

BOOK REVIEWS

RICHARD HOOKER AND THE AUTHORITY OF SCRIPTURE, TRADITION AND REASON: Reformed Theologian of the Church of England? by NIGEL ATKINSON, Paternoster Press, 1997, xxii + 138 pp (paperback £11.99) ISBN 0-85364-801-8.

Hooker, the Elizabethan author of the *Laws of Ecclesiastical Polity*, is often referred to, sometimes quoted, but sadly (these days) seldom read. Reckoned by many as the archetypal Anglican, he is believed to be a moderate who advocates 'nothing too much' and then elegantly steers an Anglican *via media* half-way between Rome and Geneva. Most importantly he is thought to have identified three ultimate authorities for the Church of England—scripture, tradition and reason—as a doctrinal three-legged stool that allows for a wide comprehension.

Nigel Atkinson sets out to prove that this is not the real Hooker. He seeks to show that like the other magisterial reformers Hooker was indeed 'half-way', but not half-way between Rome and the main centres of reform. He is half-way between Rome and more radical reformers such as the authors of the Admonition to Parliament of 1572 and men like Cartwright and Travers. They are often called by the inexact term 'Puritans'. Sometimes they are called 'Disciplinarians'.

The book is an analysis of Hooker's thinking on reason, then tradition and finally scripture, with Atkinson showing that Hooker's views are a far cry from those too often unthinkingly articulated in today's Church of England. In short, Hooker, contrary to his Roman opponents, held that scripture was the supreme authority; but contrary to the Disciplinarians, he held that both tradition and reason had an important part to play. To anyone unfamiliar with Hooker, this is a first rate introduction to his thinking, his times and his opponents. And Atkinson is readable. Hooker's brilliant tightness, together with his sentence structure, may be one of the reasons he is less read than he should be. Where Atkinson selects and quotes, in your reviewer's judgment he is both fair to Hooker and clear for the modern reader.

By way of introduction Atkinson gives an outline of Hooker's scholarship. In the first place there is the prince of Hooker's reinterpreters from the last century—John Keble, the Tractarian. Keble argued that Hooker stood apart from the Reformation. Rather, English theology, Keble says, underwent a 'decisive change' in his hands so that the Church of England 'continues at such a distance from Geneva, and so near to primitive truth and apostolic order'. Would Keble have said that today? I doubt it. But unfortunately, as Atkinson points out, Keble's 'assertion once made seems to have become a test of [scholarly] orthodoxy'. Reinterpreters more recent than Keble, not surprisingly, are more liberal. They see Hooker not as a champion of primitive truth and apostolic order, but 'a champion of reason'.

Unfortunately some of the attempts to counter both these arguments and show Hooker as a mainstream magisterial reformer have been tucked away as academic theses. Indeed, Atkinson's book is based on a 1995 Durham thesis. We should be grateful that it has now seen the light of day as an accessible study that expounds how 'the task that faced Hooker was to prove to the Disciplinarians that his position was in fact wholly consistent with a mutually accepted orthodoxy'; and then from that clear commitment to Reformed theology to argue against the extremes of their position. In the first major section of the book we are reminded that Hooker was not advocating 'reason' (and certainly not Aristotle) over scripture. Rather, Hooker believes that there are different spheres of life or existence each requiring different 'laws' and for reason to be exercised differently in each sphere—for example, there is the law of nature, human law and divine law. As human (animals) we are subjected to

God-given laws of nature. And mankind, given reason by God, is expected to use this gift to frame human laws that reason then says should be obeyed. But with regard to our relationship to God we need a 'law supernatural'. And that is where we need supernatural revelation that 'exceedeth the reach of sense' and is 'somewhat above capacity of reason'. Scripture or God's divine law is, therefore, so vital. The other laws that we can discover or devise are useful, but they will not bring sinful men and women to forgiveness and salvation. So against the logic of his opponents, Hooker does not think you need a text from the Bible to direct you in every detail of life. But for salvation you most certainly do.

Nor was Hooker different to Luther and Calvin in this. Luther with his 'two kingdoms' doctrine held that reason rules in the kingdom of this world; and if it may not rule in the kingdom of Christ, it at least may *serve* there once it is redeemed. Calvin's doctrine of 'common grace' and general revelation (as distinct from saving grace and special revelation) makes the same point. The Disciplinarians would have been surprised when Calvin said that 'to charge the intellect with perpetual blindness of any description whatever, is repugnant not only to the Word of God, but to common experience'. Nor was it that Hooker and Calvin were getting soft on total depravity.

As Hooker put it in a much cited passage: the best things we do have somewhat in them to be pardoned. How then can we do anything that is meritorious, and worthy to be rewarded? Hence the need of God's unmerited grace, in the sacrifice of Christ on Calvary—the heart of the Reformed gospel (and any gospel). At the end of the day, Hooker was just being a Reformed man of Christian common sense. He was no covert 'liberal'. True, he accepted the dictates of reason; but that was provided they are 'unrepugnant unto any of [God's] revealed laws and ordinances'.

