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A LETTER

TO

THE RIGHT REV. WILLIAM SKINNER, D.D.,
BISHOP OF ABERDEEN, AND PRIMUS,

ON THE

FUNCTIONS OF LAYMEN IN THE CHURCH.

BY THE RIGHT HON. W. E. GLADSTONE,
M.P. FOR THE UNIVERSITY OF OXFORD.

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ADVERTISEMENT.

The Letter to the Bishop of Aberdeen is published in conformity with the wish expressed, as will be seen below, by the Bishop himself.

Aberdeen, 9th Jan. 1852.

DEAR MR. GLADSTONE,

The Letter which you have addressed to me officially, and to my Episcopal Brethren, has been perused in manuscript by my brother Bishop of Moray, &c., Clerk to the Episcopal Synod, and myself.

The important subject of the introduction of the Lay Element into our Synods has been already brought under notice of our Bishops more than once, as well as of some of our Diocesan Synods, and earnestly recommended to the most serious consideration of their several members.

We solicit the publication of your Letter, without in so doing necessarily concurring perhaps in all its views and reasonings, but from a wish that the subject itself should be ventilated and discussed, so as to enable us the better to judge what course we ought to pursue, under the Divine guidance, towards the safe carrying out of a measure of such vital interest to the Church.

I remain, with most sincere esteem,

Faithfully yours,

W. SKINNER, D.D., Bp. and Primus.

Right Hon. W. E. Gladstone.

A L E T T E R,

§c. §c.

RIGHT REVEREND AND DEAR SIR,

WHILE the times in which we live add greatly to the cares and responsibilities of the Fathers of the Church, most of all if they are set and determined, as their office requires, upon facing unbelief in its insidious beginnings, and upon a jealous watch and ward for the precious deposit committed to their charge, they seem herewith to present this peculiar feature, that, as in civil, so in spiritual matters, they tend to devolve upon the governed a portion of the work of government. It is that tendency, when working without method or control, that makes the period revolutionary; but which, when kept within due bounds, and trained to act according to stable and well-adjusted laws, seems capable of being so used as to give increased vigour to legitimate authority, along with increased scope to reasonable freedom. On this account, and from the experimental evidence afforded by the recent history of several states, it would seem that what is called a constitutional system, though not always easy to realise, is, when it can be attained, for the present period of human destinies, the great Providential instrument for effective resistance to anarchical designs.

But the Church may, it is probable, have a double danger to encounter. In common with States, she has to fear the consequences, which may be wrought upon her established order by an unregulated appetite among her own members for the exercise of power. But she has in some countries a further danger to apprehend, from the side of the State itself: the exercise, namely, of State influence and of State power, not only by way of due check and control over her movements, but by way of assuming (whether professedly or not is not now the question, and, if it is to be at all, it were far better that it should be

professedly) the privilege or function of ultimately deciding both her doctrine and her discipline.

I do not indeed say that this is a fact already palpable to all. On the contrary, many are still blind to it: so blind, that they recklessly precipitate the danger: so blind, that we have only to wish their day of vision may not come too late. But I speak of it as a fact plain enough to those who watch for the signs of the times, and who, in the moral hemisphere, can portend foul weather when "the sky is red and lowering."

Now, this assumption may make its advances in more ways than one. It may be under direct legislative provisions. It may be through the exercise of patronage and what is termed the power of the purse. It may be, and that almost *ex necessitate rei*, through the administration of the judicial office. The first of these modes must be mainly applicable to an Established religion, and has no application worth naming to that Episcopal Communion over which you, Right Reverend Sir, and your Brethren, preside with the universal reverence of its members. Neither is the second felt, if it be understood with regard to secular influence from the State, as contradistinguished from other secular influences. But from the third you neither are nor can you be exempt. The mere establishment by law of religious freedom, it should be well recollected by all, but especially by the members of unestablished communities, cannot of itself secure their liberty of conscience from practical invasion and curtailment by the judicial power. As bodies, they must have rules. As bodies of human beings, they must occasionally have refractory or dissentient members, perhaps dishonestly seeking to evade the operation of those rules, perhaps honestly but erroneously, nay, perhaps in given cases, both honestly and correctly, desirous to fix upon them a construction different from that attached to them by the general sense of the religious community to which they belong. And lastly, as bodies regularly organised, they must usually have paid officers, and very commonly also purchaseable privileges; so that the sheer laws of their existence necessarily carry us to a point where spiritual rights come to intermix with temporal. When, therefore, any minority or any individuals go into a court and raise there a question relating to these paid offices or endowments, or these purchaseable privileges, they raise a question

of temporal and civil rights, which does not cease to be such because some other question of spiritual rights runs upon a parallel line with it ; and I apprehend it will be found very difficult so to frame the contracts (for such are our canons, and the rules of other unestablished bodies) between the members of a religious society, as to exonerate the courts from the duty of entertaining, indirectly indeed, but in supposable cases most substantially, questions upon the vital construction of our ecclesiastical laws ; not perhaps with the same frequency, or the same directness, or the same breadth of scope, as in the case of an Established Church ; but yet sufficiently to remind us that, if we wish to be wholly free from meddling, we must not rely implicitly on any written document, but must have arms in our hands for self-defence.

The very last imputation I should think of casting on the time-honoured courts of this country would be that of a *desire* to trespass upon the sphere of religious liberty. It is their conscientiousness, not their want of conscience, which has led, and may again lead, them into it. In the celebrated case of Lady Hewley's charity, Sir Lancelot Shadwell, the late highly respected Vice-Chancellor of England, delivered from the bench something very like a dogmatic treatise, and concluded with a judgment that alienated dissenting endowments from purposes to which they had theretofore been applied, upon grounds avowedly dogmatic. Now, though, as I have said, there may be no undue disposition to enter the sphere of religion and of the rights of conscience, and though, when a judge has entered it, there will be no conscious deviation from strict equity, yet I for one frankly own that I view the temporal judge, when he has once got there, with the greatest jealousy ; partly because he has to try a subject matter with which he is not competently acquainted, while his lack of competence is not supplied by fixed rules of reference to experts, as it sometimes is when non-legal issues are indirectly raised ; partly because in countries where, as in Scotland, there is an established religion, whose laws have a thousand points of contact with those of the State, a habit of mind may very naturally, nay, must ordinarily, be formed more or less in judges, which may lead them, unconsciously to themselves, to make the ideas belonging to the State religion the measure and standard for

the corresponding subjects in other systems, and to claim more than properly belongs to them, upon occasions when they have to deal with the interpretation of the canons or rules of an unestablished community.

Ecclesiastical discipline, together with theology, representing organized and historic systems, are full of technical terms, which are to be learned only like the technical terms of other sciences or arts; and lawyers have no greater inborn or spontaneous knowledge of these terms than they have of the differential calculus. Neither have they, in virtue of their being lawyers, the theological habit of mind, without which these technical terms are in many cases ill to be apprehended. We may frequently observe that, when they get into people's mouths, they are, because misunderstood, only instruments of delusion to those who use and those who hear them. For example, many men, and even occasionally a judge or two, will talk about an *opus operatum*, meaning thereby a perfunctory or ceremonial act—a sense, I need not say, wholly different from the true one. In short, Right Reverend Sir, to lay aside circumlocution, and utter outright the word which solicits me, there is great fear lest judges, dragged *pro re natâ* into theology, should, and of course to the detriment of somebody or other, talk nonsense.

