

OF THE
L A W S
OF
ECCLESIASTICAL POLITY.

BOOK VI.

CONTAINING THEIR FIFTH ASSERTION, WHICH IS^a, THAT OUR LAWS ARE CORRUPT AND REPUGNANT TO THE LAWS OF GOD, IN MATTER BELONGING TO THE POWER OF ECCLESIASTICAL JURISDICTION, IN THAT WE HAVE NOT THROUGHOUT ALL CHURCHES CERTAIN LAY-ELDERS ESTABLISHED FOR THE EXERCISE OF THAT POWER¹.

THE same men which in heat of contention do hardly either speak or give ear to reason, being after sharp and bitter conflict^b retired to a calm remembrance of all their former proceedings; the causes that brought them into quarrel, the course which their stirring^c affections have followed, and the issue whereunto they are come; may peradventure, as troubled waters, in small time, of their own accord, by certain easy degrees settle themselves again, and so recover that clearness of well-advised judgment, whereby they shall stand at the length indifferent, both to yield and admit any reasonable satisfaction, where before they could not endure with patience to be gainsayed. Neither will I despair

BOOK VI.
Ch. i. 1.

The question between us, whether all congregations or parishes ought to have lay-elders invested with power of jurisdiction in spiritual causes.

^a The words which is, are inserted from the Dublin MS. ^b conflicts Ed. 1651. (which will be designated in these notes by the letter E.) ^c striving E.

¹ [Although the present editor is convinced, for the reasons assigned in the preface, that the sixth book completed by Hooker is now almost or altogether lost, still he has judged it best on consideration to leave the following pages in their usual place: first, because the early part of them does appear to have formed part of

some rough draft of the book on lay elders; secondly, because it seemed safer to await the judgment of literary men in general, before expunging so large a portion of the treatise: thirdly, because he believes the whole to be Hooker's, though wrongly inserted into his great work.]

of the like success in these unpleasant controversies touching ecclesiastical policy; the time of silence which both parts have willingly taken to breathe¹, seeming now as it were a pledge of all men's quiet contentment to hear with more indifferency the weightiest² and last remains of that cause, Jurisdiction³, Dignity⁴, Dominion Ecclesiastical⁵. For, let not^a any man imagine, that the bare and naked difference of a few ceremonies could either have kindled so much fire, or have caused it to flame so long; but that the parties which herein laboured mightily for change, and (as they say) for Reformation, had somewhat more than this mark only^e whereat to aim⁶.

[2.] Having therefore drawn out a complete form, as they supposed^f, of public service to be done to God, and set down their plot for the office of the ministry in that behalf; they very well knew how little their labours so far forth bestowed would avail them in the end, without a claim of jurisdiction to uphold the fabric which they had erected; and this neither likely to be obtained but by the strong hand of the people, nor the people unlikely to favour it; the more^g, if overture were made of their own interest, right, and title thereunto. Whereupon there are many which have conjectured this to be the cause, why in all the projects of their discipline (it being manifest that their drift is to wrest the key of spiritual authority out of the hands of former governors, and equally to possess therewith the pastors of all several congregations) the people, first for surer accomplishment, and then for better defence thereof, are pretended⁷ necessary actors in those things, whereunto their ability for the most part is as slender, as their title and challenge unjust.

[3.] Notwithstanding whether they saw it necessary for

^a not om. E. ^e only om. E. ^f suppose E. ^g favour it the more. *Fulman in the margin of a copy of the first edition in C. C. C. library.*

¹ [After 1593, in which year were published the first portion of Hooker's work, and the two treatises of Bancroft, there was a pause for a while in the Puritan controversy.]

² [See Pref. iv. 5: and note 17 (?87, which is note 1, p. 160, in vol. i. of this Ed.).]

³ Lib. vi.

⁴ Lib. vii.

⁵ Lib. viii.

⁶ [It may seem that there is some omission here: for the following sentence implies that a summary had been given of the Puritan "plot" set down for the office of the "ministry," as being the end, for which the objections about ceremonies were a pretence, and the agitation for lay elders a mean.]

⁷ [See Bancroft's Dang. Pos. b. iv. c. 12.]

them so^h to persuade the people, without whose help they could do nothing; or else, (which I rather think,) the affection which they bareⁱ towards this new form of government made them to imagine it God's own ordinance, their doctrine is, "that by the law of God, there must be for ever in all "congregations certain lay-elders, ministers of ecclesiastical "jurisdiction¹," inasmuch as our Lord and Saviour by testament (for so they presume) hath left all ministers or pastors in the Church executors equally to the whole power of spiritual jurisdiction, and with them hath joined the people as colleagues. By maintenance of which assertion there is unto that part apparently gained a twofold advantage; both because the people in this respect are much more easily drawn to favour it, as a matter of their own interest; and for that, if they chance to be crossed by such as oppose against them, the colour of divine authority, assumed for the grace and countenance of that power in the vulgar sort, furnisheth their leaders with great abundance of matter, behoveful for their encouragement to proceed always with hope of fortunate success in the end, considering their cause to be as David's was, a just defence of power given them from above, and consequently, their adversaries' quarrel the same with Saul's by whom the ordinance of God was withstood.

