

subtopic

## Richard Hooker

### **RICHARD HOOKER (1554-1600) and NATURAL LAW**

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Richard Hooker's one book, [Laws of Ecclesiastical Polity](#) (1593-1662), constitutes the most important theological defense of Anglicanism's Protestant via media. Hooker would restore to [Protestants](#) something of the [Aristotelian](#) judiciousness that [Thomas Aquinas](#) three centuries earlier sought for Roman Catholics. As part of this effort, the *Laws* sets forth prominently a "Law of Reason," which "men commonly use to call the Law of Nature" (I.8.9).<sup>[1]</sup>

Hooker's defense of England's Elizabethan religious establishment was chiefly directed at Calvinist reformers for whom the only important law was "sacred scripture" (I.16.5). These dissenters especially attacked church governance by bishops and by a monarch as supreme head; such violated the Biblical model. Hooker thought this denial of reasonable discretion in secondary things both inflammatory and impolitic. He feared for a Christianity weakened within by religious strife while facing dangers without; he feared the renaissance of classical philosophy and politics; he feared not least the rise of politiques moved by a peculiarly anti-Christian [Machiavellianism](#) (V.2.1-3). In response, Hooker adapted Aristotle to his Christian purposes. The result seemed so politic and reasonable that [John Locke](#), in the [Treatise of Civil Government](#), famously justified rational government and natural rights with sixteen quotations from "the judicious Hooker." But Locke's Enlightenment rationalism is not Hooker's Christian rationalism.

Hooker's law of reason, like Thomas's law of nature, is derived from the eternal law by which God governs all things. While Hooker does distinguish between eternal law and natural law, though the "learned" (including Thomists) did not (I.3.1), the distinction does not amount to much. For Hooker, the eternal law appoints the kind of thing and thus its regular working or operation (I.2.1). The natural law is the kind itself—the very regularity of operation. This distinction brings out a certain independence of created beings, self-guided by laws of their nature that our reason may discover. Accordingly, Hooker also replaces the common definition of law, command by an authority, with "a directive rule unto goodness of operation" (I.8.4). Nevertheless, direction and even divine command remain. All natural operations, by "this *second law eternal*," are guided "by the *first eternal law*," (I.3.1) by which God, for good reason, has bound himself. Although we cannot always perceive the reason and the divine efficiency (I.3.4, I.2.5, I.8.11), we are nevertheless obliged in the second law by the divine direction in the first.

Still, we may know natural duties naturally, without "revelation supernatural and divine," if we will only put in the effort (I.16.1). Moved by natural inclinations, exercising natural reason (I.5, I.6), and being steadfast of will (I.7), we can reason rightly to the chief mandates (I.8), especially when we call to mind the great reward, eternal life, that follows from observing reason's laws (I.9).

Human beings incline to a three-fold perfection, of which Hooker gives two interpretations. Initially he speaks of inclinations to continue in being (through offspring), to act like God (according to a certain exactness and order), and, unlike the animals, to exercise virtue and know truth for their own sake (I.5.2, 3). (Aquinas's version had set forth inclinations to preserve oneself, to keep the species in being through offspring, and to engage in society and to know the truth about God.)<sup>[2]</sup> Hooker's second formulation lists inclinations sensual, intellectual, and, finally, "spiritual and divine": things to which we naturally if vaguely incline here, during our earthly life, but cannot naturally clarify or obtain here

(I.11.4).

Our actual knowledge of reason's law comes not from inclination as such, however, but from reason's calculations and clarifications. Prior to sound reasoning, the mind is of "utter vacuity" as to moral knowledge (I.6.1). Hooker thus departs from Aquinas's doctrine of a natural conscience (*synderesis*), a practical intelligence that grasps practical principles as intelligence grasps species or kinds of things.<sup>[3]</sup> Nor does Hooker recur to an Aristotelian account of moral virtue as habitual dispositions bred by practice, especially through good upbringing. For Hooker, it is reasoning that finds the moral law, especially if we supplement natural reason with the "art of Aristotelical demonstration" (I.6.3n).

Despite his initial exposition of natural inclination, Hooker distinguishes sharply between rational will and sensible "appetite," and then emphasizes the will's freedom to choose the rational way. Admittedly, sensible goodness is most apparent, and, moreover, reason discovers easily only few of man's many duties (I.7.6). Nevertheless, that which is simply against the immutable law of God and nature is never allowable in any person, "more than adultery, blasphemy, sacrilege, and the like" (VII.15.14). For we could know our duty if we would: "no good but has evidence . . . if reason were diligent to search it out" (I.7.7). The problem is lethargy, the cause is painfulness of inquiry, and the cause of the latter is God's punishment for our original sin: the "divine malediction" whereby the instruments are weakened. The remedy is determination: "watch, labor" (I.7.7, I.8.11).