Now, this danger is not of the fatal kind to us, of which it would be, if any such judgment of the civil courts involved an obligation upon conscience beyond the limit of the temporalities concerned. Up to that limit of course they do, even for a voluntary society, involve such an obligation; but when they pass beyond it, they are waste paper. Yet still this is a danger that might lead to very formidable evils—a danger (which is my present point) that ought to be guarded against. Perhaps we are not justified in excluding wholly from our view the further fact, that more direct interference with your religious freedom, which is also ours, may not be wholly out of the question; inasmuch as, during the present year, your Reverences have rather narrowly escaped the proscription by statute of your regular, and your only regular, ecclesiastical designations. True, this was owing to singular and unexampled causes; but yet, what has happened may, as a general rule, happen again.

Mere law, then, as I have said, is not of itself a sufficient guarantee for religious freedom. But God forbid I should underrate its importance. The time has been when, as I think, it was the duty of a good citizen to look with utter aversion on whatever seemed to impair strictness of religious character and profession in the State. With that religious character, consistently and rigidly maintained, it is hard, as we must admit, to reconcile full liberty of conscience; but in maintaining it, for the times of which I speak, the greater good was preserved, and the lesser sacrificed. It is not so now. It is now so utter an impossibility to uphold a consistent religious profession in the State, that we must be satisfied with an inconsistent one, and thankful if it do not shock the common reason and sense of justice planted in mankind, by affecting a bastard and deceptive consistency. I am jealous of all attempts at consistency in this matter, most of all because I am convinced that they would and must result in the greatest of civil calamities—the mutilation, under the seal of civil authority, of the Christian religion itself. The garment will not fit the wearer; and if it is to be put on, as his figure cannot change to suit it, it therefore must change to suit him; must stretch here, and draggle there, and tear everywhere. If such would be the necessary result of aiming at consistency, we may well be content to forego the effort for attaining it. But then this inconsistency of profession, being radical and systematic, palpably and greatly alters the qualifications and authority of the State in respect to religion, and reduces it more and more to the character, although *circa sacra*, of a temporal agency and influence. The wave of Christianity may indeed be receding from the summits of society, which it took centuries to reach. We have now had before us for many years the undeniable and singular fact that, while the tone and amount of personal religion have been rising in general society, the religious character of the State, as such, has progressively declined. But the provision made by the Almighty for the everlasting maintenance of His truth can never fail, if and where His Church is true to herself. What, then, we (I mean the members of all independent religious bodies, in which capacity only, and as one connected with Scotland, I now write) have to desire, is, generally to be let

alone, and specially not to be put upon the bed of Procrustes, a mode of accommodation by no means out of favour in some quarters.

The duties of Christian and citizen now, as ever, coincide. The religious peace, which the latter must desire, can only be had by the maintenance of the religious freedom, which nothing should induce the former to compromise. I do not indeed think that our religious freedom in Scotland is impaired by a cordial and thorough observance of the legal rights and privileges of the Church Establishment. I say frankly, I view those privileges as constituting no infringement whatever of what is essential in religious freedom. That cordial observance I trust we are all prepared to pay. But, on the other hand, I am sure the clergy and members of the Establishment generally are too wise to follow the ridiculous example set by a handful among them, who last year petitioned Parliament to proscribe the appellations belonging to our Diocesan Episcopacy. Against all such encroachments I for one will steadily set my face, and will labour to the uttermost, whether it be ostensibly on our own behalf or on behalf of others, whether for the sake of common justice, or of religious peace, or of Divine truth itself, to assert the principle, vital to us all, of a full religious freedom. That principle, I contend, when the State has ceased to bear a definite and full religious character, it is no less our interest than our duty to maintain. Away with the servile doctrine, that religion cannot live but by the aid of Parliaments. That aid is a greater or a lesser good, according to circumstances; but conditions are also supposable, under which it would be a great evil. The security of religion lies first in the Providence of God and the promise of Christ: next in the religious character, and strong sentiment of personal duty and responsibility, so deeply graven on this country and its people. But if that character and sentiment be the mainstay of our reliance here on earth, our first duty must be to see that full scope is given to it; that the development of conscientious convictions, in whatever quarter, is not artificially impeded by legislative meddling; that however wary and patient we may be as to any question of moving forwards, above all we be careful not to move backwards, nor for one moment acquiesce in

any kind of tampering with the existing liberty of conscience in the persons either of ourselves or of others.

But if, as I have thus far striven to show, the simple assertion of this freedom by law, positively or negatively, be not of itself, especially in a country having a national establishment of religion, enough for the reasonable security of conscience, the question arises, by what further and other means can it be defended? I answer, by the creation of a vigorous and watchful public opinion, both in the different religious communions and among the people at large, in its favour.

Now this public opinion, so far as it is extrinsic to the religious bodies themselves, will thrive in proportion as it shall be seen, by the community at large, that the energies of these bodies are effectively exerted for the promotion of social peace, order, and morality. The next inquiry, then, must obviously be, how are they to make themselves conducive to these purposes in the highest attainable degree? My answer is, by the full and free development of their energies from within: that full and free development, which can only be realised through a regular constitutional organization.

Nor let it be apprehended that this organization, and this increase of spiritual vitality and strength, will be regarded with jealousy even by the most ardent among the rational and consistent lovers of civil freedom. This good, at least, our religious divisions have brought to us, along with their many evils, that, where they prevail so extensively as among us, no fears need be entertained of the effective or general use of ecclesiastical influences in a manner hostile to public liberty. I say public liberty, because that private and inward freedom which depends upon the will, no laws can uphold where the will itself fails or flags in its office; and law ought not to aim at defending individuals against the faulty working of systems not under the cognizance of law, but which they have themselves chosen and contrived, or to which they have voluntarily attached themselves.

The time has been, when the power of the Church was so great and unruly, that it threatened to absorb the co-ordinate and independent power of civil authority. But in order to carry on such a struggle with a prospect of success, the Church must be, if not wholly, yet nearly co-extensive with the State.

Where the nation is split, as in Scotland, into so very great a variety of religious communions, with no one of them absolutely preponderating in numbers and influence, we have, I should say, much more than the needful assurances, that no such danger can recur, unless, indeed, by encroachments on religious freedom in general, the State should compel all sects and churches that value their respective liberties, to unite against a common danger. Plenary religious freedom, on the other hand, brings out into full vigour, and also into fair and impartial rivalry, the internal energies of each communion, so that they stand simply upon their merits before the world: and should any one of them attempt to trespass on the civil power, all the rest will combine with that power against it. And while freedom of conscience, impartially granted to a variety of communions, is thus the best security against collisions between civil and spiritual authority, it likewise directly serves the social purposes for which States exist; because these diverse, and to a considerable extent competing, bodies do in many ways, through the Divine mercy constraining evil to be the minister of good, provoke one another to love and to good works, and are, generally speaking, effective, in something near the ratio of the free development of their energies, towards the maintenance of order and of external or public morality.

In proof of the soundness of this reasoning, I would appeal to the United States of America. There surely, of all countries in the Christian world, the peril of encroachment by ecclesiastical on civil authority is the least; and there, also, religious freedom is the most full and unrestrained, and the most universally and dearly valued, both by those who deem it an indispensable safeguard to the revelation of the Gospel, and by those who witness the effect which, at least for a country where it has started with a clear and open field, it produces, in keeping the peace between Church and State, and in applying the energies of all communions in the manner most favourable to the elementary purposes of civil society. I quote this case only to show, that full religious freedom, while it is the object to which, of all in the political hemisphere, an unestablished body of Christians must naturally look with the most profound interest, is likewise highly beneficial to public order and morality, and need entail no danger whatever to political har-

mouy and the well-being of the State. Let a minister adopt this for the principle of his ecclesiastical police ; to deal liberally with religious communities, and give them all fair play ; and to let them stand sentry upon one another. The laws will be all the more respected, the peace all the better kept.