[4.] Now on the contrary side, if this their surmise prove false; if such, as in justification whereof no evidence sufficient either hath been or can be alleged (as I hope it shall clearly appear after due examination and trial), let them then consider whether those words of Corah, Dathan and Abiram against Moses and against Aaron², "It is too much that ye "take upon you, seeing all the congregation is holy," be not the very true abstract and abridgment of all their published Admonitions, Demonstrations, Supplications, and Treatises whatsoever, whereby they have laboured to void the rooms of their spiritual superiors before authorized, and to advance the new fancied sceptre by lay presbyterial power.

II. But before there can be any settled determination, whether truth do^k rest on their part, or on ours, touching

The nature of spiritual jurisdiction.

^h so om. E.

ⁱ bear E.

^k doth D.

¹ [Eccl. Disc. fol. 120-125.]

² Numb. xvi. 3.

lay-elders; we are to prepare the way thereunto, by explication of some things requisite and very needful to be considered; as first, how besides that spiritual power which is of Order, and was instituted for performance of those duties whereof there hath been speech sufficient¹ already had, there is in the Church no less necessary a second kind, which we call the power of Jurisdiction. When the Apostle doth speak of ruling the Church of God¹, and of receiving accusations², his words have evident reference to the power of jurisdiction. Our Saviour's words to the power of order, when he giveth his disciples charge³, saying, "Preach; baptize; do this in remembrance of me." "A Bishop" (saith Ignatius) "doth bear the image of God and of Christ; of God in ruling, of Christ in administering, holy things⁴." By this therefore we see a manifest difference acknowledged between the power of Ecclesiastical Order, and the power of Jurisdiction ecclesiastical.

[2.]^m The spiritual power of the Church being such as neither can be challenged by right of nature, nor could by human authority be instituted, because the forces and effects thereof are supernatural and divine; we are to make no doubt or question, but that from him which is the Head it hath descended unto us that are the body now invested therewith. He gave it for the benefit and good of souls, as a mean to keep them in the path which leadeth unto endless felicity, a bridle to hold them within their due and convenient bounds, and if they do go astray, a forcible help to reclaim them. Now although there be no kind of spiritual power, for which our Lord Jesus Christ did not give both commission to exercise, and direction how to use the same, although his laws in that behalf recorded by the holy evangelists be the only ground and foundation, whereupon the practice of the Church must sustain itself: yet, as all multitudes, once grown to the form of societies, are even thereby

¹ sufficient *om.* E.^m iii. D.¹ Acts xx. 28.² 1 Tim. v. 19.³ Mark xvi. 15; Matt. xxviii. 19;

1 Cor. xi. 24.

⁴ Τίμα μὲν τὸν Θεὸν, ὡς αἴτιον τῶν ὅλων καὶ κύριον Ἐπίσκοπον δέ,

ὡς ἀρχιερέα, Θεοῦ εἰκόνα φοροῦντα· κατὰ μὲν τὸ ἀρχειν, Θεοῦ, κατὰ δὲ τὸ ἱερατεῦειν, Χριστοῦ. Epist. [interpol.] ad Smyrn. [c. 9.] [This note in E forms part of the text.]

naturally warranted to enforce upon their own subjects particularly those things which public wisdom shall judge expedient for the common good: so it were absurd to imagine the Church itself, the most glorious amongst them, abridged of this liberty; or to think that no law, constitution, or canon, can be further made either for limitation^a or amplification^o in the practice of our Saviour's ordinances, whatsoever occasion be offered through variety of times and things, during the state of this unconstant^p world, which bringing^q forth daily such new evils as must of necessity by new remedies be redrest, did both of old enforce our venerable predecessors^r, and will always constrain others, sometime to make, sometime to abrogate, sometime to augment, and again to abridge sometime; in sum, often to vary, alter, and change customs incident into the manner of exercising that power which doth itself continue always one and the same. I therefore conclude, that spiritual authority is a power which Christ hath given to be used over them which are subject unto it for the eternal good of their souls, according to his own most sacred laws and the wholesome positive constitutions of his Church.

In doctrines^s referred unto action and practice, as this is which concerneth^t spiritual jurisdiction, the first step towards^u sound and perfect understanding is the knowledge of the end, because thereby both use doth frame, and contemplation judge all things.

