LITERATURE.

THE FREE CHURCH OF SCOTLAND.

[The following lines, written nearly two years ago, are taken from a small poem intituled "Botany Bay," by J. Gordon.]

My worthy, reverend sires beyond the Tweed,
Who've stood the test that strongly tries the heart,
And triumphed nobly in no common cause,
Had fear of future prospects—fear of aught
This world could either give or take away
But smote your hearts, your fond, parental hearts,
(For wives and helpless children will do much
To shake the firmest from their high resolves,)
And made you falter, in that fiery hour
When doubt and expectation trembling stood—
So few descend that they may higher rise—
How had the world, which now applauds, reproached,
And shame and obloquy been hurled, and heaped,
And piled from day to day upon your heads,
Till every form, so fair and radiant now,
Had dimmed and darkened in the public eye,
And sunk obscurely down to cold contempt—
The bread of bitterness and self reproach,
A poor, poor solace for a cause betrayed.

You've had your praise from purer lips than mine,
And sung in higher strains than I could sing;
You read it daily, hourly, in the eyes
Of all those little flocks you feed so well,
Who know their shepherd's voice, and follow him.
You've done your duty nobly, worthy men—
Some think, in these degenerate days, too well.
To look unworldly-minded all at once
Was hardly fair; it made the best look worse
Than they had done till then, in people's eyes;
Even royalty itself was not prepared
For such a shout as hailed a lovelier queen
Than thrones can boast—the majesty of Truth.
And high nobility bewildered stood,
Amazed and mortified to think that aught
Beneath its own proud coronet could draw
The admiration of a nation's eye,
And cast it's titled greatness all in shade.

You've had your praise from men, my worthy sires,
In heaven—if man may judge; and then we read,
Rejoicing angels sing when man repents.
In heaven itself, the angels shout for joy
That one pure spark of heavenly virtue's flame
Still burns, undimmed, within the breast of man.

And you, my mountaineers, and lowland lads,
My fathers, brothers, friends, and countrymen,
Whom Scotland proudly calls her favorite sons;
Well have you played your parts, and well deserve
The hearty squeeze with which men grasp your hands,
And pour their benediction on your heads,
And on your manly, good, and honest hearts,
That never beat more happily than now.
Well have you played your parts, my kindly Scots,
And many a kindly Scot on foreign shores
Would thank you kindly for the parts you've played,
Did not his heart come leaping to his lips,
And choke his utterance when he'd speak his thanks.

Health, happiness, and every honest joy
Be your's, my worthy friends across the sea.
From fair Australia's sunny land so bright,
The inmost wishes of my soul I waft
For your prosperity and peace through life.

Auld Scotland now is fairly on her legs,
And looks around her with a brighter eye,
A loftier bearing, and a sounder heart
Than she has done for ages. There she stands
In all the fervour of her former days,
Without the danger, but with all the zeal
That fired her covenanting sons of yore.

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1. *Fragment on the Church.* By THOMAS ARNOLD, D.D. 8vo. London: 1844.
2. *The Rubrics and Canons of the Church of England considered.* By CHRISTOPHER BENSON, M.A., Master of the Temple. 8vo. London: 1845.

[FROM THE EDINBURGH REVIEW.]

(Concluded.)

The Church of England is much more complicated in its nature and organization, in its position and its history, than that of Scotland. But it has one advantage. Its relation to the State has been always clear and definite. This is a point upon which principle and practice have been both so uniform, that any difference of opinion on the subject can only be accounted for by ignorance or wilfulness. The Ecclesiastical Constitution of England was from the first plainly bottomed upon a Parliamentary title. Its Civil Constitution scarcely more so. Both exist, only "as by law established." In both, the supreme Legislature is in Parliament. In both, the whole judicial and executive authority are primarily vested in the Crown. When these three authorities—Legislative, Judicial, and Executive—are thus disposed of, what is there behind for any other claimant?

