

DIVINE LAW AND
HUMAN NATURE

*Or, the first book of *Of the Laws of
Ecclesiastical Polity*, Concerning Laws
and their Several Kinds in General*

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Front cover image taken from Claude Vignon (1593–1670),
Moses with the Tablets of the Law (Nationalmuseum, Stockholm)



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INTRODUCTION

IN THE “Preface to the Preface” which appeared at the beginning of the first volume of our project to modernize or even translate the text of Richard Hooker’s remarkable *Laws of Ecclesiastical Politie*, I outlined the case for undertaking a “translation” of a work originally written in English, and in truly extraordinary English at that. I will not belabor the point by repeating that case here. Let it suffice to make two points.

First, Hooker needs to be read. My conviction on this has grown stronger day by day; nearly every time my colleagues and I meet (three times a week) to work on this project, we find ourselves coming upon a passage that leads us to exclaim, “Dang! People need to hear this!” The current state of our political discourse and profound public confusion even about the meaning of political life; the superficial and fragmented character of our church life, with intellectual vapidness characterizing most liberal and moderate Christianity and narrow dogmatism and biblicism afflicting most conservative Christianity; the parlous state of Christian undergraduate and seminary education—all cry out for a blast of wisdom from the past, and I

would argue, for the judicious Hooker's distinctive brand of wisdom in particular.

Second, even among professional Hooker scholars, there is a recognition that with the passage of time and the dumbing down of our language, Hooker has become almost inaccessible to the layman, and to the clergyman too for that matter. If people are to read Hooker again today, he needs to be translated into something approximating the contemporary English tongue, with sentences of a shortness and simplicity that make at least some concessions to mere mortals' attention spans—without sacrificing overmuch the profundity and elegance of the original. While the sentences in this paragraph may not inspire much confidence that *I* should be entrusted with that responsibility, I hope and trust that you will find in the pages that follow that the luminosity and clarity of Hooker's thought is matched in at least some measure by luminous, clear, and crisp prose. Working sentence by sentence and paragraph by paragraph with my colleagues Brian Marr and Brad Belschner, I believe we have succeeded in reproducing as closely as possible the substance (and indeed where possible the phrasing) of Hooker's thought, while minimizing as much as possible barriers to understanding. To be sure, this translation should not be treated as a substitute for the original. Hooker's intricate sentence structures are self-conscious and in many cases play a key role in conveying meaning and rhetorical effect. Our hope is that readers may find these editions an accessible point of entry, and then go on to engage the genuine article in due course, experiencing in the process some taste of the illumination and edification it has been our blessing to experience in the course of this project.

In this second volume of our project, we come to the work that Hooker is perhaps most renowned for. Here, in Book I, he offers a sweeping overview of his theology of law, *law* being that order and measure by which God governs the universe and by which all creatures, and humans above all, conduct their lives and affairs. In an age when Scripture has come under attack, so that the seriousness of one's commitment to the Christian faith is often simply equated with one's fidelity to Scripture, Hooker's seeming attempt to relativize the role of Scripture may cause eyebrows to furrow in suspicion. In carving out a role for natural reason and human law, is he not perhaps an early apostle of the Enlightenment and modern secularism? If not, perhaps he is at least a representative of that type that appears in every age, the lukewarm spokesman for worldly wisdom who advises his fellow Christians about the need for moderation in all things, even in obeying God's Word. So some readers of Hooker—and many more who have not bothered to read him—have imagined through the centuries.

But such a reading betrays the very confusion that Hooker warns against. As he says of his opponents in the concluding chapter of this book, “they rightly maintain that God must be glorified in all things and that men's actions cannot glorify Him unless they are based on His laws. However, they are mistaken to think that the only law which God has appointed for this is Scripture.” Rather, even “what we do naturally, such as breathing, sleeping, and moving, displays the glory of God just as natural agents do, even if we do not have any express purpose in mind, but act for the most part unconsciously” (I.16.5; p.

95).¹ In fact, Hooker compellingly argued throughout his *Laws* that it was precisely those who most exalted Scripture as God's only revelation to us who were at most risk of secularizing. For this theory, however much it might attempt to find Scriptural teaching for any and every matter, must admit that when there was a matter where such teaching could not be found, here was an area left entirely to our own wits, without a ray of divine wisdom. But we must not so limit the scope of divine wisdom, argued Hooker.

