To anyone blessed or cursed with an ironical humour the troublesome history of the Church of England since the Reformation cannot fail to be an endless source of delight. It really is exciting. Just a little more of Calvin and of Beza, half a dozen words here, or Cranmer's pencil through a single phrase elsewhere; a 'quantum suff.' of the men 'that allowed no Eucharistic sacrifice,' and away must have gone beyond recall the possibility of the Laudian revival and all that still appertains thereunto. We must have lost the 'primitive' men, the Kens, the Wilsons, the Knoxes, the Kebles, the Puseys. On the other hand, but for the unfaltering language of the Articles, the hearty tone of the Homilies, and the agreeable readiness of both sides to curse the Italian impudence of the Bishop of Rome and all his 'detestable enormities,' our Anglican Church history could never have been enriched with the names or sweetened by the memories of the Romaines, the Flavels, the Venns, the Simeons, and of many thousand unnamed saints who finished their course in the fervent faith of Evangelicalism. But on what a thread it has always hung! An ill-considered Act of Parliament, an amendment hastily accepted by a pestered layman at midnight, a decision in a court of law, a Jerusalem Bishoprick, a passage in an early Father, an ancient heresy restudied, and off to Rome goes a Newman or a Manning, whilst a Baptist Noel finds his less romantic refuge in Protestant Dissent. Schism is for ever in the air. Disruption a lively possibility. It has always been a ticklish business belonging to the Church of England, unless you can muster up enough courage to be a frank Erastian, and on the rare occasions when you attend your parish church handle the Book of Common Prayer with all the reverence due to a schedule to an Act of Parliament.

Among the many noticeable humours of the present situation is the tone adopted by an average Churchman like Canon Overton to the Non-Jurors. When the late Mr. Lathbury published his admirable History of the Non-Jurors,(A) he had to prepare himself for a very different public of Churchmen and Churchwomen than will turn over Canon Overton's agreeable pages.(B) In 1845 the average Churchman, after he had conquered the serious initial difficulty of comprehending the Non-Juror's position, was only too apt to consider him a fool for his pains. 'It has been the custom,' wrote Mr. Lathbury, 'to speak of the Non-Jurors as a set of unreasonable men, and should I succeed in any measure in correcting those erroneous impressions, I shall feel that my labour has not been in vain.' But in 1902, as Canon Overton is ready enough to perceive, 'their position is a little better understood.' The well-nigh 'fools' are all but 'confessors.'


The early history of the Non-Jurors is as fascinating and as fruitful as their later history is dull, melancholy, and disappointing.

Nobody will deny that the Bishops, clergy, and laity of the Church of England who refused to take the oaths to William and Mary and George I., when tendered to them, were amply justified in the Court of Conscience. They were ridiculed by the politicians of the day for their supersensitiveness; but what were they to do? If they took the oaths, they apostasized from the faith they had once professed.
Before the Revolution it was the faith of all High Churchmen--part of the *deposition* they had to guard--that the doctrine of non-resistance and passive obedience was Gospel truth, primitive doctrine, and a chief 'characteristic' of the Anglican Church.

The saintly John Kettlewell, in his tractate, *Christianity: a Doctrine of the Cross, or Passive Obedience under any Pretended Invasion of Legal Rights and Liberties* (1696), makes this perfectly plain; and when Ken came to compose his famous will, wherein he declared that he died in the Communion of the Church of England, 'as it adheres to the doctrine of the Cross,' the good Bishop did not mean what many a pious soul in later days has been edified by thinking he did mean, the doctrine of the Atonement, but that of passive obedience, which was the Non-Juror's cross.

It is sad to think a doctrine dear to so many saintly men, maintained with an erudition so vast and exemplified by sacrifices so great, should have disappeared in the vortex of present-day conflict. It may some day reappear in Convocation. Kettlewell, who was a precise writer and accurate thinker, defined sovereignty as supremacy. 'Kings,' he said, 'can be no longer sovereigns, but subjects, if they have any superiors'; and he points out with much acumen that the best security under a sovereign 'which sovereignty allows' is that the Kings and Ministers are accountable and liable for breach of law as well as others. Kettlewell, had he lived long enough, might have come to transfer his idea of sovereignty to Kings, Lords, and Commons speaking through an Act of Parliament, and if so, he would have urged *active obedience* to its enactments, when not contrary to conscience, and *passive obedience* if they were so contrary. Therefore, were he alive to-day, and did he think it contrary to conscience (as he easily might) to pay a school-rate for an 'undenominational' school, he would not draw a cheque for the amount, but neither would he punch the bailiff's head who came to seize his furniture. Kettlewell's treatise is well worth reading. Its last paragraph is most spirited.

