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THE
CHURCHMAN

DECEMBER, 1885.

ART I.—THOUGHTS ON THE PRESENT CRISIS.

I DO not think that attention has been drawn, as it should be, in the late discussions, to the two Acts of Parliament, "The Statute of Carlisle," 35th of Edward I., and "The Statute of Provisors," 25th of Edward III. The preamble of the latter recites the former to some extent. Thus (I translate from the Norman-French): "Whereas the Holy Church of England was founded in the estate of Prelacy in the Realm of England by the King's grandfather and his progenitors, and earls, barons, and nobles of this realm and their ancestors, to inform them and the people in the law of God; and certain possessions, lands, and rents, as well as advowsons, amounting to a great value, were assigned by the said founders to the prelates and others of Holy Church in the said realm, in order that they might sustain this charge." The preamble proceeds: "That the Bishoprics . . . were endowed with the intention that the Crown should have the benefit of the advice and counsel of such Bishops for the safeguard of the realm; but the Pope of Rome claiming to himself the Lordship of these possessions and benefices gave them to aliens . . . as if he had been patron, which by the law of England he was not." And then it proceeds to make the well-known enactments against the "Provisions" of the Pope on the ground that "our Lord the King is bound by his oath to join with the Parliament to make remedy and law to remove these mischiefs."

This was the famous Statute of Provisors. I quote the preamble at length in order that I may show what was thought 530 years ago as to the origin of the endowments of the Church of England, and as to their object. They came from the kings and nobles of the land, and were devoted to the purpose of teaching the people in the law of God. Thus a distinction was made between the ministers of the Church as

teachers and the people as taught. The conception of the identity of the Church and the people was not in the mind of Edward and his advisers, although, no doubt, the hope was that all the people would be embraced within the Church, and, in a way, we may say that all were ; but I think that it is clear that the mere fact of a number of people refusing to be taught in the law of God by the ministers of the Church, cannot in reason be assigned as ground why either in any particular locality or over any large extent of country, the incomes of the clergy should be taken away. At all events, let it be distinctly understood that, if the nation or the majority of it should deliberately decide to use these endowments for other purposes, it will be deliberately taking away property which was intended and is being used for teaching the people in the law of God.

Mr. Hubbard, at the Brighton session of the Chichester Diocesan Conference, in a speech, the greater part of which met with my warm concurrence, mentioned, amongst other reforms which he desired, the exclusion of Bishops from the House of Lords. No doubt the education of the country is enormously advanced since the reign of Edward III., and it may appear that the advice and counsel of the Bishops in the House of Lords is not as necessary for the welfare of the country as it was regarded to be in the year 1350. Then action was taken against the Pope, because he deprived the country of their advice ; but I am inclined to ask whether England at large was not benefited by the indignant protest of the present Archbishop, in the Session of 1884, when some Peer had insinuated that all young men had been unchaste ? That protest was wanted : yet no man except members of the Episcopal Bench raised his voice against the insinuation. No doubt many of the Peers present had been as pure as the Archbishop himself ; but we can easily conceive the motives which induced them to be silent. We are thankful, and England is thankful, that the Archbishop was there to speak.

We often hear that up to the reign of George IV. the Parliaments of England were composed of none but members of the Church of England, and that it is in consequence of the great changes introduced in that reign that a House of representative Church laymen is needed now. I do not question the need, but I wish to draw attention to the inaccuracy of the statement upon which the inference is based. The Acts which were repealed in that reign were enacting Acts of Parliament, excluding persons from the Parliament who had previously been eligible as members. And anyone conversant with the reigns of Elizabeth, James, and Charles I., must be aware that the Parliaments of those reigns contained many

who could not be called members of the Church of England. Amongst them, avowed infidels might be found. Indeed, the Parliamentary History of the reign of Elizabeth with regard to Church matters is most instructive; and I wish that some one would give a readable account of it. We have spent energy enough on the question of "the Advertisements;" I wish that more attention was drawn to the reforms which were proposed in the House of Commons, but checked first by the power of the Crown, and secondly by the somewhat weak remarks which we find in the last chapters of the famous Fifth Book of the "Ecclesiastical Polity."

We hear a good deal of the persecuting spirit of the Church in times gone by. I do not think it is sufficiently known that it was the House of Commons which, in the year 1662, insisted on the extreme measures which were then enacted to drive Baxter and the rest out of their preferment. Both the King and the House of Lords were anxious to render more easy the terms of subscription; and the King himself proposed that he should have the power of saving some of the loyal ministers from the chains which the House of Commons was disposed to throw over them. The Commons absolutely refused to listen to this, and the Bill was passed as they would have it.