As long as the Church of England was a branch of the Church of Rome—a branch of that mighty tree by which the earth was overshadowed—the historical terms of its adoption by the State was a case for antiquarians; and not an easy one. The common canon law of Europe was not (as such) the canon law of England. Ecclesiastical laws were not received there as the Pope's, but as the King's. There were liberties and specialties in the Anglican as well as in the Gallican Church. Statute after statute occasionally interposed. But the line, as drawn by common law or statute, was unsteady and obscure, without either principle or rule. It followed whosoever's hand was uppermost in the scramble—Pope or King. Thanks be to God and Henry VIII., it is not so now. The terms on which the present Church of England was not only adopted by the State, but almost, if not altogether, constituted by it, may be easily learned, and by a plain man, without the help of any antiquary. The Statute Book, and Strype and Burnet, Collier and Lingard, will furnish us with all the facts and documents we can want. Edward VI. and Queen Elizabeth, with the sanction of their Parliaments, proceeded to build up an intelligible National Church on the national foundations which Henry VIII. and his Parliaments had laid. The means employed were often bad enough—force and fraud. But the work was carried on in broad daylight; and its principles were proclaimed from the house-tops. Some men undoubtedly were bribed, and many were intimidated. Yet we do not believe, from the day of the resignation of the seals by Sir Thomas More—or the day that a layman, the Lord Cromwell, sat in Convocation as its president, and Vicar-General of the Supreme Head of the Church of England—or the day of the passing of the Act, entitled, "An Act, showing the Submission of the Clergy"—that any body can be said to have been deceived. The work was the work of years. It ended in the old Ecclesiastical Constitution being thoroughly broken up, and a new one erected upon its base. In the new one, too many of the old materials may have been used, and too much of the ancient structure and elevation may have been retained. But its policy and its principles were all its own. Divines may amuse themselves with the fiction of a continuity of title. But, viewing the existing Protestant Church of England as a National Church, the break in its title is as complete as if the Mahomedan religion had been adopted in the place of the ancient faith. Several successive Parliaments were engaged on the construction of the new edifice. Being Christian assemblies—Protestant majorities legislating for a Protestant people—they of course established their new Church according to their new opinions.

The most important characteristics of a National Church are comprised in the supposition of an appointed Clergy, provided for out of public funds and teaching authorised doctrines. Since the Reformation every one of these particulars, without any distinction between discipline and doctrine, has been settled by the State. And why not? Before it legislates upon other subjects, as, for instance, on law, medicine, or military affairs, the general government ought, no doubt, to consult the persons whom it considers best qualified to advise it with reference to the subject-matter. We must suppose it to do the same in Church affairs. But under these circumstances, it has never entered into the head of the lawyer, the physician, or the soldier, that their opinion was entitled to be regarded as any thing but advice. Clergymen, however, have got into the evil habit of imagining, that, from some supposed peculiarity in religion, or on account of some supposed privilege in their office or in their persons, they are entitled, in whatever regards the Church, to be considered as something higher than mere advisers. But the privilege to which they thus pretend, can never stand an instant where Protestantism has really been received; for the very corner-stone of Protestantism is the right of the people, directly or indirectly, to the substantive authority in the Church. It is mainly on this account that Protestantism, as commonly understood by simple folk, has gone out of favor with so many of the clergy. We know of no possible reason why the opinion of members of the clerical profession should be invested with more authority than is the case with the members of other professions; while, from the nature of the subject and from experience of the past, there may be many reasons why their opinion should have less. Lord Clarendon had found them such wretched counsellors to his royal master, that, in the bitterness of his heart, he left it as a warning for posterity, that Clergymen were the worst informed, and took the worst measure of affairs, of any class of persons who could write and read. Nor were these idle words. It was as sincere friends of the Church, (in every sense of the word, large or narrow,) that in 1664, Clarendon being Lord Chancellor, and Sheldon being Archbishop of Canterbury, came to a resolution, as bold and singular in its way as the shutting up by Cromwell of a House of Commons he could not mannage. By nothing more formal and constitutional than a verbal agreement between themselves, they transferred the right of taxing the clergy from Convocation to Parliament. They must have foreseen the consequences which followed. In little more than fifty years, Convocation had dropped out of the English Constitution. A Minister who should revive it now, would deserve to be impeached. We think we may trust our present Premier. The Provincial Synod of Bishops, which, according to the eighteenth chapter of the Reformation of the Ecclesiastical laws, Cranmer had meant to substitute for it, would not have succeeded much better; for the objection was not so much to a Lower House of Convocation, as to any purely clerical assembly.

