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THE CHURCHMAN

January, 1927.

NOTES AND COMMENTS.

The Future of the Coal Industry.

THE Coal Strike is over. "The humiliating and disastrous calamity of the coal dispute"—as *The Times* described it—lasted six months, and it has brought in its train very serious damage to the industries of the country. It is estimated that the financial loss will amount to over £500,000,000. The harm done otherwise is incalculable and "for years we shall be suffering in some form or other from all the misguided conflicts of 1926." Trades Unionism has suffered severely in the conflict. The Miners' Federation has had to make "a retreat," and its leaders have declared that no stone will be left unturned to set aside the agreements which have been reached. It is evident that behind the strike there has been an ulterior motive. The extremists will not be satisfied until they have secured the nationalization of the mines. Even if this were desirable it ought not to be brought about by methods which inflict disaster upon the life of the community. It should be the desire of all parties now to heal the wounds caused by this social warfare. The mine-owners have an opportunity of softening any bitterness which the miners may feel at their defeat. Many of the latter recognize that the whole situation has been mishandled by their responsible leaders. The economic conditions necessary for the carrying on of the mining industry will, we trust, be met by the new agreements. All men of good will are anxious that the spirit of brotherhood may find expression in happier relationships between employers and employed.

The Vatican and Marriage.

The action of the Vatican in annulling the marriage of the Duke of Marlborough has caused amazement on both sides of the Atlantic. Over thirty years ago Miss Consuelo Vanderbilt and the Duke of Marlborough were married in the Protestant Episcopal Church in America. A decree of divorce was pronounced some years ago. Since then the Duchess has married again and has also joined the Roman Catholic Church. As that Church does not recognize divorce the position was an impossible one from the point of view of the Roman Catholic authorities. The second marriage could only be

considered regular by them if the first marriage were declared not to have been a true marriage. This would be in ordinary circumstances a difficult matter, but the Church of Rome provides for all emergencies with wonderful ingenuity. Although it will not allow a marriage to be dissolved, it has provided a number of grounds on which a marriage can be declared null and void. Some of these may seem very flimsy to those who are not members of that Communion, and they would certainly not be recognized in any Civil Court of Justice. One of them is want of willing consent ; that a marriage is void if it is contracted unwillingly on one side or the other. This is the plea put forward in the present case. The Roman Catholic Diocesan Court of Southwark admitted the plea, and the decision has been confirmed by the Sacred Roman Rota. The complacency of that Church in meeting the wishes of a member of the wealthy family of Vanderbilt has not escaped the notice of the critical.

An "Amazing and Incredible" Proceeding.

Bishop Manning, of the Protestant Episcopal Church in the diocese of New York, where the marriage was celebrated, was the first to call attention to the annulment, which he described as "amazing and incredible." He was followed by many others, including several Roman Catholics who admitted that they were bewildered by the decision. *The Times* and other English papers opened their columns to a discussion of the subject. The Roman Catholic authorities directly or indirectly took part in it, and endeavoured to defend the action of their Church, but were unable to give any explanation of it that would be satisfactory to those outside the Roman communion who do not admit its claims. One Roman Catholic who criticized the decision hastened a few days later "to withdraw unreservedly all the imputations made against the just and proper functioning of the Catholic marriage laws." Sufficient evidence that the discipline of the Roman Church is prompt and effective. Some correspondents supplied ample evidence that this is no isolated example of the exercise of powers claimed by the Church of Rome, though few cases have probably been so flagrant and notorious, dealing as it does with a Protestant marriage, and over thirty years after the event. Historical references indicated similar cases in the past, and mention was specially made of the obstacles which prevented the Pope from annulling the marriage of Henry VIII with Catherine of Aragon. Roman Catholic controversialists have denounced the King vigorously, though his demand was apparently, in the light of the present event, not an exceptional one.

The Claims of the Church of Rome.

The essentials of the whole case were put very clearly by one writer, who said that the plain facts of the case accounted amply for the shock which the public conscience had received. No Civil Court would admit a plea which the conduct of the parties concerned

