliny writes: “First place is given by right to man, for whose sake it appears that nature has brought forth all other things, with a great and harsh price for so great favors, so that it is not possible to determine whether she has been a better mother or a harsher stepmother”; “Principium iure tribuetur homini, cuius causa videtur cuncta alia genuisse natura, magna et saeva mercede contra tanta sua munera: ut non sit satis aestimare, parens melior homini: an tristior noverca fuerit” (§ 1); *G. Plini secundi historiae mundi*, ed. Erasmus (1539), p. 105; compare Loeb, pp. 506–507.
- 1:248.28–30.j **Their owne wordes . . . state.** For Cartwright's slightly different

trans. and context, see 1:214.15–21.x.n, above, substituting for the ellipsis: “. . . All things which pertained not onlie to the government off the cyvile state but also off the Ecclesiasticall (for although with them god was Author of bothe, yet he wold have them distinguished the on from the other) were so diligentlie . . .”; *Explicatio*, p. 6. The Latin reads: “In vetera Ecclesia Judaeorum omnia quae ad regendum non tantum civilem sed etiam Ecclesiasticum statum (quanquam enim Deus apud eos utriusque autor extiterit, tamen à se invicem distingui voluit atque separari) ita diligenter descripta sunt, et à Deo praecepta, à Mose literis commendata, ut disertè vetitum sit nequid ad ea quae tradita essent adjungeretur, nec ab iisdem detraheretur” (fol. 5^r).

1:249.5.k **as some doe**, No known 16C group advocated that Christians adopt the Jewish law; H’s use of “doe” must be an historical present, referring to the judaizing controversy reflected in the NT (Acts 15, Gal. 2). H’s own citations in *k* refer only to the entry of Gentiles into the church.

1:249.19–251.10 **Againe the positive lawes . . . all**. Compare Aquinas: “The precepts of the decalogue differ from the other precepts of the Law in that the former . . . were given directly by God to the people, while the latter were given by Moses as intermediary”; *S.T.*, 1a2ae.100.3 (B, 29:65; see quotations in 1:240.14–32.n, above). And Calvin: “As . . . the ceremonies myghte be abrogate, godlinesse remayning safe and undestroyed: so these judiciall ordinances also beyng taken away, the perpetuall dueties and commaundements of charitie may continue”; *Inst.*, 4.20.15; trans. Norton (1561), Part 3, fol. 165^v.

1:249.21–250.19.l-u **Beholde, . . . possesse**. By noting these passages (Deut. 4:5, 12–14; 5:22, 27–31) in *l-u*, verse by verse, H implies that a permanent moral law may be distinguished in the OT from the ceremonial and contextual judicial laws.

1:251.14–20.v **And in this point . . . word**. In his *Replye* Cartwright defends the application of Deut. 4:2 and 12:32, cited in the *Admonition* (see 1:214.15–21.x and n, above). H in chap. 7 has already appropriated part of Cartwright’s argument (see 217.16–23.f.n). After the words quoted in *v*, Cartwright continues: “For as their ceremonies and sacraments are multiplied above oures, so grewe the number of those cases whyche were not determined by any expres worde, and therefore I will conclude that for so muche as we have the same lawes . . . beside that a noble addition of the newe Testament, . . . we have also precise direction of our religion as they had, and therefore those places of Deuter. stand in as greate force nowe touching the government of the church as they did then” (1:35 [22]). Like H (in 251.20–252.3), Whitgift delighted in Cartwright’s assertion that “there can be nothing spoken more directly for the justifying of my cause”; *Defense*, p. 120 (PS, 1:271); also, p. 306 (PS, 2:95).

1:252.3–9.u,x **It may be . . . alteration**. Whitgift replies to Cartwright’s imagery of the tabernacle and temple (see 1:247.21–25.n, above): “how you can aptly apply thys figure to the externall government, and pollicie of the Church, I cannot well

understand: and if you may so use it, yet do you but allegory; which is no good kind of prooffe bycause allegories may be applyed according to every particular mans invention" (*Defense*, p. 305; PS, 2:94). Cartwright responds as H cites: "although no singular partes off the Tabernacle or Temple themselves should set forth unto us the externall policie of the churches: yet when . . . yt is prescribed how many kinde of officers . . . and what every one should doo: that might suffice to prove that if he will . . . [as in *x*]. Towching the alteration made by Salomon, and David [see Whitgift, p. 306; PS, 2:95], . . . all that was doon by commaundement of God. And in an other place is set forth that those were instituted by commaundement of David which had commaundement off God browght by the handes off Gad the seer and of Nathan the Prophet" (1 Chron. 24:19 and 2 Chron. 29:25; Cartwright, 2:446–447). The reference in the table mentioned in *w* is to this passage although incorrectly numbered. "The Ecclesiasticall discipline is prescribed in the word . . . Confirmed by examples off David and Salomon which attempted nothing in the church government without the expres word off God" (sig. 2P2").

1:252.14–18.*y* **Before the fact of . . . case.** GB explains Lev. 24:23: "Because the punishment was not yet appointed by the Lawe for the blasphemor, Moses consulted with the Lord, and tolde the people what God commanded." Cartwright believed the penalty (stoning) still binding (see 1:242.29–243.6.n, above).

1:252.18–26.*z* **The like practise . . . appoint.** GB cross-references Lev. 24:12 (*y*) at Num. 15:34 (*z*). H explains the disproportionate severity of the OT penalty for sabbath-breakers in V.71.8 (2:380.7–381.1).

1:252.28–253.5.*a,b* **But if the case . . . come.** Continuing laws for the participation of ritually unclean persons in the passover (Num. 9:6–12) and for female inheritance (Num. 27:1–11) were enacted as responses to particular situations; as the GB note to 27:5 puts it, Moses brought the "matter to be judged, to knowe what he shulde determine, as he did all hard matters." However, these judgments, like the first (Lev. 24:12) of the previous two explicitly and the second (Num. 15:34) implicitly (1:252.14–26), seem intended as lasting additions to Jewish regulations.

1:253.5–254.12 **The Jewes to this end . . . with.** See II.6.3 (1:169.26–170.2).

1:253.22–24.*c*[*d*] **So much . . . foreshewe.** GB interprets the cryptic "Shiloh" in Gen. 49:10 as "Christ the Messias, the gever of all prosperitie; who shal call the Gentiles to salvation." Christians long believed Gen. 22:18's promise to Abraham as fulfilled in Jesus (see Acts 3:25, Gal. 3:8).

1:254.20–25 **Notwithstanding . . . them.** For example, the rebellion of Korah (Num. 16:1–35) and his followers, whom the earth swallowed up.

1:254.33–255.15.*e* **in Civill matters . . . past.** To Cartwright's argument that God would have been "les carefull" for the Christian church than for OT Israel if he had not provided for the structure of its government (see 1:248.9–11.*i*.n, above), Whitgift replies that for the church, doctrine is "muche more playnly set down,"

but that, although Christ ordained that there should be “fit ministers to publish that doctrine” and offices “to governe the people in godlinesse,” he left the “names and titles and other externall things variable according to divers circumstances to the libertie of his Church”; *Defense*, p. 304 (PS, 2:91). Cartwright replied that, had Christ so done, he would have abandoned his kingly office, “that in all thinges pertaining to the kingdom of heaven, whether in matter off doctrine or government, the Lord hath in as great specialtie marked them owt as either before or under the law” (2:440). To anticipate an obvious objection, he then added the qualification H here quotes about “*Civill matters*.”

1:256.1–9 **But as for matter . . . lawes?** A summary of §§ 2–10; see 1:265.10–14.

1:256.9–20.f **Yea but the Apostle . . . Christ.** Both Travers and Cartwright so interpret 1 Tim. 6:13–14. In the early pages of the *Explicatio*, Travers writes: “I will shut up all this matter touching the originall off discipline, that it commeth from god and is therefore unchaungeable and perpetuall and common to all churches, with that earnest charge which S. Paul geveth Timothie touching the keeping and manteining theroff. who having taught his scholer all the order off ruling the howse off God which is the church, I charge the (saith he) in the sight off that God which quickneth all thinges and Jesus Christe who made that wortheie confession before Pontius Pilate, that thow kepe these preceptes without blame or reprofe even to that notable coming off our lorde Jesus Christe: . . . Off which place, I gather, first that allmightie God and our Saviour Jesus Christe are the authors off that discipline which S. Paule had taught in that epistle. forasmuche as they are noted to be the punyshers and avengers off all those who shall breake yt. I note further also that this order of discipline is constaunte and unchangeable: which may neyther be broken for any mans power or authoritie, nor altered for any mans favour: seing that it is not only called a commandment, but is geven also with suche a charge: Tymothie being warned before the allmightie God and our Savior Jesus Christe to beare him selfe therin without blame and reprofe. Last off all that yt is no commandment belonging to any certein tyme, but perpetuall and perteyning to all tymes and states off the church: Seing yt is so expressselie commanded that it should be kepte unto the comming off our lorde Jesus Christe”; trans. Cartwright, pp. 13–14; Latin, fol. 10^v. Cartwright expands Travers’s Latin text in the third to last sentence, emphasizing the gravity of Paul’s charge to Timothy. In his earlier *Replye* Cartwright had likewise claimed the passage as part of his argument for the lay elders, which he believed to be prescribed earlier in the epistle: “S. Paule having entreated throughout the whole first Epistle to Timothe, of the orders which ought to be in the church of God, and of the government . . . strayghtly chargeth hym, to observe those thinges which hee had prescribed in that Epistle. ‘I charge thee [as in 1 Tim. 6:13–14, cited in margin].’ . . . First . . . he sayeth, ‘I denounce’ or ‘I charge’. He doth not say, ‘I exhort or give counsell’, leaving it to the lyberty of Timothe. Secundarely, . . . he

calleth the whole Epistle a commaundement . . . Thirdly, when he maketh mention of . . . Christ which witnessed a good profession under Pontius Pilate, he sheweth that the thinges containd in thys Epistle are such, as for the mayntenance therof wee ought not doubt to geve our lyves . . . Fourthly, if we refer those wordes, without spot or blemish, unto the commaundement . . . , then there is a waight in these words . . . that the apostle . . . will not . . . have the rules heere containd . . . so much as in any one small poynt or specke neglected"; *Replye*, 1:177 [141]. Whitgift identifies the commandment, not with the whole epistle, but, as H does (1:257.12–16), with the faithful execution of the office committed to him, and he refers "without spot or blemish" to Timothy rather than to the commandment (as does Travers, followed inconsistently by Cartwright), "without blame and reprove"; *Defense*, pp. 637–638 (PS, 3:173–174); see also 1:258.7–14.*n.n.*, below. Cartwright uses this passage also to buttress his arguments for the perpetuity of the forms of church government in *The Rest of the Second Replie*: "Lastly, . . . the Apostel in the person of Timothe, chargeth most straitly al the Ministers of the word, with the keping of this order, until the appearing of our Sa. Christ" (3:73). Udall cites the verse as the scriptural basis for his first point against the bishops' argument that changes were permitted in church government: "That end which Paule respected in writing unto Timothie, doth the holy ghost direct al ministers unto forever; for it must be kept. I.Tim. 6.14. But he wrote to directe him in the establishing and building of the Church. Therefore that word must direct ministers for ever: and consequently they neither may add to, nor take from it, but governe it onely by the rules that be there prescribed"; *A Demonstration*, pp. 1–2. Puritans relied heavily on the descriptions of the ministry found in 1 Tim. to support their advocacy of lay elders and of the equality of presbyters and bishops, and H takes great care to respond to these arguments in Book VII; see 4.3; 5.1,10; 6.3, 8; 9.3; 11.1, 6; 14.10; 3:158.10–13.*x*, 159.*f*, 170.3–12, 172.5–9, 175.11–15.*k*, 200.27–201.19.*y*, *z*, 203.19–21.*b*, 207.14–30, and 226.15–19.

1:256.31 **τὴν ἐντολὴν** That is, "the commandment" which H quotes in the accusative case from 1 Tim. 6:14, suggesting he was using the Greek text; Cartwright does not quote the Greek, and Travers introduces the word in the nominative (ἐντολῆ; *Explicatio*, fol. 10^v).

1:256.32–33.*h* **commaundement . . . Peter**; The thrice-given direction, "Feede my lambes" or "my sheepe" (John 21:15, 16, and 17).

1:257.6–8;*j* **I charge thee . . . God**. Paul's orders to Timothy are more expansive; see 2 Tim. 4:2–5.

1:257.10–12.*k,l* **The doctrine . . . Ghost**. The "talent or treasure," alluding to Matt. 25:14–20 and 2 Cor. 4:7, is H's description of what was entrusted to Timothy (τὴν παρακαταθήκην, "that which is committed"). The "gift" (τοῦ χαρίσματος) was given him at the laying on of the hands of the presbytery. H's

explanatory addition, “*of the holy Ghost,*” comes from the traditional ordination formula, “Receive the Holy Ghost . . . ,” a “blasphemous saying” according to the *Admonition*, sig. A2^r (*P.M.*, p. 10).

1:257.13–14 *was to teach . . . doctrine*, Alluding to such passages as 1 Tim. 1:10, 4:1, 6:3; 2 Tim. 4:3; and Titus 1:9, 2:1, 7.

1:257.19–21.*m* *I have kept . . . me*. In this passage, as all those quoted in § 11 from 1:256.9 on, H was working from the Greek or from memory, not GB or BB.

1:258.7–14.*n* *let them withall . . . perpetuities*. Puritans disagreed concerning the intended perpetuity of the office of “widows” established on the scriptural base of 1 Tim. 5:9. Cartwright urges that such a “convenient order” be revived: “I conclude that (if such may be gotten) we ought also to kepe that order of widowes in the church still. I know that there be lerned men which thinke otherwise, but I stand upon the authoritie of Gods worde and not upon the opynions of men be they never so well learned. . . . I am able to shew the judgement of as learned as thys age hath brought forth which thinketh that the institution of widdows is perpetuall and ought to be where it may be had and where such widdows are founde”; *Replye*, 1:191–192 [153]. In response, Whitgift argues as H does: “if all thinges conteyned in S. Paule his first Epistle to Timothee bee perpetuall, and must be kept under the great charge that hee gave unto Timothe in the sixt chapter, . . . then of necessitie the churche must needes still reteyne wydowes”; *Defense*, p. 693 (PS, 3:292–293); see also pp. 637–638 (PS, 3:173). Travers omitted widows in his *Explicatio*, suggesting that the Pauline charge to show mercy did not apply to any special church office (“certum munus Ecclesiae”), but was the duty of the whole church (“totius Ecclesiae officium”; fol. 119^r). Cartwright omitted these words from his translation (p. 153), an act that Bancroft in his *Survey* accounted “greate dishonesty and lewdeness” (pp. 224–226; see chap. 19, pp. 215–227). On Bancroft, see 1:2.12–15.*n* and Intro. to The Preface, pp. 25, 30–31, and 67, above.

1:258.26–27.*o* *as they plainly confesse . . . buriall*. The Admonitioners’ appended “View of Popishe Abuses,” 1.1, complained of funeral practices “rather used of custome and superstition, then by the authoritie of the boke [BCP]”; *Admonition*, sig. C3^r (*P.M.*, p. 28). Whitgift and Cartwright debated the points; *Answer*, pp. 250–252; *Defense*, pp. 727–737; Cartwright, 1:200–203 [160–163] (PS, 3:362–380). In his final rebuttal, Cartwright concludes that Whitgift, “not content to wrest my particular argumentes, hath perverted this whole disputation. For, where my reasons . . . [as in *o*] . . . of them; he imagineth me concluding, that they *may not be*, and that yt is *unlawful* to have them: which notwithstanding S. Paul doth precisely distinguish” (3:241; 1 Cor. 6:12). H conflates two entries describing two successive chapters in the table of contents (sig. M3^r).

1:259.2–5 *The judgement . . . lawes*: In his *Answer* Whitgift translates an

extensive passage from Calvin's Latin to support the legislative authority of the church: "Bicause the Lorde hath . . . declared in the holie Scriptures . . . what so ever is necessarie unto salvation, therefore in those things he is only to be heard, as a maister, or teacher: But bicause in externall discipline and ceremonies he would not particularly prescribe, what we ought to folow, bicause he foresaw that this depended upon the state and condition of the time, neyther did judge one form or maner to be agreable to al ages, here we must have a respect to those general rules which he gave, that according to them might be examined such things, as the necessitie of the Church requireth to be commanded for order and decencie. Finally, bicause in these things he hath expressed nothing (for that they are neither necessarie to salvation, and may be diversly applied to the edifying of the Church, according to the maner and custome of every cuntry and age) Therefore as the commoditie of the Church requireth, and as shal be thought convenient, both the old may be abrogated and newe appoynted. . . . Nowe it is the office of Christian people with a free conscience, without superstition, with a godlie minde and readie and willing to obey, to observe those things whiche are appointed according to this rule. . . . It skilleth not what days be appointed, what houres, what maner of places touching the building, what Psalms are to be song this daye or that day: And yet there must certaine dayes be appointed, and certaine houres, and a place mete to receive al, if we have any respect to keepe unities and peace. For what confusion were it . . . if every man as he listeth, might alter and chaunge those things which pertain to the common state . . . ? Now if any man repine or grudge, and will here seme wiser than it behoveth him, let him consider by what reason he can excuse his waywardnesse in the Lorde" (pp. 50–52); quoted from *Defense*, pp. 109–110 (PS, 1:243–245); Calvin, *Inst.*, 4.10.30–31; compare Norton translation (1561), part 3, fol. 67^{r-v}; for the Latin, see *Institutio christianae religionis* (1576; STC 4414), pp. 587–588 (CR, 30:889–890). Whitgift cited chap. 13.31–32, suggesting he was using an almost identical text from an earlier edn. of the *Institutes* (see CR, 29:859–860).

1:259.5–15.p **the answer which . . . Church.** Whitgift concludes from this passage of Calvin that "in Ceremonies and externall discipline, he [God] hath not in Scripture particularly determined any thing, but lefte the same to his Church, to make or abrogate, to alter, or continue, to adde, or take away, as shall bee thought from tyme to tyme, moste conveniente, for the presente state of the Church, so that nothyng be doone, against that generall rule of Sainct Paule, I. *Corin.* 14. *Let all things be done decently and in order*"; *Answer*, p. 52; quoted from *Defense*, pp. 110–111 (PS, 1:246–247). Cartwright responded, after some general comments on Calvin's authority, as H quotes in p.6–12, continuing as in lines 1–6 of the text and concluding: "But if that M. Calvin were alive to heare hys sentences racked and wrythen [=twisted] to establishe those thyngs which he strove so mightely to overthrow and to overthrow those things that he laboured so sore to establishe, what might he say?"; *Replye*, 1:32–33 [19] (see *Defense*, p. 111; PS, 1:248).

- 1:260.3–7 **No, the name . . . it.** Whitgift termed Cartwright's introduction of baptism and the Eucharist "altogether frivolous: for they be substantiall Ceremonies: and not ceremonies onely, but Sacramentes also, and therefore must have of necessitie an expresse commaundement in the worde of God"; *Defense*, p. 112 (PS, 1:250). For Whitgift on "substantiall Ceremonies," see 1:211.28–31.n, above.
- 1:260.9–11.q **The Doctrine . . . neglected.** This sentence opens Cartwright's section on "the inconvenience of the Ceremonyes used in the church of England" in *The Rest of the Second Replie* in response to Whitgift's defense "Of the Communion Booke" (3:171; see *Defense*, Tract. 9, pp. 474 ff.; PS, 2:438 ff.). "Mynt and comyn," italicized in Cartwright's text, allude to Matt. 23:23, cited at 1:273.a.
- 1:260.30–261.2.r **No, they graunt . . . change.** The quotation in *r* belongs to the section discussed in chap. 7 in which Cartwright lays down the four general rules deduced from Scripture on church regulations. Immediately after that passage (quoted in 1:216.22–217.8.n, above), he continues: "Wherby it likewise appeareth that we deny not . . . [as in *r*] . . . ever: and yet so left to the order of the church as that it do nothing agaynst the rules aforseyde." Cartwright then asks how this can justify the wholesale departures from scriptural precedent in the ordering of ministries he sees in the English church. He continues: "doth it follow that because the church hath power to order certaine things, therefore it hath power to do so of these, which God hath ordayned and established: of the which there is no tyme, nor place, nor person, nor any other circumstance which can cause any alteration or change?" (1:27–28 [15]; Whitgift, *Defense*, p. 86; PS, 1:195–196). Cartwright's application of the principles exemplifies the Puritan position as H describes it in 1:260.13–261.20.
- 1:261.24–25 **Wherefore . . . a narrower roome.** There follow numbered summaries of the eleven chapters of Book III, concluding at 1:265.8–16. See Intro. to II, III & IV, p. 138, above.
- 1:261.32–262.6.s **they who first . . . Church.** H may refer here to the *Admonition*, although these verses are not cited. The wording of 1:262.5–6 is H's.
- 1:262.6–16.t **S. Augustine . . . darkened.** Whitgift introduces part of this passage in his *Answer*: "Whereby it is manifest, that those things maye be retained in the Church which are not expressed in the Scripture" (p. 47; quoted from *Defense*, p. 99; PS, 1:222). Cartwright retorts that Augustine did not contradict "anything which we hold . . . that the church . . . oughte to have nothing but that may be warranted by the scripture. For they may be according to the scripture and by the scripture which are not by plaine termes expressed in the scripture" (*Replie*, 1:30 [17]; see 1:281.17–22.s.). Augustine had responded to an inquiry of one Casulanus who had sent him a treatise supporting the requirement of fasting on Saturday, the Jewish sabbath, a custom observed by the church in Rome. Augustine replies: "I answer: if it were not lawfull at all, truly neither Moses, nor Elias, nor the Lord himself would have fasted for forty continuous days. Truly it may be inferred by

this reason that a fast even on the Lord's day [Sunday] is not forbidden. But . . . [as H translates]"; "Respondeo, si nullo modo liceret, profecto quadraginta continuos dies, nec Moyses nec Helias, nec ipse dominus jejunasset, Verum ista ratione concluditur etiam dominico die non illicitum esse jejunium. Et quisquis tamen hunc diem jejunio decernendum putaverit, sicut quidam jejunantes sabbatum observant, non parvo scandalo erit ecclesiae, Nec immerito, In his enim rebus de quibus nihil certi statuit scriptura divina, mos populi dei, vel instituta majorum pro lege tenenda sunt. De quibus si disputare voluerimus, et ex aliorum consuetudine alios improbare, orietur interminata luctatio, quae labore sermocinationis cum certa documenta nulla veritatis insinuet, utique cavendum est, ne tempestate contentionis serenitatem charitatis obnubiletur"; epist. 86.2 (1528–1529), 2:245; epist. 36, chap. 1.2; CSEL, 34.2:32; PL, 33.133–137; compare NPNF.1, 1:265. For other uses of this passage, see IV.3.2, 5.1, and 14.5 (1:281.18–20, 288.12–14, and 340.17–19).

1:262.16–28.*u-x* **If all things . . . intoombd.** These examples illustrate four ways that Scripture testifies to Jewish ceremonies for which there had been no divine counsel. Josh. 22:22–29 presents the reasoned justification offered by the Gileadites (Jews settled east of the Jordan) for their altar. Judg. 11:40 declares the fact of the yearly custom in response to Jephthah's sacrifice of his virgin daughter in fulfillment of his vow. John 10:22 incidentally mentions the dedication feast being observed by Jesus, a festival celebrating the restoration of the Temple after its defilement by Antiochus Epiphanes, an observance (Hanukkah) ordained in 1 Macc. 4:59, a book of the Apocrypha read liturgically in the C of E, much to the offense of the Puritans (see V.20; 2:72–83). John 19:40 mentions Jesus's burial as done "as the maner of the Jewes is to burie."

