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Art. II.—ECCLESIASTICAL LEGISLATION IN 1899.

WHATEVER surprises in other directions the Session of 1899 may have in store for us, we may predict with tolerable certainty that it will witness a serious attempt to obtain the assent of Parliament to some important ecclesiastical legislation. The Church Reform League, founded in November, 1895, has been steadily growing in strength and influence, and has propounded a scheme for granting to the Church, subject to the supremacy of the Crown and the veto of Parliament, the power of regulating her own affairs by reformed Convocations in conjunction with legally constituted Houses of Laymen. Half a century ago such a scheme would have been derided as absolutely utopian and visionary. But many circumstances have occurred since then to bring it nearer to, if not actually within, the range of practical politics. The Convocations have resumed their sittings, and voluntarily constituted Houses of Laymen have been associated with them. These bodies have familiarized our minds with the idea of Church assemblies, although, no doubt, their present impotence and faulty composition have been only too apparent. At the same time in every diocese representative conferences of the clergy and laity have been established, which, though possessing no formal powers, and dependent for their existence and continuance on the will of the bishops, have yet exercised considerable influence in the affairs of the Church, and particularly in the management of her finances.

These provincial and diocesan mouthpieces of ecclesiastical opinion, however theoretically imperfect, have to a certain extent counterbalanced the loss inflicted on the Church by the fact of Parliament having more and more ceased to perform the function which it long discharged under our constitution of Church and State, of fairly representing the opinion of the Church laity throughout the country. But the Church has sustained another serious loss, for which, except in a very few localities, no redress of any kind has as yet been attempted. Up to thirty years ago, Church rates were compulsorily leviable in the old civil parishes for the maintenance and repair of the parish church. The churchwardens at the Easter vestry presented, with their accounts for the past year, their estimate of the probable requisite expenditure during the coming year, and the vestry voted a rate to meet it. So long as this practice continued, the parishioners in vestry assembled, having control of the purse-strings, had also a control over the objects to which the money was applied. But in 1868 the compulsory levying of Church rates was

abolished, and though the vestries of old parishes and the quasi-vestries of new ecclesiastical parishes were, by the Act which abolished the compulsory levy, expressly authorized to make voluntary Church rates, yet the uncertainty as to collecting them, if made, has, in practice, effectually prevented any attempt to assess them. Consequently our churches, whether new or old, are now maintained by money voluntarily contributed either within the church or outside, without any methodical endeavour to ascertain or follow the wishes of the contributors as to its application, except in the few parishes where voluntary Church councils have been established. Meanwhile the vestries had been gradually shorn of their civil importance by the creation of Poor Law unions and other local administrative machinery, until at length the Local Government Act, 1894, transferred all their remaining secular functions, in rural districts, to the parish meeting or parish council. It can scarcely be doubted, though it does not seem to be generally realized, that this gradual effacement of the old vestries, the organs provided by the constitution for the expression of lay opinion in parochial Church matters, lies at the root of the existing discontent with the exclusion of the laity from an adequate share in the management of ecclesiastical affairs.

At any rate, from whatever cause, discontent on this subject has of late years been steadily growing. But it is at present accentuated by the agitation in reference to doctrine and ritual which has sprung up during the last few months. This agitation has its use, but may also have its dangers, in connection with Church legislation. It will be useful in supplying the impetus necessary for securing the passage of an appropriate ecclesiastical Bill through Parliament in the teeth of the opposition which, whatever be its complexion, it is certain to meet with from one quarter or another, and of the competing demands upon the time of our legislators made by a multitude of more or less important civil measures. The existence of the present agitation affords a strong ground for hoping that the Session of 1899 will be signalized by Church legislation of some kind. But the agitation will do lasting mischief if it leads to an alteration of the existing Church laws in a direction which sober judgment and reflection cannot approve, and which will in practice produce injurious results. In unsettled times there is a tendency to resolve that something shall be done, and to carry out that resolve without sufficient consideration whether the actual measure proposed is an appropriate remedy for the recognised evil. The prevailing excitement renders it, therefore, doubly necessary that we should deliberate carefully beforehand as to the particular

nature of the Church reform which Parliament shall be asked to sanction during the approaching Session.

In forming a conclusion on this question, three principles should be borne in mind: first, that it is idle to endeavour to obtain too much at a time from Parliament as at present composed; secondly, that what we ask should as far as possible spring from a constitutional basis, and proceed on constitutional lines; and, thirdly, that the demand should come from virtually the whole Church. We may admit that the scheme of the Church Reform League, or something like it, is the ideal which we should keep in view. We may admit that our efforts should be directed towards its ultimate attainment. But it is a complicated plan, involving many details, each of which bristles with difficulties, while beneath it lies the greatest difficulty of all, namely, what is to be the qualification of the laity for admission to take part in the government of the Church, either personally or by elected representatives? Upon this question the utmost diversity of opinion prevails, yet it must in some way be settled before the Church can acquire any measure of self-government, and, before it can be settled, some tolerable amount of agreement must be arrived at upon it. Is there, then, any mode in which it can be raised and solved apart from the many other thorny problems involved in the scheme of the Church Reform League? It happens that there is, and that this mode is connected with a detail of ecclesiastical reform, the most obvious and in other respects the most simple and easy of accomplishment, namely, the reconstitution of our ecclesiastical vestries.