The English Convocation was in fact an Ecclesiastical Parliament, composed in the worst spirit of Popery, and in its worst times;—an encroachment upon, but yet a part of, the civil constitution with which it was coeval: a compromise between the sacred Synod, which the clergy wished it to be regarded, and a regular third estate. For Edward the First had originally designed it to have been strictly a third estate, after what is called by Burnet Charlemagne's second model of the Church. Convocation was thus a very anomalous institution from the first. The Reformation came, and reduced it to be nothing better than a stage for the Clergy to expose themselves upon. It had just enough of life and passion in it to answer the high calling of a factious instrument for factious politicians. It had no real power; but it was a name to conjure by; and evil spirits would appear. Forms of things long remain in England after the substance is eat out; or it could hardly have been worth while to have kept up for a day the show and ceremony of an institutition so worn out and decrepid, that Chief Baron Gilbert had observed of it—"Sometimes, indeed, the Lords, and sometimes the Commons, were wont to send to the Convocation for some of their body to give their advice in spiritual matters. But still this was only by way of advice. For the Parliament have always insisted that their laws, by their own natural force, bind the clergy; as the laws of all Christian princes did in the first ages of the Church.

From the nature of things, a Religion cannot be made National but by the sanction of the supreme authority of the State. The English people, it is true, took little part in the turns and fluctuations of the Reformation; so little, that the National Religion was put backwards and forwards four times within twelve years—each of these successive changes representing at the time little more than the will and pleasure of Henry and Edward, Mary and Elizabeth. Notwithstanding which, they were all, however, as constitutionally expressed, each and every one, as similar changes would be now. Whatever was done, was done by the omnipotence of King, Lords, and Commons. Meanwhile, if the body of the people were consulted little, the body of the clergy appear to have been consulted less. They must have been subjected, however, all along to the painful distinction by which an active obedience is distinguished from a passive one—a precise clerical subscription from a presumed laical assent. The Highest Churchman will scarcely venture on a peremptory denial of the public authority by which the Church of England was introduced into the realm. They are much more likely to have recourse to the shifts of pleading; and (as it is termed) *confess and avoid.* The real question, they may reply, is not so much the fact of adoption, as the terms. This is true. It was undoubtedly competent to the English nation to have excluded the people at large from all share in Ecclesiastical legislation, and to have consigned it entirely to persons in Holy Orders. Some persons have a pleasure in imagining that such is the case with the Church of England now. There is no proposition, however, in English history clearer than the contrary. If the Church of England had no other legislature than a purely spiritual legislature, it would be in the unhappy predicament of having no legislature at all.

Providentially, the real legislature of the Church of England is not far to seek. Its legislature is Parliament. This simple verity is not in the least dependent on the fact of the Bishops having seats in the House of Lords; still less upon any presumption, that the law holds (as one of its many fictions) that every member of the English Parliament is also a member of the English Church. It follows as the natural consequence of the general omnipotence of Parliament, and of there being no exception in favor of the Church. Roman Catholics were members of Parliament at the Reformation; and for some time after. Puritans (some of them to all intents Dissenters) soon followed. When sectarian restraints were afterwards imposed, they were imposed on political pretences. While Parliament declined to disqualify, on ecclesiastical grounds, any of the members of its Civil legislature from being, at the same time, members of its Church legislature, it was not likely to allow any such objection to prevail in the case of Church judicatories. Accordingly, a Dissenter may sit (and does sit) as supreme Ecclesiastical Judge in the Privy Council. The case of the King differs from other cases, by the fact of the King being, by law, the Head of the Church. It is evident, however, that the open principles of the English constitution were originally considered to be too strong for the presumption which this *descriptio personæ* almost unavoidably implies Otherwise there would have been no necessity for the 30th Charles II., to prevent the Head of the Church from being a Papist. The 12th of William III. applied only to future sovereigns. Except for it, the Head of the English Church might be an Independent like Cromwell, or a Presbyterian like James I.; than whom nobody had talked more lightly of the Church of England and its sacraments, until circumstances made it worth his while to put himself in communion with it.