We have reached, then, this point in the argument, that, in a country like Scotland, where religious influence and profession are so much divided, a thorough and regular organization for ecclesiastical purposes, being among the legitimate means of raising to its maximum the proper activity of the several religious communions, will likewise be a means of enlisting public opinion, so far as it is extrinsic to religious bodies, in favour of their freedom.

But the remaining part, and a very important one, of the public opinion of the country, is that which may be called the public opinion of religious bodies themselves : the opinion of those who are either primarily, or at least definitely and deeply interested in their welfare, and who act with a direct and systematic view to it. Now this portion of public opinion is already in favour of religious freedom in a very great and an evidently growing degree ; and this among all bodies of Scottish religionists, although with various distinctions of amount and kind. But I may observe that in one point we all are pretty much agreed ; we are all, without any exception whatever, in favour of religious freedom for ourselves. Even those, who would seat the civil power upon the altar of God, are so minded because there is nothing in their views of doctrine or of discipline, with which they think the State is likely to interfere. But when I speak of a lover of religious freedom, I mean one who, desiring the full enjoyment of it for his own communion, is not willing only, but anxious, as he prizes the sacred principle of justice, to accord to all other religious bodies precisely the same measure, and to guard all alike against secular interference in their concerns, so long as they do not trespass upon the sphere of secular affairs. In this sense of religious freedom, it is certainly a principle still but imperfectly apprehended ; a principle more imperfectly apprehended, more darkened by selfishness and sophistry now, than it was fifteen months ago. But its future progress is absolutely certain. For as every class is now with increasing boldness asking the boon on its own

behalf, only a little time and experience are requisite to show to each that in religion, just as in matters of civil interest, what he wants to get or keep himself, he must be ready to confer or defend, on the same terms, for others. As with property, so with religious freedom : the rights of each man are the rights of his neighbour ; he that defends one is the defender of all ; and he that trespasses on one assails all. And in these matters the mass of the community will judge fairly, when once the facts are fairly before them, however they may require time to clear their view of the case, or however they may occasionally tread awry. Given, I say, these two conditions : first, the principle of civil equality before the law, and secondly, the general desire in each man for his own religious freedom ; and then the ultimate recognition of such freedom for all is as secure, as the maintenance of such equality. But what I further humbly propound is, that while the progress of the desire for religious freedom within our religious communities is a certainty, those will most fully profit by its advantages who shall have learned its lessons earliest ; and those best neutralize its hazards, who shall have accepted it with cordiality and grace. My earnest desire then is, that we should be early learners in that school. It is on that subject, and with that view, that I now lay my thoughts before your Reverence.

But assuredly the true mode of learning freedom is by its practice. Not by a transition from one violent extreme to another, but by the careful use and the steady extension of such machinery and means as we possess, in the direction of the purposes we have in view.

What I have hitherto said has been upon grounds and in language common I think to the members of all religious communities indiscriminately, other than those established by law. I come now to speak as a member of a particular religious body, and in the phraseology which belongs to it.

I venture to represent to your Reverence, and to your right Reverend and highly esteemed Brethren of the Episcopal College, that the means of extension and progress in this matter are possessed in a high degree by the Episcopal communion of Scotland. It is not practically galled, at least within Scotland, by the smallest legislative restraint. It is in no way mixed up with political party. It lives upon terms of perfect good will

with its numerous and variegated neighbours. It has a ruling body strong in the respect and attachment of its members, strong in historical descent, strong in the remembrance of a long period of depression and proscription not ignobly borne, strong (I waive descanting on personal qualities) above all in the conviction of the society that those, who bear rule within its pale, bear rule according to the Word of Christ and the tradition of the Apostles. It has the profession, and some at least of the practice, of Church discipline. It honestly professes, and to a great degree realizes and enjoys, unity of belief on all the Articles of the Christian Faith. It is in a state of steady expansion, and where it strikes its roots, appears to strike them deeply and securely. It has escaped the painful and scandalous differences and controversies upon matters of belief, which have so sorely torn the Church of England; which have been attended (wherever the blame may lie) with the loss of many able and learned, and, what is more, of many most zealous and devout men from among her clergy and her members; and which, under the handling they have received within these last four or five years, have become progressively more menacing and angry. These controversies, I say, it has escaped; and the small portion of discord or dispute, that has found its way here, would seem to have been imported from beyond the border. Discussions without doubt we have had among those of our own body, but commonly upon matters of minor moment; or if upon matters of moment, yet the dispute has involved their form and order, rather than their essence. Of course I do not apply the name of a dispute to the exercise of legitimate authority, which has severed the link of communion between our Church and some few gentlemen who were once her ministers, but found themselves unable to acquiesce in her laws. But there yet remains to be noticed the advantage most relevant of all to the present purpose. We have already a system of Church government in action, and the only question can be, whether we should have an extension of its basis, effected through the free choice, and the spontaneous boon, of those in whom it now resides. It is not required to create, but only to enlarge, and the field, in which the enlargement is to be made, is a clear and open field.

· Miserable indeed would be the prospect of the coming

times, if we believed that authority and freedom were simply conflicting and contradictory elements in the constitution of a community, so that whatever is given to the one must be deducted from the other. But no Briton, who has devoted any portion of his thoughts to the history of his country, or the character of its inhabitants, can for a moment be ensnared into that, for him, false and degrading belief. It has been providentially allotted to this favoured isle that it should show to all the world, how freedom and authority, in their due and wise developments, not only may co-exist in the same body, but may, instead of impairing, sustain and strengthen one another. Among Britons, it is the extent and security of freedom which renders it safe to entrust large powers to Government, and it is the very largeness of those powers and the vigour of their exercise, which constitute, to each individual of the community, the great practical safeguard of his liberties in return. The free expression of opinion, as our experience has taught us, is the safety-valve of passion. That noise, when the steam escapes, alarms the timid; but it is the sign that we are safe. The concession of reasonable privilege anticipates the growth of furious appetite. Regularity, combination, and order, especially when joined with publicity, have of themselves a marvellous virtue; they tend to subordinate the individual to the mass, they enlarge by healthy exercise the better and nobler parts of our nature, and depress the poorer and meaner; they make man more a creature of habits, and less of mere impulse; they weaken the relative influence of the present, by strengthening his hold upon the future and the past, and their hold upon him. By gathering, too, into organised forms the various influences that bear sway in a mixed community, and leaving them to work within prescribed channels, those which are good acquire the multiplied strength of union, while the bad neutralise one another by reciprocal elimination. It is a great and noble secret, that of constitutional freedom, which has given to us the largest liberties, with the steadiest throne, and the most vigorous executive, in Christendom. I confess to my strong faith in the virtue of this principle. I have lived now for many years in the midst of the hottest and noisiest of its workshops, and have seen that amidst the clatter and the din a ceaseless labour is going on; stubborn matter is reduced to obedience, and the brute powers of society, like the fire, air, water,

and mineral of nature, are with clamour indeed, but also with might, educated and shaped into the most refined and regular forms of usefulness for man. I am deeply convinced, that among us all systems, whether religious or political, which rest on a principle of absolutism, must of necessity be, not indeed tyrannical, but feeble and ineffective systems; and that methodically to enlist the members of a community, with due regard to their several capacities, in the performance of its public duties, is the way to make that community powerful and healthful, to give a firm seat to its rulers, and to engender a warm and intelligent devotion in those beneath their sway.