C.S. Lewis, who revered Hooker as both one of the greatest of English prose writers and one of the great theologians of the Christian tradition, wrote that "there could be no deeper mistake" than to think that Hooker was disposed "to secularize." On the contrary,

few model universes are more filled—one might say, more drenched—with Deity than his. "All things that are of God" (and only sin is not) "have God in them and he them in himself likewise" yet "their substance and his wholly differeth" (V.56.5). God is unspeakably transcendent; but also unspeakably immanent. It is this conviction which enables Hooker, with no anxiety, to resist any inaccurate claim that is made for revelation against reason, Grace against Nature, the spiritual against the secular.²

¹ Quotations from Hooker in this Introduction are taken from our modernized text (accompanied by page references to this volume) when they come from Book I unless otherwise specified; when from later books, as in the case of this quotation, we have simply updated the spelling.

² C.S. Lewis, *Oxford History English Literature in the Sixteenth Century*,

NOTES ON EDITORIAL APPROACH

MANY OF the following notes will be familiar to readers of our first volume, *Radicalism*, but if you are curious as to just how we set about “translating” a book from English into English, or are seeking for proof of why it was necessary, read on.

Modernizing Hooker’s prose was a complex task, certainly more complicated than updating a few archaic words and breaking apart a few lengthy sentences. Hooker’s sentences are not just lengthy; rather, his syntax itself is often dense and unwieldy, even by 16th century standards. Much of this is intentional, perhaps, and helps convey Hooker’s meaning, but it is so challenging for most modern readers that many sentences required syntactical re-working of some kind. Hooker’s idioms and turns of phrase are also frequently archaic or rhetorically elevated in Shakespearean ways that can be obscure to the modern reader, so our vocabulary updates were extensive. Our revision is therefore a deep and pervasive one, with the outcome being more of a translation than a modernization.

Our translation method was a simple one. First, Brian Marr would privately read and carefully re-write Hooker’s

prose from scratch, translating Hooker's meaning and prose into modern parlance as best as he was able. Second, at a later date the three of us—Brian Marr, Bradford Littlejohn, and Bradley Belschner—would sit down and meet to read the prose aloud, beginning with Hooker's original and comparing it to Brian's translation. In this way we worked through Hooker's work, sentence by sentence, paragraph by paragraph, with an eye towards style, subtle connotations in the text, and key terms in Hooker's argument. It was a laborious process, and often the final version would end up looking markedly different than Brian's first draft. Finally, we read aloud through the entire modernized version on its own, our ears listening for any needless impediments to clarity or readability.

Since our goal in this "translation" process was to render Hooker's prose easily accessible to a modern audience, we adopted a method that in traditional terms would be considered dynamic rather than literal. The goal was to convey Hooker's *meaning* as accurately and intuitively as possible to a modern audience. We felt free to use reasonably modern colloquialisms, though we also eschewed any words or phrases that smacked entirely of the current century. We often found that such phrases, transparently modern as they were, drew attention to themselves rather than to the underlying text. This defeated one of our main goals, which was to remove as many distractions as possible from the meaning that Hooker was trying to convey, allowing it to shine through without occasioning the reader any uncomfortable pauses. Indeed, when in doubt, we erred in favor of what might be a more 19th- than 21st-century English style, when the latter was so clearly incongruous with the subject matter to feel out of place. For this

reason, there were certain conventions that we did not seek to bring into line with common 21st-century standards, most notable among them Hooker's convention of using masculine nouns and pronouns where gender-neutral ones are now widely preferred. To change his "man" to "humanity" or his "he" to "he or she" would have been so incongruous with the habits of his age as to have drawn needless attention to itself.

For devotees of Hooker's original, let it not be thought that we needlessly flattened out his often noble rhetoric and remarkable turns of phrase into a bland, flat, and simplistic sentence structure. On the contrary, if the basic phrasing and rhetorical cadence of the original could be retained without great loss of comprehensibility, we did our utmost to preserve it. Some famous and luminous passages we left virtually untouched. Any reader of Hooker cannot but come away with an enhanced ear for the English language, for words that sound crisp or sonorous and those that are flat and dull. Thus, even when it was clear to us that we would have to find some more modern synonym for a now-obsolete term, we often puzzled long over a single word until we found the one that did the job without detracting from the elegance of the original.

