THE NON-JURORS, 1688-1805

By ALBERT MITCHELL.

On the 7th February, 1688-9, the Convention Parliament recognized William and Mary as Sovereigns of England, in the place of James II, who, having left the realm on the previous 23rd December, had been declared by the Convention Parliament to be deemed to have abdicated the throne. While there was widespread feeling that government by King James had become impossible, there had been no complete agreement as to the course to be followed: the desires of many went no further than a Regency by William, preserving the title of James: but the more influential majority felt that such a middle course would but defer the trouble: and called for a change in the settlement of the Crown. A very simple new oath of allegiance was required in place of the older form: but nevertheless a distinct issue arose in the Church of England. There were those who felt, or expressed, no difficulty in giving a new allegiance to the new Sovereigns *de facto*, accepting the legal fiction that the desertion of the realm by the king *de jure* had vacated the throne. But a minority regarded the oath of allegiance already given, in more stringent terms, to James as of a personal nature that could be determined only by his death. The Archbishop of York and nine other bishops took the former course. The Archbishop of Canterbury and eight other bishops took the latter course. Of these, three died before the time limited by Act of Parliament expired: but the senior primate and five bishops were by the Act first suspended and then deprived. It would have been wise if the Government had refrained from tendering the new Oath to existing bishops and contented itself with requiring it from newly appointed bishops: but the suspicious fears of an era of revolution are not allayed by considerations of wisdom. Others of the Clergy were faced with the same problem, and a minority went with the Archbishop of Canterbury*. The separation that consequently took place is known as the Non-juring Schism.

The Non-jurors fell roughly into four sections: (1) those who acting solely from personal conscientious scruples voluntarily retired into private life and gave no trouble to the State: (2) those whose scruples were accentuated by a belief that James remained lawful King, and who therefore refused to acknowledge those who had taken the oath, particularly those intruded into the sees of the deprived bishops, as orthodox or to accept their ministrations: (3) those whose position was purely political and who regarded the whole matter as a move in the dynastic dispute: (4) those whose main motive was protest against the action of the State which they regarded as unwarrantable in the ecclesiastical realm. The most distinguished of the Non-jurors was Thomas Ken, Bishop of Bath and Wells (author of the famous morning

* About 400. Lathbury 84. 1 Feb., 1690/1.

and evening hymns) who consistently refused to be associated with any overt action and was of opinion that the schism should have been closed with the death of King James. The most pathetic figure was that of William Sancroft, who exchanged the Archbishop's House at Lambeth and the primacy for a poor Cottage at Friesingfield ("at this time indeed very hard frozen," as he punningly writes to Bishop Lloyd) in Suffolk, his native place. Sancroft at first opposed separation, but, whether by persuasion or otherwise, came to authorize the organization of the Non-jurors as a separate communion, and being old and infirm delegated or purported to delegate his primatial authority to William Lloyd, deprived bishop of Norwich, as his "Vicar. . . . Factor and proxy General, or Nuncio." Acting in apparent pursuance of this commission, Lloyd, assisted by the deprived bishops of Ely and Peterborough, consecrated George Hickes, deprived Dean of Worcester, to be Suffragan of Thetford, and Thomas Wagstaffe to be Suffragan of Ipswich. Wagstaffe never assumed to do any episcopal acts, but Hickes became the real leader of the Non-jurors, who were known as the "communion of Dr. Hickes." Archbishop Sancroft had died more than two months before these consecrations took place; and it could scarcely be claimed that his delegation of his powers to Lloyd could have survived his death, even if he had approved of them in prospect.

But the attitude now assumed by the Non-jurors was that the whole Church of England—"the public church" as they came to call it—was in schism from the primitive Church; and that they themselves were the only Catholic remnant; and their efforts were directed to keeping alive some sort of a "succession" in hope of a day when the realm would return to its rightful allegiance to the house of Stuart and they would have the privilege and duty of "reconciling" the ministers of "the public church" to their own faithful remnant. They therefore had, of necessity, to drop even the fiction of "suffragans" of the deprived bishops: and as the original Non-juring bishops died off one by one: and Bishop Frampton and Bishop Ken the last survivors refused to do anything to continue the separation—Bishop Frampton (deprived of Gloucester) regularly attended the service of the Church and even catechised the children, and Ken desired the breach to be closed and communion with the existing bishops to be restored—the whole movement fell under the control of Dr. Hickes and the numerous consecrations were frankly performed to keep open "the succession," and the Non-juring bishops who continued into the early days of the nineteenth century were simply a "college" (although that title was not used in England) of bishops without dioceses, and many of them did not attempt any episcopal functions. They were, however, inter-related in a peculiar fashion with the Jacobite bishops of the little episcopal fragment of the Church in Scotland: at one time or other each body called the other in aid. The history is long and involved.