Can it be thought that this, being true of civil, is false in regard to ecclesiastical affairs? To my mind there could be no more monstrous paradox, than such a proposition would involve. It seems to suppose that the office of Christianity is not to regulate, but to derange and overset the structure, and to reverse the processes, of human nature, or to place its powers in abeyance. There are, indeed, systems of theology, which might prepare us for eliminating in one way or another from that nature the fundamental element of its freedom; but they are systems which on that account you, Right Reverend Father, would regard as dangerous, or even as heretical. Now what I cannot well conceive is this: how it can be maintained, not only that man is metaphysically free, but likewise that each person ought in his spiritual concerns to hold the reins over his own being and conduct, and yet denied that the lay community of the Church ought to have defined and recognised functions in relation to her government. The habits of freedom and self-direction, formed in the sphere of the personal life, will not well brook total and systematic exclusion from the exercise of public influence in the Church: and the result of such an arrangement has too often been, as, indeed, were it not for the all-powerful corrective influence of our religion it would ever be, either unappeasable turbulence, or immovable supineness and indifference.

The prevailing policy of the Church of Rome is more consistent. That policy is indeed proverbially most jealous of admitting laymen to any share in ecclesiastical functions; but then it begins at the beginning, and takes away from the individual (if he will suffer this to be done) the decision in the last

resort upon his own moral conduct, not only by rendering his access to the Holy Sacraments dependent under all circumstances on the will of the priest, but by the modern and very remarkable and ominous development of her discipline, in the form of what is called Direction.

But I understand the Reformation, such as you receive it, to have re-established a most important ethical and social principle, in throwing upon each individual Christian the weighty responsibility of being, except in the case of open and palpable offences of whatever kind, his own spiritual director, and himself the sole judge of his own need for help in that kind. Now I do not believe that those who, in the sixteenth and seventeenth centuries, gave statutory form to the religious changes in England, intended or did anything so absurd, as to emancipate the lay community of the Church in respect to their personal action, and then utterly to exclude them, as a lay community, from any regular share in the management of Church affairs, any liberty of assenting to, or dissenting from, the laws ecclesiastical by which they were to be governed. No course could have tended so powerfully as one of this kind to the ultimate disorganization of the body. But the sanction of Parliament to the laws ecclesiastical was, both historically and constitutionally, the assent of the laity to those laws. I speak here of England rather than of Scotland, where the relations of Church and State remained, from the middle of the sixteenth century down even to the last years of Anne and the Act of Patronages, in almost constant vicissitude, convulsion, and confusion.

If, therefore, I venture to open the question, whether the lay element might not, at an early date, receive with great advantage, under the hands of the Right Reverend College of Bishops, a regular organization, I beg to point out that this is a principle not only recommended by abstract argument, but deeply embedded in the Reformation, according to its actual and historical development in English history. I cannot here do better than invoke the authority of Hooker; more especially, because his theories upon these questions of polity were manifestly formed in great part from, and therefore very much reflect the sense and meaning of, our history. "Were it so that the clergy alone might give laws unto all the rest, foras-

much as every estate doth desire to enlarge the bounds of their own liberties, is it not easy to see how injurious this might prove to men of other conditions? Peace and justice are maintained by preserving unto every order their right, and by keeping all estates as it were in an even balance."* It is sufficient for my purpose to quote this authority in general terms, without going back to early precedent either in the Acts of the Apostles or in the ordinary law or usages of the Church. The facts, however, of our own Anglo-Saxon history alone amply suffice to show that the principle for which I would plead is no new-fangled invention, but one well known to a period to which Englishmen are justly and wisely fond of carrying back the origin of their system of jurisprudence.

Nor can we put aside, as superannuated, the precedents of the Reformation. Antiquated, indeed, they are in one sense, namely, as to the particular form in which the principle was applied. That form depended on the close alliance, coming near amalgamation, of the Church and the State in England; but the vitality of the principle itself has received recent—nay, is receiving almost daily—testimony. The Episcopal Church in the United States has given a distinct place and vote to the lay order in its Ecclesiastical Assemblies. No doubt that Church is far from presenting to us anything like a perfect system; but the whole weight of testimony from the most competent and dispassionate authorities, quite irrespective of particular leanings of opinion, is in favour of this lay representation, as being not the cause but the corrective of passion and disorder, as adding greatly to what may be called the ballast of the Church, while it is likewise found to be an incalculable and an indispensable source of expansive strength.

Such, then, being the case of America, the Church in our own colonies has, by a simultaneous movement at opposite extremities of the world, borne signal testimony to the same principle and need. In Canada, the Legislative Council of a Colony with nearly two millions of inhabitants, as well as a Synod or Assembly of five Bishops of British North America; and in Australasia a similar Synod of six Bishops, backed, I believe, in both instances, by the very general assent of laity and

* Hooker, *Ecl. Pol.*, b. viii.: Of the Authority of making Laws.

clergy, have declared in favour of an organized Church government, on the footing of voluntary contract, and with some form of lay representation. The very last arrivals from the Cape of Good Hope have brought a similar declaration from the indefatigable Bishop of that Colony.

If such be our case in regard, first, to facilities and inducements, and secondly, to historical authority and precedent; on the other hand, there are circumstances in our condition, which seem evidently to point out a need for doing whatever can be done to strengthen and improve our ecclesiastical organization. Our laws are too weak on all sides, and our discipline but defective. The laity, having no regular and constitutional means of exercising an influence on the policy of the Church, even by the expression of opinion, too often hang loosely in their relation to it, and sometimes are led, from want of defined and legitimate privilege, to the use of means essentially anarchical as well as uneclesiastical, such as the local and irresponsible exercise of the power of the purse.

Although we are in the happy condition of having only to build upon foundations already laid, yet the need of building, I must confess, seems to me to be as urgent as it well can be. Not but that, if the Rulers of this Church were content to close their eyes upon the broad field opening around them, and to confine themselves to meeting inevitable calls, and discharging the duties of routine within the present narrow limits of their communion, it might be in their power to pursue such a course. But it is easy to predict that, claiming to occupy the ancient Sees of Scotland, and to represent her sainted Missionaries and her earliest Episcopate, they will feel that such a claim is one of responsibility even more than of dignity; and their efforts to meet that responsibility will, without doubt, be bounded only by the means and opportunities, which Providence is manifestly and rapidly enlarging.

If, Right Reverend Sir, there be any of our members who doubt whether our ecclesiastical polity have enough of intrinsic vigour to bear the strain and pressure, with more or less of which all effective government is carried on, I trust they will ask themselves whether their faith in the power of truth, and in the soundness and impregnability of their own position, is altogether what it ought to be. For my own part.

LAYMEN IN THE CHURCH.

I feel that the multitude of extraordinary lessons which the Church history of England during these last years has conveyed, ought not to remain unimproved ; and that unimproved they would remain, if they should leave behind them, either here or there, any of that bias which existed in many quarters antecedently to them, in favour of trusting to the force of inertia, to the chapter of accidents, to the assistance of the civil power, to the influence of property, to anything, in short, and everything, except the full, free, and fearless reliance on the Divine Mission and Doctrine of the Church, and the unhesitating resolution to stake and spend all upon that issue.