1:262.32–263.5 **Howbeit they which . . . men.** H may refer to the original *Admonition*, as the sections quoted in 1:214.15–21.*x.n*, above, or to the fuller description of a supposedly scriptural pattern of polity in the *Second Admonition*, whose author asks parliament to "let youre learned men be driven to drawe a platforme out of God his boke (wher it is descrybed at ful) according to hys will in the same revealed" (STC 4713, p. 11; *P.M.*, p. 94). Although H does not directly cite the *Second Admonition*, he refers to the plural "*Admonitions*" in Pref. 2.10 (1:12.7, 12); see 1:12.5–11.*n*, above, and 1:263.13–21.*n*, below.

1:263.5–13 **For reformation . . . both.** Although H implies that others besides Whitgift also responded to the Admonitioners, he clearly refers to Whitgift's *Answers*; see, for example, 1:208.12–209.19.*s.n*, above.

1:263.13–21 **Hereupon . . . salvation.** Although H certainly refers to Cartwright here (see chap. 2.2; 1:208–209), the plural "they" includes others: Travers's *Explicatio* appeared in the same year as Cartwright's *Replye*; H regards neither as among the authors of the *Admonitions*.

1:264.3–15 **In which . . . them.** See 1:245.28–246.23.*n*, above.

1:264.4–5 **Scottish . . . French,** Although the Scottish church in 1560 adopted a

doctrinal confession that reflected the theology of Calvin's *Institutes*, a struggle continued into the 17C between advocates of episcopal and strict presbyterian polities. However, in 1581 the General Assembly's adoption of a second Book of Discipline foreshadowed the eventual presbyterian victory.

Early in 1593, French members of the Reformed church, modelled after neighboring Geneva, and the majority RCs were engaged in the civil war that had preoccupied the nation off and on for more than thirty years. Later in 1593, the champion of the Protestant Huguenots, Henry of Navarre, won the crown by converting—an event that shocked Protestant Europe but led to the 1598 Edict of Nantes that established toleration for the Reformed church within French society until its revocation by Louis XIV in 1685.

1:264.5–6 **that which best agreeth . . . Bishops**, Defended in Book VII; see 1:268.9–11 and 245.28–246.23.n, above.

1:264.9–15 **this their defect . . . them**. In 1590 Hadrian Saravia (1531–1613), the scholarly Dutch Reformed pastor who had taken up residence in England, published his *De diversis ministrorum evangelii gradibus* and, in 1591, an English translation, *Of the Diverse Degrees of the Ministers of the Gospell* (see Intro. to The Preface, p. 33; also, Intro. to Book VII, pp. 321–322, above). In the preamble he comments: “I thinke of this new forme of Church government, as some thinke of our Bishops regiment: Namely, that it is but a devise of mans conceit, and there to be tollerated, where a better cannot bee obtained. And contrariwise; that which is disallowed of some, as devised by man, seemeth unto me to bee the verie ordinance of God, and the onely true government of the Church; as that which hath his institution from God; not only in the old, but in the New Testament” (sig. D2^v–3^r; Latin, sig. A1^v).

1:265.11–12.y (**unlesse . . . Solon**) In y, H omits “et caeteris exterarum gentium legislatoribus, Rebuspub. et” after “*Numa*.” The passage from the *Explicatio* appears a little after that quoted above in 1:247.8–248.6.g.n. Continuing his discussion of Christ's role as “the King and lawe gever off the churche,” Travers asks: “For yff he hath not set in order the whole state off his kingdome, iff he hath not appointed officers and declared the dewtie and authoritie off everie one, iff he hath not appointed what shoulde be [H omits “sit” after “*habenda*”] the order off courtes and off Justice, iff he hath taken no order how the controversies off his subjectes maie be ended: he hath lesse provided for his churche then not only Moses did for the Jewes, but then Lycurgus, Solon, Numa, and other lawegevers off the gentiles provided for there cities and common weales”; *Explicatio*, trans. Cartwright, p. 10; Latin, fol. 8^v. Lycurgus and Solon were considered to be the law-givers of Sparta and Athens respectively; the Roman system of worship and ceremonial law was ascribed to Numa Pompilius, the city's legendary wise and pious king.

1:265.17–18 **The Church . . . politie**. Travers opened his *Explicatio* with a discussion of “the manner off government in all humaine societies,” pointing out

that “for Pollicie, government and goodde laws are in citye or any common wealthe what soever as the helme is to the shippe . . . and as the sowle is to the bodie” (trans. Cartwright, p. 1; Latin, fol. 1^r). He then proceeds to consider the government of the church.

1:265.18–25 **The Church . . . appointed.** Puritans frequently related the scriptural image of the church as God’s house or household (for example, Gal. 6:10, Eph. 2:19, and Heb. 3:6) to its government. The *Admonition* speaks of “the building up of Gods house” (sig. B1^r; *P.M.*, p. 17). Travers in 1574 likewise employed the image in passing (see nn to 1:256.9–20*f*, above, and to 1:265.27–266.1, below). Writing in 1572, Fulke opened his *Briefe and Plaine Declaration* with the metaphor (see 1:207.10–24*n*, above). In 1588 Udall laid down in the first chapter of his *Demonstration*: “Every house ought to be ruled by the orders of the skilfull, wise, and careful householder onely: But the Church is the house of God, and God is such a householder: Therefore the Church ought to be ruled by the orders of God onely, which are no where to be had, but in his worde” (p. 2). Marprelate employs the image in *Hay any worke for Cooper* (see 1:247.8–248.6*g,n*, above).

1:265.27–266.1 **The numbers, . . . seene in.** Travers begins his conclusion to the *Explicatio*: “Thus nowe the lawfull and trew discipline hath bene described: which government of the churche off Christ as off the Lords house, who so ever diligently and attentively consider shall easilie perceive a merveilous heavenly wisdome to shine in all the government of the same. And so muche the more merveilous then was the government off the house and court of Salamon, . . . as he is wiser . . . then Salomon who did appoint all the ordre and manner off the ordering off it. For wither we consider the ordres and degrees off Officers, or ther orderly sitting downe, or the divers ornamentes and apparell off every one according to his divers estate and degree, we shall see that nothing could be wisely invented nor disposed with Judgement and reason either for the perservacion off the sure and safe estate off the churche, or for the beautifynge and adorninge the estimacion off the same which is wanting in this government”; trans. Cartwright, pp. 189–90; Latin, fol. 144^v.

1:266.30–267.9 **Now those things . . . unlawfull.** In his discussion of the “substance” of religion (see 1:212.v.1–3*n*, above), Bridges asks: “But where will our brethren shewe this government, which they pretende to be the government of Christ (that is to say, the government prescribed by Christ) to be the perpetuall, or to be the best, or to be any ordinarie government at all of his Church?”; *A Defence of the Government Established* (p. 49). Fenner, in *A Defence of the Godlie Ministers*, responds: “If our Saviour Christ have as the Lorde of the Church, appointed the divers Ministeries, . . . if he have bin faithful in all the house as Moses, . . . and if all Church-ministers must be from heaven and not from earth: . . . Then the forme of governement which Christe onlie hath prescribed in the divers Ministeries of (a^[1]) Doctors for deliverie of doctrine? [*sic*] of [a²] Pastors for applying the worde by exhortation and administration of the Sacraments, of (b) Elders to watche over the lives and conversation of men, (c) of the Ecclesiasticall Senate or Eldershipp compounded of those three Ministeries for

the Governement of Church matters, . . . (d) of Synodes compounded of divers Eldershippes, Provinciall and General: (e) of Deacons for the care of the poore, . . . of (f) Church-Servantes, to attende on the poore [marginal citations of Rom. 16:1 and 1 Tim. 5:2–3 designate deaconesses and widows], (g) of the free consent of the people, to be given unto the Church actions of greatest moment . . . after they bee by the particular Churches or Synodes orderlie resolved Then we saye, all this forme of governement commanded and these places [omitted are the full scriptural citations keyed to the text] prescribed, is ordinarie, perpetuall, and the best . . . otherwise not God only, but man worketh these things . . . otherwise everie one that buildeth these things in the Church, is not God but man, who upon new Councils, may alter, remove, enlarge, confounde, or distinguishe these things otherwise” (pp. 132–134).

1:267.32–268.1.a *If the blind leade . . . perish.* H misquotes, perhaps from memory: both shall “fall into the ditch.” No texts justify “perish.”

1:268.2 **their qualitie** A double reference to their character and ability and to their position in society (OED), as the church was a traditional means of upward social mobility.

1:268.4–5.b *lightes of the world,* H interprets Matt. 5:14 as spoken to the Apostles. The GB note to v. 13, “Ye are the salte of the earth,” makes a similar assumption: “Your office is to season men with the salt of the heavenlie doctrine.”

1:268.6–13 **Againe for as much . . . beene.** See 1:245.28–246.23.n, above. Saravia notes in the preamble to *Of the Diverse Degrees*: “our question is not, how the Bishops have abused their authoritye, but whether the Lorde hath so forbidden this their Primacy, that there may bee, nor Pastor over Pastor, nor Bishop over Bishop, in the outward pollicie of the Church” (sig. D3^r; see 1:264.9–15.n, above). In the body of treatise he writes: “we must confesse, how that under the Apostles, and of the Apostles, there were ordeined two degrees of Ministers, and they of divers authority, though not of divers titles: unto whom, albeit the Scripture for the present gave no proper or distinct denomination, yet in good time Posteritie did it, wel advised” (p. 30).

1:269.8 **But hereof more . . . followe.** See esp. V.76–78 and VII. Book VI was to treat of lay elders; see Intro. to Book VI, which reconstructs its argument (see pp. 254–255 and 302–304, above).

Book IV

- 1:271.2–7 **Concerning . . . followed.** Compare Pref. 7.5 (1:35), “*What things are handled . . .*” (54.9–11), and V.5.1 (2:32.5–11). Book IV completes H’s response to the “*generall accusations against us*” before turning to the “*specialities*” in Book V.
- 1:272.23 **ancient** That is, in the era of the early church Fathers, before the fall of the Roman Empire (OED).
- 1:273.4–12 **Whether justly or no, . . . place.** See Books V–VIII.
- 1:273.7–8.a **mint and comin,** See 1:260.9–11.q, and n, above.
- 1:273.16–18. **in every every . . . Church,** The verb “requireth” suggests the gospel sacraments of baptism and the Eucharist.
- 1:273.18–27 **there is, . . . thereunto.** In Augustine’s tractate on John 15:3 (no. 80), he rhetorically asks why Jesus, in declaring his disciples to be clean through the word, did not declare them clean through baptism. He replies that, without the word, the water is just water, continuing as H quotes, adding that the sacrament itself is a “kind of visible word”; “*Accedit verbum ad elementum, et fit sacramentum, etiam ipsum tamquam visibile verbum*”; *Opera* (1528–1529), 9:303; CCSL, 36:529; PL, 35:1840; NPNF.1, 7:344. This became a basic text for the description of a sacrament, although later medieval usage tended to substitute “matter and forme” (line 18) for element and word. Aquinas cited it to support the necessity in a sacrament of both a sensible reality (*S.T.*, 3a.60.4; B, 56:12–17) and proper words to express its significance (60.6; B, 56:20–25). Luther endorsed it; German Catechism, 5.10; *W.A.*, 30.1:223; Theodore G. Tappert, ed., *The Book of Concord* (1959), p. 448; see also *Briefe*, no. 4315, 12:399–401, on papal misuses of the passage. Calvin cited it, identifying “word” as the “word preached” (*Inst.*, 4.14.4), an interpretation that H here does not suggest.
- 1:274.3–14 **Because therefore . . . serve.** In dwelling on edification, the principal theme of *Two Sermons on S. Judes Epistle*, H reflects an emphasis shared by all churches of the magisterial Reformation. Lutherans tended to retain visual stimuli to faith, but Reformed churches minimized their use, in the conviction that God’s word is primarily conveyed by hearing and that visual objects lead too easily to idolatry. Calvin recognized the occasional necessity of ceremonies, but insisted that pure use would be obtained only if all such observances “shall have a shewe of manifeste profit, and if very fewe be received”; *Inst.*, 4.10.32; trans. Norton (1561), part 3, fol. 67^v.
- 1:274.6–7 **the liveliest . . . other,** Aristotle described sight as the sense *par excellence*: ἡ ὄψις μάλιστα αἰσθησίς ἐστι. *De anima*, 3.3; 429^a; Loeb, pp. 162–163.

- 1:274.27–30 **The things which . . . them.** Calvin insisted that the norms for ceremonial should be “fewnesse in number, easinesse in observing, and dignitie in signifieng, which also consisteth in clereness,” and that churches “can scarcely be sufficiently purged from monstrous superstitions but that many Ceremonies must be taken away, whiche in olde tyme were paradventure ordeined not without cause, and of them selves have no notable ungodlinesse in them”; *Inst.*, 4.10.14 and 32; trans. Norton (1561), part 3, fols. 61^v and 67^v–68^f.
- 1:275.2–3 **In contractes . . . wil.** “An obligation is a legal bond whereby we are constrained . . . to give or do something. . . . It is contracted by a thing, by words, by writing, by consent, by *traditio* [or] by conjunction”; Henricus de Bracton, *De legibus et consuetudinibus Angliae*, ed. Woodbine and Thorne (1968–), 2:282–283; for 16C text, see STC 3475 (1569), ed. T. N. [Thomas Norton?], fol. 99^f.
- 1:275.6–14 **Amongst the Romans . . . him.** H describes the manumission of slave by *vindicta* (rod), the preferred process when the owner still lived. Although the immediate source of H’s information has not been located, various data were available in the 16C. In his definition of “manu mitti” Festus reported the words quoted (line 10): “hunc hominem liberum esse volo”; *De verborum significatione* (1581), p. 7; ed. Lindsay (1965), pp. 148–149. In ridiculing the process, the Roman poet Persius referred to the master turning the slave about (“verterit hunc dominus, momento turbinus exit Marcus Dama”), the cap (“pil[]ja”), and the Praetor’s rod (“vindicta”); Satire 5.78–90; *Satyrae sex* (in 1574; STC 13784), p. 22; Loeb, pp. 376–379. Isidore of Seville, probably taking a line from a scholion on Persius, describes the blow on the face (“alapa”) by which the ancients turned the would-be freedman about, establishing his freedom; *Etymologiarum . . . libri xx*, 9.4.48; *Opus . . . ethimologiarum* (1499), fol. 49^f; ed. Lindsay (1957), under “manumissus”; PL, 82:353. Sidonius Apollinaris describes the cheeks of those to be freed joyfully suffering the blow (*Carmina*, 2.545; Loeb, pp. 56–57). Information about the shaving of the head of the manumitted slave or of the wearing of a white garment remains unlocated.
- 1:275.21–24.e **The sensible things . . . direct.** Dionysius the [Pseudo-]Areopagite, “Of the Ecclesiastical Hierarchies,” 2.3.2; *Opera* (1562), p. 121 (as H cites); PG, 3:397; an initial ἔστι belongs to the clause. “Resemblances . . . understood,” more literally, is “representations of things intelligible.” Following a detailed description of elaborately developed baptismal rites, the sentence begins: “For, as is clearly declared in the treatise ‘Concerning Things Intelligible and Sensible,’ on the one hand, [as in lines 21–24, “the sensible . . . direct”]; on the other hand, the things intelligible are the origin and science of the hierarchies known to the senses”; compare *Works*, ed. John Parker (1867–1899; rpr. 1976), 2:81. The Latin translates both “sensible things” and “hierarchies” by “sacramenta” (PG, 3:398).
- 1:275.24–26 **And whereas . . . sacraments:** A translation of a 1566 letter of Theodore Beza to Edmund Grindal, then bishop of London, was appended to the

Admonition; Beza wrote that, among the evil reports he had heard of the English church, he understood that they admitted "certaine ceremonies which have bene growne oute of a kinde long agoe into most fylthie superstitions, as crossing and kneeling at the Communicating of the Lordes supper, and other things of the same stampe." Criticizing some patristic ceremonial elaborations, he appealed to the fact that "oure Lord ordained both fewer (that is to witte but two . . .) and also simpler and euidenter sacraments of the new [in contrast to the old] testament. . . . They [patristic leaders] sinned righte greuously, as ofte as they brought any Sacramentalles, (that is to say any ceremonies to import signification of spiritual things) into the church of God"; *Admonition* (1572), sigs. C6^r and C7^r; *P.M.*, pp. 45 and 47. H's "are significant" means "signifying something" (OED).

1:275.27-276.2.f *Numa Pompilius . . . therof*: Titus Livy, *History of Rome*, 1.21.4; *Romanae historiae principis, libri omnes* (1589; STC 16612), p. 16; Loeb, 1:74-75. Among the varied religious rites that Numa, the second king of Rome, ordained for his people was the annual worship of "Faith," the personification of fidelity; right hands, alone or clasped, served as its sign or pledge.

1:276.3-5 **themselves . . . signification**, Article 25 limits the gospel sacraments to baptism and the Lord's supper, including ordination among the five "commonly called Sacramentes . . . not to be compted for Sacramentes of the gospel"; *Articles* (1571), p. 16. Both Luther and Calvin denied ordination was a sacrament, although Calvin conceded: "As for the layeng on of handes, whereby the ministers of the Chirch are entred into their office, as I do not unwillingly suffer it to be called a Sacrament, so I doe not reckon it among the ordinarie Sacramentes"; *Inst.*, 4.14.20; trans. Norton (1561), part 3, fol. 97^v.

1:276.6-12.g **The partie ordained . . . revenge**. "Designatus autem hac ceremonia monebatur, se ad opus Domini separari (ut patet ex Acto. 13.3) et è reliquo populo ad illam procuracionem, Dei ipsius manu quasi decerpi atque delibari: ut jam non amplius se sui juris esse sciret, ut agat quod velit, sed à Deo ad opus suum adhibitum, cujus illum perfecti atque absoluti remuneratorem, contempti autem et neglecti ultorem atque vindicem habiturus esset"; Travers, *Explicatio*, fol. 51^r. H's translation omits the citation of Acts 13:3 and summarizes the final phrase; Cartwright's renders this more fully: "and off the other parte a judge and revenger if he did contemne and neglect it" (p. 67). Compare Calvin, *Inst.*, 4.3.16: the laying on of hands is useful that "both the dignitie of the ministerie should be commended to the people, and also that he which is ordered should be admonished that he is not now at his owne libertie, but made bond to God and the Chirche. Moreover it shall not be a vaine signe, if it be restored to the naturall beginnyng of it"; trans. Norton (1561), part 3, fols. 20^v-21^r.

1:276.12-18 **touching significant ceremonies . . . theirs**. The 1563 Homily "Of Common Prayer and Sacraments" describes the semantic problem: "In a generall acception, the name of a Sacrament maye be attributed to any thyng,

whereby an holye thyng is signified. In whiche understanding of the worde, the auncient wryters have given this name, not olye to the other fyve, . . . but also to . . . other Ceremonies, . . . Not meanyng therby to repute them as Sacramentes, in the same signification" as baptism and the Lord's supper; *The Seconde Tome of Homelyes* (1563; STC 13663; the first of twenty-one edns. published between 1563 and 1640), sig. 2K3^v; *Certain Sermons or Homilies* (1851), p. 377.

1:276.18–20.*h* **For concerning . . . sacrament.** According to Travers, in addition to the "ordinary laying on off handes [that is, ordination]" which ought "allwais to remaine in the church," the English church kept the "fond and foolishe" tradition of confirmation. Although the Apostles laid hands to give the gift of the Spirit, this was intended "only for a certen tyme and season." From this section, H quotes Travers's words that the Apostles "used this signe and as it wer sacrament off laying on off handes"; trans. Cartwright, p. 68; *Explicatio*, fol. 52^f.

1:276.24–25 **Concerning rites . . . them.** See chap. 14.3–4 (1:338–340).

1:276.25–277.7.*i* **The first thing . . . were.** Travers begins his treatise with a discussion of the decline of ancient Athens and of the Roman empire due to "chaunging there olde government by litle and litle" so that "the whole state was lost and went away as the sowle from the bodie." So too the church "with no lesse daunger neglected the discipline and order which God . . . had appointed. . . . By litle and little with the corruption off Discipline, Doctrine also beganne to be corrupted untill . . . they were bothe almost cleane taken awaie and the church abolished." He concludes that "all the corruptions which are in our church this daie spring from no other heade then this, that we have followed popishe dreames and fantasies as most sti[n]ckyng syncks and chanells leaving the pure founta[in]es off the worde off God." Later, discussing vestments, he berated the English for having "bene ashamed off the simplicite off the gossell"; trans. Cartwright, pp. 2, 14, 15, and 128; *Explicatio*, fols. 1^v–2^f, 11^f, 12^f, and 98^f; see 1:308.33–309.8.*i.n*, below. In discussing the ministration of the sacraments, the *Admonition* contrasted practices known "in the olde time" with those used "nowe, . . . peces of poperie, which the church of God in the Apostles times never knew . . . broght in long after the puritie of the primative church" (sig. A4^{r-v}; *P.M.*, pp. 13–14). In response to Whitgift's justification of ceremonies that met certain conditions in the *Answer*, Cartwright insists that, although they meet Whitgift's requirements, "if they be not to edifying, if not to God hys glorye, if not comely and agreeable to the simplicite off the gossell of Christe crucified, they may not be established" (*Replye*, 1:76 [56]). Whitgift replies: "It is sufficient if they perteyne to order and comelynesse"; *Defense*, p. 279; PS, 2:44. H quotes Cartwright's paraphrase of his argument from *The Rest of the Second Reple*, which H cites here in *i* and quotes at 309.*i*.

1:277.24–26.*j* **And therefore . . . written.** A century and a half before Augustine, Cyprian of Carthage had declared all baptisms performed by heretics to be invalid. Augustine, however, asserted that heretics were validly baptized despite Cyprian's

opinion to the contrary. He acknowledged Cyprian's observation that the Apostles had not prescribed anything concerning the matter, "but that custom which was opposed by Cyprian must be believed to have taken its beginning from their instruction, just as there are many things that the whole church holds and are, on that account, rightly believed to be teachings of the apostles although they are not found written"; "sed consuetudo illa quae apponebatur [CSEL: opponebatur] Cypriano, ab eorum traditione exordium sumpsisse credenda est, sicut sunt multa quae universa tenet ecclesia et ob hoc apostolis praecepta bene creduntur, quanquam scripta non reperiantur"; *De baptismo contra Donatistas*, 5.23 [31]; *Opera* (1528–1529), 7:501; CSEL, 51:289; PL, 43:192; compare NPNF.1, 4:475.

1:277.27.*k* **this his judgement . . . condemne.** Arguing the apostolic authority of observances not commanded in Scripture (see 1:262.6–16.*t.n.*, above), Whitgift introduced Augustine's epistle "ad Januarium" (no. 118), discussed in the following *n* (*Answer*, p. 48; PS, 1:230). Cartwright countered by citing Augustine's *De baptismo*, discussed in the previous *n*, arguing "that it is S. Augustins meaning to father such like things of the Apostles it maye appeare by that whych he wryteth saying. There are many things whych the whole churche holdeth and therfore are well beleved to be commaunded of the Apostles although they be not founde wrytten." He then proceeds as in *k*, pointing out, in opposition to both Whitgift and Augustine, that such an admission argues the inadequacy of Scripture, a position hotly contested by 16C Protestants (1:31 [18]; *Defense*, p. 103; PS, 1:231); see Intro. to Books II, III & IV, pp. 162–163, above.

1:277.28–278.4.*l* **S. Augustines opinion, . . . two.** Augustine wrote two letters, often quoted and cited, to a certain Januarius who had sought guidance concerning church customs, declaring that, in addition to things commanded by the Scriptures, Christians throughout the whole church observed such traditions as the celebration of Easter and its associated annual commemorations. "Those things, however, which we keep, not written but handed down ("non scripta sed tradita"), which are indeed observed in the whole world, are to be understood as things to be kept, commended and established either by the apostles themselves or by plenary councils whose authority is most serviceable to the church" ("vel ab ipsis apostolis, vel plenariis consiliis, quorum est in ecclesia saluberrima autoritas"); epist. 118 [54.1]; *Opera* (1528–1529), 2:361; CSEL, 34.2:159–160; PL, 33:200; compare NPNF.1, 1:308. Cartwright declares it a means "wherby a gate is open unto the papists to bring in under the coloure of traditions all their beggery whatsoever" (*Replye*, 1:30 [18]; see *n* preceding). Whitgift responds that, to the contrary, "the rule is true and good, and so farre from establishing any piece of Poperie, that it rather quite overthroweth the same"; *Defense*, p. 103; PS, 1:231–232. See below, 1:340.30–32.*p* and *n*.