It is true there is a terrible arrear of Ecclesiastical legislation. What would Melancthon think of us, who recommended periodical revisions of Articles of Religion? What, Lord Bacon?—who complained, two hundred years ago, that "the Ecclesiastical State should still continue upon the dregs of time, and receive no alteration now these five-and-forty years, and more.....And that they had heard no offers of the Bishops of bills in Parliament." During this long interval, there can be no doubt but that the natural advisers of the Church have allowed a variety of evils to accumulate, rather than take the risk of a discussion in the House of Commons as the condition of redress. We question even now, whether the present Master of the Temple will succeed in bringing the Rubric and the Canons before a Committee of Religion. From one consideration or another, Parliament has left a great part of its ecclesiastical business undone. Nevertheless, it has freely exercised its legislative power over the Church on a multitude of occasions. Sometimes consulting with the Clergy—sometimes not: in either case, the ultimate judgment and sanction being, beyond all question, solely and exclusively its own. The principle things to consider in an Establishment are—what is to be done about its endowments and its clergy—its discipline and its doctrine. It may be useful to particularize, in one or two instances, how Parliament has dealt with them. We will begin with endowments.

Church property (or, to describe it less fallaciously, the property which the nation has set apart for spiritual purposes) Parliament has given and taken away—it has united it in its amount by Mortmain Acts—it has moulded it at its discretion, now by enlarging, now by restraining statutes—it has changed it in its quality by Tithe Commutation Bills—and, by divers enactments against non-residence and pluralities, has modified the terms upon which it can be enjoyed.

Over the clergy, or the Ministers of its Church in Holy Orders, Parliament has equally held the reins. It has fixed the age at which they can enter into that sacred corps; and has prescribed the forms and ceremonies by which its Priests are ordained, and its Bishops consecrated. It has incorporated them with their fellow-citizens by taking off the restriction of celibacy, and allowing them to marry. On the other hand by putting on them the prohibition of trading, and farming, and of sitting in the House of Commons, it has done its best to keep them unspotted from the world; and to confine them to the duties to which they have devoted themselves by their ordination vows.

Where to place the jurisdiction over the Discipline and Doctrines of a Church, is a more delicate question. One of the Fathers declared he would never again go to a General Council. He had seen no good of them. But even into this delicate province Parliament has entered, and has maintained its ground there with as assured a step, and as minute a supervision, (ordering and controlling,) as any of the four first Councils. It is by Act of Parliament that Sunday is kept holy. The Act is prefaced by an elaborate preamble, that—what days should be set apart for God's service, and what not, was left to the liberty of Christ's Church, and to the determination of the rulers and ministers thereof; and then follows a determination by King, Lords, and Commons, in behalf of Sunday and certain other holidays. On the same principle, the same Parliament of Edward VI., after reciting the godly travel of the King's Highness, the Lord Protector, and others of his Council, proceeds to establish the form of

Common Prayer and public worship, and the rites with which the sacrament was to be celebrated. Every syllable of the Canon Law, which is at this day law in England, is kept alive by an unhappy saving in the Act of Henry VIII. He was Canonist enough himself to have taken care that the revision of the Canons by his Commissioners (half clerical half lay) should be in accordance with his mandate; which forbade the Universities to grant any more degrees in a science with which the Church of England had no longer any connexion or concern. A few years afterwards, the Parliament of Elizabeth, in its own name, and in its first and fundamental statute, laid down its own tests and limits for ascertaining what was heresy, and what not. It added an ironical compliment to Convocation, in case new heresies should need to be declared. This fundamental statute expressed, beyond all possibility of mistake, the ecclesiastical principles and policy of this decisive reign.* Its peremptory provisions, on the most tender of all spiritual questions, were followed, ten years later, by an Act with the title of—"An Act for the ministers of the Church to be of sound religion. On this Act, (drawn up as loosely as a modern statute, and construed as strictly,) the necessity of subscription by *all* clergymen to *all* the "Articles for avoiding diversities of opinion!" at present stands.

Statutory enactments of this description by the supreme authority of the State, (there being not a shadow of legislative power in any other quarter,) are abundant proof that the Church legislature of the Church of England is in Parliament. In like manner, in all other particulars the analogy to the civil Constitution is pursued throughout. Accordingly, the remaining branches of Church authority, judicial and executive, are in the Crown. All Ecclesiastical Courts are derived out of the Royal Prerogative, precisely in the same manner as the Courts of Common Law and Equity.

