BOOK VIII.

Objection from Christ's Presence in Church Assemblies;

external and visible; this likewise being spiritual in regard of
the matter about which it dealeth, and being his, inasmuch as
he approveth whatsoever is done by it, must notwithstanding
be distinguished also from that power whereby he himself in
person administereth the former kind of his own spiritual
regiment, because he himself in person doth not administer
this. We do not, therefore, vainly imagine, but truly and
rightly discern a power external and visible in the Church,
exercised by men, and severed in nature from that spiritual
power of Christ's own regiment, which power is termed
spiritual, because it worketh secretly, inwardly, and invisibly;
his, because none doth or can it personally exercise, either
beside or together with him. So that him only we may
name our Head, in regard of this, and yet, in regard of that
other power differing from this, term others also besides him
heads, without any contradiction at all.

Which thing may very well serve for answer unto
that also which they further allege against the foresaid
distinction, namely, that even the outward society and
assemblies of the Church, where one or two are gathered in
his name, either for hearing of the word, or for prayer,
or any other church-exercise, our Saviour Christ being in
the midst of them as Mediator, must needs be there as
head: and if he be there not idle, but doing the office of
the head fully, it followeth that even in the outward society
and meetings of the Church, no mere man can be called the
head of it, seeing that our Saviour Christ: doing the whole
office of the head himself alone, leaveth nothing to men by
doing whereof they may obtain that title.

Which objection I take as being made for nothing but only
to maintain argument. For they are not so far gone as to
argue thus in sooth and right good earnest. "God standeth," saith the Psalmist, "in the midst of gods;" if God be there present, he must undoubtedlie be present as a God; if he be there not idle, but doing the office of a God fully, it followeth,

that God himself alone doing the whole office of a God, leaveth nothing in such assemblies unto any other, by doing whereof they may obtain so high a name. The Psalmist therefore hath spoken amiss, and doth ill to call judges gods. Not so; for as God hath his office differing from theirs, and doth fully discharge it even in the very midst of them, so they are not thereby excluded from all kind of duty for which that name should be given unto them also, but in that duty for which it was given they are encouraged religiously and carefully to order themselves. After the selfsame manner, our Lord and Saviour being in the midst of his Church as Head, is our comfort, without the aribgment of any one duty, for performance whereof others are termed heads in another kind than he is.

[12.] If there be of the ancient Fathers which say, "There is but one Head of the Church, Christ; and that the minister which baptizeth cannot be the head of him which is baptized, because Christ is the head of the whole Church; and that Paul could not be the head of the Churches which he planted, because Christ is Head of the whole body;" they understand the name of head in such sort as we grant that it is not applicable to any other, nor in relation to the

1 T. C. ii. 415. ["As it hath certain ground in the Scripture that his title of Head of the Church is too high to be given unto any man, so hath it been confirmed from time to time by writers both old and new, which have had the honour of Christ in any convenient estimation... Cyprian saith, there is but one head of the Church... De Simplicitate Praeclar... i.e. de Unitate Ecclesiae... Ecclesia Dominii... ramos suos in universam terram copia ubertatis extendit... Unum solum caput est, et origo una." p. 195. ed. Baluz."

The bishop of Sarsbury affirmeth the same. Apol. p. 2. c. 2. div. i. ("Christ alone is the prince of this kingdom; Christ alone is the head of this body; Christ alone is the

bridegroom of this spouse.")

Augustine proveth that the minister which baptizeth cannot be the head of him which is baptized, because Christ is the Head of the whole Church. Contr. Lit. Petil. "I. [iv.] 5." ("Id enim augunt isti, ut origo, radix, et caput baptizati non nisi ille sit a quo baptizatum... O humana temeritas et superbia... Cur non sinis ut semper sit...Christus origo Christianorum... Christo radicem Christianus infigat, Christus Christiano sit caput... An vero Apostolus Paulus caput est et origo eorum quos plantaverat... cur dicit, nos multos unum esse corpus in Christo, ipseque Christum caput esse universi corporis?" t. ix. 208. comp. lib. iii. c. 42. p. 322.)
least part of the whole Church: he which baptizeth, baptizeth into Christ: he which converteth, converteth unto Christ; he which ruleth, ruleth for Christ. The whole Church can have but one to be head as lord and owner of all; wherefore if Christ be Head in that kind, it followeth, that no other can be so else either to the whole or to any part.