Still, a strain like this is not the sedative which I for one would recommend to mitigate the alarms of the timid and reluctant. To them I would presume to say, as the spirit of wisdom will not permit the wilful acceleration of a crisis, so, when the crisis has arrived, futile efforts at procrastination can only purchase a miserable momentary respite at an unbounded cost, and the path of safety lies only through a tempered and calculating boldness. Let us travel back once more to the case of the United States. Every danger, which could attend the attempt to organize the Church on an extended basis, was far more menacing there than it is here. Every safeguard, to which we might look for encountering such dangers, is far stronger here than it was there. Let us for a moment consider the deplorable condition of the Episcopalian body in America, at the time when the Union commenced its wonderful career. For generations they had laboured under the disabilities of legal and political establishment, while they had sensibly shared in none of its advantages. Their system was at once inflexible and feeble ; and the want of Bishops was not a want only, it was the absolute and total inversion of the structure of their polity, and it cut them off, in no small degree, not only from the guarantees of order and discipline, but from the sources of spiritual vitality. Weak in numbers, they were weaker in spirits ; and, though their outward extension had been so much curtailed, they were a mass as loose and promiscuous as the fullest legal establishment and the swelling titles of nationality could have made them, while within their narrow limits there was found room enough for the spirit of

dissension, sure to enter where the spirit of order and the tempering hand of law do not bear sway. Lastly, their political opinions, running parallel to their religion, had set their sympathies on the side of the Power which for years had been locked in a sanguinary struggle with their country, now exulting in the proud consciousness of youth and triumph, and still warm with the recollection of her wrongs, so that to be a Churchman was of itself almost to be half a traitor. Thus the American Episcopalians had, besides every imaginable external obstacle to surmount, every imaginable source of weakness within; except, indeed, their one great but then disused and secret source of strength, in the radical soundness of their cause, and the promises of Christ on its behalf. What was their course? They obtained, at length (though not without much difficulty, and through the kind intervention at the outset, be it remarked, of our Scottish Bishops), their own Episcopate, and they established a regular government for their Church, in which all orders took their several shares. When they began, it is not too much to say of the vast majority among them, clergy as well as laity, they had all their own principles of polity to learn for themselves, and to work out into practical forms for others. If insubordination, if indifference, if ignorance, if the pride of purse, if heat of temper, if worldly minds intruding into the sanctuary, if self-love and egoism in all their shapes are to be apprehended here, which one among all these formidable foes was not, I ask, antecedently to experience, far more formidable there? If with a clergy new to the work of government, with an Episcopate just struggling into existence, with a ritual and creed of necessity unfixed, this free and extended scheme of ecclesiastical government, by a mixed synod or convention, was the means at once of checking dissension and disorder, and of developing life and vigour in America, have we not less ground to dread the inconveniences, and more title to anticipate the benefits in Scotland, where our Synodical Government by the Clergy is already organized and at work, where the Episcopate, strong in historical and personal as well as in spiritual claims, enjoys the unanimous veneration of our communion, where the standards of our ritual and creed are fixed and no question raised about them, and where we

have nothing in the main to desire, but better, stronger, more efficient modes of practical administration and development "for the perfecting of the saints, for the work of the ministry, for the edifying of the body of Christ?"*

I shall now endeavour to sketch, with a light and sparing hand, and without any reference, direct or indirect, to any personal matter or particular case, some of the practical defects to be removed, or advantages to be gained (though the terms are of course correlative), by the invigoration of our Church government through the enlargement of its basis. And I shall, as in duty bound, confine myself to matters of polity and external organisation, regarding all questions as from beneath and from without, and with a layman's eye. I only premise, for the satisfaction not of my own conscience alone, but of the consciences of others, that of course the true end and aim of all these measures, unless they be but sounding brass and a tinkling cymbal, is the greater glory of God in the mystical Body of His Son, the gathering up of the souls of men from a troubled and an evil world, and rearing and moulding them into the likeness of that Head with Whom they are vitally incorporated, until the day come for their translation to the place of their rest and peace.

I suppose the low tone of spiritual life to be the source of our prevailing evils. Yet I do not mean, that the tone of personal religion is peculiarly low in our own body as compared with the rest of the community, but that it is sadly low as compared with the standard of doctrine, of duty, of grace and privilege, to which our Church calls us to conform and offers us the means of conforming. This spring of evil betrays itself in many outward shapes and tokens. And indeed I must confess it would seem that, whether individual piety among us will or will not bear comparison with the fruits of other systems, the spirit of corporate religion, the appreciation of Church polity as a channel and an engine of spiritual good, is, among our laity at any rate, or to speak plainly, among those of the more powerful and opulent classes, with exceptions but too easy to count up, lower than in other religious communions around us; especially, perhaps, than in the Free Kirk of Scotland, which I

* Eph. iv. 12.

must say has gained honour far beyond the bounds of this kingdom, or this isle—honour with Christendom at large, for energy and the spirit of self-sacrifice.

I must note, then, among the outward and material signs of this low tone of life, the mean provision generally made among us for the support of our Clergy, and especially our Bishops; for the fabrics and furniture of our Churches; and, lastly, for the instruction of the children of our poor, an object to which it is only within these latest years that any systematic efforts have been directed. I feel a strong conviction that every one of these blots would be removed, and that speedily, from our escutcheon, when a more intelligent and more active spirit of Church-membership should have been matured among us by the serious, regular, and authorised discharge of important functions appertaining to us as the laity of the Church.

But further. In a thoroughly well constituted community, every man, unless it be his own fault, has a clear and vivid, and a tolerably accurate general knowledge of the duties, and of the rights, belonging to his position; whether they be personal only, or whether they be official also. Now this knowledge is an indispensable preliminary, and a powerful help, to willing and prompt compliance with the first, and to confident, orderly, and temperate assertion of the last. I humbly submit it to your Reverence and your Right Reverend Brethren, as the result of my own observation within the Episcopal Communion of Scotland, and of the impressions I have derived from other and better qualified observers, that among us law, method, and constituted order do not afford the aid which they might, and ought to afford to the individual, in any one of our ecclesiastical ranks. towards the knowledge of his duties or of his rights. Not, most certainly, among the laity, whose ill-defined position is our main source of weakness and of danger, the master evil which I fondly long to see mitigated or removed: not, I believe, among the Presbyters, nor even among the Bishops. I do not mean that there is wide-spread ignorance or gross confusion of ideas among us as to the general position and functions of the Holy Ministry, or as to the governing power in the Episcopate: but I do mean that we know of these things on paper rather than in practice; that authority, which is fully admitted in theory, yet, through disuse, becomes strange and repulsive, and

even prompts misgiving and resistance ; that the machinery for applying our principles to executory details is very weak and very imperfect ; and that it cannot be made strong or complete without careful definitions of relative rights and duties, upon which definitions, by means of law or canon, the clergy could not in prudence, and I am quite certain would not, enter, so long as they remain an isolated body in respect to their legislative powers ; but which might very well proceed from the concurrent energies of all the orders of the Church, working according to regular and duly constituted form.

My complaint, then, of our present state, is by no means a complaint that the Bishops or the clergy possess too much power among us ; although in theory they are absolute, because by their sole decisions in General Synod, over which we of the laity have not the smallest recognized control or influence of any description whatsoever, we are nevertheless finally and unconditionally bound. But this excess of central power in the clergy is inconveniently, rudely, and dangerously balanced by the dead weight of indifference and phlegm, and likewise by another excess of power in the laity ; that, too, not in the laity as such, as communicants of the Church, but in those among them, who happen to exceed in the possession of worldly goods and the advantages of social position. The distribution of local power, as between clergyman and vestry, is the irregular, disorderly, and hazardous compensation for the absorption of central power in the clergy at large, as contradistinguished from the laity at large. I do not say, then, that the exclusive prerogative of legislation in the clergy makes them too much our masters ; far from it ; but I say this : it exalts their power at the expense of their influence ; it exalts the shadow at the expense of the substance ; it exalts the name at the expense of the thing ; it increases what they cannot use, and takes from them what they could. It is by influence, and by influence only, that our clergy can be really powerful. By influence individuals of a class will be powerful here and there, under any system, however cross and wry : but a class cannot uniformly present the qualities by which such individuals acquire weight : a class, as a class, can only have influence by virtue of something which belongs to it as a class, by virtue of office, or by virtue of discipline and good organization. Now in order that

