

The Richard Hooker Lecture 2014 – “Justice”

Boscombe Parish Church, Monday 3 November

Contribution from Robert Key

In his book, ‘The Republic’, published in 380 BC, Plato argued that a city should be ruled by philosophers because only they understood what was good for the people. A city should not be ruled by politicians, who win power by giving people what they want. Nor should a city be ruled by its people, who behave like a powerful but drunken ship’s captain, untrustworthy, manipulative and incapable of getting the ship to port.

The Venerable Bede in his 731 AD ‘History of the English People’, argued that the English nation is the child of the Church. England had a national identity and national destiny unique in Europe. The Church gave authority and sanction to Kings, to the law and to the unity of the nation.

The Church crowned and legitimised the King who in turn protected and enhanced the privileges of the Church. The Church provided the King’s chief advisers. With its nationwide network of literate clergy it was not only a civilising influence, it was effectively a government agency and civil service.

It is significant that England was never a member of The Holy Roman Empire. England’s ‘offshore Christianity’ was independent from the start, Pope or no Pope.

Magna Carta was a grubby little peace treaty, negotiated in the midst of civil war. Most of its 63 clauses have been repealed – but that is not the point. It was the first European attempt to codify the aspirations of the nation for justice, due process and the rule of law. These very big ideas were mixed in with point-scoring compromises and partisan demands. After the death of Bad King John, Magna Carta was re-issued in revised form by William Marshall in 1217. It became the foundation of our constitutional arrangements.

When Queen Elizabeth came to the throne in 1558, the nation was riven with religious strife. Only three years before John Rogers, Hugh Latimer and Nicholas Ridley had been burnt at the stake. In 1556 Thomas Cranmer was burnt – and so were John Maundrell, William Coberley and John Spicer in Salisbury.

In her brilliant Reformation Settlement, Elizabeth persuaded the new Church of England by law established (by The Act of Supremacy in 1558 and The Act of Uniformity in 1559), to abide by the 39 Articles of Religion in 1562. Article 37 ruled that Princes “should rule all estates and degrees committed to their charge by God, whether they be Ecclesiastical or Temporal”. She refused “to make windows into mens’ souls. There is only one Jesus Christ and all the rest is a dispute over trifles”.

In 1591 The Queen appointed a progressive theologian, John Coldwell, to the See of Salisbury. That year, Richard Hooker accepted the living of St Andrew, Boscombe. I doubt this was a coincidence.

Richard Hooker was Elizabeth's most useful theologian. In his 'Laws of Ecclesiastical Politie' of 1594, he not only rebutted definitively extreme Puritan claims, he created a coherent philosophy and theology of Anglicanism. Hooker said that when the best things are not possible, the best may be made of those that are. This was the beginning of the tolerant, broad and living way of the Church of England that most of us treasure today. Our theology is based on scripture, tradition and reason.

Between them, the Queen and Richard Hooker probably saved England from the religious wars that raged on The Continent.

Elizabeth understood that she needed Parliament and The Law on her side. She never tried to define Parliament's rights or constitutional position. Nor did she encourage it! In her 45 years on the throne, Parliament sat on just 16 occasions. She regularly used her power to veto legislation.

Elizabeth faced many threats. The Spanish Armada of 1588 was an attempt to re-impose Roman Catholicism by conquest. High prices, economic depression and rural poverty were pervasive. Yet her popularity was rarely in doubt. She was 'married to her people'. In her 'Golden Speech' of 1601 she said, "There is no jewel, be never so high a price, which I set before this jewel – I mean your love".

The queen was popular, politically astute – and ruthless, too. The unfortunate Bishop of Salisbury, just a year after his arrival in 1592, was stripped of his rich castle and manor of Sherborne, and gave it to Sir Walter Raleigh. Sherborne had been given to Bishop Roger de Caen by Henry I in 1102, when he made him Bishop of Salisbury and Chancellor and Keeper of England. Bishops of Salisbury had for nearly 500 years relied on the wealth of their Sherborne estate. In 1596 Bishop Caldwell died in poverty and huge debt.

Political power was still in the hands of the monarchy and the aristocracy. The House of Commons was filled by patronage. Here in South Wiltshire, Salisbury, Old Sarum, Wilton, Downton and the County of Wiltshire all had two MPs each. The Earl of Pembroke controlled eight of them - the two County seats being in the patronage of the Thynne family, of Longleat.

Magna Carta was there in the background but little remarked upon until Charles I enraged Parliament by demanding taxes without Parliamentary approval, That led to his execution in 1649. The great Chief Justice of England, Edward Coke, famously opined, "Magna Carta is such a fellow, that he will have no sovereign. The King ought to be under no man but under God and the Law".

Magna Carta was lionised and romanticised in the nineteenth century. Its incorporation into many of the constitutions of modern nations including the USA and all Commonwealth countries has made it better known and more popular than in England. Until now! Next year the nation and the free world will celebrate the 800th anniversary of its sealing at Runnymede on Monday 15 June 1215.

The English will only be ruled by consent, with freedom under the law. Our tolerance is the child of Richard Hooker. Our strength lies in our Magna Carta.