Examples of Changes

Below are a few examples to give a sense of cases when extensive reworking was sometimes necessary, of when a few judicious changes did the trick, and of when almost no change at all was called for.

Here is a passage where length of sentences, complexity of syntax, archaism of language, and indeed archaism of thought all conspire to render comprehension quite

difficult for the contemporary reader:

The knowledge of that which man is in reference unto himself, and other things in relation unto man, I may justly term the mother of all those principles, which are as it were edicts, statutes, and decrees, in that Law of Nature, whereby human actions are framed. First therefore having observed that the best things, where they are not hindered, do still produce the best operations (for which cause, where many things are to concur unto one effect, the best is in all congruity of reason to guide the residue, that it prevailing most, the work principally done by it may have greatest perfection), when hereupon we come to observe in ourselves, of what excellency our souls are in comparison of our bodies, and the diviner part in relation unto the baser of our souls; seeing that all these concur in producing human actions, it cannot be well unless the chiefest do command and direct the rest (I.8.6, original, spelling modernized).

Knowledge of both what man is in himself and what he is in relation to all other things is the mother of all the edicts, statutes, and decrees in the law of nature, by which human actions are guided. When the best things rule, the best things follow. Thus, when we see how much worthier our souls are than our bodies, and the more divine part of our souls than the baser part, it is clear that all is not well unless the greater commands and directs the lesser (our version, p. 38).

You will note that here, as often in such cases, our mod-

ernization resulted in a significant shortening; indeed, there were a number of places where strict application of Strunk and White's Rule #17, "Omit needless words," required some pruning of Hookerian prolixity.

For an example of where more minor changes were sufficient, consider this passage:

And lest appetite in the use of food should lead us beyond that which is meet, we owe in this case obedience to that law of Reason, which teacheth mediocrity in meats and drinks. The same things divine law teacheth also, as at large we have shewed it doth all parts of moral duty (I.16.7, original, spelling modernized).

Words such as "mediocrity," "meet," and "shewed" obviously weren't going to do, and the syntax of the second clause in particular was awkward. But extensive reconstructive surgery was unnecessary:

Furthermore, lest appetite for food should lead us to take more than is necessary, we ought to obey the law of Reason, which teaches moderation regarding food and drink. The divine law of Scripture teaches the same thing, as we have previously shown it does in all parts of moral duty (our version, p. 98).

And then there are cases where Hooker's prose is so elegant and luminous that to undertake more than very minor changes would be sacrilege, not to mention superfluous:

Dangerous it were for the feeble brain of man

to wade far into the doings of the Most High; whom although to know be life, and joy to make mention of his name; yet our soundest knowledge is to know that we know him not as indeed he is, neither can know him: and our safest eloquence concerning him is our silence, when we confess without confession that his glory is inexplicable, his greatness above our capacity and reach. He is above, and we upon earth; therefore it behoveth our words to be wary and few. (I.2.2, original, spelling modernized)

It is dangerous for the feeble mind of man to wade too far into the doings of the Most High. Although it is life to know Him and joy to mention His name, our surest knowledge is that we do not know Him as He truly is, nor can we; our safest eloquence is our silence, confessing without confession that His glory is inexplicable and His greatness above our capacity and reach. He is above, and we are on earth; therefore let our words be wary and few (our version, p. 5).

Textual Notes

The foundation text for Hooker's *Laws* is widely available, and a free copy is available online at the "Online Library of Liberty" (URL: <http://oll.libertyfund.org/titles/hooker-the-works-of-richard-hooker-vol-1>). This represents a digitization of the 7th edition of Keble's 1832 edition of Hooker's *Works*, revised by the Very Rev. R.W. Church and the Rev. F. Paget in 3 volumes (Oxford: Clarendon Press, 1888).