our clergy may gain the power which it is desirable for the good of the whole body that they should possess, we seem to require an elasticity of system, and a freedom of play among its several parts, which is in entire contrast with our rather stark and rigid methods. In like manner, I do not say that the power of vestries is always too great—perhaps it may not in all cases and points be great enough; but that it is a bad kind of power. It is a bad kind of power, because it brings the pastor and his flock into contact upon grounds far lower, to say the least, than those which properly belong to the holy and exalted relation between them. It is a bad kind of power, because it virtually determines who shall represent and speak for the flock at large by qualifications which belong to the kingdoms of this world, and not to the Kingdom of God. It is a bad kind of power, because it tends directly to the isolation of our several churches one from another, through the want of a common law, or principle, or collection of precedents, or controlling authority. If difficulty or dispute arises in the vestry itself, or with the clergyman, each local body has to find, I should say rather to burrow, its own way; to construe, and often to make, the law for itself. The Bishop is the centre of unity, and his interference will tend to preserve it: but the limits of his power to interfere are by no means invariably clear: and before he is appealed to, the humours may have grown too acute and angry to be allayed by him. When the law is at hand to aid men in self-guidance, we may fairly expect them to keep their heats within due bounds; but when there is a very great want of determinate rules for the settlement of questions likely to be differently viewed by different members of a congregation, or upon which the clergyman may lean one way and the flock another, there is no centripetal attraction to balance the centrifugal impetus; men having no guide before their eyes but their own will and inclinations, naturally follow them, and, mistaking vehemence of temper in themselves for weight and moment in the subject of the contention, they will rush on, and no wonder amidst such circumstances, aye even to schism, from which, by the existence of definite and intelligible rules, applicable to the management of the question in its beginnings, both they and the Church might have been saved.

So far, then, as relates to the power of the clergy, I say

that for useful purposes, and as a power working through the medium of intelligent consent, it will be increased by the measure I presume to suggest; and while the legitimate sphere of recognized privilege, and of recognized duty along with it, will be enlarged for the laity, any opportunities for the abusive employment of the power of wealth over poverty will be diminished by the extension and consolidation of our representative system.

At the same time, the main object which presents itself to my view and desire is not in any sense that of strengthening one class and weakening another, in this sense or in that—not the shifting of the balance of power as between one portion of the body and another; but it is to have a strong Church instead of a weak one; a Church with her principles developed in her organization and daily life, instead of a Church in the state of a chrysalis, of a Church with her principles only existing potentially, and to be found chiefly in dusty folios on the shelves of her libraries; a Church governed by law and established in order, instead of one dependent mainly on sufferance and good feeling, which are excellent auxiliaries to well-defined and well-sustained authority, and no doubt the best substitutes for it where it is not to be had, but which no more afford an argument for declining to avail ourselves of its advantages, than my happening to have an umbrella in a storm of rain is a reason for determining to live day and night under it.

Distinct, however, from the question how is power distributed among the different classes in a body? is the inquiry, what is the power of the body as a whole over its members individually or in classes?

The exercise of discipline, as all are aware, was a note of the Apostolic Church in its infancy; and it seems hardly too much to say that, without such exercise, it would not have been Apostolic. The neglect and perversion of it were among the very chiefest causes of the Reformation, and an anxiety for its restoration was one of the most prominent, and also one of the most honourable, characteristics of that immense and not yet concluded movement. In Scotland it has never been absent from either the Episcopal or the Presbyterian communions; and the shameful state of it in the Church of England is both a grief

and scandal to its zealous members, and a cause of painful astonishment to foreigners interested in its welfare ; while it is indignantly alleged by pious Dissenters as a main, in many cases as the sole, cause for their separation.

The exercise of discipline may be considered as either over Bishops, over Presbyters and Deacons, or over laymen. The instruments may differ according as the person to be subjected to discipline belongs to one or another of these classes ; but its administration must always be under the authority of the body. Now I venture to observe, that while a real and effective discipline is essential to the sanctity and spiritual glory of the Church, and while she would utterly betray her office as the Witness of the Gospel if she failed (when the facts are clear) to draw in practice those lines of severance between truth and falsehood, between right and wrong, which she incessantly professes to proclaim upon the authority of Christ, yet the delicacy of this function is no less clear than its importance, and the dangers of miscarriage are only less formidable than those arising from systematic disregard of the duty. Two things, then, appear to me essential to a good administration of Church discipline. The first is, that the laws themselves should be strongly based upon general consent ; the second is, that the mode of their administration should be hedged in with the best securities against abuse : such as strict regularity, and, on every due occasion, publicity of procedure ; weight in the tribunal adequate to the office it has to perform ; adequate assistance from persons conversant with judicial principles and processes ; ready recourse against tyranny ; and suitable provisions for discouraging frivolous, vexatious, and impertinent charges.

For all this, a full and a free Synodical Government is surely requisite in a Church like ours. Not that I would contemplate any visionary aims. My idea of discipline is simply this : first, vigorous enforcement of the whole system of their public duties upon the officers of the Church, clerical and lay ; and due provision, secondly, against the profanation of her ordinances by any persons, clerical or lay, whose overt and flagrant acts should prove them to be unworthy. But even for these moderate ends a strong arm is required ; a stronger arm than authority is now in a condition to wield among us. That strength, unless I am

grossly deceived, can from no possible source be obtained for our system, except from general and solemn consent, embodied in the form of law.

Furthermore, let us consider our present state, not with reference to the imperfect securities it affords against abuse of power, but with reference to the inadequate support it secures for a bishop when engaged in its legitimate exercise. In his dealings with a contumacious clergyman, he must proceed as he best can. He must construe the Church law for himself, in the face of an antagonist on the alert to detect his accidental slips, and perhaps supported by a knot of persons vigilantly hostile to his authority. Having no prescribed forms to follow, whatever course he takes may be imputed at every step to his arbitrary disposition, and each item of his procedure enveloped in a separate cloud of debate, of suspicion, and of passion. Now, a Bishop cannot *ex officio* have the legal mind. It is not desirable that he always should. The aid of his Synod cannot be certainly relied on to supply the deficiency. But as the intervention of the legal mind is, in the long run, absolutely essential to distributive justice, we ought to have provisions for securing to our Bishops such aid of this kind as might according to circumstances be requisite. The law should likewise assist them by defining more carefully and largely their course of procedure, and thus at once strengthen their hands, lighten their responsibility, diminish the temptation they must now often feel to flinch from their duty on account of those difficulties and uncertainties attending its performance, which they are called upon to encounter virtually single-handed, and insure to them more uniformly, and in more active and lively forms, that sympathising support from the members of their communion generally, which the public and authoritative acts of our Spiritual Fathers ought obviously to receive.

And it should be observed that in this point the need of the Episcopal Communion in Scotland is really much more urgent than that of the English Church, so far as regards ordinary judicial purposes; because the Church of England has a code of ecclesiastical law partly general, partly proper to herself, together with a body of lawyers competently instructed, and courts which are conducted according to recognized judicial principles. Whatever be the defects of these laws or courts—

whatever dangers to the very life of the Church the present unprecedented and base-born, but really fortuitous, provision for appeals may entail, yet as to ordinary causes in their ordinary course through the diocesan and provincial courts, the judicial system in England is, on the one hand, a security to the public and to individuals that the main principles of justice shall not be contravened, and on the other it affords a living and very effective assistance to the authority of the Bishop. It has this further advantage, that it tends to divest a Bishop's efforts for maintaining discipline of the character of personal contention, which they are otherwise so likely to assume.

In these points, the Scottish Episcopal Communion offers nothing but a blank. In judicial matters the authority of the Bishop stands almost naked and unattended—neither protected against assault, nor limited and hedged in by publicity and adequate forms; and such an authority, wisely and mildly as we know that it is exercised, cannot secure, as of course, that easy, familiar, and settled confidence, which it is to be desired it should enjoy.