1:278.1 **generall counsell** See 1:180.23.*n.*, above, and references in 1:333.2.*n.*, below.

- 1:278.19–21 **what reason . . . followe?** H differs here from Jewel, who had written: “We have gon from that Church whiche had power to erre, . . . and wee are come, as nere as we possibly could to the Church of the Apostles and of the old catholique Byshops and fathers; which Churche we knowe hath hetherunto ben sounde and perfite”; *Apologie*, part 6; (1564; STC 14591), sig. O5^v; PS, 3:100; ed. Booty (1963), p. 121; see 1:171.1.n, and Intro. to Books II, III & IV, p. 168, above.
- 1:278.21–28 **that we should now . . . men.** H refers to the clandestine worship of the church during persecution in the Roman empire; to outdoor baptism by immersion as depicted in the NT, which continued as a norm for several centuries; to the order followed in the last supper and the church’s first decades in which the blessing of the bread and wine follow a meal; the ἀγάπη meal or “love-feast,” which the early church continued to celebrate apart from the Eucharist; and to the income-producing property, or benefice, designated for the support of clergy in particular offices, which grew up with the feudal economic system.
- 1:279.24–25.*m* **Beholde . . . curtaines.** The GB note to “*curtaines*” (2 Sam. 7:2) emphasizes the simple character of the peripatetic tent: “Within the Tabernacle covered with skinnes, Exo. 26,7.”
- 1:279.28–30.*n* **For which cause . . . Gods.** The Chronicler’s account emphasizes the grandeur of the Temple, for which Solomon wrote King Hurám of Tyre seeking artisans and the proper woods for its construction.
- 1:280.4–5 **Our orders . . . useth.** This chapter-title omits “*the second*” (1:271.13), indicating a new section (chaps. 3–10), and “*the reasons which they bring*” (271.14); that is, this chapter discusses only the Puritan objections, postponing H’s responses to chaps. 4–10. Chapters 2 and 11–13 include both sides; see Intro. to Books II, III & IV, p. 154, above. *orders* The stated form of divine service (OED).
- 1:280.7–11.*o,r* **our orders . . . orders.** Travers followed the sentence about “all the corruptions” quoted in 1:276.25–277.7.*i.n*, above: “For I see and perceyve that the master Builders off our churche in repairing off yt againe were so wholly bent unto the doctrine that they never thought off Discipline and so reteined yt still almost wholie suche as it was amongst the Papistes. wherupon it commeth that all the government of our churche is not taken out of Goddes worde but out off the cannon lawe and decrees off Popes. . . Surelie no man can doubt but that yt was to the greate hindraunce and discommoditie off the churche which knoweth it throwglie and with diligen[c]e considereth how small frute hath growen off so long travaile and labor in the preaching off the gospell . . . Therefore let us send them backe againe from whence they came, and at the last take in hand an earnest and sincere reformacion off the churche”; trans. Cartwright, pp. 15–16. Including the initial sentence from the earlier note, the original reads: “ita omnes ferè corruptelae, quibus hodie Ecclesia nostrae laborat, non aliunde manarunt, quàm quòd relictis purissimis sacrae Scripturae fontibus, Papistarum commenta voluerimus

tanquam putidissimas sentinas consecrari. Video enim architectos Ecclesiae nostrae in ea restauranda soli doctrinae intentos, de disciplina non laborasse, et talem ferè qualem à Papistis acceperint retinere: ut omnis penè Ecclesiae nostrae regendae ratio non ex Dei verbo, sed ex jure Canonico et Pontificum decretis derive-tur. . . . magno Ecclesiae nostrae damno atque incommodo factum esse dubitare non potest, qui eam penitus cognovit, et diligentius cogitet quàm exiguus fructus ex tam diuturnis in Evangelii praedicatione laboribus redundarit. . . . Quare remittamus haec unde profecta sunt, et seriam aliquando Ecclesiae reformationem meditemur” (*Explicatio*, fol. 12^{r-v}).

The section of Cartwright’s *Replye* cited by H in *o*, together with its develop-ment in *The Rest of the Second Replie*, provides the bulk of the examples contro-verted in this chapter. Discussing the faults in the English liturgy, Cartwright notes that the *Admonition* objected that “the forme of it is taken from the church of Antichrist . . . translated as it were word for word, saving that the grosse erreurs and manifest impieties be taken away. For although [supposing that] the formes and ceremonies . . . [as in 1:281.4–10; see also *n*, below]”; 1:131 [102]; Whitgift, *Defense*, Tract. 9, “Of the Communion Booke,” p. 474; PS, 2:438.

1:280.11–18.*p* **There must bee . . . popish.** In the initial “Exhortation” in the *Answer* Whitgift claimed that the Admonitioners “flatly joyne with the Papistes, and by the selfe same assertions, bende their force agaynst this Church of Englande” (p. 17); *Defense*, p. 51; PS, 1:114. In the *Replye*, Cartwright asks: “judge whether they be more joyned wyth the papists whych would have no communion nor felowship wyth them, neither in ceremonies, nor doctrine, nor government, or they whych forsaking their doctrine retaine parte of their ceremonies and almost their whole government: that is, they that seperate them selves by three walles, or by one. . . . They that are content only to have cut the armes and body of the tree of antichristianitie, or they which wold have stumpe and roote all up”; 1:20 [8]; Whitgift, *Defense*, p. 54; PS, 1:120.

1:280.21–22.*q* **their maine position . . . commaunded,** Compare the wording in Book III at 1:214.15–21, taken from *The Second Replie* (see *n* above). H relies here on the slightly different wording in the *Replye*: “whereas you had gathered out of the Admonition that nothing should be placed in the Church but that God hath in hys word commaunded . . .” (1:25 [13]; PS, 1:176).

1:281.3–10.*r* **Although the formes . . . established.** H omits a parenthetical clause, “(which I would they dyd not),” between “God” and “yet” in line 6 (1:131 [102]; PS, 2:438; see 1:280.7–11.*o,r,n*, above).

1:281.15–283.27 **Their arguments . . . breede.** H responds to the first argument (1:281.17–22) in chap. 5 and to the second (281.22–283.27) in chaps. 6–10.

1:281.17–22.*s* **First whereas . . . forefathers?** H quotes this passage from Augustine’s letter to Casulanus at 1:262.7–16. Whitgift had introduced it in the *Answer*, and H here summarizes Cartwright’s response in *A Replye*. Following the sentences

quoted in 1:262.6–16.*t.n.*, above, Cartwright claims that, far from supporting Whitgift's position, Augustine's words support the Puritans: "For if in those things which are not expressed in the scripture, that is to be observed of the Church which is the custome of the people of God and decree of oure forefathers: then howe can these things be varyed according to time, place, and persons (which you say should be). . . . And then also how can we do safelier then to folow the apostles customes and the churches in their time which we are sure are our forfathers and the people of god. Besides that, how can we retaine the customes and constitutions of the papists in such things which were neither the people of God nor our forefathers?" (1:30 [17]; Whitgift, *Defense*, p. 99; PS, 1:223; see also 1:288.12–14 and 340.16–19).

1:281.22–29.*t* **Secondly . . . established.** See nn to 1:280.7–11.*o,r* and to 281.3–10.*r*, above. The repetition emphasizes the significance of this "second" argument, subdivided in the sections which follow. The explanatory phrase at lines 26–27 ("they . . . us,") is drawn from the sense of Cartwright's subsequent argument about the papist idolaters "which are round about us and amongst us" (1:131 [102]; Whitgift, *Defense*, p. 475; PS, 2:440).

1:281.29–283.27 **It is against . . . breede.** H responds to the first section on "the worde of God" (1:281.29–282.12) in chap. 6, to that on "the Eldest Churches" (282.12–283.1) in chap. 7, to that on "reason" (283.1–10) in chap. 8, and to two final arguments developed by Cartwright in *The Rest of the Second Replie* (283.11–21 and 21–27) in chaps. 9 and 10.

1:281.29–282.12 **It is against . . . neere.** Cartwright continues after the section reproduced at 1:281.3–10 and 23–29: "For the word of God I have shewed before, both by the example of the apostles conforming the Gentiles unto the Jewes in their ceremonies [Acts 15.20] . . . and by that the wisdom of God . . . [as in 282.1–5] . . . to be done. Now I will adde thys further, that when as the Lord was carefull . . . [as in 282.5–9, citing Lev. 19:27; Deut. 22:11, 12; Lev. 11; Deut. 14; Eph. 2:14; Lev. 18:3; and Deut. 17:16] . . . of infection. Therefore by this constant and perpetuall wisdome which God useth to keepe his people from idolatry, it followeth that the religion of God should not only in matter and substance, but also (as far as may be) in forme and fashion differ from that of the idolaters, and especially the papistes which are round about us and amongst us. For in deede it were more safe . . . [as in 282.10–12] . . . so neere" (1:131 [102]; Whitgift, *Defense*, pp. 474–475; PS, 2:439–440). Travers similarly protests the English use of the surplice to which he likens the sign of the cross in baptism, wafer bread in the Eucharist, "and many other suche ceremonies: . . . For iff the simplicitie and nakednes off the gossell misliked them, why did they especially clothe it with popishe apparell, seing we ought to be so muche the furdre off and to abhorre ther doinges by how much we are in greater daunger off them then off other heretiques because they live amonges us: for which cause also the Lord commanded that greater severitie should be used against them off the land off

Canaan then against Idolaters off other nacions and cuntries”; trans. Cartwright, p. 131; *Explicatio*, fol. 100^v.

1:282.12–283.1.u *Touching the example . . . used.* H inverts Cartwright’s order of discussion, treating “*the examples of the Eldest Churches*” before the arguments from “*reason*,” thus maintaining the order in the quotation at 1:281.25–26, reorganizes the examples marshalled by Cartwright from the early centuries, and omits examples from Constantine and the Council of Laodicea, discussed in a different context at 1:309.8–18; see n below.

1:282.12–19.u,v *Touching the example . . . heathen.* Cartwright continues: “Also it was decreed in an other counsell that they should not decke . . . [as in lines 13–19] . . . of the heathen.” Marginal notes to councils correspond to *u* and *v* (1:132 [103]; Whitgift, *Defense*, p. 478; PS, 2:446–447).

1:282.13–17.u *in one counsell . . . did.* “73 Non liceat iniquas observationes agere Kalendarum, et ocis [otii] vacare gentilibus, neque lauro aut viriditate arborum cingere domos. Omnis haec observatio, paganismi est”; *Concilia* (1585), 2:837; canon 73, Second Council of Braga; *Concilios Visigóticos e Hispano-Romanos*, ed. Jose Vives (1963), p. 27; PL, 84:584. “It is not permitted to keep the impious observances of the first day of the month and to enter into heathen idleness, nor to wreath houses with laurel or tree-greens. All such observances are characteristic of paganism.” The canon is one of 84 appended to the acts of the Council (572 AD) over which Martin of Braga presided; educated in the East before coming to Spain, Martin apparently translated them from existing Greek canons of the eastern church. The preceding canon 72 forbids Christians “to keep or celebrate heathen traditions” or to employ superstitious signs to determine days for beginning construction, planting, or a marriage.

1:282.17–19.v *Another counsell . . . heathen.* “27 Illud etiã petendum, ut quae contra praecepta divina convivia multis in locis exercentur, quae ab errore gentili attracta [adtracta] sunt, (itã ut nunc à paganis Christiani ad haec celebranda cogantur, ex qua re temporibus Christianorum Imperatorum persecutio altera fieri occultè videatur) vetari talia iubeant, et de civitatibus et de possessionibus, imposita poena, prohiberi: maximè, cùm etiã in [CSEL: *omit* in] natalibus beatissimorum martyrum per nonnullas civitates, et in ipsis locis sacris talia committere non reformident. Quibus diebus etiã (quod pudoris est dicere) saltationes scleratissimas [CSEL: scleratissimorum; that is, “dances of the most profane people” rather than “most profane dances”] per vicos atque plateas exercent [CSEL: exercent], ut matronalis honor, et innumerabilium foeminarum pudor, devotè venientium ad sacratissimum diem, iniuriis lascivientibus appetatur [adpetatur], ut etiã ipsius sanctae religionis penè [paene] fugiatur accessus”; *Concilia* (1585), 1:830; *Registri ecclesiae Carthaginensis excerpta*, canon 60, CCSL, 149:196–197.

Whitgift accused Cartwright of “delud[ing] the Reader with an untrue sense,” and translated the whole canon: “This is also to be desired (*of the Emperours*) that

such feasts as contrary to the commaundements of God are kept in many places, which have bin drawn from the error of the Gentiles (so that now Christians are compelled by the paganes to celebrate them, whereby another persecution in the tyme of Christian Emperours seemeth covertly to be rayسد), might be by their commaundement forbidden, and the peyne layd upon cities and possessions prohibited: especially seing they are not afrayd to commit such things in some cities, even upon the birth days of blessed martyrs, and in the holy places. Upon which days also (whiche is a shame to tell) they use most wicked dauncings throughout the streates [more literally, "avenues and neighborhoods"]; so that the honour of matrones and the chast shamefastnesse of many women which come devoutly unto that holyday, is by their lascivious injuries invaded, in so much that those religious meetings are almost shunned"; *Defense*, p. 479; PS, 2:448; compare NPNF.2, 14:473.

Cartwright did not answer in *The Rest of the Second Replie* other than to refer to the anonymous *An Examination of M. Doctor Whytgiftes censures* (1575; STC 25433), whose specious defense of Cartwright misses the principal issue: that what is forbidden is the celebration of heathen observances, not the Christian feasts honoring the martyrs (Cartwright, 3:177; *An Examination*, p. 47). Cartwright and his anonymous defender, following Reformed tradition, would certainly have preferred to cast doubt on the early church's observance of the feasts of saints.

The African code of canons belong to a collection entitled *Codex canonum ecclesiae Africanae*, included by Dionysius Exiguus in his early 6C *Codex ecclesiae universae* (PL, 67:181–230). Although canons 34–138 have frequently been assigned to a "fourth council of Carthage" in 398, they were gathered from various synodical sources. Canon 60 of this African code corresponds to canon 27 in the 1585 *Concilia*. This canon is reported to have been the fourth adopted by a council in Carthage in June, 401. The collection was widely copied and become a standard canonical reference in the west.

1:282.19–23.w O saith Tertullian . . . heathen. In this first of the examples Cartwright puts forth to illustrate the practice of the "Eldest Churches," he begins, "Tertullian sayth, O sayth he, better . . ." and continues as H's text; a marginal note indicates "Libro de Idolatria" (1:132 [103]; Whitgift, *Defense*, p. 477; PS, 2:444). In his treatise *On Idolatry*, Tertullian berated Christians who celebrated the Saturnalia and other feasts associated with the traditional religions of the empire. The opening of the text translated by Cartwright is, more literally, "O better the faithfulness of the nations to their sect which appropriates no Christian solemnity to itself"; "O melior fides nationum in suam sectam: quae nullam sollemnitatem [CCSL: sollemnitatem] Christianorum sibi vindicant, non dominicum diem, non pentecosten. etiam si nossent, nobiscum non [CCSL: omit non] communicassent; timerent enim, ne Christiani viderentur. Nos ne ethnici pronunciemur, non veremur"; *De idolatria*, 14.7; *Opera* (1566), 2:457; CCSL, 2:1115; PL, 1:682; compare ANF, 4:70.

1:282.w **He seemeth . . . day.** H's interpretation of "the Lordes daye" suggests he had not consulted Tertullian. Just a line later, Tertullian is clearly referring to Sunday, not Easter, commenting that "to the heathen such a feast day comes once a year, to you once a week" ("ethnicis semel annuus dies quisque festus est, tibi octavo quoque die"). He then notes that all the solemnities of the nations put together "cannot fill up a Pentecost" ("pentecosten implere non poterunt"). Taking Cartwright's rendering to mean that "*Pentecost*" referred to the single day at the end of the fifty days of Easter rather than to the whole seven-week period, a reader might conclude that "the Lordes daye" referred to the annual Easter feast rather than to the weekly celebration. H clearly knew the two meanings of "*Pentecost*" (see 1:331.20–24); had he consulted the text, he would not have so misinterpreted the meaning here of "*the Lordes Day.*"

1:282.23–283.1 **The same Tertullian . . . used.** After seeming to close the series of examples of "*the Eldest Churches*" with the conciliar decision quoted in 1:282.17–19, Cartwright summarizes, "Whereby it . . . [as in 282.25–283.1] . . . not used." He then continues, including this additional example from Tertullian: "It were not harde to shewe the same considerations in the severall things which are mentioned of in thys admonition, as for example in the ceremonies of prayer, which is heere to bee handled, we reade that Tertullian would not . . . [as in 282.23–35] . . . dyd so, but having shewed thys in generall to be the pollicy of God first and of hys people afterwarde to put as muche difference as can be commodiously betwene the people of God and others which are not, I shal not neede to shewe the same in the particulares" (1:132–133 [103–104]; Whitgift, *Defense*, pp. 479–480; PS, 2:449).

1:282.23–25.x **The same Tertullian . . . so.** H copies Cartwright's erroneous citation of *Lib. de anima* instead of *De oratione*, an error Whitgift had pointed out in the *Defense* (p. 480; PS, 2:449). In *The Rest of the Second Replie* Cartwright simply refers to the anonymous *Examination of M. Doctor Whytgiftes censures*, which attributes it to "the coper or prynter" (3:177; *An Examination*, p. 48). Tertullian in the treatise *On Prayer* criticized the custom of sitting when prayer was ended, ridiculing those who justified it from the text of an early Christian writing: "Further, since in a like manner the nations sit after they have adored their little images, even for that reason, what is practised before idols merits to be censured among us"; "Porro cum perinde [CCSL: proinde] faciant nationes adoratis [CCSL: adds vel] sigillaribus suis residendo, vel propterea in nobis reprehendi meretur, quod apud idola celebratur"; *De oratione*, 16.5; *Opera* (1566), 2:545–546; CCSL, 1:266; PL, 1:1172–1173; compare ANF, 4:686.

1:283.1–10 **The same conformitie . . . use.** Immediately following the section quoted in 1:281.29–282.12.n, above, Cartwright continues with the text H quotes in 1:298.z. He then writes: "So that a medled and mingled estate of the order of the gospell and the ceremonies of popery is not the best way to banish popery. And therefore as to abolishe the infection of false doctrine of the papistes, it is

necessary to establish a divers doctrine and to abolish the tyranny of the popish government, necessary to plant the discipline of Christ: so to heale the infection that hath crept into mens myndes by reason of the popish order of service, it is meete that the other order were put in the place thereof. Philosophie which is nothing else but reason teacheth that if a man will draw one from vice, which is an extreeme, unto vertue, which is the meane, that it is the best way to bring hym as far from that vice as may be, and that it is safer and lesse harme for him to be led somewhat too farre then he shuld be suffered to remayne within the borders and confines of that vice wherewith he is infected. As if a man . . . [as in 300.a] . . . both the crookes, which I do not therefore speake as though we ought to abolish one evill and hurtfull ceremony for an other, but that I would shew how it is more daungerous for us that have bene plunged in the mire of Poperie to use the Ceremonies of it then of any other idolatrous and superstitious service of God" (1:131–132 [102–103]; Whitgift, *Defense*, p. 475–476; PS, 2:441–443; see also 1:282.12–183.1.u.n, above).

1:283.11–27.y,z,a *While we use . . . breede.* Although H cites from *The Rest of the Second Replie* ("1.3."), these quotations and paraphrases are, for the most part, Cartwright's near quotations of his earlier *Replie* in which he attacks the use of the surplice in the English church: "Agayne for the stubberne papistes, they take heereupon occasion to speake evill of and to blaspheme the truthe of the gospell, saying that our religion can not stande by it selfe unles it leane upon the staffe of their ceremonies. . . . And heereupon they take occasyon to hope that their other trumpery and baggage will in the ende come in agayne, which causeth them to be more frozen in their wickednesse and shutte their eares agaynst the truth. . . . And let it be observed that through out the realme there are none that make suche clamoures and outcryes and complayntes for these ceremonies as they and those that they suborne. . . . There are also numbers of those which have all antichristianitie in such detestation that they cannot abide the least scappe of it, and when they see the ministers wear them, they are greeved in their heartes. . . . And these brethrens myndes are not to be lightly greeved We thincke that these ceremonies are to be removed as not only not profitable (which they oughte to be) but hurtfull, if not to the ministers them selves that use them, yet to their people to whome they are commaunded by God to have regarde unto in these thynges that are indifferent in their owne natures"; 1:72–73 [52–53]; Whitgift, *Defense*, pp. 259–260; PS, 2:6–9.

1:283.11–13.y *While we use . . . ceremonies.* Cartwright is paraphrasing himself (3:178); see 1:301.b and previous n.

1:283.13–19.z *They hereby conceive . . . entrance.* Compare 1:303.e, below. Cartwright notes in the margin: "upon the 18. of S. mathew" (3:179).

1:283.15–19 *considering . . . entrance.* Cartwright's reference is found in the 1553 Geneva edn. of Bucer's commentary on the four gospels, dedicated to the English

bishop Edward Fox (d. 1538). To his discussion of Matt. 18:7-11, Bucer added an excursus on "Ceremonies and freedom in external things"; see *In sacra quattor Evangelia, enarrationes perpetuae, secundum et posterum recognitae*, fols. 143^r-144^r. In 1566, during the vestiarian controversy, a translation was included in *The mynd and exposition of . . . Martyn Bucer, uppone these wordes of S. Mathew: Woo be to the wordle [sic] bycause of offences. Math. xiii* (STC 3964). Inveighing against the dangers of ceremonies retained from RC practice, Bucer wrote: "No man besydes these ["Christes enemyes or elles backeslyders"] will earnestly contende for superstytious Ceremonyes. This is theyr modest bearyng and delayenge, wher with they are so farre from furtherynge of the Gospell, that by litle and litle they do utterly abolish it. Surely we may thanke thes men, that at this daye all the thynges are turned upsyde downe in many places wher the Gospell hath ben longe tyme preached: where as we have never yet sene the lyke come to passe, where, at the earneste and syncere preachinge of Christe, Ceremoneyes have also ben reformed, accordinge to the rule of his word." The translators add, marginally: "Marke the cause why the Gospel goeth not forward: God will have no felowshipp with Beliall" (sig. C2^r; *In sacra quattor Evangelia*, fol. 144^r).