The section numbers noted in parentheses reflect the “paragraph” numbers provided by John Keble in his 1832 edition, which have been adopted as standard in all subsequent editions of Hooker’s work. You will note that we also sometimes included additional paragraph breaks within these numbered sections, here too following the precedent established by the edition on the Online Library of Liberty, as we found that more frequent paragraph breaks improved readability. We found it most helpful to retrieve citations from A.S. McGrade’s new Oxford University Press edition (*Of the Laws of Ecclesiastical Polity: A Critical Edition with Modern Spelling*), and are very grateful to Prof. McGrade for his labors in providing full citations whenever possible from Hooker’s original cryptic notes.

Please note that double quotation marks do not necessarily imply verbatim quotations; Cartwright and other 16th-century English quotations are quite challenging, so they are modernized like Hooker. Sometimes Hooker summarizes rather than quotes greats such as Plato, Aristotle, and Aquinas; for this we have used single quotation marks. In a few cases where Hooker quoted loosely from Scripture or an ancient source, or used his own idiosyncratic translation, we chose to follow (and as necessary, modernize) his version rather than quoting from a standard modern translation. However, our general rule, for quotations of non-English texts, was to use a standard modern translation and reference it accordingly, though occasionally we translated from the Latin or Greek ourselves. Likewise, all scripture quotations are from the American Standard Version, and all Apocryphal quotations from the Revised Standard Version, unless otherwise noted.

We have tried to be very sparse in making any editorial interjections beyond what is strictly necessary, but you will find a few places where we found an explanatory note in order, without which Hooker's meaning was likely to remain opaque to most readers. In a single case, which we have highlighted, an explanatory footnote was original to Hooker.

One final note: attentive readers may note that the font and some aspects of formatting have been altered from our first volume of this project, *Radicalism*. While perfect consistency from volume to volume would indeed be ideal, there is no virtue in stubbornly persisting in imperfection when improvements recommend themselves, and we believe most readers will find this volume an aesthetic improvement on the first.

THE REASON FOR WRITING THIS GENERAL DISCOURSE

(1.) WHOEVER wants to persuade the multitude that they are not as well governed as they should be will never lack a sympathetic audience, since everyone can recognize the obvious problems in any kind of government, but they rarely have as much insight into the innumerable hidden obstacles which inevitably hinder the business of governing. Thus, those who bewail the current state of affairs are esteemed to be the champions of the people and men of independent thought, and under this guise whatever they say is accepted without question. Whatever their speech lacks in substance is supplied by people's willingness to believe it. On the other hand, those of us who would defend the status quo are quickly judged as mere time-servers or boot-lickers of the establishment, and people will stop up their ears against our arguments before they even hear them.

(2.) Therefore, much of what we are about to say may seem tedious, obscure, dark, and intricate. Many feel them-

selves at liberty to talk about the truth, even though they have never plumbed the depths from which it springs and, when they are led there, they quickly get tired because they are being taken off the beaten paths they have trod so often. However, this must not stop the argument from going where the subject demands that it go, whether or not everyone likes it. Anyone for whom this argument is too complex can save themselves the trouble and stop reading now. If anyone thinks it too obscure, they should remember that often in both works of art and in works of nature the most important things are not necessarily the things immediately visible to our eyes. We may admire houses for their stateliness, trees for their beauty, but the foundations which bear up the one, and the roots which nourish the other both lie hidden under the earth. When we need to uncover them, it is not necessarily pleasant, either for those who do it or for those who watch it happening. In just the same way, all who live under good laws may enjoy them and benefit from them with delight and comfort, even if most do not know the grounds or reasons for their goodness. However, when people cease to obey the laws, claiming that they are corrupt and wicked, it becomes necessary to uncover their foundations and roots. Since we are not very accustomed to this, whenever we sit down and do it, it is going to be more needful than enjoyable, and the matters we discuss, because they are so new, will seem dark, complicated, and unfamiliar at first. It is for this reason that throughout this work I have tried to make every premise support what follows after it and to make every conclusion shed further light on what came before. So if men suspend their judgments while we go through these first more general arguments until it is clear where they

lead, what might seem to be dark at first will turn out to be quite apparent, just as the later specific determinations will seem much stronger on the basis of what came before.