Again, in the Administration of the Church the Crown is the sole constitutional executive. The Bishops, and the whole hierarchical series of governors in the Church—principals and subordinates—represent, as governors, the ecclesiastical authority of the Crown, and nothing else. The King, if it should become necessary, can appoint the Bishops by letters-patent. The commission which Cranmer, Bonner, and some other Bishops, (probably all,) took out from Henry VIII., and again from Edward VI., can be read in Burnet. The provision by which they received their Bishopries, to be held only during the King's pleasure, may have been a very impolitic one: and it was undoubtedly fitting, as soon as men's minds had steadied to the Reformation, to return to the old tenure of life and good behaviour. To the other novelty in the commission—an explicit declaration that the Bishops were to exercise their Bishoprics, as the King's delegates, in his name and authority—we see nothing to object, unless it were found that the generality of the words exposed them to misconstruction. As much of the Episcopal office as relates to ministering in the Church and to administration of the sacraments, Elizabeth had had the discretion to disclaim for herself, and we presume for all her successors, male as well as female. In other respects, Elizabeth asserted her plenary superiority out and out, and talked of her prerogative of unfrocking Bishops with an irreverent decorum. In one of her speeches to Parliament, (1585,) she reminded them that God made her "overruler of the Church." There were great faults and negligences in it. "All of which, if you, my Lords of the Clergy, do not amend, *I* mean to depose you. Therefore, look well to your charges." As might be expected of the Tudors and the Stuarts, they often pushed their notions of what belonged to the executive a great deal too far, in ecclesiastical affairs as well as in civil. Their royal interposition frequently went beyond the ordinary powers of any ecclesiastical executive. In all such cases the sovereign was understood, both by himself and others, to draw his power from the unfathomable depths of an indefinite prerogative supremacy. Henry VIII., for instance, Defender of the Faith, and so forth, in the pride of his divinity altered certain Articles of Faith with his own hand, and apparently published others without consulting either Convocation or Parliament. Every attempt by the Tudors and the Stuarts to control the House of Commons in its debates concerning religion, treated such debates as infringements on the prerogative. Discussions in Convocation contrary to the royal pleasure, would have fared still worse.

In the mean time, with regard to public worship Parliament had taken care of the prayer-book only. It had said nothing of preachers. Regulations concerning them were considered less urgent. There was no superstition in their case to displace; for the warmest advocates of the mysterious privileges of holy orders, have confined their claims to the spiritual administration of rites and ceremonies. The gift of preaching was too hazardous a pretension to be put among the powers of an apostolical succession. The Crown, therefore, took the preachers into its own hands. It was a singular prerogative which could cover "the directions concerning preachers," as issued first by James I.—who was indeed a mixed person, a king in civil power, a bishop in ecclesiastical affections"—and afterwards by his son. The mandate commences—"Forasmuch as the abuses and extravagances of preachers in the pulpit have been in all ages repressed in the realm by some act of council or state, with the advice of learned prelates: and insomuch as the very licensing of preachers had this beginning by an order at Star-Chamber, (19, Henry VIII.:) and that, at this present, *young students, by reading of late writers and ungrounded divines, do broach doctrines many times unprofitable*,—Therefore His Majesty hath been entreated to settle for the present, by proclamation, these limitations following." Then follows a string of minute directions, parcelling out to preachers the topics which they were allowed to preach upon, according to a curious scale of ecclesiastical dignities and academical degrees. Alas, for the security which would be now afforded us by Dignities and Degrees!

A twelvemonth ago we should have thought it time wasted to have gone into these particulars. But the Bishop of Exeter takes liberties in argument, of which Atterbury (were he living) would be ashamed. Assertions cost him nothing; whether it suits his purpose to tell his clergy that the sermon is rubrically part of the Communion service! or to tell the House of Lords that the *temporal* authority, formerly exercised in England by the Pope, was all the authority which the Act of Supremacy and the English constitution recognised in the Crown!—he has so much more about him of the temper of a hired Advocate of the Church, than of one of its Fathers, that we have thought it best to go back to Church principles. Our first principles are those which, in the edict drawn up by Grotius on the part of the Remonstrants, and adopted by the States of Holland, are announced to be "agreeable to the example of the kings, princes, and cities, which have embraced the Reformation." According to the policy of the English nation, the form in which they have embodied and expressed these principles is that of the supremacy of the Crown over the Church, and the supremacy of Parliament over both. Arnold recognized the doctrine of the Crown's supremacy as the peculiar blessing of the constitution of the Church of England—"a rare and mere blessing of God." In this opinion we heartily agree. It is not necessary to go further; and to conclude with him, that the supremacy of the Crown must consequently contain what Arnold conceived to be the true idea of a perfect Church. Still less can we indulge the hope, that (were it worked out to what we would have considered its "full development,") we should find in that kingdom of God for which his straining eyeballs were looking out—the fulfilment of the promise made in Scripture to the Church of Christ.

