The English and Scottish Non-Jurors.

By the Rev. Canon COWLEY-BROWN, M.A.

THE case of the Non-jurors, who both in England and in Scotland refused to take the oath of allegiance to William and Mary after the abdication of James II., because they had taken already the same oath to this latter monarch, presents us with a curious and interesting case of conscience or casuistry.

The Revolution of 1688 had placed the clergy and devout laity of the Church in a serious predicament. They had sworn to serve one monarch, and now they were required, at the risk of losing their posts and means of livelihood, to forswear themselves by taking the same oath to another. It was true that the throne had been declared vacant, that the King had exiled himself, and that the daughter of the self-exiled king, together with her husband, had been invited by the vast majority of the nation to take the place which he had so unworthily occupied and had now deserted. These and other considerations, which will be mentioned later on, were not allowed to weigh with these conscientious or scrupulous men, who feared they might be taking the name of the Lord their God in vain.

The Prince of Orange had been invited in the first instance simply to act as Regent. Even Sancroft, the Zadok of Dryden's "Absalom and Achitophel," smarting under the intolerable conduct of James, had joined in the requisition to the Prince "to adopt measures for the safety of the kingdom." Even Ken "went so far as to say that his scruples would be completely removed if he could be convinced that James had entered into engagements for ceding Ireland to the French King." He "actually began to prepare a pastoral letter explaining his reasons for taking the oath. . . . It is a curious fact," says Macaulay ("History," iii. 453), "that of the seven non-juring prelates, the only one whose name carries with it much weight was on the point of swearing, and was prevented from doing so, as he himself acknowledged, not by force of reason, but by a morbid scrupulosity which he did not advise others to imitate."

It is not possible in this short paper to trace the subsequent history of the movement. It is only the chief points that can be noted. It has been thought by some that those who scrupled to take the oaths, but were willing to lead a quiet and peaceable life under the new Sovereigns, might have been left unmolested in their posts. And the oath, it must be admitted, was made needlessly stringent.[1] It is obvious, however, in the unsettled and uncertain state of things, with a formidable Jacobite party in the country only waiting for their opportunity, that it would have been scarcely possible to dispense with it altogether. Nor could any distinctions have been made. The Non-jurors, however, were treated with considerable forbearance. They were allowed to remain in possession of their palaces for a whole year after their deprivation. At last the vacancies were filled up. Tillotson was preferred, straight from the Deanery of St. Paul's, to the Archiepiscopal See of Canterbury; and Sancroft, who had at first refused to quit the palace, reluctantly retired from Lambeth. Beveridge had been selected to succeed Ken, but under pressure of his Jacobite friends withdrew his acceptance, and Kidder was appointed in his place. Turner of Ely, who had been suspected—it would seem unjustly—of corresponding with James, and had absconded through fear, was succeeded by Patrick. The other Sees were filled up in due course.

Now comes a less creditable episode in the story. Hickes, Dean of Worcester, one of the ablest of the non-juring party, who, indeed, may be regarded as their leader, a headstrong man, of whom it was said "nothing could teach him moderation," paid a visit to James at St. Germains, and James, after consultation with two Roman Catholic Bishops and with the Pope himself, nominated Hickes and one Dr. Wagstaffe to be Bishops of what might now be called the Church of the Separation; a Church of which the first Bishops were nominees of the Church of Rome. Hickes and Wagstaffe were consecrated accordingly, in a private house, by Lloyd, the deprived Bishop of

[1] See the terms in Russell's "History of the Church in Scotland," ii. 343, 344.

Norwich (to whom Sancroft had delegated his powers); White, late of Peterborough; and Turner, formerly Bishop of Ely. Thus was begun a formal schism, which lasted on till 1805, when Boothe, "the last Bishop of that society which had proudly claimed to be the only true Church of England, dropped unnoticed into the grave."[1]

This proceeding, however, was not approved of among the more sober-minded of their brethren. Frampton, the ex-Bishop of Gloucester, though he could not take the oath of allegiance, continued to attend the services of his parish church. Dodwell disavowed the consecrations. Ken persuaded Hooper, after the death of his immediate successor Kidder, to accept the See from which he had been ejected. The party therefore presented the appearance of "a house divided against itself."

The tendency of a spirit of separation is to reproduce itself. Schism begets schism. The new non-juring communion was soon split in two. Each section of the "Catholic remnant," as they called themselves, consecrated rival Bishops. The party led by Spinkes seems to have kept nearest to the Church from which it had separated. The other, under the influence of Brett and Collier, introduced what were called the "usages" into their ritual. This latter adopted a new Communion book; the former adhered to the Book of Common Prayer. Both parties, however, sought to strengthen themselves by alliance with the Episcopal Church in Scotland. Bishops Campbell and Gadderar seem willingly to have lent their aid. There would have been no divisions among them if all had followed the example of Ken.