- 1:283.19-21.a *None make . . . thinges.* Compare 1:302.c and Cartwright, *Replye*, 1:72 [53]; Whitgift, *Defense*, p. 259; see, 1:283.11-27.y,z,a,n, above.
- 1:283.21-25 *They breede greife . . . ceremonies,* H paraphrases Cartwright quoting himself; the text, reproduced at 1:305.17-22, comprises two sections from *The Rest of the Second Replie* separated by a brief response to Whitgift's *Defense*; see *Replye*, 1:73 [53], *Rest*, 3:180; Whitgift, *Defense*, p. 260; PS, 2:8-9.
- 1:283.25-27 *yea, ceremonies . . . breede.* Compare Cartwright's *Replye*, 1:73 [53]; *Defense*, p. 260; PS, 2:9 (see 1:283.11-27.y,z,a,n).
- 1:284.8-11 *their usuall maner . . . be.* See chap. 3.1 (1:280.21-281.10).
- 1:284.32-285.5 *The Church . . . popish.* Paraphrases of general propositions of Puritan rhetoric, not quotations from particular sources.
- 1:285.16-19.b *they go about . . . established.* Whitgift responded to the *Replye* (quoted at 1:281.3-10): "In these woords are contained two false principles, the one is that *the forme* and manner of prayer used in the Churche of England is *taken from the churche of Antichrist*: the other, that it is not lawful to *use the same formes* (of prayer) and ceremonies, that the Papists did"; *Defense*, p. 474 (PS, 2:438). In a marginal note in *The Rest of the Second Replie*, Cartwright cites from Whitgift what he had "before declared" (b.2-3) elsewhere in the *Replye*: "pag. 256. divi. 2. and p. 272. divi. 1." (3:171). In the first of these he had written concerning the vestments: "The causes why we are lothe to meddle with them are not . . . because we thincke any pollution so to sticke to the thinges them selves, as that the wearing of them had any suche power to pollute . . . the users; . . . neyther yet only because the papistes have superstitiously used them; but because they, having beene

abominably abused by them, have no use nor profite in those thinges or endes wherein and whereunto they are now used: and further, that they are also hurtfull, being monuments of idolatrie, whereas to bring them in and establishe them, it behoveth that there shoulde some manyfest profite of them appeare"; 1:71–72 [52]; Whitgift, *Defense*, p. 256; PS, 2:1. In the second Cartwright had written: "The matter lyeth not in that whether these things were first invented by papistes, or, being devised of others, were after taken by the papistes; but . . . that they have bene used of the papists as notes and markes and sacraments of their abominations"; 1:75 [55]; Whitgift, *Defense*, p. 272; PS, 2:30.

- 1:286.5–8.c **as in the question . . . it.** Arguing against the use of the white surplice, Travers would replace it with the black gown, formerly the outdoors habit of the priest, which had become customary attire for Reformed ministers at services: "I would knowe whie yt should seeme more comelie and decent for a Minister that he should preache or praie in a surplice then in a gowne. In white raiment then in black apparell? For as for the coloure, me thinketh black to be more comely for him: and for the fashion me thinketh a long garment reaching downe to the foote sholde be more honest and semelie"; trans. Cartwright, pp. 130–131. H is translating the Latin: "Si enim de colore agitur, mihi quidem magis decorus niger color videtur: si autem de forma, talaris vestis honestior" (*Explicatio*, fol. 100^v). He discusses the surplice in V.29.
- 1:286.15–20.d **If we being defendantes . . . graunt.** In response to Cartwright (as quoted, 1:281.13–17), Whitgift asked how the ancient canon's prohibition of pagan observances could be applied "to godly prayers . . . or comely and decent orders and ceremonies" (*Defense*, p. 479; PS, 2:447). Cartwright responded as in d.
- 1:287.5–13.e **And therefore . . . profitable.** In reply to Whitgift (responding to the *Replye*, quoted in 1:298.z and continued in 1:283.1–10.n, above), Cartwright notes Whitgift's answer, "that, as in doctrine and discipline, they have some good, so in ceremonies. wherein, he toucheth not the point of my reason. For the cause why, that good which is in Popery of the doctrine and discipline cannot be changed, is, for that they are perpetual commandements, in whole places, no other can come: but the ceremonies we speak of, are changeable, so that if ether better, or but as good as they can be ordeyned, yt is manifest that . . . those abused in popery owght to give place. . . . When the ordinance of convenient church ceremonies procedeth of the light and knowledg of the word: there being such darknes and ignorance in Popery, yt is marvail, if yt could shape owt one convenient ceremony for the church of Christ" (3:174).
- 1:287.f **And that this . . . thereof.** Cartwright's text adds "directly against [Whitgift] and flatly for us," and notes "Apol. first part chap. 2. divi. 8" marginally (3:177). The section of Jewel's *Defence of the Apologie* to which Cartwright refers is actually division 9, but the 1570 edn. (STC 14601) entitles this section: "The Apologie, Cap. 2. Division .8." (p. 22; compare PS, 3:54 and 175).

- 1:287.19–21 **and that the B. of Salisbury;** In the *Apologie*, Jewel had noted RC charges that the English church has “rashly and presumtuously disanulled the olde Ceremonies, whiche have beene wel allowed by our fathers and forefathers many hundred yeeres past”; quoted from *Defense of the Apologie*, 3rd edn. (1570), p. 22; PS, 3:175; see *Apology*, ed. Booty, p. 11. Commenting on this passage, Harding had written: “Concerninge Ceremonies, if ye shewe us not the use of Chrisme in your Churches, if the signe of the Crosse be not bourne before you in Processions, and otherwheres used, if Holy Water be abolished, if lightes at the Gospel and Communion be not had, if peculiar Vestimentes for Deacons, Priestes, Bishoppes be taken awaie, and many suche other the like: judge ye, whether ye have duely kepte the old Ceremonies of the Churche” (p. 23; PS, 3:176). (This list comprises ceremonies which had, with the occasional exception of processions, lights, and the crosses, disappeared from use in the Elizabethan church.) Jewel then responded in the *Defence*: “Ye come in with Processions, with Lightes, with Torches, with Tapers, with Chrisme, with Oile, with Tunicles, and Chisibles, with Holy Water, and holy Breade, and I knowe not, what els: as if al these thinges had descended directly from the Apostles, and without the same the Churche of God were no Churche. Verily, M. Hardinge, wee hate not any of al these things. For we knowe, they are the Creatures of God. But you have so misused them, or rather so defiled and berated them with your superstitions, and so have with the same mocked and deceived Goddes people, that we can no longer continue them without great conscience [scruple]” (p. 24; PS, 3:177). As for retained ceremonies, although Jewel regarded the surplice as one of those “vestiges of error” he hoped might be removed “with the very dust,” he was known both to have complied and to have enforced compliance on others; see *Zurich Letters* (1842–1845), 1:100, Jewel to Peter Martyr, 7 February 1562. For Jewel, see nn to 1:171.1 and 171.2–4, above.
- 1:287.26–27 **we are now . . . before alleaged.** That is, chaps. 5–10 will “answer” the questions raised in chap. 3.
- 1:288.1–33 **That . . . Christ?** See 1:281.17–22 and nn to 1:281.15–283.27 and to 281.17–22.s, above.
- 1:288.11–14 **S. Augustine . . . charge.** See III.11.15 and chap. 3.2 (1:262.6–16.t, 281.17–22.s, and nn, above), and chap. 14.5 (1:340.17–19 and o).
- 1:288.32–33 **yea such, . . . Christ?** “Such” constitutes the patristic church, the authentic “race” or family descended from Christ.
- 1:289.1–293.5 **That the course . . . of.** See 1:281.29–282.12 and nn to 281.15–283.27, 281.29–283.27, and 281.29–282.12.
- 1:289.1 **wisdom of God** That is, as known in the Scriptures (see 1:282.1).
- 1:289.10 **wafer-cakes,** The 1559 BCP had continued the rubric of the 1552 book, suggesting ordinary leavened bread for use in the Eucharist: “And to take

away the superstition, whiche any person hath, or myghte have in the breade and wyne, it shall suffice that the breade be suche as is usual to be eaten at the table, with other meates, but the beste and purest wheate breade, that conveniently may be gotten"; STC 16291, fol. 102^r; *B.C.P., 1559*, ed. Booty, p. 267. Elizabeth, however, superseded the rubric in her 1559 Injunctions, enforced until her death, returning to the practice of the Prayer Book of 1549, which had continued a slightly modified form of the medieval unleavened wafers; the queen ordered that "for the more reverence to bee given to these holy Mysteries, being the sacraments of the body and blood of our saviour Jesus Christ, that the same sacramentall bread be made and fourmed plain, without any figure thereupon, of the same finesse and fashion round, though somewhat bigger in compasse and thickenesse as the usuall bread and wafer, heretofore named singing cakes, which served for the use of the private Masse"; *Injunctions geven by the quenes majestie A.D. 1559*, STC 10099.5, sig. D3^v; Frere and Kennedy, eds., *Visitation Artides and Injunctions*, 2:28. Wafer bread continued to be enjoined in spite of frequent Puritan protests. Although Calvin preferred ordinary bread, as H points out in Pref. 2.3 (1:5.32–6.2), he accepted the decision of the Genevan city councils to continue unleavened bread in the communion (see also 1:306.2–4 and 1:5.30–6.2.n, above). Whitgift would have personally preferred "that common and usuall breade were used," but in such indifferent matters he submitted "to the determination of the church"; *Answer*, p. 141; *Defense*, p. 594–595; PS, 3:84–85. Cartwright emphasized the action of the 1552 book, declaring that "it was one thyng to talke a wafer-cake . . . before they were justly abolyshed, and an other thyng now being revoked after they were removed" (1:165 [130]).

- 1:289.10–11 **custome of godfathers . . . baptism** Most 16C churches, including the English and continental and Scottish Reformed, continued the custom of godparents' serving as sponsors at baptism. The Reformed, however, eliminated their liturgical responses to questions of faith on behalf of the infant; they also emphasized the role of the parents who were to bring children up in the covenant; for Calvin's views, see nn to 1:203.19–28.k, 203.28–29, 203.30–204.6.l, 204.6–9.m, and 204.23–28, above. Towards the end of the century, the use of godparents in Reformed churches began to decline. English Puritans objected to the interrogatories' being directed to infants who could not answer; if questions were to be included, they should be posed to the father who might, as the *Admonition* put it, make "an open confession of that faithe, wherein he would have his childe baptized"; STC 10847, appended "View of Popishe Abuses," 1.8, sig. C2^v; *P.M.*, p. 27. The ambiguity of Puritan attitudes towards godparents is perhaps responsible for the omission in the 2nd edn. of the *Admonition* of "godfathers and Godmothers, brought in by Higinus" from the list of popish innovations retained in the English church (STC 10847 and 10848, sig. A4^v; *P.M.*, p. 14n). In the *Replye* Cartwright indicated that the omission was, in fact, a correction and summed up his views on godparents: "thys being a thyng arbitrarie and left to the discretion of the church, and whilst there is so evyl choyse for the moste parte of Godfathers, . . . and whilst it is used almost for nothyng else but as a meane for one frende to gratify

an other, wythout having any regarde to the solempne promyse, made before God and the congregation, of seeing the childe broughte up in the nurture and fear of the Lord. For the thyng it selfe, consydering that it is so generally receyved of all the churches, they do not mislike of it" (1:170 [135]; PS, 3:121–122). H discusses interrogatories to be answered by godparents in V.64.

1:289.31–290.10.g **Hereby they saye . . . teacheth.** H combines the section in Cartwright's *Replye* (1:131 [102]), quoted in 1:282.1–9 (expanded in 1:281.29–282.12.n), with a section in which Cartwright uses the same biblical examples to prove that Peter would not have created the office of archbishop, which had been taken from "the example of the heathenish and idolatrous functions": "The Lorde, when he woulde geve lawes . . . in the thynges that were indifferent, of shaving and cutting and apparell wearing, sayth to his people that they shoulde not doe so and so because the Gentiles dyd so, yea even in those thynges the use whereof was otherwise very profitable and incommodious to forbear, he would have them notwithstanding to abstaine from, as from swines flesh, conneys [rabbits], etc. to the end that hee might have them severed, as appeareth in S. Paule, by a great and high wall from other nations"; 1:89 [67]; Whitgift, *Defense*, p. 321; PS, 2:123. Cartwright includes as marginal citations the first five of the seven biblical passages cited in 1:131 [102] (see 1:281.29–282.12.n, above). In *h-k*, H cites these five (*i*, *j*, and *k*), the sixth (*h*), and an additional verse concerning "apparell," Lev. 19:19 (*i*).

1:289.32–290.1.h **but specially . . . neighbours** GB glosses Lev. 18:3: "Ye shal preserve your selves from these abominations following, which the Egyptians and Canaanites use."

1:290.5.i **shaving, cutting, apparell wearing,** GB glosses Lev. 19:27: "As did the Gentiles in signe of mourning."

1:290.6–7.j **yea . . . such like,** GB glosses Lev. 11:8: "God wolde that herby for a time thei shulde be discerned as his people from the Gentiles"; and Deut. 14:2: "Therefore ye oughtest not to followe the superstitions of the Gentils." Whereas H specifies Deut. 14:7, Cartwright cites the whole chapter (1:89 and 131 [67 and 102]; see 1:281.29–282.12.n, above).

1:290.10.k **as S. Paul teacheth.** GB glosses Eph. 2:14: "That is, the cause of the division that was betwene the Jewes and the Gentiles."

1:291.7–10 **Ægyptians and Cananites . . . with.** As one of the first five OT books, Leviticus was understood to have been written by Moses after the Israelites left Egypt and before they entered the promised land of Canaan.

1:291.19–32.m **ye shall not . . . hope?** The GB cross-references Lev. 19:27–28 with 21:5 and Deut 14:1. Mutilation of the body and shaving of the head were common rites of mourning in antiquity, but scholars believe that Jewish respect for the body as God's creation led them to rule out such disfigurement. H's suggestion, implied in the citation of Paul, that hope of life after death motivated the regulations accords with 16C estimates of ancient Jewish beliefs. On Job 19:26 GB notes:

"Herein Job declareth plainly that he had a ful hope, that bothe the soule and body shulde enjoye the presence of God in the last resurrection."

- 1:291.32–292.3 **The very light of nature . . . forbid.** Emphasizing the necessity of the soul's self-controlled concentration in performance of duty, Cicero in his *Tusculan Disputations* insists that, although a man might groan aloud ("ingemescere"), wailing ("ejulatus") is forbidden even to women, "And this," he continues, "is doubtless the wailing ["fletus" or "lessus"] which the Twelve Tables forbade to be employed at funerals"; "Et hic nimirum est fletus ["lessus" in critical texts], quem xii tabulae in funeribus adhiberi vetuerunt"; *Tusculanarum quaestionum ad M. Brutum . . . libri quinque*, 2.23; *Opera* (1536–1537), 4:139; Loeb, pp. 208–211. The Twelve Tables constituted the earliest Roman code of laws. H, who introduced the Twelve Laws into the controversy, also refers to them in I.9.2, V.77.4, and *Pride*, § 2 (1:95.19–22, 2:426.j, and 5:335.19–21).
- 1:292.8–9.q **As for those lawes . . . thee;** Deut. 22:11 was Cartwright's reference to attire; H added the Lev. 19:19 parallel. Both reflect Jewish concern to keep the physical as well as the moral order of God's world by ensuring that natural distinctions be upheld, for example, by not breeding different species, by not sowing mixed seed, by not yoking ox and ass together, or, in this case, by not mixing plant and animal fibers.
- 1:292.9–14.r **those touching foode . . . selves.** Although it has been suggested that Jewish food laws originated in an unarticulated concern for sanitation, their origin is still a matter of debate. Modern scholarship does not really advance further than GB's tautological gloss on Deut. 14:4: "This ceremonial Lawe instructed the Jewes to seke a spiritual purenes, even in their meat and drinke." H's "mysterie" (line 24) suggests that he judges these regulations to form part of the special revelation to Jews, not part of the natural law accessible to human reason.
- 1:293.6–7 **That the example . . . us.** See nn to 1:281.29–283.27 and 282.12–283.1.u, above.
- 1:293.8–12 **T.C. . . . ceremonies.** H omits this sentence from his quotation at 1:309.8–18.j; it follows "nation." (line 15); *Replye*, 1:132 [103]; see 1:309.8–18.j.l.n, below.
- 1:294.17 **Faustus the Manichey** Manichaeism was a syncretic religious philosophy that originated in 3C Persia and spread to Egypt, North Africa, and Rome in the 4C. It taught that in the struggle between spirit, represented by light, and the material, represented by darkness, the teaching of such religious leaders as Zoroaster, Buddha, Jesus, and Manes (Manichaeus) himself were aimed at releasing the spiritual light imprisoned in the human mind. When Faustus, a Manichaeian rhetorician at Rome, visited Carthage in 383, Augustine, as yet unbaptized, put himself under his direction. Faustus's inability to deal adequately with questions led to Augustine's disillusionment, and after Faustus had published an attack on Christian teaching, Augustine replied in a treatise, "Against Faustus the Manichee."

Manichaeism later became a general Christian term for any dualistic heresy; hence H's suggestion that Cartwright's argument parallels that of Faustus. H refers again to "*Manichees*" at 1:315.10 and 321.10–11.

1:294.17–21 **objecting against the Jewes . . . deale;** In response to the Christian charge that the Manichees were a schism of pagan religion, Faustus insisted that both Jews and Christians, acknowledging like the Greeks one principle or one divine monarchy as the source of all, were the true schismatics from the pagan Gentiles. He wrote that the Jews, "separated from the Gentiles only renounced the sculptured idols; in fact they employed temples, sacrifices, altars, priesthoods, and a whole service of festivals after the same, and even a far more superstitious, manner than the Gentiles"; "Judaei, segregati etiam ipsi à gentibus sculturas solum dimiserunt: templa vero et immolationes et aras et sacerdotia atque omne sacrorum ministerium eodem ritu exercuerunt, ac multo superstitiosius quàm gentes"; Augustine, *Contra Faustum Manichaeum*, 20.4; *Opera* (1528–1529), 6:251; CSEL, 25:538; PL, 42:370; compare NPNF.1, 4:253.

1:294.23–29.ν **From them . . . nothing:** Immediately before the passage in the previous n, Faustus declared, "either nothing or not much ought to change in a schism; for example, you, diverging from the Gentiles, from the first took along with you the opinion about the divine monarchy, that is, that you believe all to be from God; their sacrifices . . . [as in lines 24–29 with the explanatory "as the calends and solstices" after "*Nations*"] . . . changed nothing; you are certainly a schism from their womb, having nothing different except your assembly. And indeed, before you also the Jews . . . [as in previous n]"; "Schisma vero aut nihil immutare debet ab eo, unde factum est, aut non multum: ut puta vos, qui desciscentes a gentibus, monarchiae opinionem primo vobiscum divulsistis, id est, ut omnia credatis ex deo: sacrificia vero eorum vertistis in agapas, idola in martyres, quos votis similibus colitis: defunctorum umbras vino placatis et dapibus: sollennes gentium dies cum ipsis celebratis, ut calendas et solstitia: de vita certe mutastis nihil: estis sane schisma à matrice sua diversum nihil habens nisi conventum: Necnon et priores vestri Judaei . . . [as in previous n]." H's volume citations correspond to this edition of Erasmus.

1:294.29–32 **S. Augustines defence . . . Gentils;** H summarizes Augustine's argument: "There is as great a difference between pagan and Hebrew sacrifices as between an erring imitation and a foreshadowing prefiguration. . . . Our fathers did not only reject the idols of the Gentiles, but they neither offered anything to the earth, not to any earthly thing, nor to the sea, nor to the heavens, nor to the hosts of heaven, for they sacrificed to the one God, creator of all things. . . . Even if we seem to be similar to the Gentiles in the use of certain things, . . . yet it is difficult for one employ them in one manner and for another to give thanks for them to a God about whom he does not believe false and perverse things"; *ibid.*, 20.21, 22, and 23; *Opera* (1528–1529), 6:261–262; CSEL, 25:564–566; PL, 42:385–387; compare NPNF.1, 4:262–263.

1:294.32–295.5 **and concerning . . . them.** Augustine declared that the doctrine

- of the divine monarchy did not come, as Faustus had claimed, from the Gentiles, but that to the contrary, as Paul had put it, "The invisible things of him, that is, his eternal power and Godhead, are sene by the creation of the worlde, being considered in *his* workes, to the intent that they [the Gentiles] shulde be without excuse: Because that when they knewe God, they glorified him not as God" (Rom. 1:20–21, GB). Augustine declared that "the Gentiles were not always so far fallen away to false gods that they gave up belief in the one true God from whom comes all nature of whatever kind." Augustine told the Manicheans that regarding the teaching about the monarchy, "wherein you are unlike [the Gentiles], you are emptyheaded; wherein you are like them, you are worse"; *ibid.*, 20.19; *Opera* (1528–1529), 6:259; CSEL, 25:559–560; PL, 42:383; compare NPNF.1, 4:261.
- 1:295.3–4 **one sort . . . the other** "Catholique Christians" and "Gentils."
- 1:295.12 **daies of tryall**, The early centuries of persecution when Christians could not conceal their Christian identity without failing to witness to their faith.
- 1:295.18–23.*w* **which forbad . . . them**. See 1:282.12–19 and *nn* from 282.12–19.*u,v* to 282.17–19.*v*, above.
- 1:295.23–24.*x* **Tertullians judgment . . . Church**, See 1:282.19–23.*w* and *n*, above.
- 1:295.24–296.6 **no man . . . meaning**. H also explicitly refers to Tertullian's Montanism, suggesting a parallel with Puritans, at 1:164.3–12 above (see also 1:159.*z.n*). Although earlier scholarship inconclusively dated *De idolatria*, from which the quotation in *x* comes, recent judgments assign it to Tertullian's later Montanist period. The other Tertullian quotation from *De oratione* (1:282.23–25), not explicitly cited here, was written early in Tertullian's pre-Montanist years; however, as noted above (1:282.23–25.*n*), Cartwright, followed by H, ascribed it to the Montanist *De anima*. H seems not to have consulted either work, and his response here depends not on a reading of the particular texts but on a general estimate of his Montanism.
- 1:296.16 **Newyeares-gifts** In 16C England, gifts were customarily exchanged on New Year's day.
- 1:296.*y* **But having showed . . . etc**. Cartwright's summary conclusion for differentiating the church ceremonies of Christians from others; it follows the Tertullian quotation in 1:282.23–25 (1:132–133 [102–103]; Whitgift, *Defense*, p. 479–480; PS, 2:449).
- 1:296.21 **as hath been declared**, See 1:281.23–29 and 283.9–10.
- 1:296.27–30 **But in case . . . necessary**. See 1:282.5–9.
- 1:296.28 **Belial** A Hebrew word for wickedness, destruction, or a wicked person, which later developed into a proper name for Satan (see 2 Cor. 6:15).

- 1:297.1–6 **And in the same respect . . . Papists.** See 1:282.9–12 and 1:281.29–282.12.n, above. “Turkes” served 16C Christendom as a symbol for the the Moslem threat to Europe. In 1566, in prayers set forth by Archbishop Parker (with the authorization of Elizabeth) for the success of the imperial—and RC—armies in resisting Turkish advances into Hungary, Englishmen prayed: “And upon deep compassion of the dreadful distresses of our brethren and neighbours the Christians, by the cruel and most terrible invasions of these most deadly enemies the Turks; we do . . . offer up . . . prayers for the mitigation of thy wrath, and purchase of thy pity and fatherly favour towards them. . . . Give to thy poor Christians . . . strength from heaven, that they . . . may by thy power obtain victory against the infinite multitudes and fierceness of thine enemies”; *Liturgies and Occasional Forms of Prayer set forth in the Reign of Queen Elizabeth*, ed. Clay (1847), p. 534.
- 1:297.22 **their reformation;** That is, the efforts of the English clergy and government to persuade English and Irish RCs, by preaching, writing, and fines for nonattendance at church, to conform to the established religion.
- 1:297.29–31 **as Juda . . . Pagans:** After the reign of Solomon, the Jewish nation broke up into the northern kingdom of Israel and the southern kingdom of Judah. Israel established two shrines in their own territory (1 Kings 12), contrary to the centralization of worship at Jerusalem. Conquests destroyed both kingdoms in 712 and 587 BC respectively.
- 1:298.6–17 **That it is not . . . popery:** See 1:283.1–10 and n; also nn to 281.29–283.27 and 282.12–283.1.u, above.
- 1:299.5–16 **And therefore some . . . Trinitie.** From 1579 to his death in 1604, Socinius (Fausto Paolo Sozzini), whose name became a label for 16C anti-Trinitarianism, lived and taught in Poland where he associated himself with the so-called Minor Reformed Church centered at Rakow. The Ravocians had already adopted, along with some anabaptist principles, an anti-trinitarian doctrine in which Christ was not born divine, but was raised to divine power by his life and resurrection. The parallels with the teachings of the 4C Arius, declared heretical at the Council of Nicaea (325), made the identification between the two inevitable. H discusses the development of Arianism in V.42.1–12 and warns of contemporary varieties in V.42.13. Anti-trinitarianism was as much of a heresy to the Puritans as it was to H.
- 1:299.12 **triple crowne;** The papal tiara in its three-levelled form was first used in the early 14C. As commonly interpreted to signify the superiority of the pope to earthly kings, it was a frequent target of 16C reformers. See *Pride*, 5:352.8 and n, above.
- 1:300.1–5.a **they reply . . . both.** See 1:283.4–9 and 283.1–10.n, above.
- 1:300.9 **mediocritie?** That is, a middle course of action, moderation, temperance (OED), suggesting the Aristotelian theory of the mean.