We are thankful for smaller matters. Yet it is no small matter to have, in the very frame work of the ecclesiastical constitution, a security against the enormous fallacy of a Sovereign Priesthood; and to know that the spiritual government of a people is fenced in against abuse by the very same protection as their civil—by representatives of their own. Englishmen cannot be much misgoverned in either, without it being their own fault. It is no small matter too, to believe with Arnold, that by the Articles of its Church the Christian *res publicâ* depends on the political. Therefore, there may be at least as many Christian societies as there are political; and, indeed, in these kingdoms, there are more. Since, not only does Nonconformity cease to be an offence of any kind, from the moment it is recognized and authorized by the law; but it is thereby in fact established: for, (as Lord Mansfield sensibly observed) in these matters, to tolerate is to establish.

M. Villemain in his commentary on Cicero's *De Republicâ*, contemptuously compares the ecclesiastical legislation of the English Parliament to the Ecclesiastical Legislation of the Roman Senate. We see no reason for being ashamed of the comparison. We know from Polybius, as well as from Cicero, that the good sense of their ecclesiastical polity did not prevent the Romans from being more religious than their neighbours. Can as much be said in favour of the ecclesiastical polity of modern Rome? In our judgment the political constitution of the Church of England, rightly understood is its specific merit. It is the people's share in it. As a general advantage, it can scarcely be overrated. Yet the Church of England is beset with particular disadvantages, great and numerous, to which remedies of some sort must be applied ere long; or dissolution in one or other of its forms, may overtake the wealthiest, though not the first-born, of the Churches of the Reformation before it is aware.

Dr. Arnold wrote his pamphlet on Church Reform during the excitement of 1833; under an exaggerated impression (as he afterwards acknowledged) of the strength of the movement party, and of the immediateness of the danger. His general opinion of the Church of England—of its merits and demerits, its present and its future—will be better gathered from his varied correspondence, extending over a tract of years. The opinion will be found to be much the same, from first to last. He thought its whole system most corrupt, that it had not to be amended here and there, but to be recast. It stands, he said, in many points, just as it did in the worst days of Popery—only reading "king or aristocracy" in the place of "pope." It had been left at the Reformation as avowedly unfinished as Cologne Cathedral, Yet English Churchmen, instead of renewing the crane on its half-built towers, in the hope of some day finishing them, persuade themselves that their building is complete! Its historical and motley character made him marvel at the fondness of many noble minds for our "dear mother the panther." The very phrase, "mother church" sounded in his ears as an unscriptural and michievous idolatry. Dissent from it, accordingly, wore a very different aspect in his eyes from the divisions introduced into a more perfect church. Nor was the making and irritating Dissenters the worst consequence of its corruptions. To the extent, that the motion of a Priesthood had got possession of it, its Christian power of union and co-operation was so far paralysed. The spirit of the great body of the Clergy at the present day, had altered very little from what it had been ever since the time of Queen Elizabeth downwards. It still continues to be the spirit of a Political party; and, unfortunately, of the party which had been, in the main, opposed to all improvements. "Therefore (he concludes, that were there no other objection to their title to be considered a national Church) it will not do for the Church party in England to identify themselves with the nation, which they are not; nor with the Constitution, which they did their best to hinder ever coming into existence."