There could be no doubt about it. The High Church party were bound hand and foot to the doctrine of the Cross--*i.e.*, passive obedience to the Lord's Anointed. Whoever else might actively resist or forsake the King, they could not without apostasy. But the Revolution of 1688 was not content to pierce the High Churchmen through one hand. Not only did the Revolution require the Church to forswear its King, but also to see its spiritual fathers deprived and intruders set in their places without even the semblance of any spiritual authority. If it was hard to have James II. a fugitive in foreign lands and Dutch William in Whitehall, it was perhaps even harder to see Sancroft expelled from Lambeth, and the Erastian and latitudinarian Tillotson, who was prepared to sacrifice even episcopacy for peace, usurping the title of Archbishop of Canterbury. After all, no man, not even a Churchman, can serve two masters. The loyalty of a High Churchman to the throne is always subject to his loyalty to the Church, and at the Revolution he was wounded in both houses.

When Queen Elizabeth ascended the throne, and established what was then unblushingly called 'the new religion,' the whole Anglican Hierarchy, with the paltry exception of the Bishop of Llandaff, refused the oaths of supremacy, and were superseded. In a little more than 100 years the Protestant Bench was bombarded with a heart-searching oath--this time of allegiance. Opinion was divided; the point was not so clear as in 1559. The Archbishop of York and his brethren of London, Lincoln, Bristol, Winchester, Rochester, Llandaff and St. Asaph, Carlisle and St. David's, swore to bear true allegiance to Their Majesties King William and Queen Mary. The Archbishop of Canterbury and the Bishops of Bath and Wells, Ely, Gloucester, Norwich, Peterborough, Worcester, Chichester, and Chester refused to swear anything of the kind, and were consequently, in pursuance of the terms of an Act of Parliament, and of an Act of Parliament only, deprived of their ecclesiastical preferments. They thus became the first Non-Jurors, and were long, except two who died before actual sentence of exclusion, affectionately known and piously venerated in all High Church homes as 'the Deprived Fathers.'

Who can doubt that they were right, holding the faith they did? Yet Englishmen do not take kindly to martyrdom, and some of the Bishops were strangely puzzled. The excellent Ken, who, like Keble, was an Englishman first and a Catholic afterwards (in other words, no true Catholic at all), when told that James was ready to give Ireland to France, as nearly as possible conformed, so angry was he with the Lord's Anointed; and even the fiery Leslie, one of our most agreeable writers, was always ready to forgive those pious, peaceful souls who thought it no sin, though great sorrow, to comply with the demands of Caesar, but still managed to retain their old Church and King principles. Leslie reserved his wrath for the Tillotsons and the Tenisons and the Burnets, who first, to use his own words, swallowed 'the morsels
of usurpation' and then dressed them up 'with all the gaudy and ridiculous flourishes that an Apostate eloquence can put upon them.'

The early Non-Jurors included among their number a very large proportion of holy, learned, and primitive-minded men. At least 400 of the general body of the clergy refused the oaths and accepted for themselves and those dependent on them lives of poverty and seclusion. They were from the beginning an unpopular body. They were not Puritans, they were not Deists, they were not Presbyterians, they would not go to their parish churches; and yet they vehemently objected to being called Papists. What troublesome people! Five of the deprived fathers, including the Primate, had known what it was, when they defied their Sovereign, to be the idols of the mob; but when they adhered to his fallen cause they were deprived of their sees, and sent packing from their palaces without a single growl of popular discontent. Oblivion was their portion, even as it was of their Roman Catholic predecessors at the time of the Reformation.

The Archbishop of Canterbury, when turned out of Lambeth by a judgment of the Court of King's Bench to make way for Tillotson, retired to his native village in Fressingfield, where he did not attend the parish church, nor would allow any but non-juring clergy to perform Divine service in his presence. Dr. Sancroft (who was a book-lover, and had designed a binding of his own) died on November 24, 1693, and the epitaph, of his own composition, on his tombstone may still be read with profit by time-servers of all degrees and denominations, cleric and lay, in Parliament and out of it. All the deprived Bishops, so Mr. Lathbury assures us, were in very narrow circumstances, and of Turner, of Ely, Mr. Lathbury very properly writes: 'This man who, by adhering to the new Sovereign, and taking the oath, might have ended his day amidst an abundance of earthly blessings, was actually sustained in his declining years by the bounty of those who sympathized with him in his distresses.' Bishop Turner died in 1700.