- 1:300.24–301.5 **When Germanie . . . God**; H uses “Germanie” to designate Lutheran and “France” to designate Reformed churches, assuming French-speaking Geneva to be the international center of the Reformed rather than France proper, where the religious/political civil wars were approaching their end at the accession of Henry IV in 1594. Luther insisted on the reform of doctrine before all else, and Lutheran churches regarded ceremonies and organization as *adiaphora*, which could be kept or jettisoned so long as they were not directly contrary to Scripture. Reformed theologians insisted that all practices retained from tradition be based in explicit scriptural warrant, although, as H points out, even the church at Geneva had retained some Roman practices not authorized by the Bible (see chap. 6.1; 1:289.4–15).
- 1:301.5–9 **there . . . thing**. Keble (1:449) suggests that H refers here to the Brownists or Barrowists (see Pref. 8.1). Although “sect” could designate a body separate from the church, more commonly in the 16C it denoted a party or school among the professors of a religion (OED). Hence, it seems more likely that H intends to designate here the same Puritans against whom he writes. These, after all, pressed for such things as leavened bread in the Eucharist while Calvin’s Geneva had used traditional unleavened bread (see chap. 6.1; 1:289.10–13).
- 1:301.16–19 **That we are not . . . hopes**. See 1:283.11–27.*y,z,a,n*, above.
- 1:301.20–22.*b* **That the Church of Rome . . . Ceremonies**, See 1:283.11–13.*y* and *n*, above.
- 1:301.25 **the shoe . . . foote**. Describing the use of emotional appeals for pity in court cases, the 1C AD Roman rhetorician Quintilian suggested that, if the reputation or status of a litigant was not in danger, then “to bring out these tragic scenes in trifling legal contentions is indeed of such a kind as if you wanted to adapt the mask and boots of Hercules for infants”; *Institutio oratoria*, 6.1.36; *M. Fabii Quintiliani Institutionum oratoriarum . . . libri duodecim* (1575), p. 347; compare Loeb, 2:404–406. Erasmus included among his *Adages* the expression, “to adapt the boots of Hercules to an infant” (“Herculis cothurnos aptare infanti”; *Adagia*, 3.6.67; *Adagiorum chiliades Des. Erasmi Roterodami quatuor cum sesquicenturia* (1559), p. 760.
- 1:302.18–25.*c* **that other argument . . . things**; See 1:283.19–21, and *nn* to 283.11–27.*y,z,a* and 283.19–21.*a*, above.
- 1:303.7–8.*d* **Homer, . . . have**, As Agamemnon and Achilles engage in argument, Nestor urges them to cease, for “Priam would be truly delighted, and the sons of Priam and the rest of the Trojans would rejoice with full heart” (continuing after H’s text in *d*): Πριάμοιοί τε παῖδες, ἄλλοι τε Τρῶες μέγα κεν κεχαροῖατο θυμῷ. Homer, *Iliad*, 1.255–256; *Ὁμήρου Ἰλιάς, Homeri Ilias, id est, de rebus ad Troiam gestis* (1591; STC 13629), p. 13; Loeb, 1:22–23. H’s “rule” is not a translation or paraphrase but a gloss.

- 1:303.14–15 **they amongst us . . . fell**, The principal English reforming prelates under Henry VIII and Edward VI.
- 1:303.19 **meete and right**, From the BCP Communion Office: “*Priest*. Let us geve thanckes unto our Lorde God. *Aunswer*. It is mete and right so to do”; STC 16291, fol. 98^v; 1559, ed. Booty, p. 261.
- 1:303.21–27.e **And whereas . . . away**; See 1:283.13–19 and **nn** to 283.11–27.y,z,a and 283.13–19.z, above. H’s “*etc.*” in e.2 replaces: “he [Whitgift] answereth, that they have no cause so to hope, which is no answer”; the “*etc.*” in e.3 replaces: “where yt may be so chepe, that is to say, withowt removing any thing, whereof we may not have ether as good, or better in place” (Cartwright, 3:179).
- 1:303.23 **some places . . . againe**, Although the 1553 (3rd) edn. of Bucer’s commentary on the four gospels appeared after his death, it contained, as the title indicates, additional revisions (see 1:283.15–19.n, above). Bucer, who fled to England in 1548 from the RC victories under Charles V, probably referred to those Lutheran areas that too easily accepted the terms of the Augsburg and somewhat modified Leipzig “Interims” that restored much of RC doctrine and practice. Bucer judged that only more thoroughgoing reforms, such as those in Reformed churches, could resist the pressure to re-Romanize.
- 1:304.11–14 **For it is no . . . suborne**, See 1:302.18–25, c, and 283.19–21.
- 1:305.2–5.f **The Lords cause, . . . Atheist**. H quotes “*The Lords cause*” as an oft-repeated Puritan designation for their movement, not as part of the subsequently paraphrased passage of Travers. Travers wrote: “Thes wordes off diminishinge the pompe and welthe off Bishoppes . . . pleaseth verie well thos that think this will be profitable for them and do allreadie gape for this prairie and hope for this grea[t] inheritance. For ther thinking that we seeke only that the bishoppes might be put downe waite for the like prairie by ther putting downe as they had sometimes at the overth[r]owe of the abbais. For as for Religion they care not what become[th] off it, so they may waxe welthie by sacriledge and robbery. And would not stick iff it were possible to crucifie Christ againe, that they might cast lottes for his coate and devide his garmentes amonges them. For this our age hath many suche souldiours, many suche as Denis [that is, Dionysius] the king or rather the tyranne off Syracuse was, who think that a golden growne [gown] is not fit for God neither in sommer neither in winter and yet that it will serve them well at all tymes and seasons” (trans. Cartwright, p. 124). “Haec autem oratio de Episcoporum pompa et affluentia minuenda . . . gratissima nunnullus est, qui suam causam agi putant, et jampridem haereditatem istam spe devorarint. Nam quum illud tantum agi arbitrentur, ut Episcopi spolientur, similem ex illorum spoliis praedam expectant, qualem olim in Monasteriorum ruinis consequuti sunt. De religione enim nihil sunt solliciti, modò ipse praedari possint: et vel Christum ipsum iterum (si fieri possit) crucifigi non curarent, ut tunicum ejus sortirentur, et vestimenta dividerent. Habet enim actas

nostra multos ejusmodi milites, multos Dionysios, qui Deo togam auream, neque ad aestatem neque ad hyemem commodam, sibi autem ad omnia tempora utilissimam et commodissimam fore arbitrantur"; *Explicatio*, fols. 94^v–95^t.

1:305.4–5 *Dionysius the famous Atheist*. Travers refers to Dionysius the Elder, 4C BC tyrant of Syracuse, who was notorious for his sacrilegious plundering of temples in conquered territories. In *De natura deorum*, 3.34, Cicero reported a series of such incidents, including Dionysius's replacing a golden mantle on a statue of Zeus with a woollen cloak accompanied by the jest that whereas the golden cape was too hot in summer and too cold in winter, its replacement was appropriate for all seasons. Travers altered the remark to suggest that the mantle would serve its spoilers in all seasons; Cicero, *Opera* (1536), 4:305; Loeb, pp. 368–371.

1:305.14–22 *The griefe . . . unprofitable*. See 1:283.11–27.*y,z,a*, 283.21–25, and nn to 281.29–283.27, 283.11–27.*y,z,a*, 283.21–25, and 283.25–27, above.

1:305.26 *hurt of the Church*: So Cartwright, quoted at 1:283.26.

1:305.31–306.6 *Amongst . . . nature?* See 1:289.4–15 and nn to 289.10 and 289.10–11, above.

1:306.13–15 *And therefore . . . grieve*. A confusion of antecedents explains the error noted in line 14 (see textual note): "when" would require all the "they's" to refer to the Puritans; the 1632 correction requires the next-to-last "they" to refer to the upholders of ceremonies who are grieved in turn by the Puritans.

Archdeacon Barefoot of Lincoln (d. 1595) had written Archbishop Whitgift on 1 June 1584 that clergy under suspension for refusing to subscribe articles of conformity had nevertheless preached in their parishes. "The conformable ministry," Barefoote reported, "is very muche greaved thereat and diverse say playnly that if they had thought this wolde have bene the kinde [manner] they wolde have joyned with the other in theyr recusancy rather than have offred theym selves to suche reprochfull speaches are given owte of theym by some of that faction." The Archdeacon reported that Field had written a circular letter to Puritan recusants, terming subscribing clergy "branded menne" (see Intro. to The Preface, pp. 20–21 and 24, above), and he assured Whitgift that "ther is great grefe conceyved hereat"; Historical Manuscripts Commission, *Calendar of the Manuscripts of the Marquis of Bath* (1907), 2:25. Although there is no reason to suppose H saw this letter, he accurately reports the attitudes of some conforming clergy.

1:306.25 *infectious* Cartwright so uses the image at 1:282.2, 9, and 283.26.

1:306.26–27.*g* *like . . . working*. The quotation in *g* appears in the initial paragraph of Cartwright's discussion of ceremonies in *The Rest of the Second Replie*; it begins with the sentence quoted in 1:273.*a*; after *g*, Cartwright continues: "which is rather, to be taken heed unto: for that the harm they doe, is to the moste part so insensible, that the church may seem to dy hereon almoste without any grief or sens of yt, or goe away, as yt were, in a sleap" (3:171).

- 1:306.27–308.14 **Thus they say . . . choice.** H here summarizes his arguments in chaps. 3–10, responding to “*The second [thing]*” (1:271.13) for which Puritans blame the English church’s use of “*Romish Ceremonies*” (line 24).
- 1:307.14–15.*h* **the speech . . . Babylon,** Jer. 51:9 belongs to a long set of oracles declaring the imminent fall of Babylon, which had conquered Judah and taken many of its people into captivity. A GB note to a later verse (48) describing the destruction designates Babylon as “the great enemy” of God’s church.
- 1:307.19, 26 **Hereticall** See 1:281.26–27.
- 1:307.24–28 **Being indifferent . . . useth;** H alludes to the use of leavened, not unleavened, bread in the Eastern Orthodox churches. After the rift between eastern and western churches became a formal schism in the 11C, this difference became an additional bone of contention.
- 1:307.31–32 **as namely . . . Ghost?** The doctrine of the procession of the Holy Ghost provided a more substantial disagreement between western and eastern churches than the previous example. Early Greek Fathers described the Holy Spirit as proceeding from the Father *through* the Son. Augustine and subsequent western theologians insisted that the Spirit proceeded from both Father *and* Son. The “*Nicene*” Creed that emerged from the Council of Constantinople (381) declared faith in the Spirit who proceeds simply “from the Father.” In 6C Spain the word *filioque* began to be inserted into the Creed: “from the Father *and the Son.*” Spread throughout the west by Charlemagne, the *filioque* was adopted by Rome in the early 11C. Eastern theologians disliked the implied theology and denied the right of any part of the Catholic Church to tamper with the texts of creeds which had received universal agreement. H here adopts the typical western stance of the period that the eastern church’s repudiation of the *filioque* represented a heretical understanding of the Trinity.
- 1:308.3 **Citie of Venice,** Eastern Orthodox churches were tolerated in Venetian territories. Venice had long been a point of contact between east and west, and from the eastern conquests of the fourth crusade had held lands in the eastern Mediterranean. At the time of the *Laves*, Venice still held Crete and Corfu, having lost Cyprus only in 1571.
- 1:308.15–17 **Their exception against . . . Jewes.** Compare 1:272.13–15; chap. 11 turns to the third reason for Puritan exception to English ceremonies (see 1:306.27–308.14.n, above).
- 1:308.18–33 **Against such Ceremonies. . . scandalous.** Having dealt with the first two objections to Romish ceremonies *in general* (chaps. 2 and 3–10), H answers two objections to *some* such ceremonies in chaps 11 and 12.
- 1:308.33–309.8.*i* **The Church of Rome, . . . it.** Discussing vestments used in the English church, Travers writes: “This difference off apparell in divine service doeth

no more belong unto us then the offering up off sacrifice and the kepinge off other ceremonies off the lawe. Neither under the lawe pertained it to any but only to suche as ministred in the tabernacle and temple: and not to the rest off the Levites who were scattered through out Jury and preached the word off god in the Sina-goges. . . . They are therefore the invencions off men: and off what men, but even off suche which have soughte to paint and adorne with these colors the shame off ther whorische idolatrie and superstition. For as iff they had bene ashamed off the simplicitie off the gossell, which they ought rather to have had in reverence and in honor, They thought good to follow what so ever had any shewe or ostentacion in any Religion and thought it to be used to the setting forthe off the gossell. Thus they take out off the lawe almost all ther massing apparell by a folishe and ridiculous imitation: that having an alter and priest they might not want apparell for the stage" (trans. Cartwright, p. 128). "Ad nos verò hoc vestimentorum discrimen, in sacris obeundis nihil attinet, non magis quam sacrificiorum oblationes et reliquarum ceremoniarum Legis observatio. Sed nec sub Lege nisi ad eos qui in tabernaculo aut templo ministrarent pertinebat. Neque reliquis qui per totam Judaeam dispersi verbum Dei in Synagogis interpretabantur, de certis vestibus quicquam praeceptum erat. . . . Hominum ergo haec commenta sunt: et quorum hominum, nisi eorum qui meretriciam quandam superstitionum suarum turpitudinem, his coloribus et pigmentis operuerunt. Tanquam enim pudisset eos simplicitatis Evangelii, (quam potius revereri debuerant) ex omni ferè religione quicquid speciem aliquam aut ostentationem habere videbatur, sibi imitandum esse, et id ad Evangelium ornandum adhibendum esse persuaserunt. Ita ex Lege omnem fere illum Missaticum cultum, stulta quadam et ridicula imitatione transferebant: ut quum altare et sacerdotem haberent, vestimenta scaenae non deessent"; *Explicatio*, fols. 97^v–98^v. See 1:276.25–277.7.i.n, above.

1:309.8–18.j-l *Constantine . . . impietie*. This passage appears just after that quoted by H in 1:282.19–23 and before that in 282.12–19. H omits in 309.15 (between "nation" and "The") the sentence: "The councelles although they dyd not observe them selves alwayes in making of decrees thys rule, yet have kept thys consideration continually in making theyr lawes, that they would have the christians differ from others in their ceremonies." In the margin, Cartwright cites the three patristic references in *j*, *k*, and *l* (1:132 [103]). He includes the Jews along with the heathen as examples of those whom Christians of the oldest churches would not imitate; having considered nonconformity with pagans in chap. 7, H limits chap. 11 to issues of nonconformity with Jews.

1:309.8–13.j *Constantine . . . doctrine*. Well into the 3C, the important churches of the province of Asia observed Easter on the Jewish Passover, the 14th of the month of Nisan, and were consequently called "quatrodecimens," whereas most churches celebrated the feast on the Sunday following. By the Council of Nicaea (325) most Asians had conformed, but a few continued to follow the quatrodecimen practice. In his *Life of Constantine*, Eusebius of Caesarea included the text of

a letter from the Emperor to the churches in his domains urging that they accept the decision of the Council that all churches celebrate the same day. He especially deplored the impropriety of Christians' following Jewish practices. H quotes the Latin text of Eusebius translated at 1:309.9–11 in the final sentence of the passage in 319.j. The text follows the Latin of John Christopherson (d. 1558), RC bishop of Chichester, as it appears in the Basel 1570 translation of *Historiae ecclesiasticae scriptores Graeci*, except for the omission after “nobis” (319.j.9) of “commune”; H's translation includes the word. This edn. numbers this chap. as “17” (p. 161), followed by both Cartwright and H. The Greek (printed by Stephanus in Paris in 1544) is: μηνδὲν τοίνυν ἔστω ἡμῖν κοινὸν μετὰ τοῦ ἐχθίστου τῶν Ἰουδαίων δχλου. *De vita Constantini*, 3.18 [17]; *Hist. eccl.* (1544), 1:139^f; GSC, 8:85; PG, 20:1076 (compare Latin translation, 20:1075), NPNF.2, 1:524. The Latin translated in lines 11–13 is: “Est enim revera absurdissimum, ut illi insolenter se jactent, nos absque ipsorum disciplinae subsidio, istas res nullo modo posse observare” (1570), p. 162; Greek: ἔστι γὰρ ὡς ἀληθῶς ἀτοπώτατον ἐκείνους ἀυχεῖν, ὡς ἄρα παρεκτός τῆς αὐτῶν διδασκαλίας ταῦτα φυλάττειν οὐκ εἴημεν [GSC: ἦμεν] ἱκανοί.

1:309.14–15.k *It is convenient . . . nation.* Because Socrates Scholasticus reproduces the same letter of Constantine in his *Ecclesiastical History* (1.9 of Greek; 1.6 of 1570 Latin), including the quotations noted above from Eusebius's *Life of Constantine*, this quotation, cited by Cartwright and H from Socrates, also appears in Eusebius (3.19 [18]). “Et quoniam istud ita via et ratione gerendum erat, ut nihil nobis cum consuetudine parricidarum, eorum qui necis Domini autores extiterunt, esset commune”; *Hist. eccl.*, 1.9 [6]; (1570), p. 233; “Ὅθεν ἐπειδὴ τοῦτο οὕτως ἐπανορθοῦσθαι προσῆκεν, ὡς μηνδὲν μετὰ τοῦ τῶν πατροκτόνων τε καὶ κυριοκτόνων ἐκείνων ἔθνους εἶναι κοινόν. (1544), 1:178”; PG, 67:92; “Wherefore, seeing that it is befitting that this matter [the date of Easter] be amended in this way, as to have nothing in common with the nation of these parricides and killers of the Lord”; compare NPNF.2, 2:15.

1:309.15–18.l *The Councill of Laodicea . . . impietie.* Early canonical collections included the legislation of the supposed Council of Laodicea, Phrygia, which, if it met, did so in the 4C before the second ecumenical council of 381. The Trullan or Quinisext Council (692) passed a series of disciplinary canons, supplementing the fifth and sixth ecumenical councils (II and III Constantinople, 553 and 681), which had not issued any canonical legislation. The seventh ecumenical council (II Nicaea, 787) ascribed these canons to the sixth council, and, although unconfirmed in the western church, eastern Christians consistently recognized their authority. Canon 2 of Quinisext defined a lengthy list of councils whose canonical legislation was to be regarded as authoritative; among these was the Council of Laodicea. Canon 38 of Laodicea stated, as Cartwright translates: “Quòd non oportet à Judeis azyma accipere, vel eorum impietatibus communicare”; *Concilia* (1585), 1:702; Mansi, 2:571–572; NPNF.2, 14:151; see 1:316.32–317.5.d,e,n, below.

- 1:309.24–25 **as we have already . . . Ceremonies.** See 1:294.10–17.
- 1:309.27–310.12 **Another cause . . . not.** See 1:242.29–243.6 and **n**; also 130.6–29. Moral laws form part of natural law; see Intro. to II, III & IV, pp. 154–157, above.
- 1:310.13 **sacrifice** Although H explicitly refers to the Jewish temple worship, the word also suggests the RC mass, which the Reformers believed to have been contaminated by ideas of a propitiatory sacrifice—an offering to appease or to win the favor of an angry and hostile deity; see Haugaard, “Towards an Anglican Doctrine of Ministry: Richard Hooker and the Elizabethan Church,” *Anglican and Episcopal History*, 56.3 (1987): 274–277.
- 1:310.20–27.*n* **The Apostles . . . Circumcision.** Early Christians in Jerusalem observed the Jewish law as well as specifically Christian teaching and worship. After a Jewish revolt in 135 AD, the Emperor Hadrian destroyed the city and repopulated it with non-Jews. The 14C Byzantine historian Nicephorus Callistus Xanthopoulos compiled an eighteen-book history of the church to 610. Since the Greek text was not published until the 17C, H depended on the Latin translation that first appeared in 1555. Outlining the early Christian communities in principal cities, Callistus wrote of Jerusalem: “It is fitting to set out a catalogue from the beginning of those bishops from the circumcision who rightly held fast to their Christian profession and were left in the lurch by the related seditions and madness of the Jews. And so first was James, called the brother of the Lord; second, Simeon; . . . fifteenth, Judas. To whom after the destruction of the city succeeded Mark from the gentiles”; compare *Hist. eccles.*, 3.25; (1576), cols. 174–175; PG, 145:947–948. In his *Sacred History* or *Chronicle* (early 5C), recounting the persecutions of Christians, Sulpicius Severus attributed Hadrian’s expulsion of the Jews from Jerusalem primarily to the Emperor’s belief that he would thereby strike a blow at the Christians. However, Sulpicius concluded: “Undoubtedly the Lord ordained the arrangement so that slavery to the law might be removed from the freedom of faith and of the church. So then, for the first time, one from the Gentiles, Mark, was bishop in Jerusalem”; compare *Sacra historia*, 2.31; *Opera* (1556), p. 123; CSEL, 1:86; PL, 20:147; compare NPNF.2, 11:112.
- 1:310.30–311.2.*o* **There went forth . . . them.** In Acts, the sect of the Pharisees are not designated as those who go down to Antioch; they appear specifically only in Jerusalem. H conflates Acts 15:1 and 5.
- 1:311.31–312.1.*s* **thought it necessary . . . strangled.** Some modern biblical commentators suggest that these decisions of the Council of Jerusalem (Acts 15:29) binding Gentiles (15:28) are moral prohibitions against idolatry and murder (as well as fornication, which H here omits); others, with some textual support for the omission of “strangled,” that they all apply to idolatry: prohibiting food offered to idols, temple prostitution, and the blood baths of mystery cults. Most commentators conclude that, with fornication added as a particularly prevalent sin, the other

prohibitions were intended to permit table fellowship between Jewish and Gentile Christians, forbidding food offered to idols and meat containing blood ("strangled" animals). H's exegesis largely accords with this last conclusion except for a narrower interpretation of fornication; see 1:314.1–17.

- 1:312.5–6.*u* **Condemne not the Gentile . . . Jewe:** Romans 14 does not necessarily concern the struggle between Judaizing and Gentile Christians as H suggests, although Paul further on in the letter (15:8–12) develops the theme H sets in a rough paraphrase. Modern commentators tend to identify chap. 14 with the problem of meats offered to idols, which Paul discusses in 1 Cor. 8. GB's notes, however, suggest an application similar to that of H.
- 1:312.18 **we all** This would seem to include both Puritans and supporters of the established Church, Roman Catholics and continental Protestants.
- 1:313.2–9.*v* **It was an opinion . . . out.** Jewish rabbis of the first three centuries of the Christian era developed the Noachian precepts as they attempted to formulate the relation of other peoples to their community and their God. Derived from pre-Mosaic legislation in the OT, the precepts, commonly limited to the seven H mentions, summarized the laws that God had laid down for all peoples, who, in biblical tradition, had descended from Noah. By observing these, a Gentile among Jews might receive the privileges of a proselyte in the Jewish community although not conforming to the full Mosaic law required of Jews. The 12C Jewish philosopher Moses Maimonides declared that whoever fulfilled these would be among the Gentile pious and eligible to share in the world to come. H quotes these precepts from the *Seder olam rabbah*, a 2C Jewish chronicle of the major events from the creation of the world to the Jewish revolt of 135. Part 1.5 includes the seven precepts which H indicates by a key word or phrase (enclosed in wavy brackets in the text below). Note that the fifth precept in *v* should be corrected to עריות נייוי ; the נייוי does appear correctly in the early edns. of the *Laws*, but these all invert the יו in עריות . They also, like this edn., write the middle word in the seventh precept as מין instead of מן. H omitted the article ה from the first precept. Square brackets in the text below indicate occasional letters omitted or word endings abbreviated in the 1580 text but appearing in the 1965 critical edn. Parentheses with + indicate words appearing in 1965 but not in the 1580 edn.; with 1 or 2, word or words substituted for previous 1 or 2 words.