The settlement of contested questions between man and man, or between private persons and public authority, in which all the forces of individual interest and passion are aroused and enlisted to defeat or baffle justice, is a great difficulty even with the civil power, which has coercive sanctions at its disposal. Much more, then, for a religious society: and where such a society is organized like ours, with a liberal regard to the principles of human freedom, I believe but two alternatives are offered; one of them, a strong judicial system, calling to its aid the general opinion and sense of the body; the other a weak one, divested of that aid, dealing with some few questions fearfully, and with many not at all. When we turn to our Book of Canons, well and wisely as it has been drawn with reference to the circumstances of a Church just raising her head from a crushing proscription, and still *parva metu primo*; and when we find our whole judicial system comprised in two canons only, occupying as many pages; when we read those canons, and observe what, and for what cases, they provide, and begin to consider with ourselves even a small fraction of that for which they make no provision whatever,—we seem to see that they

were meant for a state of things which has fairly been outgrown, and we are reminded that the simple legislation of the nursery must be enlarged and invigorated when manhood is coming into view.

I shall now touch lightly on that much vexed question of ritual, which has, as I believe, on account of the immediate and palpable appeal it makes in all its forms to the general mind, and yet more to the general eye, afforded the chief material for the present lamentable heats and controversies in England; and which, although it has not had here the same formidable operation, yet does not stand altogether well among us, inasmuch as we too want due and adequate means for determining how the numerous points of detail belonging to Divine service—in which one congregation may lawfully and innocently differ from another—are to be settled as they arise in each case.

I shall venture two remarks upon ritual changes generally, in which I am bold enough to anticipate extensive agreement. The first is, that as ceremonial is but the dress of devotion, it ought to follow upon rather than to precede spiritual growth, of which it must be the consequence before it can become the cause; and, except as to the removal of palpable indecency and scandal, it should be left for its increase to such spontaneous demand as may arise out of our gradual return to that temper of elevated and concentrated devotion, which has unhappily become rare among us. The second is, that many of the points, which have given rise to dissension, are in themselves really but secondary, and have derived their importance from prepossessions conventionally rather than essentially connected with them. Now both of these remarks point to one and the same conclusion; namely, that diversities and changes of ritual, so far as they are properly open questions at all, are a matter to which the people ought to have something to say. If ceremonial be in general not so much a means of awakening as an instrument of edification for those already awakened, then the expediency of ritual restorations must, it is evident, vary greatly with the religious temper of each congregation. If, again, its details are as it were prejudged by prepossessions for or against them, then manifestly there is a tender and irritable state of mind to deal with, which will become hopeless under anything like an

exasperating treatment. The way to conquer men's prejudices is to appeal freely to their good sense, and allow some reasonable scope to their freewill and choice. Such appeal involves, or at the very least harmonises with, the idea of giving them a share of discretion in determining the points at issue. Nothing can be more painful or disgraceful than to see questions of divine service settled, as they were some years ago settled in Exeter, by riot and uproar. Such modes of proceeding are fitter for Turkey than for England. But we probably never should have witnessed them, had it not been for the anarchical state into which congregational organization has there been allowed to lapse. Besides the things in themselves, nay, besides the prejudices attaching to them, there was, I believe, at the root of all, a sentiment in the people that they were over-ridden, which generated, as it were in self-defence, a strong and unmanageable reaction. Had there been in those cases a regularly constituted congregation, or to borrow a phrase from our Presbyterian friends, a roll of communicants, and had these had the means of making known their sentiments, and of acting by their duly chosen officers, the clergy would have derived from them the most valuable aid at the outset, instead of being left to work out their way as it were blindfold; a general harmony would have been secured between the forms of divine service and the tone of feeling in the congregations, to which, as we have seen, they ought to bear a close regard; and authority, too weak already, would have been spared some heavy blows.

It would be transgressing my proper sphere were I, in touching on this question, to point out particulars which might advantageously be left to vary with the will of each pastor and congregation, or in which usage of a certain duration should be held to give a title as against written laws until the pastor and the congregation jointly were prepared and desirous to reform it. I assume of course all along, that the leading principles and usages of the ritual will remain fixed, as at present, by canon; and that the Episcopal authority will still hold its place above merely local discretion. My suggestion is, that over and above all this the clergy may most advantageously take counsel with their people, as members of a Christian Church, according to the principles of a sound ecclesiastical constitution, on matters

like these ; and that such counsel, and its results, will be found an admirable specific for the practical solution of the question, when it arises, between custom and written law, or between allowable varieties of taste and predilection, subject always to the general principle of uniformity within the limits determined by our Church law.

Thankful for that wholesome stir of life and progress which marks the present condition of our communion, and anxious for the regular development of measures by which, under God, it may from a weak Church become a strong one, and deepen its foundation as it extends its borders ; I have now, Right Reverend Father, submitted in a general form some of the considerations which have led me to the belief that, if it be the Divine Will that your Reverence should as our Primus inaugurate among us a representative system, and if, with the other Right Reverend Fathers of our Church, you call upon your lay flocks to communicate and advise freely with you, and to strengthen your hands for the work of the ministry, then your name and the names of your brethren will be remembered among us in connection with a noble epoch of restoration and revival, a great ingathering and edification of Christian souls.

But I have a few words yet to say upon two points. First, how are we to prevent liberty from deviating into licence ? Do I propose to place the government of the Church on such a footing, that the main seat of power shall really be in its popular branch ? If lay privileges and powers have fallen into desuetude, must it not be dangerous to place weapons so keen and trenchant in the hands of raw recruits ?

And, secondly, is this the time for the Scottish Episcopal Communion to stand forth as the *prærogativa tribus* of what may be called the Anglican Churches, to act for herself, and by acting teach others how to act ; or should she modestly wait upon their steps, and follow in their line ?

As to the first, it will be remembered that we live in a season of peril, when the rose of safety can only be plucked from amid the thorns of danger. We need not go far to perceive by example the sad consequences of a cowardly and narrow-minded policy, which takes this for its maxim, to give as little as possible, and has this for its reward, that for what it gives (and in time it is forced to give all) it gets neither thanks nor

compensation in return ; a policy which when pursued by the strong is ungenerous, when aped by the weak is mad. But while I presume to hold this language, I admit freely that it is only capable of a general application, and that, if it were to supersede care and caution in detail, we should only have cured one set of mischiefs with another. I am far indeed, then, from proposing that the Church should be democratically organised. Nay, in my view it cannot be so organised ; for whatever man may choose to ordain or adjust about chambers and branches and the like, must of necessity be for ever and wholly subordinate to the unchangeable conditions of her Divine Charter.

I will therefore, Right Reverend Bishop, state in few and simple words what I humbly believe would be found at once a free, a vigorous, and a safe form of constitutional organ for the Scottish Episcopal Communion.

First. That the Synod or Assembly for Legislation should consist of three houses or chambers—the first that of the bishops, the second that of their clergy, the third that of the laity. It might deserve consideration, whether the second and third of these, of course voting separately, should, either permanently or for a time, sit and deliberate together on certain or on all occasions.

Secondly. That the lay representative system should be based exclusively upon an ecclesiastical qualification, and not upon a pecuniary franchise in any form : in other words, that communicants only should be either eligible or electors. But, I may add, it might be found necessary first to limit this privilege somewhat further, (1) by age, and (2) by requiring persons to have been communicants for a certain space of time antecedent to its exercise, in order to exclude all electioneering practices from the precincts of the Church. And further, a different rule might still be required for the settlement of questions of temporal or proprietary right in particular congregations, and for the protection of all vested interests.