In 1716 the then Non-juring bishops opened negotiations with the Greek Church for recognition, representing themselves as the orthodox and catholic remnant of the British Churches. Long correspondence

ensued, there was an attempt to secure the mediation of Tsar Peter the Great and some astounding proposals were made, and negotiations dragged on till 1725. But all came to nought. The Non-jurors, although some of them had moved far from the Reformation standpoint, could not swallow the grave doctrinal errors and superstitions of the East, and the Greek bishops appear to have had some difficulty in locating the ecclesiastical status of their applicants. The main points of Greek Orthodox doctrine and practice to which the Non-juring bishops scrupled were (1) the placing of the authority of the General Councils on a level with Holy Scripture (2) the giving of divine honours to the Blessed Mother of the Lord (which however the Greeks denied) (3) the invocation of the saints (4) the doctrine of transubstantiation, insisted on by the Greek bishops who described the Non-jurors' belief as blasphemous (5) the use of sacred pictures as in the East, as involving danger of idolatry. The Non-jurors argued at great length with the Greek Bishops (who had spoken of them as "born and educated in the principles of the Lutheran Calvinists and possessed with their prejudices"). The Non-juror leaders in this strange episode were Jeremy Collier (consecrated 1713) Archibald Campbell (a Scottish freelance consecrated 1711) and Thomas Brett, LL.D. (consecrated 1715-6, and not to be confused with a later namesake, Thomas Brett, M.A., consecrated 1727). The other Non-juring bishops of the day, Nathaniel Spinckes (consecrated 1713) and Henry Gandy (consecrated 1715-6) withdrew from the affair in 1722, when it became clear that the Eastern Church was immovable on matters of doctrine. Spinckes had been the scholar who drew up the proposals in Greek. Dr. Thomas Brett was not originally a Non-juror and some time before his secession was Lecturer at the Parish Church of Islington. He joined the Non-jurors in 1715 and less than a year later was consecrated by Collier, Hawes (consecrated 1713), and Campbell.

But by this time the "inbreeding" which is the unhappy result of a close community had produced doctrinal and ritual aberrations from the strict standpoint of the Articles and Prayer Book that had at first been jealously adhered to by the separated remnant; and the little community, worshipping in back courts and private houses here and there, was torn by the "Usages" controversy; and the Non-jurors became divided into "Usagers" and "Non-usagers," vilifying and even excommunicating one another with painful acrimony. The quarrel seems originally to have arisen out of the intensive studies of the Non-juring clergy in Christian origins and the ancient liturgies, on which Dr. Brett had written a book that is still regarded with respect by liturgical students. He had contracted a great admiration for and devotion to the Clementine Liturgy, generally believed to date from the Fourth Century, and probably the oldest complete liturgy other than the *Ordo Romanus*.

There is controversy as to the value of the Clementine liturgy: there is no evidence that it was ever in actual use: and it may be merely an ideal form compiled by ancient scholars "in the study" rather than in the "church."