שם נתנו לישראל עשר מצו[ת] שבע (121) מהן
שנעשו עליהן בני (2לבני) נח דכת[יב] (+בראשית
ב') ויצו ה' אלהים על האדם לאמר מכל עצ הגן
אכ[ו]ל האכל.
[1] ויצו אלו {הדינין} וכן הוא או[מר]
(+שם י"ח) כי ידעתיו למען אשר יצוה וגו'
וכת[יב] לעשות צדקה ומשפט.
[2] ה' זו {ברכת השם} שנ[אמד] (+ויקרא כ"ד)
וגוקב שם ה'.

- [3] אלה [ים] זו {ע"א} שנ' (2עבודת כוכבים
שנאמר) (+שמות כ') לא יהיה לך אלהי [ם]
אחר [ים] על פני .
- [4] על האדם זו {שפיכות (1שפיכות) דמים} שנ[א]'
(+בראשית ט') שופך דם האדם כאדם דמו ישפך .
- [5] לאמר זה [נילוי עריות] שנאמר (+ירמיה ג'
לאמר) הן ישלח איש את אשתו והלכה מאתו
והיתה לאיש אחר הישוב אליה ענד הלא חנפ
תחנף הארץ ההיא ואת זנית ריעים רב[ים]
(+ושוב אלי) נאם ה' .
- [6] מכל עצ הגן זה {הגזל} שנ[א]' (+ויקרא ה'
כ"ד) או מכל אשר ישבע עליו לשקר ושלם
א[ו]תו בראשו והמישיתו יוסף עליו . ותאני
ר' חייא הנשמר כגנה אסור משום גזל ושאינו
נשמר כגנה מותר משו[ם] גזל .
- [7] אכל תאכל זה {אכר מן החי} של' (1שנאמר)
(+בראשית ט') אך בשר בנפשו דמו לא תאכלו .

Seder olam rabbah, 1.5; סדר עולם רבא (1580, fol. 6^v-7^r); (1965), 1: צד-
צה [94-95]. The *Seder olam* based the laws which Yahweh gave to the sons of
Noah on Genesis 2:16 using, in a peculiarly rabbinic style, a word or phrase from
that verse to suggest each of the seven laws. In the translation below, additions of
1965 to the 1580 text are enclosed in parentheses, and the key word or phrase in
each precept is enclosed in wavy brackets.

"There [at Mt. Sinai as told in Exodus] ten commandments were given to
Israel, seven of which had been commanded to the sons of Noah as it is
written (Genesis 2[:16]) 'And Yahweh Elohim [God] commanded concern-
ing the man, saying, "From every tree of the garden you may indeed
eat."' [1] And he commanded: "These are {the judgments} and thus he says
(Gen. 18[:19]), 'for I have known him so that he might command . . . to do
righteousness and judgment.' [2] 'Yahweh:' that is, {the blessing [euphemism
for cursing] of God [literally, "the name"]}, as it is said (Lev. 24[:16],) 'And
he who blasphemes the name of Yahweh.' [3] 'Elohim:' that is, {the service
of stars [meaning the worship of idols]}, as it is said (Exod. 20[:3]) 'You shall
not have for yourself other gods before me.' [4] 'Concerning the man:' {that
is, the shedding of blood}, as it is said (Gen. 9[:6]) 'Whoever sheds the blood
of man, by man his blood shall be shed.' [5] 'Saying:' that is {exposure of
nakedness}, as it is said (Jer.3[:1]) "If a man send away his wife and she goes
from him, and she becomes the wife of another man, shall he return to her
again? Shall not that land be indeed defiled? And you have been faithless
with many lovers and will you return to me?" Oracle of Yahweh.' [6] 'From
every tree of the garden:' that is, {theft}, as it said (Lev. 5:24 [6:5]) 'Or
about anything which is sworn to him falsely, then he shall restore it as in
the beginning and he shall add to it a fifth part.' And Rabbi Hiyyâ adds,
'That which is guarded in the garden is prohibited under the laws of theft,

and what is not guarded in the garden is permitted to be taken under the laws of theft.' [7] 'You may indeed eat': that is, {a member from the living}, as it is said (Gen. 9[:4]) 'Only the flesh with its life, its blood, you shall not eat.'" (trans. Jack B. Van Hooser)

H's interpretation of the first law was consistent with the traditional Jewish application of the verse to obedience to authority; similarly H follows Jewish tradition in emphasizing the second law as enjoining reverence for the divine name rather than as a simple prohibition of blasphemy. Evidently H had mastered not only scriptural Hebrew but also that of rabbis with their many conventional abbreviations, or he gained his knowledge of the *Seder olam* from an unidentified secondary source.

1:313.6–7 **4 not . . . flesh**, That is, (4) not to murder, nor (5) to have illicit sexual relations.

1:313.21–22.*w* **as the Apostle . . . it**. The NT situations all use the same Greek base, referring either to the act or the agent of extramarital sexual relations: πορνεία or πόρνος. Although the words are variously translated in English, the Vulgate consistently uses "fornicatio" or "fornicator," as in Acts 15:29. H assumes Paul wrote Hebrews.

1:313.22–28 **But verie . . . nature**. Christian canon law reaffirmed much of the Mosaic prohibition of marriages between close family relations. Henry VIII's cause of conscience on which he annulled his marriage to Katherine of Aragon was based on Rev. 29:21, a section similar to that of Rev. 12. Archbishop Parker in 1560 confirmed the traditional prohibited degrees; see 1:237.15–18.n, above. H regards the prohibited degrees as matters of positive rather than of perpetual natural law.

1:313.24, 25.*x* **discoverie of nakednes** The language used to designate illicit sexual relations both in Lev. 18 and in the *Seder olam* account of the Noachian precepts (see 1:313.2–9.v.n, above).

1:314.2–7 **Conster this . . . blood**. H considers here the seventh, not the fourth precept of the Noachian code (see 1:313.4, 8–9, and 15–16).

1:314.11–12.*y* **Saint Paule . . . fornication**. Paul again uses the word πορνεία. Marriage to a stepmother was forbidden by Lev. 18:8 as well as by Roman law, 'which was not necessarily enforced among the Corinthians to whom Paul wrote.

1:314.12–17 **If any . . . prejudice**. See 1:311.31–312.1.s.n, above.

1:314.22–27.*z* **Apostolicall . . . customes**. The seventh tractate of Leo I (the Great) of Rome (d. 461) for the fast of the seventh month opens with the passage translated by H: "Apostolica institutio (dilectissimi) quae Dominum Iesum Christum ad hoc venisse in hunc mundum noverat, ut legem non solveret [critical text adds "sed impleret," "but to fulfill," completing the quotation from Matt. 5:17], ita veteris testame[n]ti sacramenta [critical text substitutes "decreta" which suggests

“decrees” or “principles” rather than “*mysteris*”] *distinxit, ut quaedam ex eis, sicut erant condita, Evangelicae eruditioni profutura decerneret, et quae dudum fuerant consuetudinis Iudaicae fierent observantiae Christianae*”; *Sermo vii de jejunio septimi mensis*, or *Tractatus 92; Opera* (1569), fol. 73^v; CCSL, 138A:568. H’s translation would be more complete if “preserved as it were” were added between “*them*” and “*it*” in line 25. Leo’s subsequent discussion of moral precepts and teachings is more consistent with “*decreta*” than with “*sacramenta*.”

1:315.5–7 **some as Heretiques, . . . Jerusalem**; Some Jewish Christian groups requiring obedience of all to the Law did continue. The Ebionites, for example, combined their adherence to Mosaic law with a reductionist doctrine of Christ deemed heretical by the church Fathers. H cites them in 5:140.19 and 155.14; see **nn**.

1:315.10 **Marcionites and Manichees** Marcionism judged the OT to be the revelation of a lesser creator God (see 1:182.2–16.n, above). Manichaeism, which selectively borrowed elements from both Testaments, included OT patriarchs and prophets among the messengers of light, but the Mosaic law, the importance attached to Israel as God’s people, and the understanding of the material creation as God’s good work were clearly contrary to its thoroughgoing dualism (see 1:294.17.n, above).

1:315.11–12 **the Church . . . Prophets**, Growing out of synagogue patterns of scriptural readings, Christian weekly eucharists in early centuries included three-fold readings: from the OT, apostolic writings (as epistles), and the gospels.

1:315.13–17.a **Tertullian . . . forward**. In Tertullian’s *Prescription Against Heretics*, he points to the various apostolic churches, especially nearby Rome, as guardians of the authentic tradition, describing elements of their teaching and practice that deny the heretical claims. Although H identifies the subject of the sentence as “the Church of Christ,” Tertullian’s subject is the Church of Rome as typical of the apostolic churches: “She recognizes one Lord God, creator of the universe, and Christ Jesus of the Virgin Mary, son of God the creator, and the resurrection of the flesh; she intermingleth . . . [as H translates in lines 14–17] . . . setteth forward, and so against this instruction she accepts no one”; “*unum deum dominum novit creatorem universitatis, et Christum Iesum ex virgine Maria filium dei creatoris et carnis resurrectionem: Legem et prophetas cum evangelicis et apostolicis literis miscet, et inde potat fidem eam: aqua [critical text: miscet, inde potat fidem; eam aqua] signat, sancto spiritu vestit, Eucharistia pascit, martyrio exhortatur [critical text: martyrium exhorbatur, “used to exhort to martyrdom”], et ita adversus hanc institutionem neminem recipit*”; *De praescriptione haereticorum*, 14 [36.5]; *Opera* (1566), 1:182; CCSL, 1:217; PL, 2:49–50; compare ANF, 3:260–261 and 261.n.1.

1:315.19.b **mangling . . . Epistles**. The reading of the OT lessons regularly at the Eucharist dropped out in the early middle ages, leaving portions of the apostolic writings (usually from the epistles) and of the gospels as the normal scriptural lessons

(see 1:315.11–12.n, above). Like the Lutherans, the C of E retained this pattern in the BCP, sometimes substituting lessons for those in the Roman lectionary. Reformed churches replaced this scheme either with course-reading, in which whole biblical books were read progressively from week to week, or with lessons appropriate to the topic chosen by the preacher for his sermon. The *Admonition* claimed that in old times “They read no fragments of the Epistle and Gospell: we use both” (sig. A4^{r-v}; *P.M.*, p. 13). Cartwright’s *Replye* began the section on faults in the English liturgy by specifying “that which is often objected by the authors of the admonition, that the forme of it is taken from the church of Antichrist, as the reading of the Epistles and Gospels so cutte and mangled as the most of the prayers, the maner of mynistring the Sacraments of Mariage, of Buriall, Confirmation, translated as it were word for word, saving that the grosse erreurs and manifest impieties be taken away”; 1:131 [102]); see 1:280:7–11.o,r,n, above. Whitgift replied: “such things as we now use in the booke of Common prayer (though some of them have ben used in the time of Papistrie) were appointed in the church by godlie and learned men, before the Pope was Antichrist, or the Church of Rome greatly corrupted, as the reading of the epistle and gospell, whiche is of verie long continuance in the Church”; *Defense*, p. 474; PS, 2:438. In *The Rest of the Second Replie*, Cartwright responded as H quotes him in *b* (3:171–172).

1:315.22–25 **was the lawe . . . function?** The two English words, “priest” and “presbyter,” are both derived through Latin from the Greek *πρεσβύτερος*,” meaning elder, a term applied along with bishop and deacon, to the three principal ministerial offices that emerged in the early church. “Priest” is also employed, however, for the English equivalent of the Greek *ιερεύς* and the Latin “sacerdos,” words used to designate the minister in pagan and Jewish cultic sacrifices. These words became gradually attached in the patristic church to the bishop and later to the presbyter as a consequence of their roles in presiding at the Eucharist. By the middle ages, “sacerdos” had become a common equivalent for presbyter. Sixteenth-century Protestant reformers, repudiating current sacrificial interpretations of the Eucharist, usually preferred to designate ordained ministers with terms other than the vernacular equivalents of *ιερεύς* and “sacerdos.” The BCP, however, continued to use the word “priest.” In Book V, H expresses his own preference for the term “presbyter” over “priest,” but he defends the legitimacy of the latter (chap. 78.2–3). The “View of Popishe Abuses” declares: “We speake not of the name of priest wherwith he defaceth the minister of Christ . . . seeing the offyce of Priesthode is ended, Christe being the last priest that ever was. To call us therefore priestes . . . is either to call backe againe the old priesthode of the law, which is to denie Christ to be comen, or else to kepe a memory of the popishe preisthode of abhominacion stil amongste us”; sig. C1^v; *P.M.*, p. 25. Whitgift replies in his *Answer*: “The name of Priest neede not be so odious unto you as you would seeme to make it. I suppose it commeth of this worde *Presbyter*, and not of *Sacerdos*, and then the matter is not great” (p. 233). Cartwright insists that “it is manifest that it can not be wythout great offense so

used" (1:199 [159]). H's quotation in *c* is from a later section responding to Whitgift's comments on various topics arising out of minor alterations in later editions of the *Admonition*. Compare Whitgift's statement in his *Defense*: "As heretofore use hath made it to be taken for a sacrificer, so wil use nowe alter that signification, and make it to be taken for a minister of the Gospell. But it is meere vanitie to contende for the name, when wee agree of the thing: the name may be used and not used without any great offence"; pp. 721–722 (PS, 3:350–351); see 1:316.1–14.n, below.

1:315.26 **finall desolation** The destruction of the Temple in 135 AD (see 1:310.20–27.n.n, above.).

1:316.1–14 **nor was it afterwards . . . truth.** Luther excised all mention of sacrifice from the mass. Among major continental theologians who followed Luther in this, only Peter Martyr allowed a carefully qualified application of sacrificial language to the Eucharist. H here goes beyond Whitgift's reason for retaining the title "priest" (see 1:315.22–25.n, above), insisting that its sacrificial connotations, like those of the word "altar" and even the very word "sacrifice," can be legitimately applied to the Eucharist in respect of "proportion" (line 7), suggesting that there is a metaphorical sense in which the Eucharist is a sacrifice, a means by which the faithful enter into the sacrificial act of Christ done once for all; see V.67.12 and 78.2 (2:340–343 and 438.20–439.7).

1:316.32–317.5.*d,e* **As in . . . Councell.** See 1:309.8–18.*j-l.n*, and 1:309.15–18.*l.n*, above. H here adds a translation of canon 37 to the 38th which Cartwright had cited and quoted; the Latin text reads "Quòd non oportet quae à Judaeis vel haereticis mittuntur festiva, accipere, neque unà cum eis festum agere"; *Concilia* (1585), 1:702; Mansi, 2:569–570; NPNF.2, 14:151. "*Festivall presents*" (317.1) refers to portions of food taken from that which had been sacrificed.

1:317.6–8.*f* **Were Christians . . . Church?** Using the argument from historical circumstances, Whitgift responds to Cartwright's *Replye* (quoted by H in 1:282.19–23, 309.8–18, and 282.12–19; see 309.8–18.*j-l.n*): "What is all this to your purpose? who saith that eyther we must use all things that the Jewes and gentiles did, or that the Church hath not authoritie to take order therein as shall be thought most convenient? the Churche at this time, did perceive inconveniences in these customes and ceremonies, and therefore did by ordinarie authoritie abrogate them"; *Defense*, p. 478; PS, 2:446. Cartwright retorts: "yow know ful wel, that these goe to the heart of your cause. For, what can be in ytsel more indifferent, then these two, forbidden the Christians: for that they were used of the enemies of the church" (3:176). Cartwright lumps Jews and pagans together; H treats them separately; and Cartwright does interpret the canon to mean that Christians should not employ unleavened bread in the Eucharist, for he conflates the two clauses he had given in full in the earlier *Replye* (see 1:309.15–18) to read "*they would not have the Christians communicate in unleavened bread, because the Jues did*" (3:176).

1:317.10–16.g **much more, . . . punishment.** Canon 11 is from the Trullan or Quinisext Council whose legislation was accorded the authority of the third Council of Constantinople, accounted the sixth ecumenical council (see 1:309.15–18.l.n and H's similar reference in VII.8.3; 3:186.p): "Nemo eorum, qui in sacerdotali ordine enumerantur, vel laicus, Iudaeorum azyma comedat, vel ullam cum eis familiaritatem ineat, vel in morbis accersat, vel ab eis medicinas accipiat, vel unà cum eis in balneis la[v]etur. Si quis autem hoc facere aggressus fuerit, si sit quidem clericus, deponatur: si autem laicus, segregetur"; *Concilia* (1585), 3:395; Mansi, 11:945–956; NPNF.2, 14:370.

1:317.21–24 **these reasons . . . time.** H overstates the case: not in the entire east, but only a decreasing number of Christians in the province of Asia celebrated Easter on the Jewish Passover; see 1:309.8–13.j.n, above.

1:317.27 **unleavened bread,** See 1:307.24–28.n, above.

1:318.3–6 **how should wee think . . . Easter?** Pope Victor of Rome (189–198) attempted to enforce the Roman custom on determining the date of Easter. When Polycrates, bishop of Ephesus, insisted on maintaining Asia's local quatordecimen custom of celebrating it on the Jewish Passover, Victor broke communion and urged other churches to follow suit. The other eastern sees refused to do so in spite of their calendar differences with Asian Christians. Irenaeus, then bishop of Lyons, rebuked Victor for his action; see 1:309.8–13.j.n, above, and 1:319.i.n, below.

1:318.13–20 **The feast . . . speches.** See 1:309.8–15.

1:318.14–15 **who honored . . . Rome,** It is hard to know just what it is on which H bases his judgment that Constantine "honoured . . . most" the Church of Rome. The 8C "Donation of Constantine" preserved an earlier erroneous tradition that Pope Sylvester had baptized Constantine along with its central account of the great imperial grants of Constantine to the Roman church, but the Donation's spurious character was common knowledge by H's time. Perhaps H was influenced by the incident in Constantine's early Christian career when he referred an appeal from the schismatic Donatists in North Africa in 313 to a commission under Bishop Miltiades of Rome.

1:318.20–319.1 **When Stephen . . . heretiques,** In the aftermath of the Decian persecution (249–251), a schismatic group acquiring the name of Novatian refused to readmit penitent apostates to the church. Cyprian of Carthage and Stephen of Rome both opposed the Novatians, but they differed on the treatment of converts who wished to be received into the Catholic church after they had been baptized in a body out of communion. Cyprian required rebaptism, holding that baptism could not exist apart from the recognized Catholic community, and he vigorously opposed Stephen's practice of receiving such converts with a simple laying on of hands. Eventually, as H here acknowledges, Stephen's position gained recognition

in Christian theology and practice. Compare V.61.2 (2:264.5–6 and n) and esp. 62.5 (271.19–272.24 and n), below.

1:318.27–31.*h* *To this degree . . . doe.* In a letter to Pompey, bishop of Sabratensis, Cyprian described his dissent from Stephen's teaching and practice as he had recently defended it in a letter to Cyprian. Just before the section translated by H, Cyprian quoted an argument from Stephen in which the Roman bishop had pointed to the practices of various heretical groups who did not rebaptize those who came from one such group to another, but admitted them to communion. "Ad hoc enim malorum devoluta est ecclesia dei et sponsa Christi, ut haereticorum exempla sectetur, ut ad celebranda sacramenta coelestis disciplinae lux de tenebris mutuetur, et id faciant Christiani, quod antichristi faciunt." The critical text has "caelestia disciplinae" in place of "coelestis disciplinae"; this would require a slight change in H's translation in lines 29–30: "to celebrate the [heavenly] sacraments, light it self doth borrow [instruction] from darknes"; letter 74 [or 73], *Ad Pompeiam contra epistolam Stephani*; *Opera* (1540), p. 327; *Saint Cyprien Correspondance* (1925), 2:281–282; CSEL, 3.2:802; PL, 3:1131 (summary in 4:412); compare ANF, 5:387.

1:319.*i* *Plerique in Asia minore . . . est.* H's text of Socrates follows the Latin of Christopherson, omitting, however, the designation of Lyons (*Lugduni*) as "a city of Gaul" (*urbis Galliae*) and the explanation added by the bishop of the coined Greek word in *i.5*, "that is, those who celebrate Easter on the fourteenth of the month" (*id est qui decimo quarto die mensis Pascha celebrabant*); Socrates, *Hist. eccl.*, 5.21 [22]; (1570), p. 317. The omission may indicate that H checked against the Greek, which does not explain the coined word. The passage occurs in the middle of Socrates's argument that church practices have varied in different times and places because the apostles left the church free in many such matters. The date of Easter was determined by custom, not by law (ἐξ ἑθους μᾶλλον ἢ ἀπό νόμου). Socrates continues, as Meredith Hanmer's 1576 translation renders: "The greater part throughout the lesser Asia, have solemnized this feast of olde upon the fourteenth day of the moneth, without any accmpt made, or heede taken of the saboath day. For all that while they did so they were not at discord with such as retayned a contrary observation of that feast, afore that Victor, bishop of Rome through boyling heat and choler had excommunicated all Asia. I meane such as observed the feast of Easter the fourteenth day of the moneth [this explanatory clause suggests that Hanmer, like H, worked from the Latin text]. For which act Irenaeus bishop of Lions a citie in Fraunce, inveyed bitterly in his letters againste Victor"; *The Auncient Ecclesiasticall Histories* (1576; STC 10572), p. 354; Greek: Πλειστοι γὰρ περὶ τὴν μικρὰν ἀσίαν ἐξ ἀρχαίου, τὴν τεσσαρεσκαίδεκάτην ἐτήρησαν, τὴν τοῦ Σαββάτου ὑπεριδόντες ἡμέραν. καὶ τοῦτο ποιοῦντες, πρὸς τοὺς ἑτέρως τὴν ἑορτὴν τοῦ Πάσχα ἐπιτελοῦντας οὐδέποτε διεφέροντο, ἕως ὃ τῆς Ῥώμης ἐπίσκοπος βίκτωρ ἄμετρα θερμανγείς, ἀκοινωνησίαν [τοῖς] ἐν τῇ ἀσίᾳ Ῥεσσαρεσκαίδεκατίταις ἀπέστειλεν. ἐφ' ᾧ γενομένῳ Ἐιρηναῖος ὁ λουγδοῦνου τῆς ἐν Γαλλίᾳ ἐπίσκοπος, τοῦ

Βίκτορος δι' ἐπιστολῆς γενναίως κατέδραμεν. (1544), 1:249^f; PG, 67:628; compare NPNF.2, 2:130. See nn to 1:309.8–13.j and 318.3–6, above.

1:319.6–7.j *It is unworthie . . . Jewes*; See 1:309.8–11 and 309.8–13.j.n, above. H's text of Eusebius's *Life of Constantine* follows Christopherson's Latin: "What could be more advantageous or more venerable than that this feast, by which we have the promised hope of our immortality, be celebrated purely and sincerely by all in one manner and fashion? And first of all, it plainly seemed inappropriate that we should celebrate this most holy feast imitating the rite and custom of the Jews (who, because they have polluted their hands by enormous wickedness, are justly held as wicked, ensnared in the blind error of their souls). For it is put in our power that after we have cast out their custom and established one more fitting and sincere (which we have continuously practised from the first day of the passion until now) we may extend the celebration of the feast in the tradition of future ages. Therefore, let there be nothing in common to us and the most odious company of the Jews." The 1544 Stephanus Greek text reads: τί γὰρ ἡμῖν κάλλιον; τί δὲ σεμνότερον ὑπάξει δυνήσεται, τοῦ τὴν ἑορτὴν ταύτην, παρ' ἧς τὰς [GSC: τὴν] τῆς ἀθανασίας εἰλήφामεν ἐλπίδας [GSC: ἐλπίδα], μιᾶ τάξει καὶ φανερῶ λόγῳ παρὰ πᾶσιν ἀδιαπτῶτως φυλάττεσθαι; καὶ πρῶτον μὲν ἀνάξιον ἔδοξεν εἶναι, τὴν ἀγιωτάτην ἐκείνην ἑορτὴν τῆ τῶν Ἰουδαίων ἐπομένους συνηθεῖα πληροῦν· οἱ τὰς ἑαυτῶν χεῖρας ἀθμεμίτῳ πλημμελήματι χράναντες, εἰκότως τὰς ψυχὰς οἱ μισροὶ τυφλώττουσιν. ἔξεστι γὰρ τοῦ ἐκείνων ἔθνους ἀποβληθέντος, ἀληθεστέρᾳ τάξει, ἢν ἐκ πρώτης τοῦ πάθους ἡμέρας ἄχρι τοῦ παρόντος ἐφυλάξαμεν, καὶ ἐπὶ τοὺς μέλλοντας αἰῶνας τὴν τῆς ἐπιτηρήσεως ταύτης συμπλήρωσιν ἐκτείνεσθαι. μηδὲν τοῖνυν ἔστω [as in 1:309.8–13.j]. *De vita Constantini*, 3.18 [17]; *Hist. eccl.* (1570), p. 161; (1544), 1:139^f; GSC, 8:85; PG, 20:1073–1076; compare NPNF.2, 1:524.