V. [1] * 'The consuls of Rome Polybius affirmeth' to have had a kind of regal authority, in that they might call together the senate and people whencesoever it pleased them. Seeing therefore the affairs of the Church and Christian religion are public affairs, for the ordering whereof more solemn assemblies sometimes are of as great importance and use, as they are for secular affairs; it seemeth no less an act of supreme authority to call the one than the other. Wherefore amongst sundry other prerogatives of Simon's dominion over the Jews, this is reckoned as not the least, "that no man might gather any great assembly in the land without him." For so the manner of Jewish regiment had always been, that whether the cause for which men assembled themselves in peaceable, good, and orderly course, were ecclesiastical or civil, supreme authority should assemble them. David gathered all Israel together unto Jerusalem, when the ark was to be removed: he assembled the sons of Aaron and the Levites. Solomon did like at such time as the temple was to be dedicated; when the Church was to be reformed, Asa in his time did the same: the same upon like occasions done afterwards by Joas, Ezekias, Josias, and others.

[2.] * The ancient imperial law forbiddeth such assemblies

was part of the Imperial Prerogative since Constantine.

as the emperor's authority did not cause to be made. Before *

emperors became Christian, the Church had never any synod general; their greatest meetings consisted of bishops and others the gravest in each province. As for the civil governor's authority, it suffered them only as things not regarded or accounted of, at such times as it did suffer them. So that what right a Christian king hath as touching assemblies of that kind we are not able to judge, till we come unto later times, when religion had won the hearts of the highest powers. Constantine (as Piglius doth grant) was not only the first that ever did call any general council together, but even the first that devised the calling of them for consultation about the business of God. After he had once given the example, his successors a long time followed the same; in-somuch that S. Jerome, to disprove the authority of a synod which was pretended to be general, useth this as a forcible argument 9, "Dic quis imperator hanc synodum jussisset cognovassi." Their answer hereunto is no answer, which say, that emperors did not this without conference had with *

Christians E.C.L. * general synod E.C. * meeting E.Q.C.L. * used D. * the om. D. *


A.D. 459.


[3] Hieron. cont. Ruffinum. lib. ii. [50. St. Jerome, as appears by the context, was rather disputing the existence than the authority of the alleged synod. "Responde, queso, synodus, a qua eon communicatus est (S. Hilarius) in qua urbe fuit?" "Dic episcoporum vocabula; profer sententias subscriptionem. Doce qui co anno consules fuerint, quis imperator hanc synodum jussisset congregari?" Gall. t. s. t. 513. ed. Vallars.]

[4] These references are in part supplied by the MSS. D. and L.
assembled under the countenance of his authority; who by Book VIII.
likelihood considering what inconvenience might thereby
grow, inasmuch as it could not be but a mean to incense
Valens the more against them, refused himself to be author of,
or present at any such assembly; and of this his denial
gave them a colourable reason, to wit, that he was although
an emperor, yet a secular person, and therefore not able in
matters of so great obscurity to sit as a competent judge; but,
if they which were bishops and learned men did think good
to consult thereof together, they might. Whereupon when
they could not obtain that which they most desired, yet that
which was granted them they took, and forthwith had a
council. Valentinian went on towards Rome, they remaining
in consultation till Valens which accompanied him returned
back; so that now there was no remedy, but either to incur a
manifest contempt, or else at the hands even of Valens
himself to seek approbation of that they had done. To him,
therefore, they became suitors: his answer was short, "Either
"Arianism, or else exile, which they would;" whereupon
their banishment ensued. Let reasonable men therefore
now be judges, how much this example of Valentinian doth
make against the authority, which we say that sovereign
rulers may lawfully have as concerning synods and meetings
ecclesiastical.