Anyhow he and those who followed his lead now asserted that the English Prayer Book was defective, and its defects needed to be supplied from what they believed to be "primitive" models. The "four things," as they were termed, of the Usagers were variously stated, and not always treated as of equal importance; but they were substantially (1) An express Oblation of the Elements in the Eucharist to God the Father; (2) A direct Invocation of the Holy Spirit upon the Elements that they might become the Body and Blood of Christ; (3) the omission of the words "militant here in earth" from the title of the prayer for the Church, thus recognizing prayer for the departed; (4) the use of the mixed chalice. Round the much varied views of the lawfulness or propriety or necessity of these Usages such dispute raged that a schism within the schism arose that was not healed till 1732. When that schism (which had involved two hostile or opposed lines of succession) was more or less patched up, other schisms arose the reasons for which are still more obscure. John Blackburne (consecrated 1725) set up a separate communion in 1732 and continued it till his death in 1741, when he was buried at the east end of Islington Churchyard.* The last bishop in the regular succession was Robert Gordon (consecrated in 1741) who died in 1779 greatly respected. A section of the Non-Usagers who had refused the accommodation of 1732 tried to perpetuate themselves, with Campbell's original help, by "solus" consecrations, but that wing of the Schism also ended by the death of Charles Booth (the date of whose consecration is unknown—even his Christian name is in doubt) somewhere about 1805, probably but not certainly in Ireland. Thus finally disappeared from history the Church of the Non-jurors. From 1693 to the end of the eighteenth century twenty-nine bishops were consecrated. Of these two really belong to the Scots communion: and eight being consecrated by single bishops are regarded as more or less irregular. Quite a number of these bishops never exercised any episcopal act: and none of them claimed any special diocese. There was no question of election of any of these bishops: they were simply selected by their predecessors to carry on the succession. Hickes and Wagstaffe appear to have been approved or selected by proxy by James II in exile: and for a while an appearance or pretence of approval of the successors by the prince whom they called James III (and even of him, whom they called Charles III) was maintained, but this dropped out. The formula used was "the consent of the landlord," mystifying phraseology being used in which the bishops were disguised as "factors": and a hazy "general assent" was asserted to have been given by the prince to such steps as were necessary to preserve the succession. The political sanction had worn threadbare long before the schism was dead. It is interesting to note that one of the early Non-jurors, Kettlewell, before the first consecrations, debated sympathetically whether the clergy may in cases of necessity minister without episcopal powers—a somewhat far-reaching proposition.

* John Lindsay, presbyter, who succeeded to the charge of Blackburne's Chapel was also buried in Islington Churchyard in 1768.

The Non-jurors were probably never rich in laity. There were a number of small congregations in London. Jeremy Collier at first ministered in a little chapel in Broad Street, up two flights of stairs. The principal centre, in Scroop's Court, Holborn, was sometimes referred to as Headquarters. Here daily Morning and Evening Prayer was kept up, and on one Easter as many as 50 Communicants were reported. The tradition of weekly Communion was largely but not universally respected. There were other little congregations at Dunstan's Court, Fleet Street; in Gray's Inn; Red Lion Street; and Marylebone; one at Isleworth, and another at Feversham, to each of which Dr. Brett went every fourth Sunday. Farther afield there was a stronger centre at Manchester, which shot out a branch at Shrewsbury: and a strong centre at Newcastle. There are no indications of wealth: when a Northern presbyter was invited to take charge of one of the London oratories and be consecrated bishop, all the stipend that could be promised was £40. The presbyters who appear to have been more numerous than the numbers of the laity warranted seem, except in a few cases where they had private means, to have followed secular avocations. One bishop was a practising physician, and others of the clergy seem to have been tutors, schoolmasters or shopkeepers. Richard Rawlinson, D.C.L. (consecrated 1728) was a benefactor to St. John's College, Oxford, to which he bequeathed his heart. One well-known presbyter was William Law, the Mystic, but he dropped out of sight in his later days. Some were recluses seldom coming out into public, and most ministered in private houses. Some of the presbyters, including William Law, seem at times to have given considerable trouble to their bishops.

On the crucial point of Ritual that is the line of demarcation between different doctrines of the Eucharist it is clear that the general practice was for the Minister to stand at the North Side of the Table. Dr. Brett regarded the "Eastward Position" as "shocking."* That is to be expected, seeing his admiration for the Clementine Liturgy which requires the Bishop to face the people—a point Broxap has missed. On the question of vesture it would seem that the Non-Usagers most likely adhered in the main to the surplice, but amongst the Usagers at least there may have been some variety. Brett sent some silk to Laurence to be dyed and made into a cope which he wished to "be a fine purple," and later Campbell sent Brett a parcel of purple cloth in the selection of which he said he had taken as much care as if his friend were Archbishop of Canterbury. Jeremy Collier, however, as Primus or presiding bishop, appears not to have worn any such vestments. Brett (as appears from a letter in 1736) thought that the "Seasons" which called for variations of colour were Spring, Summer, Autumn and Winter. But he adds, "Though I believe the Church of England either before or after the Reformation never directed these different colours." G. Gilbert Scott (Secundus) thinks the Non-jurors

* In his correspondence with Wheatley (a Juror) Brett asked that in his contemplated book he should make it clear that those "who consecrate with their back to the people are wrong."

used the cope only by mistaken belief that it was identical with the Greek phenolion or chasuble, which opens in front, but Brett evidently knew that copes and chasubles were different vestures.