What then is this reasoning that all must discover? To begin with, there are evident premises, since each seeks his happiness and can reason out the useful actions. Also, the actions themselves are somewhat evident through marks or signs, that is, everyday intuitions as to what appears fitting or noble and what, when proposed, is generally agreed upon. Hooker praises the Greek word that joins beauty with goodness (*kalokagathia*), and he instances especially the general persuasion of all (I.8.1-3, 17). From such premises and signs the "main principles" of nature's moral law are evident: the greater good is to be chosen before the lesser; the eternal, before the temporal; thus God is to be worshipped, parents are to be honored, and "others to be used by us as we ourselves 'would by them'" (8.5).

Nevertheless, signs only suggest what is properly discovered by rational inquiry. All such principles are first found out by natural discourse (I.8.5-6). Seeing that better things produce better results, we observe that the soul is better than the body and that its chief and diviner parts should conduct the rest. So we can reason to a first law. The soul should conduct the body, and the spirits of our minds, the soul (I.8.6). This leads to the grand mandates: worship God and the golden rule. "Presupposing" a discourse showing that there is a God of power, force, and wisdom (Hooker supplies proofs from our natural desire for infinite good [I.11.1-6]), and that we need his aid as children need parental aid, we reason to the first commandment: love and worship God (I.8.7). Similarly, as to the second commandment: supposing men to be equal, and to wish for good from others, how can one expect to receive all good unless he will satisfy others' like desire (I.8.7)?

This second doctrine of calculated mutual necessities could remind one of Locke's "fundamental" law of nature, "*being the preservation of mankind.*"<sup>[4]</sup> It differs, however. Hooker's, unlike Locke's, is a necessary minimum of morality within a rather Aristotelian teleological hierarchy of activities. Man is naturally pointed toward perfection, virtue, and a divine end (I.10.4). Even at the basic level, Hooker's law prescribes not only mutual defense, as does Locke's, but also and primarily mutual benefit. Hooker, unlike Locke, makes a theologically informed distinction between primary laws of reason, for "sincere" nature before the fall from innocence, and secondary laws, for our depraved nature. While primary laws prescribe exchange of goods in sociable communion, as well as union with God, secondary laws prescribe acts of defense and of coercive political government. Men "always knew" they might defend themselves against force and injury, band together to repel injuries, and in reason determine their own rights by common consent (I.10.4, 13). (Hooker would reject Locke's natural right of individuals to execute the law of nature, even by killing, without anyone else's authorization.)<sup>[5]</sup> In short, while Locke's law of reason subserves the rights of mankind, and Aristotle's natural right prescribes duties necessary for political life, Hooker's natural law prescribes the duties required especially for a divinely granted afterlife.

It is true that fallen man's darkened rationality makes harder his natural knowledge of natural duties. "General blindness" prevails even as to manifest laws of reason (I.8.11, I.12.1), and the "greatest part of men" prefers private good, especially sensual good, before whatever is most divine (I.10.5). Hooker's account of reason's law concludes with chapters reminding the reader of God's reward and punishment, of the greatness of the reward (eternal continuance), and of scripture's clarifications of our duties. Still, even these divine powers can be naturally known. In our "heart or conscience" we rejoice or despair at the prospect of reward or punishment for our deeds. Such hopes and fears could come only from the God who sees all hearts (I.9.2). Since we naturally desire an infinite happiness that only God could supply, and since natural desire cannot be "utterly frustrate," we have naturally an inkling of the reward that God provides (I.11.1-5). It is a blessing, then, that God's scripture has revealed so many natural or rational laws, especially some that no man is able or easily able to find out (I.12.1).

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[1] References are to the now standard divisions by book, chapter, and section, in the *Laws, Preface and Books I-IV*, edited by Georges Edelen, in *The Folger Library Edition of The Works of Richard Hooker*, general editor W. Speed Hill (Cambridge and London, The Belknap Press of Harvard University Press, 1977). Spelling in the quotations is modernized.

[2] *Summa Theologica*, trans. Anton C. Pegis (New York: Random House, 1944) [I. II. Qu. 94](#), Art. 2.

[3] *Ibid.*, [I. II Qu. 94](#), Art. 2,3; [Qu. 90](#), Art. Ad 3, 4, ad 1.

[4] John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press, 1997), 2T 135.

[5] *Ibid.*, 2T 7-9.

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