1:319.14–16 *Their exception . . . scandalous*. Compare 1:272.16–17; this is the "fourth" point against English ceremonies: idolatry is identified as the particular abuse of the Roman church.

1:320.2–6 *Concerning this point . . . not*. These three parts provide the structure for chap. 12: (1) 1:320.6–321.9, (2) 321.9–323.4, and (3) 323.4–325.28, with 325.28–326.31 as a summary. Keble's divisions do not reflect this structure.

1:320.3 *this point . . . offensive*; H does not quote or cite a specific text for this, the Puritans' "waightiest exception" (1:319.17), as it is ubiquitous in their writings.

1:320.10–11.k *scandalize or offend* "Offend" is the word used in both GB and BB, but H's alternative "scandalize" comes from the Greek σκανδαλίση or the Latin "scandalizaverit."

1:320.19.l *rock of offence* That is, πέτρα σκανδάλου," "petra scandali."

1:320.29–31.m *Thus David . . . blasphemous*: Modern critics judge that scribes inserted the "enemies" into 2 Sam. 2:14 and that the author originally wrote that

by having Uriah murdered in order to take Bathsheba, David had scorned God. However, all the texts available to H read as he reports; GB notes that the enemies' blasphemy lay "in saying, that the Lord hath appointed a wicked man to reign over his people."

1:320.32 **ill spoken of** BB uses "evill spoken of" in contrast to the GB's "blasphemed." GB notes Ezek. 36:20 and Isa. 52:5 as the texts to which Paul referred; BB, like H, cites only Ezek.

1:321.1–4.o **Offence or scandall . . . mindes:** In *On the Veiling of Virgins* Tertullian argued that virgins, dedicated to an ascetic life in the church, ought to wear veils although North African custom left the matter indifferent. Some of those not wearing veils claimed to be scandalized because others chose a different custom. To this Tertullian replied as H translates, insisting that such a good practice as veiling could scandalize only an evil mind. "Scandalum nisi fallor non bonae rei, sed malae exemplum est, aedificans ad delictum. Bonae res neminem scandalizant, nisi malam mentem"; *De virginibus velandis*, 3.3; *Opera* (1566), 2:59–60; CCSL, 2:1211; PL, 2:892; compare ANF, 4:28. H again identifies "offence" and "scandall" (see 1:320.10–11.k.n).

1:321.10–11 **as it was . . . use,** On the Manichees, see 1:294.17.n, above. For such a scandalous ceremony, see Augustine's description of sun-worship in *Against Faustus the Manichaeon*: "you even bend your back and neck to that sun"; 20.6; *Opera* (1528–1529), 6:252; CSEL, 25.1:540; PL, 42:371–372; NPNF.1, 4:254.

1:321.18–20 **as the Eunomian Heretiques . . . thrise;** Eunomius, a bishop of Cyzicus in Asia Minor in the later 4C, took part in the disputes over the character of Christ's divinity between the Councils of Nicaea (325) and Constantinople (381), developing the extreme Arian position of the Anomeans and insisting that the Son was unlike the Father. Sozomen related that "some declare Eunomius to be the first daring to claim that the divine washing of baptism ought to be accomplished in one immersion, and so to violate the tradition observed from the times of the apostles continuously until now"; *Hist. eccles.*, 6.26; Latin (1570), p. 535; Greek (1544), 2:83; GCS, 50:272; PG, 67:1361, compare NPNF.2, 2:363.

1:321.22–29.p **as those Heretiques . . . signified.** Canon 6 (or 5) of the fourth Council of Toledo (633), describing the varying practices in Spain of baptizing with one or three immersions, quoted with approval Gregory the Great's advice to the Spanish Bishop Leander that, although either custom was permissible, the heretical practice of three-fold immersions made the single immersion preferable in Spain, and consequently ordered that "to avoid the scandal of schism and the use of heretical teaching, one immersion only" is prescribed, "that it may not appear that those amongst us who practice the triple immersion approve the declaration of the heretics while they follow their custom." The section of Gregory's letter translated by H in 1:321.27–29 appears in the canon: "reprehensibile esse nullatenus potest, infantem in baptisate in aquam [Vives and MGH omit "in

aquam”] vel tèt, vel semèl mergere, quandò et in tribus mersionibus personarum Trinitas, et una potest divinitatis singularitas designari”; *Concilia* (1585), 3:69; Vives, ed., *Concilia Visigòticos e Hispano-Romanos* (1963), p. 192; PL, 84:368. See also Gregory’s *Epistolae*, 1.41 [43]; *Opera* (1591), 4:22, with marginal note to “Conc. 4 Tolet. cap. 5.”; MGH, *Gregorii I Papae registrum epistolarum*, ed. Ewald and Hartmann, 2nd edn. (1957), 1:57; PL, 77:498; compare NPNF.2, 12:88. These heretics were a variety of Arians to whose doctrine the Visigothic tribes who ruled Spain had been converted; in this letter, probably written in 591, Gregory rejoices in the conversion from Arianism of a Visigothic king. The Council of Constantinople (381) expressly condemned as Arians those who would assign distinctive natures to Father, Son, and Holy Spirit instead of recognizing the one divine nature common to all three. H discusses the Arians in V.42.2–6; see nn; see also 4:10.5–8.n.

1:322.2–3 **as the . . . Wafer-cakes**, On the use of the cross in baptism, see V.65 and nn; of kneeling to receive communion, V.68.3; of wafer bread, 1:289.10.n, above.

1:322.q. **Hom. 11. . . . imponerent**. This is one of a collection of homilies of the Gallican Pseudo-Eusebius that had been attributed to Eusebius of Emesa in Syria (d. 359?). By the 16C the latter’s authorship had already been questioned, as H reflects in his note in *Just.*, § 2 (5:106.b), and in his attribution of the work to Salvianus of Marseilles (d. after 480) in VI.4.6 (3:26.10–13 and n, below). Faustus of Riez (d. 490?) has since been credited with authorship, but more recently it has been argued that the author was Caesarius of Arles (470–543), or one of his disciples, who made much use of materials by Faustus and others before him. The Gallican collection was compiled in its present form between the 6C and 9C (CCSL, 101:vii–xxi). In the 1547 Paris edn. of John Gaigny, the passage begins: “‘A quo enim quis vincitur, eius et servus est’ [2 Pet. 2:19b]. Hoc ergo genere diabolus universum addixerat mundum, cupiditatis depravatio, mandati inimica transgressio, cibi ind[er]dicta praesumptio, superstitionis dominatio, erroris impressio, veritatis oblivio, ignorantiae confusio, stultitiae longa persuasio, mortifera idololatriae [as in q.1–3, except for “occaecaverat” for H’s “occoecaverunt” and a “vel” (“or”) before “Saturni”]; CCSL omits “homines occoecaverunt” entirely] ut sub assidua dies commemoratione honor falsorum deorum nunquam ab eorum ore discederet”; *Homelia undecima de Pascha, D. Eusebii, Emiseni episcopi, Homelie ad populum* (1547), fol. 60^v; CCSL, 101.A:225. “Truly, whatever conquers one, to that he is enslaved’ [2 Pet. 2:19b]. Therefore the devil had bound the whole world in generating this enslavement—the perversion of desire, the harmful disobedience to duty, the forbidden enjoyment of food, the rule of superstition, the assault of error, the forgetfulness of truth, the confusion of ignorance, the far-reaching conviction of folly, the deadly practice of idolatry blinded men to the extent that [1547 text: “practice of idolatry—it (that is, the enslavement) had blinded men to the extent that”; CCSL: “practice of idolatry—so much that”] they referred to the days by the

names of both diverse elements and demons, of the sun, of the moon, of Mars and Mercury, of Jove, of Venus, of Saturn, and they imposed the name of darkness on the daylight in order that by the continual mention of the days, honor to false gods might never depart from their mouths." H's quoted passage may be simply translated: "The practice of idolatry blinded men to the extent that they referred. . . ." continuing as above to "daylight."

Beda . . . tarditatem. The English monk Bede (d. 735) wrote a treatise on time entitled *De temporibus* in 703 and expanded it in 725 as *De tempororum ratione*. H's text comes from the chapter on the week in the earlier work, although he gives it the title of the later expansion. Although the 1563 Basel edn. of Bede's *Opera* distinguished the works, a 1537 Cologne edn. of his *Opuscula*, like H, entitles the shorter work *De ratione tempororum*. In both 16C texts, the chap. begins, "Hebdomada septem diebus constat," continuing as H quotes, with, however, "eoque" for "indeque," "orditur" for "inchoatur," and transposing "a planetis" and "Gentilibus"; *De temporibus*, chap. 4; *Opera* (1563), 2:206; *Opuscula* (1537), fol. 26^r; *Beda Opera de temporibus*, ed. Charles W. Jones (1943), p. 296; PL, 90:281. "[The week consists of seven days;] the eighth day, moreover, is the same as the first to which it returns, and the week begins with it afresh. To these the pagans give names from the planets, believing that they have a spirit from the sun, a body from the moon, blood from Mars, mental agility and eloquence from Mercury, sobriety from Jove, sensual pleasure from Venus, and stupidity from Saturn." In English, only Sunday, Monday, and Saturday derive from the Latin names for the days of the week; the names for Tuesday, Wednesday, Thursday, Friday are derived from the Germanic equivalents of the Roman gods.

Isid. . . . sacraverunt. The *Etymologiae* of Isidore of Seville ("Hispalenis"; d. 636) served as one of the most important reference works of the middle ages. H's text agrees with a Paris edn. of 1499: *Etymologiae*, 5.30; *Praeclarissimum opus . . . Isidore Hispalensis . . . quod ethimologiarum intitularur*, fol. 26^v; ed. Lindsay (1911; rpr. 1957), no pp. (bk. 5.30); PL, 82:215. The quotation is from Isidore's chap. on "the days"; in the next section, he includes a passage like that of Bede above (q.5-7) except that "humorem" (moisture) takes the place of "tarditatem" as the gift of Saturn (5.20.8). "The days are called after the gods, whose names the Romans immortalized with certain heavenly bodies."

1:324.4-5.*r* **All things . . . others.** The GB gloss on 1 Cor. 6:12 notes that Paul here "speaketh of things indifferent of their nature, and first as touching carnal libertie."

1:324.5-9.*s* **All things . . . God.** Cartwright notes Rom. 14 marginally, along with 2 Cor. 3 and Heb. 5, as examples "in the Apostles tymes" of occasions in which immature believers might have been injured by "hurtful ceremonyes" (3:178); see 1:325.15-29. Verses 2-3, 15, and 20 of Rom. 14 are esp. pertinent.

1:325.9-13.*u* **we are not to looke . . . inconvenient;** Constantine Harmenopoulos (d. 1383), legal advisor to the Byzantine emperor, wrote a compendium of the

imperial laws, the *Ἐξάβιβλος* or *Πρόχειρον νόμων*, translated as *Promptuarium juris civilis*. The legal code became a new standard reference work, eventually forming the initial basis for Greek national law in the 19C. “Laws ought to be established for things which occur not rarely, but very commonly, and not for the occasion of those that can happen in only one case. Legislators pass over that which occurs once or twice”; “Iura constitui oportet in iis quae frequenter ac faciliè, non quae perrarò contingunt, quaeve in unica facti specie possunt occurrere. Praetereunt enim legum latores quod semel atque iterum usuvenit”; *Promptuarium*, 1.1.28 [23]. The point is summarized in the dictum: “hard cases make bad laws.” John Mercerus’s Latin translation (Lyons, 1556, and Lausanne, 1580), was republished with the Greek in Geneva in 1587; *Promptuarium juris civilis* (1587), p. 20 (Greek and Latin); (1580), p. 4; (1556), p. 3; *Manuale legum sive hexabiblos*, ed. Heimback (1851), pp. 26–29. H quotes Harmenopoulos in VIII.9.3; see 3:439.f and n.

1:325.15–21.v In this case . . . *employed*. Whitgift disputed the claim of the *Admonition* that vestments appointed in the C of E were “popish and anti-christian,” citing the advice of Bullinger and his Zürich companion and successor, Rudolph Gualter (1518–1586), to the English clergy to put up with the legal garments; see *Answer*, pp. 88 and 92–93; PS, 2:30 and 40–41 (on the vestitarian controversy, see 1:12.5–11.n; on Bullinger, see 1:8.4–10.3.n; on Gualter, see 1:11.20.n, all above). Cartwright replied that they had also added that people abusing the ceremonies “oughte to be better instructed.” Such a counsel is “not so convenient” that ministers “whych have so many necessary poynts to bestowe their time on, and to informe the people of, should be driven to cutte of their time appoynted thereto, to teache them not to abuse these things, which if they use never so well, they can gaine nothing. . . . Besides that, it is absurde that ceremonies whych ought to be helpers to promote the doctrine, shoulde become lets and hinderances, whilest the minister is occupied in teaching to beware of the abuse of them and of superstition. And it is as much as if one shoulde be set to watche . . . [as in lines 18–21]” (1:76 [56]). Whitgift counters: “Thynge abused muste not alwayes bee taken away when they are abused, but the right use must be taught, and the abuse reprovèd. The *chylde* when he hath discretion, and is able to be instructed, though he sometyme *hurte hymselfe with the knyfe*, yet must not the same be altogether *taken from him*, but he muste be rebuked for usyng it so indiscretely, and taughte to use it better”; *Defense*, p. 278 (PS, 2:42–43). To this, Cartwright answers: “what wisdomè is yt, I pray yow, that by continuance of the popish ceremonies, the church should receive a wound, to the end that afterward, by continual warning, yt might receive a plaster: so that the inconvenience . . . lyeth in this, that the ministers . . . should be driven to occupie a great deal more tyme, and with les fruyt, than when they should be taken away. . . . How . . . wil the doctrine be able to pul yt owt of their heartes, when they be alwaies before the eies, and in use. This I made playn, by his example, *which should set one to watch* . . . [as in lines 18–21]: his answer whereunto, of a *childe which hath discretion*, is no

answer, when I meant of a little childe which, by age, is not able to guide a knife" (3:178).

1:325.29–326.2 **Those particular Ceremonies . . . other.** See Pref. 7.6 (esp. 1:35.29–31) and V.4.1 (2:30.18–24).

1:326.4–6.*w* **that they shold object . . . Ceremonies;** In response to Whitgift's argument in the *Defense* that ministers may and ought to preach against superstitious abuse of ceremonies, Cartwright, referring to his *Replye*, writes in *The Rest of the Second Replie*: "yt was also replied, that yt is not so . . . [as in *w*]" (3:177).

1:326.6–16 **a wonder . . . in?** Compare Whitgift: "If to preache the truthe of right use of these Ceremonies be not so convenient, . . . how commeth it to passe that you and your partakers have so pestered your sermons and bookes therewith, and so long tyme taught the people nothyng else but contempte of all good order and obedience in suche matters, and have stirred them up against the true preachers of the Gospell, and agaynst their Magistrates and rulers for the selfe same thyng? Is it not as convenient for us to roote out of the peoples myndes errors touchyng things indifferent, as it is for you to ingrafe them?"; *Defense*, p. 278 (PS, 2:42).

1:327.8–28.*x* **For as the Churches . . . Churches.** This passage follows that quoted at 1:282.23–25 and in 296.*y*. By substituting "*synagogue of Antichrist*" (line 9) for "idolaters" (see below), H suggests that Cartwright is calling for distance from Jewish ceremonies. Although Cartwright had done so earlier (see H's quotations at 1:309.8–18), the immediate context is pagan idolatry: "Furthermore, as the wisdom of God hath thoughte it the best way to keepe hys people from infection of idolatry, to make them most unlike the idolaters: so hath the same wisdom of God thought good that to kepe hys people in the unity of the truth, there is no better way then that they should be moste like one to an other, and that as much as possibly may be, they shuld have all the same ceremonies. And therfore S. Paule . . . [as in lines 12–25] . . . in Ceremonies. Nowe we see plainly that as the forme of oure service and Leyturgie commeth to neare that of the papistes, so it is farre different from that of other churches reformed, and therfore in bothe these respectes to be amended" (1:133 [104], PS, 2:450–451). Cartwright notes in the margin "I. Cor. 16.1." (*y*) and "Concil. Nice. canon. 20." (= *y* and *z* in H). H responds to the general issue raised in lines 10–12 at 328.25–329.27, and to the particular issues raised in lines 12–15 at 330.19–331.4, to those in lines 15–18 at 331.4–19, to those in lines 18–22 at 331.19–332.20, and to those in lines 22–25 at 329.27–330.15. H marks these divisions by his additions of "Againe" and "Thirdly" (327.15, 18) to Cartwright's text.

1:327.14.*y* **first day . . . sunday)** The Greek in 1 Cor. 16:2 is *κατὰ μίαν σαββάτου*, translated in GB as "everie first day of the weke" and in BB as "upon some Sabbath day." In accordance with Jewish precedent, *σαββάτου* sometimes means simply "week."

1:327.15–18 *as children . . . Ceremonies*. “*Dyet*” connotes “a way of living or thinking” as well as of nourishment, and the “*Liverie*” provided by a person to his retainers and servants could refer to the dispensing of food as well as to the distinctive dress provided for them (OED).

1:327.18–22.z *this rule . . . Churches*. H’s note in z accurately corrects Cartwright’s interpretation of the canon: “Since there are certain people who kneel on the Lord’s day and on the days of Pentecost [Pentecost could refer to the fifty days of the Easter season as well as to its concluding feast-day], in order that all things may be harmoniously observed in all places, it has seemed good to the holy council that prayers be rendered to the Lord standing”; “*Quoniam sunt quidam in die Dominico genua [critical text: genu] flectentes, et in diebus Pentecostes, ut omnia in univ[er]s[is] locis consonanter observentur, placuit sancto concilio stantes, Domino vota persolvere*”; *Concilia* (1585), 1:489; *Conciliorum oecumenicorum decreta*, 3rd edn. (1973), p. 16; compare NPNF.2, 14:42. See 1:331.19–26 and 332.6–10.

1:327.28–328.2 *Beeing asked . . . ours*; Whitgift responds to Cartwright (lines 8–28): “From what *reformed Church* doth it so far differ? or to which *reformed Churches* would you have it framed? or why should not other *reformed Churches* as well frame themselves unto us? for we are well assured of our doctrine, and have as good grounds and reasons for our doing as they have: except you will bring in a newe Rome, appoynt unto us an other head Church, and create a newe Pope, by whom we must be in all things directed, and according to whose usage we must frame our selves”; *Defense*, p. 481 (PS, 2:451–452). Normally H ignores the debate with Whitgift; he here alludes to it.

1:328.2–18.a *That if there be . . . abrogated*. In *The Rest of the Second Replie*, Cartwright begins a new chap., “That the churches owght to be conformed to the example one of an other,” by referring to his earlier three examples: 1 Cor. 16:1–2, the comparison with a nobleman’s livery, and canon 20 of Nicaea. He then responds, as quoted, to Whitgift (3:182–183). H generalizes Cartwright’s views as those of all Puritans. Cartwright notes marginally Rom. 16:5, 7 (b), and 1 Cor. 14:37 (H corrects to 14:36 in c). H responds to the particular issues raised in lines 2–5 at 1:333.2–22, to those in lines 5–11 at 334.6–335.2, to those in lines 12–13 at 335.2–13, and to those in lines 13–18 at 335.14–336.7.

1:329.5 *every Christian Church* For H’s use of “church” as a particular church, see 1:205.27–206.19.

1:329.12–15 *That of Gregorie . . . harme*. See 1:321.22–29.p.n, above. The paragraph in which H’s quotation at 321.27–29 appears begins: “Certainly, concerning the three-fold baptism, nothing more truly can be answered than that which you feel: because where the . . . [as in lines 14–15]”; “*De trina verò mersione baptismatis, nihil responderi veriùs potest quàm ipsi sensistis, quia in una . . . [as quoted in lines 13–14 with “Ecclesiae sanctae” transposed and “nihil” for “nil”]*”; canon 6 [5] of Fourth Council of Toledo, quoting Gregory’s letter to

Leander; *Concilia* (1585), p. 69; ed., Vives (1963), p. 191; PL, 84:367; Gregory, *Epistolae*, 1.41 [43]; *Opera* (1591), 4:22; PL, 77:497; compare NPNF.2, 12:88.

1:329.15–21 **That of S. Augustine . . . impediment.** See 1:262.6–16.t.n, above; H also cites this letter at 1:281.18–20, 288.12–14, and 340.17–19. The topic here remains the question of fasting on Saturday, a custom observed in Rome but not in the east. Insisting that appeals to apostolic precedent in such matters are interminable, Augustine advised as H translates in lines 18–21. H ignores a phrase after “*selfe*” (line 19): “just as it has spread within the members”; “*Sit ergo una fides universae, quae ubique dilatatur, ecclesiae tanquam intus in membris, etiam si ipsa fidei unitas quibusdam diversis observationibus celebratur, quibus nullo modo quod in fide verum est, impeditur*”; epist. 86.22 [36.9]; *Opera* (1528–1529), 2:251; CSEL, 34.2:52; PL, 33:146, compare FOC, 12:157.

1:329.21–27.d **Calvin goeth further, . . . not.** Georg Cassander (1513–1566), a lay RC theologian who, with humanist principles, sought to reunite Christians on the basis of fundamental patristic teachings, published in 1561 a plan for such reunion in *De officio pii ac publicae tranquillitatis vere amantis viri, in hoc religionis dissidio*. The same year, Francis Baldwin (or Baudouin, 1528–1574), a lawyer who had been attracted to Geneva and warmly received by Calvin but who eventually returned to the RC faith, unsuccessfully attempted to introduce Cassander’s book at the Colloquy of Poissy, an abortive French attempt to reconcile RC and Reformed. Attacked from the RC side, Cassander’s work aroused equal ire in Calvin, who, believing the work to have come from his former protégé, Baldwin, attacked it in his *Responsio ad versipellem quendam mediatorem* (“Answer to a Certain Trimming Mediator”). In regard to ceremonies, Cassander quotes a series of passages from Augustine, including that just reproduced by H in lines 18–21, urging regional variations in those ceremonies which neither Scripture, councils, nor universal use have authoritatively determined; see Cassander, *Opera* (1616), p. 785. In response, Calvin agrees with such principles, even slightly expanding them, as H notes in lines 21–27. However, Calvin insists that these principles have been misused, just as, he believes, Cassander proposes to do: “Nevertheless, so that readers may understand that no pure thing can be brought forth by this man [Cassander], let them keep in mind the very different reasoning of that [Augustine’s] time from ours, from which an innumerable mass of superstitions have overflowed by troops to obscure the worship of God. It is surely fitting to test just what this means: ‘that nothing be imposed which is against faith or good morals’ [Augustine, quoted by Cassander]”; “*Quantum ad ritus particulares, vigeat sane Augustini sententia: ut singulis Ecclesiis liberum sit morem suum tenere: imo interdum utile est, ne externis ceremoniis alligetur religio, aliquid esse varietatis: modò absit aemulatio, nec alii ab aliis novitate illecti, diversum aliquid habere affectent. Quaquam ut intelligant Lectores sincerum nihil ab hoc homine prodire: memoria teneant, longe aliam fuisse temporis illius rationem ac nostri, ex quo turmatim innumera superstitionum congeries ad obruendum Dei cultum exundavit. Expendere etiam*

convenit quid valeat, neque contra fidem, neque contra bonos mores iniungi"; Calvin's *Responsio* is printed with separate pagination in Cassander's rejoinder, *Defensio insontis libelli, De officio pii viri, adversus iniquum et importunum castogatorem* (1562), p. 13; CR, 37:541. H quotes Calvin selectively, ignoring both context and the trenchant character of Calvin's qualification of principles he holds in common with Cassander. H uses Cassander, on baptism, in V.60.6; see 2:260.10–11.g.n, below.