Thirdly. That the mode of procedure should not be to constitute arbitrarily, so to speak, a central organization before providing local institutions fitted to give it a broad and solid groundwork, but to take the local institutions first. That is to say, to begin by inviting the clergy of the various incumbencies,

in conjunction with the principal members of their congregations, to frame, where such a thing does not exist already, lists of such persons of given age as have been communicants for a certain time ; to make provisional arrangements for the preservation and due correction of such lists ; and to move those on each list to choose from among themselves delegates for a Diocesan Synod should the ordinary think fit to hold one, and should it be deemed wise to obtain the sense of the Diocesan Synods thus constituted as consultative assemblies only, on the intended measure, before its taking effect. Or otherwise, to give their suffrages directly, in common with the communicants of every other congregation thinking fit to act on the said invitation, for duly qualified persons to represent them in any General Synod of the Church.

The body issuing, or giving power to issue, the invitation, and thus setting the new machinery in motion, must, I presume, be the General Synod according to its present constitution ; which, if summoned by the wisdom of your Reverences the Bishops for such a purpose, it might probably be thought fit to summon for that purpose (with its cognate particulars and executory provisions) alone.

Thus, then, the mechanism proposed would be self-acting. Congregations desirous of such franchises, and prepared for the discharge of the duties they entail, would act upon the invitation. Congregations not prepared for these things, if any such there were, would not be damnified, since they would be no more subject to the General Synod as newly organized, than they now are to the General Synods composed of clerical members only.

Fourthly and lastly. As the governing power over the Church resides most properly and strictly in the Bishops, and as they are supremely responsible in particular for the decision of doctrine, I cannot but express the strongest conviction, that the initiative of all legislation should rest with them absolutely and exclusively ; and that it should be competent to either of the other chambers to approach them spontaneously in the way of petition only. Their *veto* would, of course, remain complete ; and between these two powers duly carried through the whole scheme, I hope adequate provision would have been made for preventing

any collision between such a constitution and the great and immoveable principles of our ecclesiastical polity.

To these provisions on behalf of order and authority, I may append a remark touching an apprehension that proceeds from an opposite quarter. It is feared by some that the laity would not act, so that their synodical functions would remain a dead letter.

I do not doubt, that our Right Reverend Fathers must reckon upon finding a certain amount of apathy in a mixed body, which has been long unaccustomed to public duties. Still, I venture to think, this would not be so widely spread, as not to leave accessible and available a great mass of zealous and intelligent co-operation. This complaint of inertness on the part of the laity when the burden and heat of duty has to be borne, is made, and justly made, in England; yet cannot it be said that any important plan has fallen to the ground through such inertness. Some evade their duties, but some also perform them: and even though attendance might, not certainly but possibly, at first be slack, yet this evil would diminish with the lapse of time, as the representative system should take root among us, and enter, gradually and gently, into our ecclesiastical habits and ideas. In America, where the demand and pressure of material pursuits is even more absorbing than with us, it is not found to prevent the laity of the Church from taking an active part in its general concerns.

And now, finally, should the Scottish Episcopal Communion, in the persons of its Bishops, proceed to deliberate forthwith on this weighty subject, or should they wait to be led by other Churches of the Anglican origin or communion? Where, by other Churches, we must mean those of the colonies; for the Church in the United States has led the way already; and the Church of England, as well as that of Ireland, can only move slowly in a matter which, for them, is beset with real as well as with factitious difficulties. But the colonial Churches of British North America, and of the Australasian colonies, have already so far got in advance of the Scots Episcopal Communion, that they have largely declared, in their several orders, their anxiety for a regular ecclesiastical constitution, including the lay element.

Yet, Right Reverend Sir, after a long and anxious observation of the condition of these Churches, I venture unhesitatingly to assert, that it is not for you to be their debtors or followers in such a matter, but for them to be yours; and that, had they possessed anything like the facilities and means of action that happily belong to you, they would not now have been expressing their desires, but exhibiting finished results.

The vantage ground, as I understand it, which your Reverences possess, and which is wanting to the colonial Churches, is twofold. First, an entire freedom from the fetters and entanglements of the law: secondly, a defined ecclesiastical "platform," and a legislative power in actual existence, with a clear, unquestioned title.

But how different is the condition of the Churches in the colonies! It is scarcely too much to say that, while for the purposes of internal subordination they are without law or legal sanctions of any kind, they are subject, without mitigation, to the worst of its inconveniences. On every side they are involved in the meshes of the net of legal doubt. There is a doubt whether, if their members meet in Synod, they are subject to penalty; a doubt whether they can pass any Canon; a doubt whether they can set up even phantom officers in ecclesiastical courts; a doubt whether they can come to any binding voluntary agreement whatever among themselves. Of one thing only there is no doubt, that they are practically without the means, either of protecting innocence against oppression, or of punishing wrong, or of fulfilling for themselves any of the purposes of Church government. Nor, as I believe, can they, without an Act of the Imperial Parliament, be relieved from these very cruel disabilities, or attain to that footing of equality with the Presbyterian and Dissenting denominations in the colonies, to which they fondly and ardently aspire.

None of these most formidable impediments to organic measures exist for the Scottish Episcopal Communion.

But suppose the colonial Churches emancipated, how are they to proceed to act? They have no existing framework of a legislative organ; they have not even the pattern of an English Convocation to work by; for they have no deans, no chapters, in some dioceses no archdeacons, in many no parishes. They

have under God two constitutive elements only, the Apostolical power in the Episcopate, and their own good principle and good sense. That, by virtue of the great gifts of the covenant of Christ, they will work their way to an adequate organization, what they have already done, in a state almost chaotic, affords us ample assurance. Yet at the same time we must admit that they will have to begin by digging the foundations, and then laying, with elaborate care, every stone of the building. For the Scottish Episcopal Communion, again, I say, these difficulties do not exist. We have foundations already, and building too. It rests, beyond all question, with your Reverences of the Episcopal College to devise a plan in your wisdom, to bring it before a general clerical Synod by your prerogative, and, with the assent of that Synod, to tender it as a graceful and spontaneous boon to the laity of your communion.

It is plain that we who now live must not look for days of ease and calm, even of such ease and calm as have at certain periods been permitted to the Church, being, as she must ever be, a wayfarer and a pilgrim upon earth. We must never think to say—

“*Suave micant fluctus, ac detumere procellæ.*”

But while making this confession, I, for one, am fondly perhaps, but yet firmly; assured, that, on the day when our Bishops shall be bold to show their confidence in their own position, and in the vital energies of their Church, by propounding a measure which must tend, first searchingly to test, and then powerfully to invigorate and multiply those vital energies, they will strengthen many a weak hand, confirm many a feeble knee, chase away the gloom from many a desponding heart, breathe the new life of hope into spirits that have flagged under accumulating misfortune, stir up many a voice of joy and health and thankfulness to God from the dwellings of the righteous, and quicken the footsteps of them that tread, or that ask, the way to Zion, with their faces thitherward.

In thus submitting to your Reverence my thoughts upon a deeply interesting and momentous question, I do not for an instant presume that I shall convey to your Reverence, or your Right Reverend Brethren, any view of this subject either new

or serviceable to such a body ; but I have written with the desire and hope, that I might be made the instrument of stirring up the minds of others, my brethren in the Church, to a careful and practical consideration of the actual position of our Communion ; of its dangers, its duties, the genial promise which it gives, and the means required to enable it duly to fill its rapidly expanding sphere.

I remain, Right Reverend Father,

With cordial and dutiful respect,

Your obedient and faithful servant,

W. E. GLADSTONE.

Fasque, Kincardineshire, Dec. 1851.

MEMORANDUM

TO : [Illegible]

FROM : [Illegible]

SUBJECT : [Illegible]

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