Of the original non-juring Bishops, by far the most interesting is Ken, brother-in-law, it may be noted, of Izaak Walton. If we cannot share his scruple, we cannot but admire his disinterestedness. But Ken was made, if not of sterner, yet of saner stuff than most of his fellow-sufferers for conscience' sake. His conduct contrasts favourably with that of Sancroft and the rest. There was no peevishness or querulousness about him—

[1] Macaulay, iv. 43.

nothing but what breathed the calm spirit which pervades his immortal "Morning and Evening and Midnight Hymns for Winchester Scholars." He was not one to censure, and even to excommunicate, those who took a different view from his own. He was content to worship in the Church to which he still belonged. He encouraged no schism. His was far from the spirit which, if caricatured in Cibber's play, "The Non-juror," yet seems to have recalled the old repulse, "Stand by thyself; I am holier than thou."

Of the other more prominent Non-jurors, Hickes, the deposed Dean of Worcester, seems to have been the coryphæus. All the characteristics of his party were conspicuous in this learned and headstrong man. Though brother of that John Hickes whom James had so cruelly put to death, he allowed political prejudice and religious fanaticism to prevail over personal resentment. But John was a non-conformist, and so doubly guilty in his orthodox brother's eyes.

Jeremy Collier, justly renowned for his efforts to purify the stage from the corruption which followed the period of Puritan intolerance—efforts which even Dryden owned to be just—became, after the death of Hickes, the leader of the party which upheld the "divine right of Kings to govern wrong."

Dodwell, the most learned of all the Non-jurors, was also their most curious specimen. Though Macaulay's description of him must be considerably discounted, he presented a strange combination of qualities—erudition which a wise man might envy, and a want of sense of which even a fool would be ashamed; conscientiousness coupled with superstition; the heroism of a martyr and the petulance of a child; greatness and littleness; as if in the same eye long-sight and short-sight might co-exist. It must be said of him, however, that at the last he had the sense to refuse to perpetuate the schism.

Spinkes is chiefly to be noted as having translated into Greek the proposals made by the Scottish Bishops, Campbell and Gadderar, with others, for the union of the non-juring with the Eastern Church (of which more later on), though he sub-

sequently declined to proceed any further in the matter, as he saw no necessity for the "usages" (*i.e.*, the mixed chalice, public prayers for the faithful departed, the invocation, and the oblation), and was content with the Communion Office of the Church of England; the question, it may be observed, not being whether the usages were primitive, but whether they were essential. Spinkes was described as "low of stature . . . and exalted in character." In the inscription on his tomb it is recorded: "Crederes antiquorum patrum et mores et doctrinam in nostrum theologum nupero quasi miraculo transfusos."

Leslie, whom Dr. Johnson regarded as the one exception from his indictment of the reasoning powers of the Non-jurors, was a controversialist of the highest order. Johnson said of him: "Leslie was a reasoner, and a reasoner who was not to be reasoned against."[1] He was also one of the "non-usagers," and, like Law and Collier, did not disdain to worship in the National Church.

Law, of whom Macaulay says "in mere dialectical skill he had very few superiors," has received the praise of Gibbon, in whose father's house he had been "the much-honoured friend," and had the still higher distinction of having been the means, by his "serious call," of turning Johnson's mind to the serious study of religion.

Kettlewell was one of the most attractive of the Non-jurors. Ken said of him: "He was certainly as saint-like a man as ever I knew."

The other more notable lay Non-jurors were the well-known Robert Nelson, who returned to the communion of the Established Church; John Byrom, a remarkable man, less known than he deserves to be, one greater than his fame; and Elijah Fenton, who has a place among Johnson's "Lives of the Poets." Johnson says of him: "With many other wise and virtuous men who at that time of discord and debate consulted conscience, whether well or ill informed, more than interest, he doubted the legality of the government, and, refusing to qualify

[1] Boswell, iv. 196.

himself for public employment by the oaths required, left the University without a degree; but I never heard that the enthusiasm of opposition impelled him to separation from the Church. By this perverseness of integrity he was driven out, a commoner of nature, excluded from the regular modes of profit and prosperity, and reduced to pick up a livelihood uncertain and fortuitous. But it must be remembered that he kept his name unsullied, and never suffered himself to be reduced, like too many of the same sect, to mean arts and dishonourable shifts." Pope assigned him four books of the translation of the "Odyssey," which Johnson says cannot be distinguished from those of Pope.