We hear a good deal of the "National Church." I do not know that the Church of England as such has ever claimed the title. However, if it is only understood what the title means, there can be no objection to it. It does not mean that the Church is identical with the Nation; as long as people die unbaptized, this cannot be. Whether the Church is regarded as the ἐκκλησία (the congregation of faithful men), or as the body of the ἐκλεκτοί (the body of Christ), it cannot be identical with the Nation. In England it is "National," because it speaks to the Nation and its efforts have been recognised by the Nation. And the following point is worthy the attention of our clergy. The State does not require us to baptize a child, or to bury a corpse; at all events, the State does not punish us if we refuse to do either the one or the other. It is the law of the Church which bids us perform these functions, and punishes us if we refuse. It is the law of the Church which ordains that we should prepare children for confirmation, and visit the sick. It may be said, perhaps, that by the Act of Uniformity the Prayer Book appoints the mode in which these functions are to be performed, and directs that we should perform them; but I insist that the law of the land provides no penalty for non-performance: that has been left

entirely to our Ecclesiastical Law, *i.e.* (in these matters), to the Canons of 1604, administered in the Ecclesiastical Courts.

I desire much to be informed correctly when the words "Established Church" first came into vogue. I must confess that I rarely, if ever, use the phrase myself except when I am compelled to do it in the Bidding Prayer in the University Church. My impression is that the term arises from a mistake. In the Bidding Prayer of the Canons of 1604, the words are: "The churches of England, Ireland, and Scotland." The form of subscription required by the Act of Uniformity calls upon us to promise that "We will conform to the Liturgy of the Church of England, as it is now by law established." The Liturgy had just been altered and established by law; but no change had come over the constitution of the Church. Thus it was the Liturgy that was then established, and not the Church. So in a previous Act a check was put upon petitions for alteration of matters established by law in Church or State.

Again, in the Convention Parliament of William and Mary, the oath directed to be taken by King or Queen is that he or she will "maintain the laws of God, the true profession of the Gospel, and Protestant reformed religion established by law." But I do not know at what period the term "Established Church" was introduced as a common phrase. I repeat, I believe it came in by a mistake. During the short period when I had charge of a parish I was in the habit of drawing my pen through the word "Established" in the Marriage Registers, and making it read "Church of England" instead.

Some readers of *THE CHURCHMAN* may remember the humble apology that Mr. Maurice made in certain copies of the third volume of his first edition of "The Kingdom of Christ," because the phrase "Established Church" had crept in on page xviii. of the preface. His language is this: "He trusts that his readers will see from the context, or at least by a perusal of the letter itself, that the word 'Established' must be a misprint for 'English,' to the best of his knowledge he has never used the phrase 'Established Church' once in these letters, nor is he at all certain that he knows what it means." I entirely sympathize with him.

P.S.—Since the above was written my attention has been drawn to the third Canon of 1604, where we meet with a denunciation of those who "affirm that the Church of England, by law established under the King's majesty, is not a true and apostolical Church." Happily we have the original Latin, and there we read, "Ecclesiam Anglicanam, sub regia majestate

legibus stabilitam." The word "established" is found also in the English of Canon IV., used of "the form of liturgy;" and in Canon VI. of the "rites and ceremonies of the Church," standing in the former for *stabilitam*, in the latter for *constitutas* (Canon V. may be compared). But, although these Canons exhibit the origin of the word, none of them warrants the use of the term "Established Church" as a proper designation of the Church of England, and I can only repeat my objection to it. I can attach no meaning to the phrase "Ecclesia stabilita;" and, if it is said that the short title is convenient, I can only refer to the enormous mischief generated in the Church by the designation of an Act intended to simplify the proceedings of Ecclesiastical Courts, by the short title "Public Worship Regulation Act."

C. A. SWAINSON.



ART. II.—THE REVOCATION OF THE EDICT OF NANTES.

IN a former article we traced the first beginning of the persecutions in the provinces, and the abortive revolt in Languedoc which afforded plausible justification for increased severities. It remains to describe the development of the *Dragonnades*, the striking at last of the great blow, so long and so carefully prepared, and the story of the Dispersion.

If Marillac enjoys the unenviable distinction of having invented the "*mission bottée*," he must yield to another the credit of having elaborated its resources and multiplied its effects. The *Mémoirs* of Foucault¹ are an invaluable witness—as coming from one who was the protagonist in the drama, and as relating with the utmost candour, and even pride, his share in the persecution. Foucault came to Béarn at Colbert's death in partial disgrace, transferred to this secondary post from the rich district of Montauban. He determined to follow in the steps of Marillac, and secure the favour of the dominant party at Court. That which makes his whole personality even more despicable than his model, was his utter indifference to the beliefs which he oppressed so cruelly. He was a cool-headed, ambitious man of the world, scholarly in his tastes, and had edited the treatise of Lactantius *de morte persecutorum* in his earlier days. While Colbert's subordinate, he had acted in the spirit of that great statesman, he had been kind to the Huguenots. In the last stage of his

¹ "Mémoires" (1641-1719), publ. par. F. Baudry, 4to. 1862.