The clergy, in such wise gathered together, is an ecclesiastic senate, which with us, as in former times the chiefest
prelate at his discretion did use to assemble, so afterwards in
such considerations as have been before specified, it seemed
more meet to annex the said prerogative unto the crown. The
plot of reformed discipline not liking hereof so well, taketh
order that every former assembly before it break up should
itself appoint both the time and place of their after meeting
again. But because I find not any thing on that side particularly
alleged against us herein, a longer disputations about
so plain a cause shall not need.
VI. [1.] The natural subject of power civil all men confess to be the body of the commonwealth: the good or evil estate whereof dependeth so much upon 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 do not clean resign herself and make over this power wholly into the hands of any one. For this cause William, whom we call the Conqueror, making war against England in right of his title to the crown, and knowing that as inheritor thereof he could not lawfully change the laws of the land by himself, for that the English commonwealth had not invested their kings before with the fulness of so great power; therefore he took the style and title of a conqueror. Wherefore, as they themselves cannot choose but grant that the natural subject of power to make laws civil is the commonwealth; so we affirm that in like congruity the true original subject of power also to make church-laws is the whole body of that church for which they are made. Equals cannot impose laws and statutes upon their equals. Therefore neither may any one man indifferently impose canons ecclesiastical upon another, nor yet one church upon another. If they go about at any time to do it, they must either shew some commission sufficient for their warrant, or else be justly condemned of presumption in the sight both of God and men. But nature itself doth abundantly authorize the Church to make laws and orders for her children that are within her. For every whole thing, being naturally of greater power than is any part thereof, that which a whole church will appoint may be with reason exacted indifferently of any within the compass of the same church, and so bind all unto strict obedience.

[2.] The greatest agents of the bishop of Rome’s inordinate sovereignty strive against no one point with such earnestness as against this, that jurisdiction (and in the name of jurisdiction they also comprehend the power of dominion spiritual)

should be thought originally to be the right of the whole Church; and that no person hath or can have the same, otherwise than derived from the body of the Church.

The reason wherefore they can in no wise brook this opinion is, as friar Soto confesseth, because they which make councils above popes do all build upon this ground, and therefore even with teeth and all they that favour the papal throne must hold the contrary. Which thing they do. For, as many as draw the chariot of the pope’s preeminence, the first conclusion which they contend for is: The power of jurisdiction ecclesiastical doth not rest derived from Christ immediately into the whole body of the Church, but into the prelacy. Unto the prelacy alone it belongeth; as ours also do imagine, unto the governors of the Church alone it was first given, and doth appertain, even of very divine right, in every church established to make such laws concerning orders and ceremonies as occasion doth require.

[3.] Wherein they err, for want of observing as they should, in what manner the power whereof we speak was instituted. One thing it is to ordain a power, and another thing to bestow the same being ordained: or, to appoint the special subject of it, or the person in whom it shall rest. Nature hath appointed that there should be in a civil society power to make laws; but the consent of the people (which are that society) hath instituted the prince’s person to be the subject wherein supremacy of that power shall reside. The act of instituting

The whole 4, down to the words “laws thereof,” is inserted here from the Dublin MS. [It does not appear in E. 1648, 1651, or Gauden, 1654.] It might not improperly be marked as a fragment, as it evidently has not been brought into coherence with what comes before and after. It appears to be the introduction of this part of the treatise, as re-written by the author, but not yet finished so as to smooth the transitions and avoid repetition. The marginal heading is transferred, as the subject seemed to require, from the beginning of the following section, “The case is,” &c. 1 will E.Q.C.L. 2 or E.Q.C.L.
such power may and sometimes doth go in time before the
act of conferring or bestowing it. And for bestowing it there
may be order two ways taken: namely, either by appointing
thereunto some certain person, one or many; or else, without
any personal determination, and with appointment only of
some determinate condition touching the quality of their
persons (whosoever they be that shall receive the same), and for
the form or manner of taking it.