Nothing that can now be done, can change the past history of the English Church; or much improve, we fear, the political spirit of its Clergy. The obstacles in the way of Church Reform, in the high meaning which Dr. Arnold attributed to the word, are confessedly insurmountable. They lie deeper even than the idolatry of things as they are by the high churchmen; or than the idolizing of the early reformers by the evangelicals; or even than that indifference to general principles, so characteristic of Englishmen, which was enough (he said) to break his heart. They lie in the fact, that an attempt to execute his reform would probably produce far less good than evil—unless a previous reformation should have taken place in human nature, amounting to a change of it altogether. But, far short of the views he loved to brood over, there is room for many changes in the Church; which might lessen considerably its internal evils, and moderate the dangers to it from without. With respect to the Liturgy, he appears to have thought little alteration was needed in it beyond leaving out the political services. He made equally light of the important questions of patronage, of the equalizing of revenues, and of pluralities. The tone in which he notices Wesley's observation to his Ministers, (to the effect that they had no more to do with being gentlemen than with being dancing-masters,) shows he was aware of one of the evils of a rich establishment. We mean of the danger that its Clergy will get above their work—not from pride, but from their station, their habits, and their mode of education.

With respect to the Articles—as an ostrich, it is said, can digest iron—so, when Arnold had once swallowed the Articles, they seem to have given him no further trouble. He disliked them, he said, because they represented truth theologically and technically, and, in consequence, untruly. He would have gladly reduced them to aricles of peace. He willingly, therefore, signed petitions for relief in respect of the terms of subscription to both Articles and Liturgy. But this was all. There is no proof of his having been sufficiently sensitive to the real extent of the grievance which these peremptory subscriptions are inflicting on many natures. Snares to some—to others scourges. We should ourselves wish for no better instance of the peril of them, than the way in which such minds as Arnold's and Paley's reasoned themselves into subscribing. The time, however, when such reasonings can prevail with men of half their ability and honesty, seems coming to an end. For this we have to thank the extreme cases of Messrs. Ward and Oakley. Arnold says, "historically our prayer-book exhibits the opinions of two very different parties, King Edward's reformers, and the high churchmen of James the First's time, and of 1661. There is a necessity, therefore, in fact, for a comprehensive subscription, unless the followers of one of these parties are to be driven out of the Church." *Comprehensive Articles*, that is, open Articles, would be a great gain. But a *comprehensive subscription* of close Articles, is more than we can comprehend, or should wish to be comprehended in. We are told that the friends of Mr. Oakley are threatening to proceed against Mr. Baptist Noel; and that there has been some talk, more or less, of convening Archbishop Whately before his Oxford brethren as a Sabellian, because Mr. Ward has been degraded as a Roman Catholic. In case a see-saw of this kind should drive out of the Church not only one party, but both, Church of England men would see their way at once. The whole system of subscription must come down; and the test of Church membership might possibly be reduced to the test required in baptism. As somebody said of old, it would be then no longer *res ingeniosa* to be a Christian. We once heard an exclamation from the pulpit of Robert Hall, which we should rejoice to hear taken up and echoed from pulpit to pulpit throughout Christendom. "If there be one truth clear as the sun in heaven, it is this—There should be no terms of communion but what are terms of salvation: and the man who is good enough for Christ is good enough for me!"

The difficulties of the Church regarding doctrine pressed lightly, in comparison, on Arnold's spirit. Its difficulties of discipline and government almost weighed him down. Before he could feel any hope for the Church, there must be signs in it of a real Church government, not a pretended one;

* The first statute of Elizabeth (1 El. c. 1) enacts, "that all such jurisdiction, spiritual and ecclesiatical, as by any spiritual or ecclesiastical authority had heretofore been exercised for the visitation of the ecclesiastical state and persons, and for reformation of all manner of heresies, &c., shall for ever, by authority of Parliament, be annexed to the imperial Crown of the realm."—(Sect. 17.) "That the Queen and her successors, by virtue of that Act, had full power to assign from time to time such person or persons as they should think meet, being natural born subjects, to execute under her highness the said spiritual and ecclesiastical jurisdiction."—(Sect. 18.) "That no manner of order or determination, for any matter of religion or cause ecclesiastical, made by the authority of that Parliament, should be deemed or adjudged at any time hereafter to be any error, heresy, or schism."—(Sect. 35.) "That the commissioners, appointed as aforesaid, shall have no power to adjudge any matter to be heresy, but such as heretofore have been adjudged to be so by the authority of Scripture, or by the first four General Councils; or such as hereafter shall be ordered to be heresy by the High Court of Parliament, with the assent of the clergy of their Convocation."—(Sect. 36.)