NOTES AND COMMENTS

for years belied. Anyone might keep a convenient impediment up his sleeve during years of married life, and such an impediment need only be a minor one which a dispensation before marriage could remove. Such a decree of nullity is in effect equivalent to a decree of divorce, and there is no public report of the examination of witnesses or of the evidence on which the decree is granted. We may well be thankful, as another writer points out, that in the reign of Henry VIII the Act of Supremacy was passed which deprived the Pope of any authority in England, and that now, in the words of Article XXXVII, "The Bishop of Rome hath no jurisdiction in this Realm of England." The decree of the Vatican has therefore "no more legal importance than if it had been pronounced by the Mikado of Japan or the Grand Lama of Tibet." He wonders "how the minds of honest men can reconcile themselves to a system which in nominally repudiating divorce, makes the separation of long married persons possible in circumstances that put a premium on fraud and dishonesty, and may do the grossest wrong to innocent people." Let us not neglect the facts of history and the lessons which they teach us. As Bishop Welldon reminds us in his recent book *The English Church*, the Papacy has played a sinister part on many occasions in our history. For instance, he says, "In supporting the Stuarts the Pope showed himself to be the opponent of all such reforms as the Declaration of Rights, which has now for two centuries and a half since the Revolution been the imperishable safeguard of the British Constitution." This exposure of the methods of the Church of Rome will do good if it directs attention to the effects of its claims in other matters, such, for example, as the *Ne Temere* decree.

The Roman Catholic Disabilities Bill.

At the time when the claims of the Church of Rome and their effects upon the legal position of people in this country and America were thus exposed, by a curious coincidence a measure was before Parliament in which the Roman Catholics were seeking relief from disabilities under which they were supposed to suffer. The Roman communion claims not only to be a Church, but an organization with the status of a Civil State. It might be well, therefore, in view of the disclosures of its infringement of the laws of other countries and its claims to jurisdiction in other lands, if it set to work to give fair play to others, before it started fresh endeavours to secure for itself an altogether unshackled place in England. Englishmen are not averse from granting freedom to all who do not abuse the privileges granted to them. But when an organization claims to override the laws of the land, and to ignore the constitutional rights of the people of the country, it does not seem wise to grant additional powers which may be an incentive to intolerance and further aggrandisement. The Prime Minister granted special facilities for the passing of this measure. No doubt influence was brought to bear upon the Government to secure its support. Letters were sent to Members of Parliament pointing out that

the proposed Bill altered the laws which maintain the Protestant character of the Church of England. It is at least inopportune that the Church of Rome should have a "civil and religious equality" which it denies to others wherever it has the power to do so.

The City Churches Measure.

The House of Commons rejected the City Churches Measure sent up by the Church Assembly by a large majority. Many have felt that it was a grave error of judgment on the part of the representatives of the Church to endeavour to force the measure through in face of the strong opposition of the City of London Corporation. The Corporation took the unusual step of exercising their right of presenting a petition at the Bar of the House against it. This is the second rebuff the Church Assembly has had in Parliament. The House of Lords some time ago rejected the Shrewsbury Bishopric Bill. With the growing feeling within the Assembly itself that some of its legislation is premature and not sufficiently considered, the prestige of that body must suffer through these rejections of its proposals. It is evident that Parliament is not prepared to acquiesce in every decision of the Assembly, and indeed questions have been raised as to the extent of the Assembly's powers under the Enabling Act. Lord Wrenbury, in an article in *The Times*, emphasized the necessity of restricting the Assembly's legislation strictly to Church matters. This opens up problems of definition which may give rise to endless difficulties. The Assembly will soon be dealing with matters that will concern the laity of the Church very closely. A precedent has been set up by the rejection of these measures, and it ought to be taken as a warning. The tendency to autocratic dealing may be safe as long as it is only the interests of the parochial clergy which are in question; it will not be safe if the interests of the laity are ignored.

A Barrister's View of the Situation:

A well-known barrister commenting on the independence shown by the House of Commons in dealing with the City Churches Measure, added this warning: "That Measure, however, is of small significance compared with other Measures which the Church Assembly has had under consideration and contemplates forcing through Parliament by the aid of the Enabling Act. I refer in particular to the project for the Prayer Book revision, with its implication of cancelling the great principles of the Reformation, and the inept proposal for superseding the jurisdiction of the Privy Council in certain ecclesiastical matters and setting up in its place a so-called Final Court of Appeal in which the Crown Judges, at all events according to the report of the Assembly, shall be subject to a new sort of Test and Corporation Act—that is to say, they must be Churchmen—and, what is infinitely more objectionable and unconstitutional, that the findings of the Archbishops and Bishops on matters of Church doctrine shall be binding on His Majesty's Judges. . . . The proposal is indefensible, and if sanc-

tioned would be an encroachment designed mostly by ecclesiastics to enlarge their own powers and to curtail the rights and the powers of the lay Judges and therefore of the Crown. Surely, members of the House of Commons who are loyal to the Constitution and jealous for the maintenance of the Protestant religion will do well to watch with vigilance the development of reactionary schemes."