The effect of the Local Government Act, 1894, on the powers and position of the old vestries has been already alluded to. But while it took away their civil functions and reduced them to the *status* of purely ecclesiastical bodies, it left their constitution untouched. The vestry of an old parish is still composed of the ratepayers within the whole civil area of the parish, although they may reside within a separate ecclesiastical parish carved out of that area, and be, as such, members of the vestry or quasi-vestry of that ecclesiastical parish, and although they may not contribute a sixpence to the support of the church and be even avowedly unconnected with it or actually hostile towards it. The members of the vestry still have votes varying according to their rateable assessment, those rated at under £50 having one vote, while those who are rated at or above that figure have one vote for every £25 of their assessment up to £150; so that one well-to-do ratepayer who contributes nothing to the church, may have six times the voting power of his poorer neighbour who, according to his means, is liberally supporting it. If by custom, or by

some local Act of Parliament, or by the adoption of Sir John Hobhouse's Act of 1831, the parish, instead of transacting its affairs in open vestry, happens to have had a select vestry, consisting of a few representatives elected by the general body of the ratepayers, this select vestry still continues to be the legal body for choosing churchwardens and managing the ecclesiastical affairs of the parish. These arrangements, equitable and proper enough while the vestries had civil functions to perform, have become glaring anomalies, and it is not too much to say rank iniquities, now that the vestries are purely Church bodies. This was freely admitted at the time of the passing of the Act of 1894; and if the Church had been agreed on what she desired, a reform of her vestries would no doubt have been then effected. Early in the following Session Mr. Jebb introduced into the House of Commons a Bill, which had been prepared under the auspices of Archbishop Benson, for the better regulation of parish vestries with reference to the affairs of the Church of England. This Bill proposed that there should be attached to the church of every parish, whether ancient or created under statutory authority, an ecclesiastical vestry consisting of the incumbent and parishioners of the ecclesiastical parish or district attached to the church—parishioners being defined as persons registered in either the local government register of electors, or the parliamentary register of electors, in respect of property or other qualification within the area. Select vestries and plural voting according to rateable value were to be abolished in respect of ecclesiastical affairs. The subject naturally came up for discussion contemporaneously in the Houses of Convocation and Houses of Laymen. In February, 1895, the Canterbury House of Laymen agreed that a simple and uniform constitution for the ecclesiastical vestry ought to be established in all ecclesiastical parishes and districts, and that plural voting and select vestries should be abolished as regards Church affairs. But they negatived the proposition that the qualification for membership should be the same as for a parish meeting under the Local Government Act, 1894; although they refrained from suggesting any different qualification. Three months later the Lower House of Convocation of the same province, after considerable discussion, found the constitution of the ecclesiastical vestries so insoluble a problem that they resolved that all legislation at the present time on the subject was to be deprecated. This, of course, was fatal to the further progress of the Bill, which accordingly never proceeded beyond the first reading.

The time, however, has surely come when the matter should be revived, and when the question of the lay franchise should

be definitely settled in connection with it. That question has been fully discussed in the meantime, and we ought not to delay longer in coming to some agreement. From many points of view a Vestries Bill suggests itself as the first and chief measure of Church reform to be pressed during the coming Session. It might not only settle this vexed point, but also satisfy the cravings which the present ecclesiastical crisis has accentuated for a greater amount of control on the part of the laity in parochial church affairs. As has been already pointed out, it is a debt due to the Church from the State, by way of relief from the chaos which the State introduced into her affairs by the Act of 1894. It would, of course, include all the provisions of the Bill of 1895, on which there was no controversy. How should it deal with the lay membership of the vestries? There is no lack of alternative methods from which to select. We may retain the old common law franchise, which is substantially that proposed by the Bill of 1895, and which, though associated with no religious qualification of any kind, has been deliberately extended by the Church Building and New Parishes Acts to the quasi-vestries of ecclesiastical parishes formed under their provisions, which never possessed civil functions of any kind. This was favoured by Archbishop Benson, who was loth that the Church should cease to possess this prominent feature of her national character. But, except under that aspect, it is logically indefensible when the functions of the vestry are confined to ecclesiastical affairs. Even to allow all baptized householders to be members of it would mean the admission of avowed dissenters, whether Papists or Protestants, to a voice in our Church government. Accordingly, some Church reformers suggest confirmation as the qualification for the lay franchise; while others would go still further, and maintaining that only communicants are full members of the Church, would impose the sacramental test, believing that the abuses formerly connected with its imposition in reference to civil matters would not revive when it had relation only to the exercise of ecclesiastical functions. It is clear that the enactment of any religious rite, whether baptism, confirmation, or communion, as the door of entrance to the vestries, would revolutionize those bodies in respect, not only of those who would be excluded from them, but also of those who would be included in them. With such a qualification it would be impossible to restrict membership to householders. It would be necessary to admit all resident Churchmen, and perhaps Churchwomen, who satisfied the prescribed religious condition, independently of any other consideration. We might thus have several members of the same family or household, in-