To the best of our knowledge, this last clause is the only piece in which Convocation is recognised by Parliament as a properly assenting party in any instance whatsoever of spiritual legislation. It must be observed what in this case was the nature of the instance, and how strictly limited to a negative even here; but, above all, it must be recollected that the clergy, at this time, had no share in the elective franchise for the House of Commons. The preambles and recitals of the Act "for the restraint of appeals," (24 Hen. VIII. c. 12,) and of "the Act for abolishing of diversitie of opinions in certaine articles concerning Christian religion," (31 Hen. VIII. c. 14.) demonstrate by what successive stages the Church of England was brought out from its bondage, first to the Pope, and next to the Spirituality or Clergy, into its present freedom. The process was in truth not an emancipation, but a transforming and a creating process.

The scruple felt by James I. at the ecclesiastical edict drawn up by Grotius, and published by the civil magistrates of the States of Holland was in the spirit of the precedents collected by "that renowned antiquary," Sir Robert Cotton (an answer to an argument from supposed antiquity, that "*ecclesiastical* ought to be enacted by *temporal* men.") These precedents are, one and all, Popish in point of principle, and Popish in point of time. There was some colour for keeping Church legislation in spiritual hands, as long as that part of the body politic which was called "the spirituality" (in distinction to the Temporality) could be properly described as being synonymous with "the English Church." And the specific error of Cotton (as afterwards, to the same effect, of C. J. Vaughan) appears to have consisted in carrying down the spirit of Popery upon this subject, together with its reminicences, into a protestant period. After reading Lord Hardwicke's celebrated judgment, (A.D. 1736, ii. Atkyns, 650,) it is difficult to conceive that these reminiscenses were not misunderstood by Cotton and Vaughan, as well as misapplied. Even in Roman Catholic times, the sturdiness of the common law distinguished between the legislative sphere of Convocation and of Parliament, not only the subject-matter of religion, and by distinction between Spirituality and Temporality, but also by the pervading principle of representation. There is early judicial notice of the characteristic fact, that the laity were not represented in Convocation at all. But be this as it may: Admitting, for the present purpose, that all argument both from antiquity and from law, must have excluded temporal men from spiritual legislation during the period that the Church of England was part and parcel of the Church of Rome, it will not be the less true, that the Reformation swept all this argument away. Under the English constitution it was impossible that the Reformation could stand still, and be satisfied with such an enlargement of the Royal prerogative as had made Henry VIII. "a King with a Pope in his belly," according to Sir Nicholas Bacon's Picturesque expression. It necessarily took the other step, and transferred at once the full power of spiritual legislation to the commonwealth at large. "I have heard," said Peter Wentworth, addressing the House of Commons of 1575—"I have heard of old Parliament men, that the banishment of the Pope and Popery, and the restoring of the true religion, had their beginning from this House, and not from the Bishops." The truth is and must be, that, as soon as ever the Church of England was laid open to the light and breath of heaven, and the popular understanding and belief, the Temporality became a component part of it. From that moment, a Convocation which represented the Spirituality only could be no longer rationally considered to represent the Church. The High-Church Convocations of after times, however, were not afraid to put this violence upon reason. Among the impertinences of the canons of 1603, it was declared (Can. 139, 140,) that "whoever should affirm that Convocation was not the true Church of England by representation, and that, therefore, it could not bind the laity in causes ecclesiastical, should be excommunicate!" This audacious attempt by an English Priesthood, to recover for their order an authority, of which, if they ever had it, the Reformation had certainly deprived them, was, we need hardly say, in as manifest contradiction to the law of the land as to common sense. The courts at Westminster have dealt with it accordingly.

For the question, the real question, at the root and in the sap, and throughout the whole trunk of the English Church, as a reformed Church, is this—are the people of England in communion with its Church—a part of the Church—a real and substantial part of it? or, are they there only for the purpose of attending to and attending on the clergy? "When I hear men talk of the Church," Arnold used to say, "I cannot help recalling how the Abbé Siéyes replied to the question, 'What is the *Tiers Etat?*' by saying, '*La nation moins la noblesse et le clergé;*' and so I, if I were asked, What are the laity? I would answer, the Church *minus* the clergy. This," he said, "is the view taken of the Church in the New Testament; can it be said that it is the view held amongst ourselves? and if not, is not the difference incalculable?" It is a surely the view taken of it by the law.