(3.) The Laws of the Church which have guided us for so many years in the exercise of the Christian religion and the service of the true God, as well as in our rites, customs, and orders of Church government—all these things are being called into question. We are accused of refusing to have Jesus Christ rule over us and of willfully casting His statutes behind our backs and hating to be reformed and made subject to the scepter of His discipline! Behold, for this reason we offer the laws that govern our lives to the trial and judgment of the whole world. We heartily beseech Almighty God, whom we desire to serve according to His own will, that, laying aside all partiality, both we and others will have eyes to see and hearts to embrace what is most acceptable in His sight.

Since we are arguing about the quality of our laws, we cannot make a better beginning than by asking about the nature of law itself, and in particular about that law from which all good laws flow: the law by which God eternally works. Moving on from this law to the law of Nature and then to the law of Scripture, we will have a much easier time once we come to the particular controversies and questions that we have in hand.

THE LAW BY WHICH GOD HAS FROM
THE BEGINNING DETERMINED TO
DO ALL THINGS

(1.) ALL THINGS that exist work in a way that is neither unnatural nor random. Nor do they ever work without a preconceived end or goal. And the end which they work for is not achieved unless the work is also fit to achieve it by, for different ends require different modes of working.

Therefore, we define a *Law* as that which determines what kind of work each thing should do, how its power should be restrained, and what form its work should take. No end could ever be reached unless the means by which it was reached were regular; that is to say, unless the means were suitable, fitting, and appropriate to their end according to a principle, rule, or law. This is true in the first place even of the workings of God Himself.

(2.) All things work, in their own way, according to a law. Nearly everything works according to a law subject to some superior, who has authored it; only the works and

operations of God have Him as both their worker and as their law. The very being of God is a sort of law to His working, for the perfection that God is, gives perfection to what God does. The natural, necessary, and internal operations of God—the begetting of the Son and the proceeding of the Spirit—are far beyond the scope of this book. For our purposes, we need only note those operations that begin and continue by the voluntary choice of God who has eternally decreed when and how they should be, and that this eternal decree is what we call an *eternal law*.

It is dangerous for the feeble mind of man to wade too far into the doings of the Most High. Although it is life to know Him and joy to mention His name, our surest knowledge is that we do not know Him as He truly is, nor can we; our safest eloquence is our silence, confessing without confession that His glory is inexplicable and His greatness above our capacity and reach. He is above, and we are on earth; therefore let our words be wary and few.

Our God is one, or rather He is Oneness itself, a unity which has nothing in itself but itself, not consisting of many things, as everything else does. In this essential Unity of God, a hypostatic Trinity subsists in a way that far exceeds the imagination of men. The external operations of God in time and history are such that, even though He is one, each hypostasis does something particular and appropriate. For since they are Three and subsist in the essence of one Deity, it can truly be said that all things are from the Father, by the Son, and through the Holy Spirit. What the Son hears from the Father, and what the Spirit receives from the Father and the Son, we come to receive at the hands of the Spirit (John 16:13-15), and therefore He is the last and nearest to us in order, although in power He is

equal to the Second and First.

(3.) Even wise and learned pagans acknowledged that there must be some First Cause, upon which the existence of everything else depends. Nor do they call this cause anything other than an Agent, that is, something that knows what it does and why it does it, and does so according to a certain order or law. Homer, for instance, says that Zeus accomplished his counsel¹ and Hermes Trismegistus admits the same when he says that the demiurge made all the world, not by hands, but by reason.² The same is confessed by Anaxagoras and Plato who call the Maker of the whole world a rational worker, and the Stoics, although they thought that the First Cause was fire, also affirmed that the fire, having art, followed a certain course in the making of the world.³ All these admit that this First Cause took *counsel*, or followed *reason*, or observed a *certain course*. In other words, constant order and law is kept, which order must be its own author. If this were not the case, then it would have to be directed by some worthier or higher cause, and would by definition not be a First Cause. Since it is the first, it alone can be the author of that law according to which it freely acts.

God therefore is a law both to Himself and to everything else. To Himself He is a law in all those things which our Savior speaks of, saying, “My Father worketh even until

¹ Homer, *Iliad* 1.5.