It may be as well to note here an obstacle in the way of those who were not altogether disaffected and continued to worship in their parish churches—that is, the "characteristics," as they were called, or the "immoral prayers," the prayers for the new Sovereigns by name. Canon Overton mentions "the various devices which they adopted to show they were not joining in them, such as standing and facing the congregation, sliding off their knees and sitting on a hassock, turning over the leaves of their Prayer-Books so as to avoid hearing the obnoxious words, and even pretending to take snuff—rather embarrassing proceedings, and not very edifying to the general congregation."

The correspondence with the Bishops of the Eastern Church, to which reference has been made above, into which some of the Non-jurors entered later on, originated with Bishop Campbell, little more than titular Bishop of Aberdeen—at least, an absentee Bishop. He took occasion of the visit of the Archbishop of Thebais, who had come to England with a view to obtaining help for his people suffering from Turkish tyranny, to suggest a union with the Greek Church. It led to a voluminous correspondence, which was carried on for nine years, with no result. The Greek Bishops, who seemed puzzled by the title "The Orthodox and Catholic Remnant of the British Churches," required complete submission as the only terms on which they

would consent to union. "The whole British Church," says Canon Overton, "would not appear to be a large one to representatives of the great Church of the East. What must a 'remnant' of it be?" The present writer has had the advantage of access to the originals, which are preserved among the manuscripts of Bishop Jolly in the Library of the Theological College of the Episcopal Church in Scotland. They are curiously interesting. The sand still remains as originally shaken over the signatures, after the lapse of nearly 200 years. The signature of the Archbishop, whether by accident or design, is large beyond the rest; the other signatures are "fine by degrees, and beautifully less." One signs himself "Archbishop of Constantinople, the new Rome"; another, "Patriarch of the great city of God, Antioch"; a third, "Patriarch of the Holy City Jerusalem." They append a paper, signed, amongst others, by "Samuel, by the mercy of God, Pope and Patriarch of the great city of Alexandria, and Judge of the Universe," containing these anathemas against heretics: "Let their portion be . . . cursed and deprived of pardon and remission after death. . . . Let their portion be with the traitor Judas . . . and with the crucifiers of our Lord. Let them be liable to hell fire, exposed to the curses of Fathers and Synods, and subject to an eternal anathema." The force of the *odium theologicum* could no further go. The "Judge of the Universe" seems to have forgotten that our Lord prayed that His crucifiers might be forgiven.

The Archbishop of Canterbury, Wake, as soon as the project came to his ears, wrote to the Patriarch of Jerusalem a dignified letter exposing the schism. We cannot wonder that Spinkes "refused to be any further concerned in the affair"; nor can we regret that it fell through, as well as the subsequent negotiations with the Church in Russia, when we call to mind the Form of Reconciliation of the Princess Dagmar of Denmark, "which," as Williams says, "required of her, as a condition simply of Christian communion, such a series of anathemas against all that she had before most fondly cherished, involving all her ancestors and all her relatives in perdition."

The whole story may be read in Lathbury's "History of the Non-jurors," or George Williams's "Orthodox Church of the East," or in the more recent work of Canon Overton. The Bishop of Edinburgh has an illuminative note on the whole subject in the *Journal of Theological Studies* for July, 1900.

What moved some indignation at the time was the fact that Collier, one of the schismatically consecrated Bishops, signed himself "Primus Anglo-Britanniæ Episcopus." It was also signed by Campbell "Scoto-Britanniæ Episcopus," and by Gadderar, who, with other of the Scottish Bishops, assisted in several schismatic consecrations, consecrating for England, on one occasion at least, without the aid of any of their English brethren.

The notes as to "the points on which the Conference with the Greeks is to be held" are in Bishop Jolly's handwriting. The N.B. at the end of the document has never yet been published. The present writer, therefore, transcribes it *verbatim et literatim* from the original: "Arsenius, Abp. of Thebais, was sent in 1712 by Samuel Patriarch of Alexandria, from Grand Cairo in Ægypt, to represent to the Protestant Princes and States in Europe the truly deplorable Circumstances of the Greek Church under the Severe Tyranny and oppression of the Turks, and to solicit a sum of money, particularly for the Patriarchal See of Alexandria, brought under a Load of Debt of 30000 Dollars by one Cosmo, formerly Abp. of Mount Sinai, his pretending to deprive s^{d} Samuel of his Right to the Patriarchate of Alexandria, and to take Possession for himself, having by y^{e} force of Money procured himself to be invested by the Grand Visir in s^{d} patriarchal Throne, whose Clergy made a noble Stand for their Patriarch Samuel, and would not suffer him to be deprived by his Adversary. For wc^{h} Cause, to raise Money, Samuel was forced to sell, and lay in pawn, many of the sacred Vessels, patriarchal Habits, and other Utensils of the Church. Cosmo at length renounced all Title to Alexandria, and was then duly elected Patriarch of Constantinople, upon wc^{h} a firm Peace and Friendship commenced between Samuel and him. At what particular