The End of Prayer Book Revision in View.

The Archbishops of Canterbury and York have issued a statement as to the probable dates of the final stages of the revision of the Prayer Book. From January 12 to 22 the Bishops will meet at Lambeth and consider the final form of their proposals. These will be submitted to a joint meeting of the Convocations of Canterbury and York on February 7. On February 22 and the following days the Convocations will meet to discuss them. In March the House of Bishops will meet to consider the final form of the Measure, which will then be presented for the last time to the Convocations on March 29 and 30. If the Measure passes safely through these various stages it will be presented to the Church Assembly in July. It will only remain then for the Legislative Committee of the Assembly to present it to the Ecclesiastical Committee of Parliament. If it is found that there is nothing in it "prejudicial to the constitutional rights of His Majesty's subjects," it will be presented to both Houses of Parliament. There will still be a number of opportunities for Churchpeople to express their views on the revision, and to indicate their approval or disapproval of the proposed changes. If the decision in the recent Reservation case in the diocese of Liverpool may be taken as indicating some of the probable contents of the revised Book, we have no hesitation in saying that Parliament will discuss very fully the general tendencies of the new forms, and will have something to say on the necessity of maintaining the principles of the Reformation as they have been understood for over 350 years.

Sunday Observance.

Sir George King's motion at the last session of the Church Assembly in reference to the decision of the Ecclesiastical Commissioners to permit Sunday games on the lands under their control, "thereby strengthening the secularizing tendencies already too powerful in English society," has drawn attention to a subject of urgent practical importance. The secularization of the Lord's Day must be followed by evil consequences both to Church and nation. A section of Churchpeople has given its approval to Sunday games. It is clear that the growing tendency to make it a day of recreation is destroying its character as a day of worship. Although some of those who spend the day in recreation attend at least one service, the great majority never go to Church, and the tendency is towards an increasing neglect of worship. The Bishop of Durham has expressed himself strongly on several occasions recently on this neglect. He said: "We are now in the first stages of a complete secularization of the Sunday, a process by which we shall lose a

most priceless factor in the nation's life." He described the maintenance of Sunday as the backbone of the working system of the Church of England. *The Times* pointed out that the growth of industry and of indoor occupations has increased the desire to use Sunday for recreation, and that the "need for fresh air and exercise springs from the conditions of our modern civilization." While this is true, it must not be forgotten that the shorter hours and weekly half holiday give opportunities for games formerly unknown. The main fact cannot be ignored that the spirit of worship is not as strong as it was, and that this is an indication of deterioration in our national life. Every effort must be made to save the Sunday in the interests of the nation. As *The Times* said: "The weekly holiday should be a time of release for the mind even more than an occasion for the refreshment of the body. Quiet communion with ideal influences is more essential to-day, in the interests of the individual and of the race, than it has ever been before."

Editorial Note.

In offering our readers the first number of another year's issue of *THE CHURCHMAN*, we thank them for their past support, and for the expressions of thanks which we have received for the contribution we have been able to make to the presentation of the Evangelical point of view on many matters of importance in our Church life. We desire to increase the circle of our readers, and shall be grateful for support in our efforts. We enclose in this number subscription forms which may be useful in securing new subscribers.

The Archdeacon of Chester's account of the Mediævalist Restorations in the Church shows the true significance of some of the chief recent innovations brought forward in the name of Catholicism. Bishop Knox's examination of St. Stephen's speech in Acts vii. is a contribution to New Testament study which will be valued for its scholarly interpretation of St. Luke's report of the words of the first Martyr. The aims and methods of Evangelistic effort at the present time are a subject of special importance, and the Rev. Thos. J. Pulvertaft presents them with clearness and force in his article on Evangelism. Dr. Harold Smith's "The Prayer Book and the Directory" is one of those products of his historical research which students of our Church's past have learnt to value. The anonymous writer who describes the condition of Evangelical Churchpeople in "The Church of South Africa" is well acquainted with the facts, and wishes to warn English people of the difficulties created by Anglo-Catholic claims. Too little is known of the teaching of the Homilies, especially at a time when the Prayer Book of which they are such an excellent interpretation is under revision. "The Churchmanship of the Homilies," by the Rev. George Martin, provides a useful account of their contents.

Mr. H. R. Allenson has just issued a pocket edition of the *Little Flowers of St. Francis*. Printed on India paper, in a good clear type, neatly bound in blue cloth and published at 3s. 6d., it is a most attractive reprint of the book.