III.^v Seeing then^z that the chiefest cause of spiritual jurisdiction is to provide for the health and safety of men's souls, by bringing them to see and repent their grievous offences committed against God, as also to reform all injuries offered with the breach of Christian love and charity, towards^a their brethren, in matters of ecclesiastical cognizance¹; the

Of penitence^x, the chiefest end propounded by spiritual jurisdiction. Two kinds of

^a limitation made limitation by Abp. Ussher in D. ^o ampliation D. ^p inconstant E. ^q bringeth E. which spoils the sentence. Fulman conjectured offered; though instead of offered through. ^r predecessor E. ^s doctrine E. ^t concerns E. ^u step towards *om.* E. ^x Penitency E. ^y iv. D. ^z then *om.* E. ^a toward E.

¹ [This clause, "in matters of ecclesiastical cognizance," is no doubt inserted with especial purpose of qualifying the general expression before, of "reforming all injuries, &c.:" and so avoiding the claim of extreme prerogative, which the Puritans urged in order to draw all causes into their spiritual courts. See Pref. c. vii. 4. In the statement

BOOK VI. use of this power shall by so much the plainlier appear, if
Ch. iii. 1. first the nature of repentance itself be known.

Penitency;
the one a
private
duty to-
wards God,
the other a
duty of ex-
ternal dis-
cipline. Of
the Virtue
of Repent-
ance, from
which the
former
duty pro-
ceedeth;
and of
Contrition,
the first
part of that
duty.

We are by repentance to appease whom we offend by sin. For which cause, whereas all sins deprive^b us of the favour of Almighty God, our way of reconciliation with him is the inward secret repentance of the heart; which inward repentance alone sufficeth, unless some special thing, in the quality of sin committed, or in the party that hath done amiss, require more. For besides our submission in God's sight, repentance must not only proceed to the private contentation of men, if the sin be a crime injurious; but also further^c, where the wholesome discipline of God's Church exacteth a more exemplary and open satisfaction¹. Now the Church being satisfied with outward repentance, as God is with inward, it shall not be amiss, for more perspicuity, to term this latter always the Virtue, that^d former the Discipline of Repentance: which discipline hath two sorts of penitents to work upon, inasmuch as it hath been accustomed to lay the offices of repentance on some seeking, others shunning them; on some at their own voluntary request, on others altogether against their wills; as shall hereafter appear by store of ancient examples. Repentance being therefore either in the sight of God alone, or else with the notice also of men: without the one, sometimes throughly performed, but always practised more or less, in our daily devotions and prayers, we have no remedy for any fault; whereas the other is only required in sins of a certain degree and quality: the one

^b sin deprives E.

^c farther E.

^d the E.

supposed to be the Lord Keeper Puckering's, Stryp. An. iv. 201, among other opinions held by the Puritans against the state and policy of the realm, is set down, "That all matters arising in their several limits, (though they be mere civil and temporal,) if there may happen to be breach of charity, or wrong offered by one unto another, may and ought to be composed by the eldership."

¹ "Poenitentiae secundæ, et unius, quanto in actu [arcto] negotium est, tanto operosior ["potior" E.]

"probatio est, ut non sola conscientia proferatur, ["præferatur," "D."] sed aliquo etiam actu admittretur." "Second penitency, following that before baptism, and being not more than once admitted in one man, requireth by so much the greater labour to make it manifest, for that it is not a work which can come again in trial, but must be therefore with some open solemnity executed, and not left to be discharged with the privacy of conscience alone." Tertull. de Pœnit. [c. 9.]

necessary for ever, the other so far forth as the laws and orders of God's Church shall make it requisite: the nature, parts, and effects of the one always the same; the other limited, extended, varied by infinite occasions¹.

[2.]^e The virtue of repentance in the heart of man is God's handy work, a fruit or effect of divine grace. Which grace continually offereth itself, even unto them that have forsaken it, as may appear by the words of Christ in St. John's Revelation², "I stand at the door and knock:" nor doth he only knock without, but also within assist to open³, whereby access and entrance is given to the heavenly presence of that saving power, which maketh man a repaired Temple for God's good Spirit again to inhabit. And albeit the whole train of virtues which are implied in the name of grace be infused at one instant⁴; yet because when they meet and concur unto any effect in man, they have their distinct operations rising orderly one from another; it is no unnecessary thing that we note the way or method of the Holy Ghost in framing man's sinful heart to repentance.