1:330.19–331.1.e **because . . . Jerusalem.** See 1:327.12–15 and nn to 1:327.8–28.x and 327.14. H's point is that Paul's uniform arrangements for distributing alms had nothing to do with the church's "using the same ceremonies" (Cartwright, 1:133 [104]), to which Paul's words had been "writhed" by Cartwright; see next n.

1:331.7–19.g **the next . . . to use.** See 1:327.15–18 and nn to 1:327.8–28.x and 327.18–22.z, above. Royal, noble, and upwardly-mobile gentry families clothed their servants and retainers in a distinctive uniform identifying their connection with their employers. The choice of the livery and the granting of the right and obligation to wear them lay with the head of the household.

1:331.19–25.h **As for that Canon . . . prayer,** See 1:327.18–22 and z; also nn to 327.8–28.h and 327.18–22.z, above.

1:331.25–26 **whereupon their meetings . . . them.** Although "station" is ultimately derived from the verb, *stare*, to stand, the Latin noun *statio* had come to mean a place or an abode, and it could also designate a gathering at a fixed place for a fixed purpose. From the 4C in the Christian church, "statio" designated the eucharistic celebrations of the bishop at stated churches on stated days of the year. The list of the city of Rome, organized by Gregory the Great and almost unchanged from the 8C, became known throughout the west as the Roman missal gained the status of a general liturgical standard. The eighty-seven station days, other than including the weeks of Easter and Pentecost, were not allocated to any particular season. H here devises or borrows a false etymology derived from the custom of standing in the Easter/Pentecost season.

1:331.26–30.i **Of which custome . . . Pentecost.** Tertullian included this prohibition of standing among a series of church customs, none of which had explicit biblical authorization (see 1:165.14–18.n; also 163.10–166.4 and nn). The Latin in *i* summarizes Tertullian's text translated in 331.27–30: "Die dominico ieiunium nefas ducimus, vel de geniculis adorare. Eadem immunitate à die Paschae in Pentecosten usque gaudemus"; *De corona*, 3.4; *Opera* (1566), 1:747; CCSL, 2:1043; compare ANF, 3:94.

1:332.6–10 **Because . . . Lord.** See 1:327.18–22.z.n, above.

1:332.32–33 **And . . . one mortall man,** That is, the papacy.

1:333.2 **generall councill.** See Pref. 6.3, II.6.3 (1:180.20–29), 180.23.n, above, and 335.7–10; also, VIII.6.2 (3:386–387).

- 1:333.11–15 **the East Church . . . leavened;** See 1:317.24–318.11.
- 1:333.15–17 **one Church . . . sitting;** The custom of the English church was to receive the Eucharist neither standing nor sitting, but kneeling. In a 1552 court sermon, John Knox attacked the rubrical direction in early issues of the second BCP (see STC, 2:91), and Edward's Privy Council ordered the addition of the so-called "black rubric," which explained that kneeling did not imply adoration of any "real or essential presence" of the body and blood of Christ in the consecrated bread and wine. Some Puritans attacked the omission of the rubric from the Elizabethan BCP, and others sought to introduce sitting for communion after the fashion of the continental and Scottish churches. H here ignores this well-known dispute over the Prayer Book practice as he contrasts Reformed custom with that of the patristic in which communion was received standing. For an example of awareness in England of the patristic custom, see a letter usually ascribed to Bishop Edmund Guest; Henry Geast Dugdale, *The Life and Character of Edmund Geste* (1839), p. 149. H comments on the English custom in V.68.3 (2:346.23–30.i).
- 1:333.31–32.j **that the later Churches . . . mo.** See 1:328.5–6 and 12–13, and nn to 327.28–328.2 and 328.2–18.a.
- 1:333.32–334.6 **Hereupon they conclude . . . abrogated.** See 1:328.13–18 and a; almost a quotation from Cartwright, 3:183.
- 1:334.11 **as in . . . mentioned.** See 1:331.4–19.
- 1:334.11–15.k **S. Paule, . . . auncientes;** GB glosses Rom. 16:5: "The first which was consecrate to the Lord by embracing the Gospel"; and 16:7: "They were grafted in Christ by faith afore I was called, and were wel esteemed of the Apostles, and of the Churches." The GB also offers "Asia," the preferred reading of modern critics, as an alternative to the "Achaia," which follows the Greek *textus receptus* of Erasmus.
- 1:334.14 **Junias** In contrast to the Great Bible, GB, BB, and the Rheims NT, which all take Ἰουνιᾶν (Vulgate: Iuniam [feminine]) to be a woman, Junia, H suggests that it is a masculine name, as modern English translations do, perhaps because he was working from the Greek NT and noted that Ἀμπλιᾶτον (*textus receptus*) in 16:8, with its adjectives, was masculine.
- 1:334.15–17.l **the Corinthians . . . alone?** GB glosses 1 Cor. 14:36: "Are ye the first or the last Christians, that ye nether submit your selves to the Churches, of whome you have received the Gospel? nor have respect to the others to whome the Gospel doeth likewise apperteine?"
- 1:334.19–20 **two former speeches** That is, in Rom. 16:5 and 16:7.
- 1:335.7–10 **saving onely when . . . whole.** See 1:332.34–333.2 and 333.2.n, above.

- 1:335.15–17.*m* that . . . ill; See 1:328.15–18.
- 1:336.20 **Church of England** H bases the competency of the national church to determine her own laws on the concept of “church” as a particular public society set forth above in III.1.14; see Cargill Thompson, “Philosopher,” *S.R.H.* (1972), pp. 53–57; rpr., *Studies in the Reformation* (1980), pp. 177–182.
- 1:336.24–337.26 **Lawes, . . . instituted.** On H’s understanding of the changeableness of laws, see above, I.10.1, 9; 15.1–3; and III.10.1–8 and 11.13.
- 1:337.33 **Lordes Ambassadors** See 2 Cor. 5:20 and Eph. 6:20.
- 1:338.2–6 **as that they . . . elder,** Minucius Felix, a 2C or 3C Christian living at Rome, wrote an apologetic dialogue between a Christian Octavius and his pagan friend Caecilius. The work, now known as *Octavius*, from which H quotes in 1:25.g, was preserved as the supposed eighth chapter of Arnobius’s (d. 330?) treatise, *Adversus gentes*. On the page previous to that which H cites there, Caecilius, commenting on the evidence of the evils in nature and history that belie the conviction that all is controlled by an all-powerful deity, observes that since either certain chance (*fortuna certa*) or disorderly nature (*incerta natura*) rule, “how much better and more reverent it is for masters of truth to accept the leading of our forefathers, to practice the religious obligations handed down as an heritage [“religiones traditas colere”]”; *Octavius*, 6.1; *Adversus gentes libri viii* (1560), p. 745; in *Collection des Universités de France*, ed. Beaujeu (1964), p. 8; CSEL, 2:9; PL, 3:250; Loeb, pp. 326–327.
- 1:339.2–6 **their whole counsel . . . while,** Cartwright instances the “blindness of those times”: “although they were excellent personages, yet their knowledge was in part; and although they brought many things to our light, yet they, being sent out in the morning, or ever the sunne of the gospell was rysen so hygh, might oversee [overlook] many things, which those that are not so sharpe of sight as they were may see, for because that which they want in the sharpnes of sight, they have by the benefite and clearenesse of the sun and of the light”; 1:196 [157]; Whitgift, *Defense*, p. 710; PS, 3:328.
- 1:339.7–12.*n* **from a purpose . . . evill.** The “View of Popishe Abuses” declares that the Admonitioners used the BCP “so farre forthe as we might: reverencing those times and those persones, in which and by whom it was first authorised, being studious of peace, and of the building up of Christes church, yet now being compelled by subscription to allowe the same, . . . We must nedes say . . . that this boke is an unperfected booke, culled and picked out of that popishe dunghil, the Masse booke” (*Admonition*, sig. B3^v; *P.M.*, p. 21). Misapplying the description “being studious of peace” to the Edwardian reformers rather than to the Admonitioners, Whitgift declares in the *Answer* that those who seek to deface the book are “disturbers of peace and destroyers of the Church of Christ” (p. 197; PS, 3:327). Cartwright in the *Replye* and Whitgift in the *Defense* exchanged further

arguments; 1:11 [1] and 195–196 [157]; *Defense*, pp. 30 and 711–712; PS, 1:72–73 and 3:328–330. In *The Second Replie*, Cartwright provided an example of the reformers' errors in the willingness of Cranmer and Ridley to allow the government to accede to the Emperor's request that Princess Mary have her Latin mass in private. Cartwright then explains that a criticism might be equally well made of their "gathering off the booke for it maye . . . [as in n.1–2] . . . gospel (whilst fearing that they would not frame them selves to yt, yt should be somewhat framed unto them) partly to redeme peace therby [see n.2–3], the breach wheroff they feared might have ensued off suche a perfecte and through change as the sinceritie off the gospell required. Yff this were there purpose they were studious of peace and buildinge of the church, but yet erred in the meane" (2:29–30). H avoids discussing the relationship between the character of the reformers and their reforming measures, the focus of the Whitgift–Cartwright dispute.

- 1:339.22–23 **as in the abrogating . . . did**, The 1536 royal Injunctions of Henry VIII, promulgated by his vicegerent for ecclesiastical affairs, Thomas Cromwell, included a provision for enforcing a measure for "the abrogation of superfluous holy-days," and those of 1538 expressly forbade the observance of a feast for Thomas à Becket whose opposition to royal authority offended Henry. "Like customes" may include such provisions of the 1538 Injunctions as the order that images that qualify as "feigned" be removed, that candles be burned only before the reserved sacrament and the Easter sepulchre and not before any images, and that bell-ringing for the saying of the *Hail Mary*, associated with papal indulgences, be omitted. Possibly H also alludes to the more extensive changes ordered in the first years of Edward VI in the 1547 royal Injunctions and the Privy Council order of 1548 eliminating a number of traditional ceremonies; see Frere and Kennedy, eds., *Visitation Articles and Injunctions*, 2:5, 38, 41–42, 114–130, and 183n–187n.
- 1:339.23–25 **till afterwarde . . . agreed upon**, See Intro. to The Preface, pp. 8–10, above. "Discipline" is more elusive than the easily identifiable BCP and Articles of Religion. By the end of Edward's reign, a comprehensive revision of canon law, the *Reformatio legum ecclesiasticarum* (1571; STC 6006; ed. Cardwell, 1850), had been prepared, but efforts in the first fifteen years of Elizabeth's reign to introduce it or an alternative failed. Unless H is referring to the disciplinary aspects and implications of the primarily doctrinal Articles of Religion, he probably means here Elizabeth's 1559 royal Injunctions, which remained in force to the end of her reign, and the various orders of archbishops, ecclesiastical commissions, and convocations; Frere and Kennedy, eds., *Visitation Articles and Injunctions*, 3:8–29, 95–96, 108–110, 171–180, and *passim*; W. P. M. Kennedy, *Elizabethan Episcopal Administration*, vols. 2 and 3, *passim*.
- 1:339.25–26 **Catechismes framed . . . youth**, The Prayer Books include a brief Catechism, based on the Creed, Ten Commandments, and Lord's Prayer, which held a position of greatest catechetical authority and was required to be learned before confirmation. Bishop John Poyntet (1514?–1556) prepared a lengthier one to

accompany the 1553 Articles of Religion. Alexander Nowell (1507?–1602) based an even longer Latin work on Calvin's Genevan Catechism with some borrowings from Poynt. Presented to the 1563 Convocation, Nowell's Catechism was published in Latin and English in 1570, and in 1571, the bishops required schoolmasters to employ it for the instruction of their charges; STC 18701 and 18708; PS, ed. Corrie (1853); Cardwell, ed., *Synodalia*, 1:128. An abridgement in both languages appeared in 1572 and 1574 (STC 18712 and 18730). On its bibliographical history, see 5:72.31.n.

1:339.26–27 **Churches purged . . . scandalous.** In these categories, H could mean any number of changes from the ceremonies and ornaments of the medieval church which were eliminated in various regulations, including those mentioned in nn to 1:339.22–23 and 23–25, above. They would include, among much else, crucifixes and other images (which remained technically legal, but had been removed from most churches), chasubles and other vestments traditionally worn by ministers at the Eucharist, ashes, palms, veneration of the cross, and holy water.

1:340.16–19.o *If in those things, . . . varied,* See 1:281.17–22.s and n, above.

1:340.22–26 **For there is not . . . serve.** See references in 1:333.2.n, above.

1:340.30–32.p *Of things harmelesse . . . madnes.* See 1:277.28–278.4.n, above. In responding to Januarius's question about the appropriate time of day to celebrate the Eucharist on Maundy Thursday, Augustine assigns it to the category of customs which rightfully differ from place to place. Two other categories allow no such variable discretion: those which the authority of Holy Scripture prescribes and "similarly, if the whole church throughout the world doth observe any one of the these things, to argue . . . [as lines 31–32]"; "Similiter etiam se quid horum tota die [omitted in critical text] per orbem frequentat ecclesia, Nam hoc [critical text: "et hinc"] quin ita faciendum sit disputare insolentissimae insaniae est"; epist. 118.5 [54.6]; *Opera* (1528–1529), 2:361; CSEL, 34.2:165; PL, 33:202–203; compare NPNF.1, 1:302. H introduces "*harmelesse*," which has no explicit warrant in the Latin. Later, discussing the category of things which may differ, Augustine argues against altering such local customs unless they are contrary to faith or morals ("contra fidem . . . aut contra bonos mores"; see nn at 1:329.15–21 and 329.21–27.d, above). He then considers whether the universal custom of fasting before communion, which reverses the order of Jesus at the last supper, is to be criticized. Although he suggests that the custom's very universality is evidence of its apostolic origin (§ 6 [8]), he implicitly suggests that it is at least possible such a universal custom ought to be changed. H stretches—albeit plausibly—the intent of Augustine's letter.

1:341.1 **one Christian Church** Namely, the C of E in process of reformation.

1:341.17–26 **The Romans . . . remayning.** Livy, in the early and largely legendary portion of his *History of Rome* (1.56–60), recounts the story of the consul,

Lucius Tarquinius Collatinus, who had helped to expel the last and tyrannical Roman king, Lucius Tarquinius Superbus ("the proud"). As measures were taken to ensure that no king might reign again in Rome (?510 BC), public opinion turned against Collatinus on the grounds that the Tarquini "did not know how to live as private persons; the name was not acceptable, a threatening danger to liberty"; "Nescire Tarquinius privatos vivere. non placere nomen, periculosum libertati esse"; *Romanae historiae principis, libri omnes*, 2.2.3-4; (1589), p. 38; Loeb, 1:222-223.

1:341.17-342.7 **The Romans . . . us.** Saravia included the following in the preamble to *Of the Diverse Degrees of the Ministers of the Gospel* (STC 21749) before the passage quoted in the **n** cited below: "The Tarquines once exiled Rome, the very name of King became odious among them: as if (for-sooth) with the name of those tyrants, tyrannie had ceased. But were they not afterwarde . . . thralld and threshed as men thresh corne, with more, and more kinds of tyranny, then if they had retained still the soveraine name of Kings and their princely authoritie? Neither indeed, is there any tyranny at all in the name of a King, but in the nature of a Tarquine. And the like wee may justlie say in this action: that the pride and tyranny, with the which the Church of Christ was wearied and wasted, was not in the Primacie of Bishops and Archbishoppes, but in the persons which did abuse their authoritie, and going beyond their commission, extended the bounds of their Province further than might lawfully stand with the modestie and moderation of christian Religion: by which meanes indeede, the power of Rome is become excessive and insupportable"; sig. D1^r; Latin (STC 21746), sig. A1^r. Saravia takes no account of the similarity of the names of king and consul that was the point of H's use of the incident. On Saravia, see 1:264.9-15.n, above.

1:341.27-30.q **to have shewed . . . approveth,** See 1:282.10-12 and 297.1-32 and **nn** to 281.29-282.12 and 297.1-6.

1:342.15-21 **least . . . side;** H probably refers here to France, the Low Countries, and, just possibly, Westphalia. The religious wars in France were to reach their dénouement in July 1593 when Henry IV converted to Roman Catholicism, thereby assuring his uncontested crown. The Low Countries were still polarized: north and south, Protestant and RC, independent and Spanish, the future Holland and Belgium. Westphalia, belonging to the electoral archbishopric of Cologne, had been torn between RC and Protestant factions, but in the mid-eighties, the territory had come under the firm RC hand of Archbishop Ernest of Bavaria.

1:342.22 **at once,** That is, England too would be caught up in civil strife.

1:342.24-25 **(and . . . impeach)** Throughout Elizabeth's reign, the English had offered moral and, sporadically, financial and military support to French Huguenots and Dutch Protestants. The 1588 Armada was conceived as a crusade to restore all of Europe to papal allegiance, and its defeat made possible not only the continuation of England's ecclesiastical independence but that of continental and Scottish Protestants as well; see Intro. to The Preface, pp. 22-23 and 27-28, above.

1:343.8–28 **And sith . . . bene:** H glances at the Reformation in 16C England in the reigns of those its “principall doers”: first, Henry VIII (1509–1547), under whom, beginning in 1530, England repudiated papal authority, abolished religious communities, authorized a vernacular bible, and introduced minor reforms in liturgy and private devotion while maintaining, in large measure, medieval doctrines, Latin liturgies, and traditional sacramental and devotional practices. By designating Edward “the Saint,” H reflects English Protestant hagiography, expressed by John Foxe in his *Actes and Monuments of Martyrs*, first published in 1563 (STC 11222). Foxe attributed Edward’s early demise to “the customeable behaviour of English people” who “deserved no suche benefit of so blessed a reformation” as “this godly and virtuous Impe [scion of a royal house]” might have provided; quoted from 4th edn. (1583; STC 11225), 2:1395; ed. S. R. Cattley (1838), 6:350. By the end of the young king’s short reign (1547–1553), his Privy Council had provided the elements of a thorough reform: liturgical norms in the second Prayer Book; doctrinal standards in the Forty-Two Articles and Poyntet’s Catechism; a devotional manual in the 1553 *Primer* (STC 20373; PS, ed. J. Ketley, *The Two Liturgies*, pp. 357–484); and a proposed discipline in the *Reformatio legum ecclesiasticarum* (see 1:339.23–25.n, above). H does not mention by name Mary (1553–1558) who returned England’s official doctrine and practice to that of Henry’s earlier years and, subsequently, to Roman obedience as well.

1:343.20–25 **Howbeit that which . . . time.** H renders Wisd. of Sol. 4:13 (τελειωθείς ἐν ὀλίγῳ ἐπλήρωσεν χρόνους μακροῦς) differently from BB and GB: “though he was soon dead.” H’s “departed” suggests the “translated” of 4:10, a verse which commentators had traditionally associated with the Enoch of Gen. 5:21–24. H’s distinctive translation suggests he was working from either the Greek Septuagint or the Vulgate (“consummatus in brevi”). H, however, remained in the spirit of GB and BB by ignoring Jewish and Christian speculations on Enoch’s unique “translation” at the end of his earthly life; the GB note to Gen. 5:24 says that “God toke him away” in order “to shewe that there was a better life prepared, and to be a testimonie of the immortalitie of soules and bodies. As to inquire where he became, is mere curiositie.” Genesis reports that Enoch lived to a youthful 365 years in contrast to his father Jared’s 962 and his son Methuselah’s 969 years.

1:343.31 **glorious starre** Astrea, the Greek goddess of justice whose name was taken from the Greek word for “star,” became a common typological figure for Queen Elizabeth among poets, dramatists, and those who combined these talents in contemporary royal pageantry. The beginning of Virgil’s fourth Eclogue expressed Virgil’s politico-messianic hopes for a restoration of effective imperial rule: judging right and wrong, Astrea would descend from the heavens to which she had been banished as either the constellation Virgo or its brightest star, *spica virginis*. Englishmen applied the imagery to the Virgin Queen from early days of her reign. The Elizabeth historian William Camden reports that at the very opening of Elizabeth’s rule, some Englishmen “upon happie hope conceyved”

made a personal "impresa" or emblem showing the Zodiac with Virgo rising interpreted by the half-verse from Vergil, "Now the Virgin returns (*iam redit et Virgo*)"; *Remains* (1605; STC 4521), pp. 171–172; ed. R. D. Dunn (1984), p. 188. Camden adds: "Suppressing the wordes following, *Redeunt Saturnia regna*." See Frances Yates, *Astrea: The Imperial Theme in the Sixteenth Century* (London and Boston: Routledge and Kegan Paul, 1975), pp. 29–87.

- 1:343.31–33 **whome him selfe . . . deliverance** H alludes to Elizabeth's imprisonment in Mary's reign for suspected complicity in rebellion, and his interpretation is close to that which Robert Naunton attributed to Elizabeth herself who, on hearing of her accession to the throne, reportedly exclaimed with the words of a Psalm verse (118:23) in Latin: "This is the Lord's doing, and it is marvellous in our eyes"; *Fragmenta regalia* (in MS till 1641), Wing N–249, p. 4.
- 1:344.3–4 **What in this behalfe . . . testifie.** See 1:342.24–25.n, above.
- 1:344.12–13 **which as . . . selfe,** H's suggestion that political expediency at the opening of Elizabeth's reign would have dictated the continuation of RC religion in England is mirrored in the contemporary comment of John Francis Canobio, a papal confidant in Brussels who, in a letter to Paul IV of May 1559, described the queen as being torn "between her pernicious learning on the one hand and her fear of losing the State on the other": *Calendar of State Papers . . . Rome* (1916), 1:10.
- 1:344.13–14 **the practises so . . . wearie.** Discovered and publicized plots against Elizabeth's life include those of Ridolfi (1571), Somerville (1583), Throckmorton (1583), Parry (1584), Babington (1585), and Lopez (1594). All had RC associations.
- 1:344.15–16.s **that Aaron and Hur . . . states** The priests Aaron and Hur, the latter identified by Jewish tradition as the husband of Moses' sister Miriam (Josephus, *Antiquities*, 3.2.4), who hold up Moses' hands in Exod. 17:12 to insure Israel's victory over the Amalekites, provided a convenient allegorical symbol for homiletic purposes. H's identification of them with the traditional medieval division of society into its temporal and spiritual estates retains a distinction that had been largely repudiated by Lutheran and Reformed communities.
- 1:344.19–21.t **other then . . . hosts.** The words are intended for Zerubbabel, a leader of Babylonian Jews returning to Jerusalem from Babylonian captivity in late 6C BC. Named governor by the Persian king Cyrus, he began rebuilding the Temple to restore Israel's organized religious life—a task analogous to the work H here ascribes to Elizabeth. GB notes: "He sheweth that Gods power onely is sufficient to preserve his Church, though he use not mans helpe thereunto."
- 1:344.28–32 **Wherefore if any refuse . . . worketh.** Compare V.Ded.10 (2:7.12–8.3). On the sacred character of monarchy, see VIII.2.3–6.
- 1:345.1–10 **An . . . downe.** Compare 1:34.29–35.28, 54.1–22, 144.34–145.14, 194.19–27, 269.8, and 273.10–14; also 2:32.5–11 and 498.22–23; see Intro. to The Preface, pp. 37–51, above.

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