cluding servants, taking part in the proceedings—an arrangement which would have the effect of restoring the plural vote to the rich man in another shape, and could not be regarded as desirable. Moreover, if Churchwomen were admitted to the franchise without regard to whether they were householders or not, we might very likely find that in many parishes a majority of the voting power was in the hands of the feminine sex. It would probably be the best plan to give the right of membership of the vestry to the householders to whom it now belongs, *provided they be members of the Church of England.* This would be the smallest step in the direction of denationalizing the Church which could be taken without disregarding her rightful claim to freedom from the interference of outsiders, and would be analogous to the old restriction which confined the right of taking part in the vestry to parishioners who had paid Church rate. It is extremely unlikely that, if such a constitution were adopted, persons who were not members of the Church would intrude themselves into the vestry; but, if they did, a resolution proved to have been carried by their votes could be set aside as void; and a precautionary enactment might be added that any person attending a vestry meeting might, before voting, be required by the chairman to sign a declaration that he was a member of the Church.

If Professor Jebb's Bill were to be reintroduced this year, with a provision restricting the parishioners entitled to attend the ecclesiastical vestries to members of the Church of England, it ought to have a good prospect of being passed. But something further than this is required, and in the present state of public feeling with regard to Church affairs there ought to be no difficulty in getting more than this from Parliament. It is of no use reforming the vestries, unless, after being reformed, they are entrusted with some substantial powers. At present their functions are practically and with some few exceptions confined to the election of one churchwarden and of sidesmen, where any are appointed, and the sanction of alterations in the fabric or fittings of the church previous to the grant of a faculty. It can scarcely be disputed that they or some kind of parochial council elected by them ought to have a voice in the administration of funds collected for the repair of the church, as they had when Church rates were levied, and also of funds collected for Church expenses. At present they can by law object to the insertion of a bit of colour in a church window. It seems reasonable that there should be accorded to them, either directly or indirectly, the power of objecting to the introduction of colours into the vestments of the officiating minister, and to other alterations in ritual.

If it were considered undesirable that the vestry as a body should exercise these new powers, they might be empowered to elect a parochial council, to which the proposed authority should be entrusted. This arrangement might solve the difficulty between the competing claim of the nation that the franchise of the existing members of vestry should be retained with no restriction or as little restriction as possible, and of the Church that her affairs should be administered only by *bonâ fide* Church people. The parochial council would be a newly constituted body; there would be no difficulty in laying down that it should consist exclusively of communicants, and that the payment of rates, or holding of a house, or even residence within the parish, should not be a necessary qualification for membership. Whether, however, the proposed new powers were reposed in the vestry, or in a parochial council to be elected by the vestry, it is clear that in case of a conflict between the lay authority and the incumbent of the parish, the question would properly be left to the decision of the Ordinary, as at present in the case of an opposed faculty. A scheme of this kind would go far to allay the present justifiable discontent at the ability of the clergy to introduce innovations into the conduct of Divine service in our churches without the consent, and sometimes against the will of, the parishioners.

It may be of interest in connection with this subject to recall to mind the mode in which it is dealt with in the constitution of the disestablished Church of Ireland. In that Church there is a vestry in each parish, consisting of every man of twenty-one years and upwards who applies to be registered as a vestryman, and declares himself a member of the Church of Ireland, and is usually resident in the parish, or is possessed of landed or house property therein of the clear yearly value of at least £10, or is an accustomed attendant at the parish church. Any diocesan synod may require as a further qualification for a vestryman within the diocese that he shall be a subscriber to the Church funds; and the Diocese of Glendalough has accordingly enacted that no person who does not subscribe at least 2s. 6d. a year to those funds shall be registered as a vestryman. There is also to be a select vestry in every parish consisting of the incumbent, the curates (if any), and the churchwardens, and not more than twelve other persons, elected annually by the vestry out of their own number. Subject to any regulations on the subject made by the Diocesan Synod, the select vestry has the control and charge of all parochial, charity, and church funds not held on any trust inconsistent with that control, and is to provide out of the funds at its disposal all the requisites for Divine service, and keep the church and other parish