A work, the first foundation whereof is laid by opening and illuminating the eye of faith, because by faith are discovered the principles of this action, whereunto unless the understanding do first assent, there can follow in the will towards penitency no inclination at all. Contrariwise, the resurrection of the dead, the judgment of the world to come, and the endless misery of sinners being apprehended, this worketh fear; such as theirs was, who feeling their own distress and perplexity, in that passion besought our Lord's Apostles earnestly to give them counsel what they should do⁵. For fear is impotent and unable to advise itself; yet this good it hath, that men are thereby made desirous to prevent, if possibly they may, whatsoever evil they dread. The first thing that wrought the Ninivites' repentance, was

^e v. D.

¹ [Judging by internal evidence, (which is almost all we have,) it may perhaps appear that at this point, if not before, the collections of Hooker for the 6th book cease, and that what remains is taken indeed from papers of his, but wrongly assigned

to a treatise on lay-elders.]

² [Rev. iii. 20.]

³ [Comp. Fragment of an Answer to a Christian Letter, above, t. ii. p. 540.]

⁴ [See E. P. V. lvi. 12.]

⁵ Acts ii. 37. [om. D.]

BOOK VI.
Ch. iii. 2.

fear of destruction within forty days¹: signs and miraculous works of God, being extraordinary representations of divine power, are commonly wont to stir any the most wicked with terror, lest the same power should bend itself against them. And because tractable minds, though guilty of much sin, are hereby moved to forsake those evil ways which make his power in such sort their astonishment and fear; therefore our Saviour denounced his curse against Corazin and Bethsaida, saying, that if Tyre and Sidon had seen that which they did, those signs which prevailed little with the one would have brought^f the other's repentance². As the like thereunto did in the men given to curious arts, of whom the apostolic history saith³, that "fear came upon them, and "many which had followed vain sciences, burnt openly the "very books out of which they had learned the same." As fear of contumely and disgrace amongst men, together with other civil punishments, are a bridle to restrain from many^g heinous acts whereinto men's outrage would otherwise break; so the fear of divine revenge and punishment, where it taketh place, doth make men desirous to be rid likewise from that inward guiltiness of sin, wherein they would else securely continue.

[3.] Howbeit, when faith hath wrought a fear of the event of sin, yet repentance hereupon ensueth not, unless our belief conceive both the possibility and means to avert evil: the possibility, inasmuch as God is merciful, and most willing to have sin cured; the means, because he hath plainly taught what is requisite and shall suffice unto that purpose. The nature of all wicked men is, for fear of revenge to hate whom they most wrong; the nature of hatred, to wish that destroyed which it cannot brook; and from hence ariseth the furious endeavour^h of godless and obdurate sinners to extinguish in themselves the opinion of God, because they would not have him to be, whom execution of endless woe doth not suffer them to love. Every sin against God abateth, and continuance in sin extinguisheth our love towards him. It was therefore said to the angel of Ephesus having sinned⁴, "Thou art

^f wrought. Fulm.^g any E.^h endeavours E.¹ Jonah iii. 5. [om. D.]³ [Acts xix. 17, 19.]² S. Matth. xi. 21. [om. D.]⁴ [Rev. ii. 4.]

"fallen away from thy first love;" so that, as we never decay in love till we sin, in like sort neither can we possibly forsake sin, unless we first begin again to love. What is love towards God, but a desire of union with God? And shall we imagine a sinner converting himself to God, in whom there is no desire of union with God presupposed? I therefore conclude, that fear worketh no man's inclination to repentance, till somewhat else have wrought in us love also. Our love and desire of union with God ariseth from the strong conceit which we have of his admirable goodness. The goodness of God which particularly moveth unto repentance, is his mercy towards mankind, notwithstanding sin: for let it once sink deeply into the mind of man, that howsoever we have injured God, his very nature is averse from revenge, except unto sin we add obstinacy; otherwise always ready to accept our submission as a full discharge or recompense for all wrongs; and can we choose but begin to love him whom we have offended? or can we but begin to grieve that we have offended him whom we nowⁱ love? Repentance considereth sin as a breach of the law of God, an act obnoxious to that revenge, which notwithstanding may be prevented, if we pacify God in time.

The root and beginning of penitency therefore is the consideration of our own sin, as a cause which hath procured the wrath, and a subject which doth need the mercy of God. For unto man's understanding there being presented, on the one side, tribulation and anguish upon every soul that doth evil; on the other, eternal life unto them which by continuance in well-doing seek glory, and honour, and immortality: on the one hand, a curse to the children of disobedience; on the other, to lovers of righteousness all grace and benediction: yet between these extremes, that eternal God, from whose unspotted justice and undeserved mercy the lot of each inheritance proceedeth, is so inclinable rather to shew compassion than to take revenge, that all his speeches in Holy Scripture are almost nothing else but entreaties of men to prevent destruction by amendment of their wicked lives; all the works of his providence little other than mere allurements of the just to continue steadfast, and of the unrighteous to change their

ⁱ now om. E.