Now God himself preventeth sometimes these communities,

himself nominateth and appointeth sometimes the subject
wherein their power shall rest, and by whom either in whole
or in part it shall be exercised; which thing he did often in
the commonwealth of Israel. Even so Christ having given unto
his Church the power whereof we speak, what she doth by
her appointed agents, that duty though they discharge, yet is
it not theirs peculiarly, but hers; her power it is which they
do exercise. But Christ hath sometimes prevented his Church,
confering that power and appointing it unto certain persons
himself, which otherwise the Church might have done. Those
persons excepted which Christ himself did immediately bestow
such power upon, the rest succeeding have not received power
as they did, Christ bestowing it upon their persons; but the
power which Christ did institute in the Church they from the
Church do receive, according to such laws and canons as Christ
hath prescribed, and the light of nature or Scripture taught men
to institute.

But in truth the whole body of the Church being the first
original subject of all mandatory and coercive power within
itself, in case a monarch of the world together with his whole
kingdom under him receive Christianity, the question is whether
the monarch of that commonwealth may without offence or
breach of the law of God have and exercise power of dominion
ecclesiastical within the compass of his own territories, in such
ample sort as the kings of this land may do by the laws thereof.

Puritans inconsistent in making Church Laws at all.

gathered together by supreme authority concerning other
affairs of the Church, and when they meet about the making
of ecclesiastical laws or statutes. For in the one they are
only to advise, in the other they are to decree. The persons
which are of the one, the King doth voluntarily assemble, as
being in respect of gravity fit to consult withal; which are
of the other he calleth by prescript of law, as having right
to be thereunto called. Finally, the one are but themselves,
and their sentence hath but the weight of their own judgment;
the other represent the whole clergy, and their voices are
as much as if all did give personal verdict. Now the
question is, Whether the clergy alone so assembled ought to
have the whole power of making ecclesiastical laws, or else
consent of the laity may thereunto be made necessary, and the
King's assent so necessary, that his sole denial may be of
force to stay them from being laws.

[5.] If they with whom we dispute were uniform, strong
and constant in that which they say, we should not need to
make for trouble ourselves about their persons to whom the power
of making laws for the Church belongeth. For they are sometimes
very vehement in contention, that from the greatest
thing unto the least about the Church, all must needs be
immediately from God. And to this they apply the pattern
of the ancient tabernacle which God delivered unto Moses,
and was therein so exact, that there was not left so much as
the least pin for the wit of man to devise in the framing of it.

inserted by Bishop Gauden in his edition of Hooker's works, 1662. It occurs
in MSS. Q.C.L. but much later, viz. where Bishop Gauden inserted it, after the
words "defence of the truth therein," at the end of c. viii. On the authority of
the MS. D. confirmed by internal evidence, it is now placed here. "caus E.
not eu. D. It had been "unlike," but the "un" is erased. "of eu. C.
Trab. they are eu. E. quality E.Q.C.L. "belongs E. as E.Q.C.L. Trab.
1[44] 'The case' is not like when such assemblies are
* This portion of the work, to "assent not asked?" p. 497, is omitted in the
edition of 1651, but found in part in Clavi Trabals, p. 73-76, &c. and was
1 [Possibly this paragraph might be meant as a transition from the
chapter. It is here given as in the
former chapter to this: in which
Dubl. MS.] of the curtains, of the apparel;
but also of the bars, of the rings,
of the strings, of the hooks, of the
besoms, of the snuffers, &c. If
in the shadows, how much more
in the body... Is it a like thing...
that he that then remembered the
"pens did here forget the master
"builders?"]