Despite this distressing and most genuine poverty, the reader of old books will not infrequently come across traces of many happy and well-spent hours during which these poor Non-Jurors managed 'to fleet the time' in their own society, for they were, many of them, men of the most varied tastes and endowed with Christian tempers; whilst their writings exhibit, as no other writings of the period do, the saintliness and devotion which are supposed to be among the 'notes' of the Catholic Church. Two better men than Kettlewell and Dodwell are nowhere to be found, and as for vigorous writing, where is Charles Leslie to be matched?

So long as the deprived fathers continued to live, the schism--for complete schism it was between 'the faithful remnant of the Church of England' and the Established Church--was on firm ground. But what was to happen when the last Bishop died? Dodwell, who, next to Hickes, seems to have dominated the Non-Juring mind, did not wish the schism to continue after the death of the deprived Bishops; for though he admitted that the prayers for the Revolution Sovereigns would be 'unlawful prayers,' to which assent could not properly be given, he still thought that communion with the Church of England was possible. Hickes thought otherwise, and Hickes, it must not be forgotten, though only known to the world and even to Non-Jurors generally, as the deprived Dean of Worcester, was in sober truth and reality Bishop of Thetford, having been consecrated a Suffragan Bishop under that title by the deprived Bishops of Norwich, Peterborough, and Ely, at Southgate, in Middlesex, on February 24, 1693, in the Bishop of Peterborough's lodgings. At the same time the accomplished Thomas Wagstaffe was consecrated Suffragan Bishop of Ipswich, though he continued to earn his living as a physician all the rest of his days.

These were clandestine consecrations, for even so well-tried and whole-hearted a Non-Juror as Thomas Hearne, of Oxford, knew nothing about them, though a great friend of both the new Bishops, until long years had sped. It would be idle at this distance of time, and having regard to the events which have happened since February, 1693, to consider the nice questions how far the Act of Henry VIII. relating to the appointment of suffragans could have any applicability to such consecrations, or what degree of Episcopal authority was thereby conferred, or for how long.

As things turned out, Ken proved the longest liver of the deprived fathers. The good Bishop died at Longleat, one of the few great houses which sheltered Non-Jurors, on March 19, 1711. But before his death he had made cession of his rights to his friend Hooper, who on the violent death of Kidder, the intruding revolution Bishop, had been appointed by Queen Anne, who had wished to reinstate Ken, to Bath and Wells. It was the wish of Ken that the schism should come
to an end on his death.

It did nothing of the kind, though some very leading Non-Jurors, including the learned Dodwell and Nelson, rejoined the main body of the Church, saving all just exceptions to the 'unlawful prayers.'

Bishop Wagstaffe died in 1712, leaving Bishop Hickes alone in his glory, who in 1713, assisted by two Scottish Bishops, consecrated Jeremy Collier, Samuel Hawes, and Nathaniel Spinckes, Bishops of 'the faithful remnant.' Hickes died in 1715, and the following year the great and hugely learned Thomas Brett became a Bishop, as also did Henry Gawdy.

Then, alas! arose a schism which rent the faithful remnant in twain. It was about a great subject, the Communion Service. Collier and Brett were in favour of altering the Book of Common Prayer so as to restore it to the First Book of King Edward VI., which provided for (1) The mixed chalice; (2) prayers for the faithful departed; (3) prayer for the descent of the Holy Ghost on the consecrated elements; (4) the Oblatory Prayer, offering the elements to the Father as symbols of His Son's body and blood. This side of the controversy became known as 'The Usagers,' whilst those Non-Jurors, headed by Bishop Spinckes, who held by King Charles's Prayer-Book, were called 'the Non-Usagers.' The discussion lasted long, and was distinguished by immense learning and acumen.

The Usagers may be said to have carried the day, for after the controversy had lasted fourteen years, in 1731 Timothy Mawman was consecrated a Bishop by three Bishops, two of whom were 'Usagers' and one a 'Non-Usager.' But in the meantime what had become of the congregations committed to their charge? Never large, they had dwindled almost entirely away.

The last regular Bishop was Robert Gordon, who was consecrated in 1741 by Brett, Smith, and Mawman. Gordon, who was an out-and-out Jacobite, died in 1779.

I have not even mentioned the name of perhaps the greatest of the Non-Jurors, William Law, nor that of Carte, an historian, the fruits of whose labour may still be seen in other men's orchards.

The whole story, were it properly told, would prove how hard it is in a country like England, where nobody really cares about such things, to run a schism. But who knows what may happen to-morrow?

(The end)

Augustine Birrell's essay: Non-Jurors

By Augustine Birrell