Time Arsenius arrived in England, I have not yet discovered, but that he was in London in 1714 and 1716 is very certain. He received from Anne 300£ Sterl. and from George i^st^ 100£ Sterl. for the Church at Alexandria.—ah! poor! poor! poor!—But Arsenius by his long Stay in London, being nine in Family, had contracted Debts for necessary Substance on the most ordinary Food; for the Payment of w^ch^ he was obliged to apply, in the way of humble Petition, to all Charitable and tender-hearted Christians. He was attended by Father Gennadius (whom I take to be the one called the Archimandrite in the foregoing Correspondence, Abbot of the Monks of the See of Alexandria), and by the Deacons, and other Domestics. See all this set forth at large in a 4^to^ Pamphlet of 20 pages, including Title-page and Preface entitled 'Lachrima et suspiria Ecclesiæ Græcæ: Or The Distressed State of the Greek Church, humbly represented in a Letter to her late M. Q. Anne, &c. Printed in London 1715.' As to those to have been sent to the Czar of Muscovy to hold Conference w^t^ the Greeks as to Points in Debate, &c., see the preceding Letters from Bp. Brett to Bp. Campbell, page 172, 176, 177, 178, 179, 180, 189. Not only the Death of the Czar put a Stop to the much-desired Union between the Greek Church and British Non-jurors, but likewise the Indiscretion of the Patriarch of Jerusalem in writing to Wake, then Abp. of Canterbury, and sending Copies of Proposals to him has quite knocked y^t^ Schemes in the Head; for wc^h^ see foresaid Letter, p. 164 [197], where it is well worth the remarking, that Wake behaved w^t^ great Prudence and Discretion in the Case, not exposing the Papers, or suffering them to be ridiculed. I have frequently heard, that the late R. Rev^d^ D^r^ Thomas Rattray of Craighall, having been in London in 1716, assisted M^r^ Spinckes in the translating into Greek the Proposals from the Non-Jurors to the Oriental Church.—A. JOLLY."

With regard to the Scottish Non-jurors, their intrusion in schismatic consecrations has been already noted. The action of Rose, Bishop of Edinburgh, on their behalf, which led to the disestablishment of the Episcopal Church in Scotland and

the re-establishment of Presbyterianism by the disappointed Prince of Orange, is well known. The story has been graphically told by Macaulay and others. There is little doubt that if they had acquiesced, as the majority in England acquiesced, in the new régime, they would have been left unmolested, and Scotland would have been episcopal at the present day. Their blind romantic devotion to the other claimant to the crown, whom they still regarded as their lawful King, brought upon them those troubles which reduced their Church to "the shadow of a shade."

It only remains, in summing up the whole subject, to consider what, after the years, must be the verdict of posterity upon it all. To judge fairly the whole case, we must by the exercise of the historical imagination place ourselves, as it were, in their time.

There was nothing at that time, it must in fairness be remembered, to prevent a member of the Church of Rome from occupying the throne of these realms. It is one of the gains of the Revolution of 1688 that this is no longer possible. But what might justly have weighed with the Roman Catholic followers of James and his heirs, the old and young Pretender (as those claimants to the Crown were popularly called), need not have weighed with those who were so sincerely attached to the Church as were Ken and Kettlewell. What weighed with these sensitively conscientious men was the consideration that they had "opened their mouth to the Lord, and could not go back." What was it to them that their King, as they still regarded him even after his abdication, was as cruel, as cowardly, as immoral, as contemptible, as almost any monarch who had ever disgraced the throne? Was he not "the anointed of the Lord"? And it was with them an article of faith that

> "Not all the water in the rough rude sea
> Can wash the balm from an anointed King."