² Hermes Trismegistus, *The Cup or Monad* 1. Cf. *The Corpus Hermeticum*, trans. G. Mead (United States of America: IAP, 2009), 29, which translates it as “With Reason...not with hands, did the World-maker make the universal World.”

³ *Ioannis Stobaeus Anthologium*, ed. Curt Wachsmuth and Otto Hense, 5 vols. (1884-1912; Berlin: Weidmanns, 1958), 1:37.

now, and I work” (Jn. 5:17). God works nothing without cause. He does all things with some end in mind, and the end for which each are done is the reason He acts. He would never have created woman unless he saw that it would not be good unless she were created. “It is not good that the man should be alone; I will make him a help meet for him” (Gen. 2:18). God only does those things which to leave undone would not be good.

One might ask why, even though God has infinite power, the effects of that power are limited as we see they are. This is because He works toward a certain end and by a certain law which constrains the effects of His power so that it does not work infinitely but only as much as necessary to reach that end: “all things well” (Wisd. 8:1), all in a decent and comely manner, all “by measure and number and weight” (Wisd. 11:20).

(4.) The general end for which God works all things in time is the exercise of His most glorious and abundant excellence. This abundant excellence shows itself in variety, which is why Scripture so often speaks of God’s “riches” (cf. Eph. 1:7; Phil. 4:19; Col. 2:3); “The Lord has made everything for Himself” (Prov. 16:4),⁴ not because they can add anything to Him, but so that in all things he might show His beneficence and grace.

We might not be able to tell the exact reason for every one of God’s actions, and therefore we cannot always give a full account of His works. Nonetheless, every finite work of God has some reason or purpose behind it, since some law has been imposed on it; if there were no law, the work

⁴ KJV is used here, since it is closer to the original translation.

would have to be infinite, just as the worker Himself is.

(5.) Therefore those who think that God acts without any other cause than His bare will are greatly mistaken. Again, we will not always know the reason, but it is most unreasonable to imagine there is no reason, since He works all things, not only according to His own will, but “after the counsel of His will” (Eph. 1:11). Whatever is done with counsel or wise forethought must have some reason behind it, even if the reason is in some cases so secret that it makes a man stand amazed, as the Apostle Paul did: “O the depth of the riches both of the wisdom and the knowledge of God! How unsearchable are his judgments, and his ways past tracing out!” (Rom. 11:33). That eternal law which God Himself is to Himself and by which He works all things which have their origin in Him; that law on which the countenance of wisdom shines and says, “The Lord possessed me in the beginning of His way, before His works of old” (Prov. 8:22); that law which is the pattern for the making of the world and the compass by which to guide it; that law which is of God and with Him everlastingly; again I say, that law whose author and sustainer is the God who is blessed forever, how should either man or angel be ever able to perfectly behold? The book of this law we are neither able nor worthy to open and look into. The little which we barely glimpse, we admire; the rest in devout ignorance we humbly and meekly adore.

(6.) Since He works according to this law, and “of Him, and through Him, and unto Him, are all things” (Rom. 11:36), though confusion and disorder may appear to be in this world, “since a good governor does regulate the uni-

verse, do not doubt that all things are rightly done.”⁵ He is so good that he does not violate His own law, a law than which nothing can be more absolute, perfect, or just.

The law by which God works is eternal, and therefore it is utterly immutable. This is why, since part of that law has been revealed in God’s promises to do good for mankind, the Apostle Paul declares that God is just as likely to “deny Himself” and not be God as to fail to carry them out (2 Tim. 2:13). He also says that the counsel of God is similarly a thing unchangeable (Heb. 6:17); the counsel of God and the law of God which we now describe are one and the same.

The freedom of God is in no way diminished by this, since God freely and voluntarily binds Himself to this law. We may therefore call this the *eternal* law, since it is the *order which God before all ages has set down with Himself for Himself to do all things by*.

⁵ Boethius, *Boethius: Tractates, On the Consolation of Philosophy*, trans. H. F. Stewart, E.K. Rand, and S.J. Tester, Loeb Classical Library 74 (1918; Cambridge, MA: Harvard University Press, 1973), 355 [*Consolation of Philosophy* 4.4].