buildings in repair. It has also the appointment of church and parish officers and servants, and pays them out of the funds at its disposal. This scheme, it will be observed, practically makes Churchmanship the qualification for membership of the vestry, from which it shuts out women altogether. The practice of the Church in Canada, Australia, New Zealand, and South Africa is similar. The parochial franchise is accorded to male adults who declare themselves Church members, although only communicants are eligible to serve on Church councils. It is clear that if any ecclesiastical qualification is adopted for the admission of the laity to a share of Church government, the feminine element must be excluded, since it might otherwise swamp the men. The Irish and Colonial franchise may be right for a disestablished or non-established Church; but so long as our Church retains its connection with the State, the householder franchise, with a condition of Church membership superadded, appears to be the correct principle; and under that franchise qualified women would continue to be members of the vestry as they are at present.

There is another and very different branch of Church reform which has now become ripe for legislation. The amendment of the constitution of the Lower Houses of Convocation has long been under discussion. The necessity for it is universally admitted: the only question has been as to the mode of effecting it. Convocation has had a natural reluctance to seek the aid of Parliament in the matter; while, on the other hand, it has become more and more evident that, unless the sanction of Parliament in some form or other is obtained, the Crown, acting under the advice of its law officers, will not give its license to any step towards the desired reform being taken by the Convocations themselves. The Southern Convocation has at last determined to apply to Parliament for a declaration that, notwithstanding anything in the Act for the submission of the clergy of 1534 (which is the cause of the present dead-lock), Convocation has power, with the Royal assent and license, to pass canons for amending the representation of the clergy in the Lower House. A Bill to obtain this declaration will, it is presumed, be introduced into Parliament in the forthcoming Session, and ought to be carried without serious opposition.

If during 1899 our ecclesiastical vestries can be put upon a satisfactory basis, and the constitutional power of the Convocations to reform themselves can be placed beyond doubt, two steps in the direction of Church self-government will have been accomplished, important in themselves, and

equally important in respect of the further developments for which they will have paved the way.

PHILIP VERNON SMITH.

ART. III.—THE SACERDOTIUM OF CHRIST.

PART II.—THE TYPICAL SHADOW IN RELATION TO THE GREAT REALITY (*continued*).

IN our last paper we had reached the point in which, comparing and contrasting the typical shadow with the Grand Reality of the true Sacerdotium, we marked how from the perfection of the expiatory work of Christ on the cross it results, that the Priesthood of the New Covenant *starts from* that which is set before us as the main *end*, the very chief purpose of *Sacerdotium* in the typical shadow. I must now revert to this point, and again insist on its importance for anything like a true view of the *Sacerdotium* of Christ.

Regard the work of the many priests of the old dispensation. Expiation in a shadow is the aim and object of their service. Sacrifice, indeed, was not their only function.[1] But it was the principal and most prominent part of their continual ministration—so much so that from one point of view their *sacerdotium* was seen as existing for the very purpose of sacrificial service. Mark the teaching of Heb. v. 1: *Πᾶς γὰρ ἀρχιερεὺς . . . καθίσταται τὰ πρὸς τὸν Θεὸν, ἵνα προσφέρῃ δῶρα τε καὶ θυσίας ὑπὲρ ἁμαρτιῶν.* And again, mark well the teaching of Heb. viii. 3: *Πᾶς γὰρ ἀρχιερεὺς εἰς τὸ προσφέρειν δῶρα τε καὶ θυσίας καθίσταται.* (See also Heb. x. 11.) In this sense the making expiation by sacrifice and oblation may certainly be said to be the main *τέλος* of the Old Testament *sacerdotium*. Yet it was a *τέλος* never to be reached. The legal covenant knew no *τετέλεσται*. Quite out of place in that dispensation would have been the sublime utterance, "IT IS FINISHED." In the region of spiritual reality—in the matter of really taking away of sin *as sin*—in

[1] In 1 Chron. xxiii. 13 we find it stated that Aaron was separated (*διεστάλη*) for the priestly office, in order to do four things: (1) that he should sanctify the most holy things (*τοῦ ἁγιασθῆναι ἅγια ἁγίων*); (2) to burn incense before the Lord (*τοῦ θυμιᾶν ἐναντίον τοῦ Κυρίου*); (3) to minister (*λειτουργεῖν*); (4) to bless (see the Hebrew) in His name (*ἐπεύχεσθαι ἐπὶ τῷ ὀνόματι αὐτοῦ*).

In 2 Chron. xiii. 11 the priests are said to "burn unto the Lord every morning and every evening (1) burnt sacrifices and (2) sweet incense." Then mention is made of (3) the shewbread upon the pure table, and (4) the lamps of the golden candlestick.