It did not occur to them that, after all, a constitutional monarchy implies a contract between King and people, and that the King had broken the contract by a virtual abdication; that he had fled

the kingdom, and taken refuge with the avowed enemy of their country. The loyalist reaction after the interval of Puritan intolerance had been carried to an extravagant pitch. The people seemed returning almost to the servility of Tudor times. Passive obedience, non-resistance, had been proclaimed from every pulpit; had been taught even by Tillotson, and was cast afterwards in the teeth of Burnet. The nation was saturated with a spirit of subjection which not even the shameless profligacy of the Second Charles could quench. Such was "the blind and passionate loyalty of the time."[1] No wonder that these good men thought it their duty to keep, "in scorn of consequence," the oath from which the King's breach of covenant had virtually absolved them. We cannot help admiring their spirit while we cannot share their scruple. The same spirit which had led the seven Bishops on a former occasion to *resist* the King seems here to have misled some of them to *support* him—

"Tantum religio potuit suadere malorum."

Macaulay puts the case of the "swearers" succinctly enough. After adducing a series of arguments for taking the oaths, he adds: "On these grounds a large body of divines, still asserting the doctrine that to resist the Sovereign must always be sinful, conceived that William was now the Sovereign whom it would be sinful to resist."[2]

It was the conviction of many of the Presbyterians also, lay as well as clerical, that James was still their lawful Sovereign. Their subsequent support of his son and grandson had a touch of romance about it which appealed to the perfervid imagination of the Scottish people. Other considerations, however, seem also to have entered in. Temper no less than temperament seems to have had something to do with it. A parallel, perhaps, might be drawn between the case of the Non-jurors and "the disruption." They were good men who in 1843 went out of the Establishment, and they were good men who

[1] Lecky, i. 9.

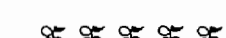
[2] "History," iii. 441, 445.

remained in it. They were good men who in 1688 took the oath to the new Sovereign, and they were good men who adhered to their allegiance to the old one. This, however, can only be said of those who originally refused the oaths. The conduct of the later Non-jurors seems indefensible, especially when we consider the action of those who, notwithstanding the remonstrances of the best men among them, consecrated Bishop after Bishop, consecrated Bishop against Bishop, and perpetuated the schism. Macaulay's portrait of them may be overdrawn, but a more impartial historian is not far wrong when he says they "strained all their energies to aggrandize their priestly powers, and to envenom the difference between themselves and the non-conformists. The Non-juror theology represented this tendency in its extreme form. . . . The writers of this school taught that Episcopalian clergymen were as literally priests as were the Jewish priests . . . that the Communion was literally and not metaphorically a sacrifice; that properly constituted clergymen had the power of uttering words over the sacred elements which produced the most wonderful, though unfortunately the most imperceptible, of miracles . . . that the sentence of excommunication involved an exclusion from heaven. . . Some of them contended that all baptisms except those by Episcopalian clergymen were not only irregular but invalid, and that therefore Dissenters had no kind of title to be regarded as Christians."[1] The "Catholic remainder," as they proudly called themselves, proved themselves precursors of that party in the Church which now monopolizes the name.

Of the earlier Non-jurors, the leaders were no doubt actuated by the highest principle. The rank and file, however, seem to have acted rather from what appeared to be probably, under the circumstances, the best policy. The chances were that James might yet return. They spent their time, says Macaulay, "in hearing and spreading reports that within a month His Majesty would certainly be on English ground, and wondering who would have Salisbury when Burnet was hanged." The con-

[1] Lecky, "History," i. 86.

clusion of the whole seems to be that there were two types of Non-jurors: one which commands our respect and pity, another which calls for pity without corresponding respect.



The Third Day: an Expository Study for Eastertide.

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"He hath been raised on the third day, according to the Scriptures."—1 Cor. xv. 4, R.V.

SO writes St. Paul; so we repeat in all our creeds. Have we ever paused to ask ourselves why? "*Raised*"—yes, this is the citadel of our faith, the confidence of our hope; but why "*the third day*"? St. Paul sums up here the cardinal points of his Gospel in brief, but he finds room for this triviality. St. Peter preaches the fundamentals for the first time to a Gentile audience, yet he does not forget to mention it (Acts x. 40). It is only a slight numerical detail, yet somehow it has contrived to impress itself on the mind of the Church. The Athanasian Creed, in the midst of an elaborate and lengthy manifesto of Trinitarian doctrine, has a place for it; the Nicene Creed, battling keenly for the Deity of the Son, cannot apparently afford to omit it; while even the Apostles' Creed—primitive, terse, and exclusive of so much that is weighty—still finds room for this tiny historic item.

1. *Now, when we come to examine the evidence more closely, we find that the weight laid upon the phrase comes from the Master Himself.* When challenged as to His authority after His drastic clearing of the Temple court, He names three days as the measure of His mystic "Temple-raising" (John ii. 19). When called upon to impress the nation with His *bona fides* as a religious teacher, He refers to Jonah and the three-day period