But was Hooker a covert Romanist and putting 'tradition' over scripture? It was here that Hooker's Disciplinary opponents were most fierce, saying that forms of church order should be read off from the text of the Bible and then held immutable. 'No!' said Hooker. Doctrine and order are two different things. Only doctrine is immutable. Order can be responsive to historical contexts ('laws touching matter of order are changeable by the power of the Church; articles concerning doctrine not so'). But 'order' needs to be congruous with divine principles; and he recognised, as did Luther and Calvin, a range of matters that were *adiaphora* (indifferent). For him these included marrying with a ring, using the sign of the cross, keeping festivals, fasting and even taking degrees in Universities! Hooker, therefore, allows freedom where scripture is silent. He cannot see that scripture requires Presbyterianism. And because he does not demand positive commandments for things indifferent, he can rejoice in the Church's diversity so long as there is no diversity in things touching salvation. Hooker never countenances fundamental *doctrinal* comprehension. He would have been horrified at such comprehension in today's Church of England. It is comprehension in matters of church order and government that he and the Elizabethan church advocated.

What, then, about Scripture? Here Hooker is manifestly a mainstream Reformer of the English sort. For him Scripture rules. Scripture itself is the word of God—not sermons, but the written text. Of course, the Old Testament has to be exegeted Christologically; of course, there are all sorts of questions that have to be answered—Hooker is no obscurantist. Of course, the 'general consent of antiquity' must be born in mind as you read the Bible. The Church, as Article XX says, is a 'witness and keeper of holy writ'. 'By experience,' says Hooker, 'we all know that the first outward motive leading men so to esteem of the scripture is the authority of God's church'. The Church leads and points individuals to scripture. But that is because scripture is 'esteemed' by the Church as the supreme authority. After all, the Bible is the apostolic book and gives you fundamental apostolic teaching.

It would have been interesting to have had from Atkinson a comment on the relationship between Hooker and his good friend Richard Field (known for his huge *Of*

the Church). While Hooker was defending the Elizabethan settlement against the Puritans, Field was defending it against Rome—probably this is why the Anglo-Catholic Keble preferred to republish Hooker rather than Field and why Anglican Evangelicals today would find Field more congenial. Also some distinctions among the Disciplinarians (or Puritans) would have been helpful. They tend to come across as the bad, if not the mad, boys. But Puritans like Richard Baxter and John Owen were in the same league as Hooker and Field—spiritual and intellectual giants. And even those who demanded too much from scripture, undoubtedly were correct in criticising what they found on the ground. The tragedy of the late sixteenth and early seventeenth century was that both sides were right. The magisterial Anglican Reformers were often theologically more precise. But pastorally the Puritans often had the edge. But these are minor quibbles. Here is a book well worth reading.

The Revd David Holloway, Vicar of Jesmond, Newcastle upon Tyne

FAMILY, LAW AND RELIGION by CAROLYN HAMILTON, Sweet and Maxwell, Modern Legal Studies, 1995, xxix + 366 pp (paperback £ 9.95) ISBN 0-421-45860-7.

There are a number of surprising, yet welcome, aspects that may strike a reader of *Family, Law and Religion*. Firstly, it is surprising that there does not seem to have been any other modern work of this depth dealing with the crossover between the family, the law and religion. This is particularly surprising given that much of modern family law in England and Wales was born out of the jurisdiction of the ecclesiastical courts. In addition, as the wealth of detailed material admirably marshalled by Carolyn Hamilton demonstrates, it is surprising that no other modern author has sought to draw together the law on this important area of family life.

Further expressions of surprise may arise from a realisation that the author has produced this substantial work, whilst at the same time holding the posts of senior lecturer in law at the University of Essex and Director of the Children's Legal Centre, whilst also running her part-time practice at the bar and being a mother to her three daughters.

The final, and perhaps most relevant cause for surprise for the purposes of this review, is that, despite the density of material covered, this book is a jolly good read.

The principal aim of *Family, Law and Religion* is to discover how attempts to provide for religious freedom at both national and international level affect the family (in particular families from minority religious groups who seek to live according to their religious values and beliefs). Throughout the book a detailed comparison is made between the approach of the common and statute law in England when compared to the position in the United States. In the one jurisdiction there is an established Church but no written constitution, in the other there is a written constitutional guarantee of free exercise of religion with no established Church.

The preface stresses that, as a lawyer primarily interested in child law, the author was particularly concerned to see whether a written constitution places too great an emphasis on parental rights and too little on the need for flexibility in dealing with the changing needs of children.

Chapters relate to the development of religious freedom, marriage, divorce, the upbringing of children, custody and contact with children, adoption, and education. In short, the impact of religious issues upon the full spectrum of family law is considered in detail. Extensive reference is made to case law on both sides of the Atlantic. As might be expected from an author who is well known as a leading children's rights lawyer, the operation of the domestic law in each jurisdiction is measured against international instruments, in particular the UN Convention on the Rights of the Child and the European Convention on Human Rights.