On questions of doctrine some at least of the Usagers deviated from the standards of the Articles and Prayer Book. In their desire to claim an Oblation in the Eucharist they advanced the view that the Sacrifice of Christ was commenced in the institution of the Lord's Supper and only completed on the Cross.* Collier was the more cautious and said "'Twas typified and begun in the Holy Eucharist and continued on the Cross and by this last voluntary act our redemption was purchased." But Brett wrote,† "I was once of opinion that the doctrine of the Eucharistic Sacrifice was reconcilable to the Communion Office of the Established Liturgy. . . . but I have since seen my error and find that the notion of Christ's offering Himself on the Cross alone, exclusive of any other oblation. . . .is utterly inconsistent with any oblation made by Christ in the Eucharist and if no oblation is made by Christ in the Eucharist neither ought we to make any oblation there." Thomas Deacon was perhaps even more insistent: "He did not offer the Sacrifice upon the Cross: it was slain there but was offered at the Institution of the Eucharist." Brett also departed from the Articles and Catechism on the point of the necessity of Faith, and he tended to associate Tradition with Holy Scripture in the place of authority. But the question how far his opinions (as the most outstanding personality in the Non-juring Community) were held by the larger body of the Non-jurors, and especially of the Non-Usagers, remains in doubt. The isolation and exclusiveness of the little community operated in two different directions: in one way it bred conservatism in the rank and file and in the other it invited eccentricity in the outstanding men. The new Order of Holy Communion set forth by the Usagers contained a rubric for adding water to the wine: and words of commendation to "Thy mercy, O Lord, all Thy servants, who are departed with the sign of faith, and now do rest in the sleep of peace": also a prayer to "send down thine Holy Spirit, the witness of the passion of our Lord Jesus, upon this Sacrifice, that he may make this bread the body of thy Son, and this cup the blood of thy Son": and also two passages importing the one the offering of "this reasonable and unbloody sacrifice for our sins and the sins of the people," and the other the offering of the bread and cup with a prayer to "look favourably on these thy gifts, which are here set before thee, O thou self sufficient God." In addition the book contained a form for consecrating chrism to be used in Confirmation. In the later developments after the first Schism was healed other services and orders arose among those whom Lathbury calls Separatists, the dominant inspiration of which was probably Thomas Deacon (consecrated in 1733 by Campbell and Laurence after Campbell had consecrated Laurence "solus"). Deacon was the stepson of Jeremy Collier, and

* Cf. the dispute at the Council of Trent in 1562 (Dimock, Romish Mass in the English Church).

† I rely upon Broxap for these quotations.

was ordained by him at 18 years of age : one of his sons was executed for complicity in the Forty-five. Lathbury asserts that only those whom he calls Separatists were implicated in the Forty-five, and none of the more regular Non-jurors. The New Communion Office of the Non-jurors (largely expressing the views of the Usagers) influenced the development of the Scottish Office.

While in the earliest stages of the movement prominent Non-jurors were treated with great harshness and persecution, largely resulting from political fear ; yet, as the political dangers died down, kindlier relations, at least in the spheres of society and learning, appear to have arisen. The Non-jurors suffered from poverty, and those who gave themselves to literary pursuits settled in the vicinity of the universities for the sake of access to the libraries, as they could ill-afford to purchase books. And there is not wanting evidence that their brethren of " the established liturgy," including even an Archbishop, contributed to the funds raised to assist necessitous members of the community. The earlier Non-jurors did go out into the wilderness for conscience sake, receiving no pensions or allowances : and much the same may be said for those who joined them at the accession of George I. Yet Dr. Thomas Brett could say that with certain small exceptions he had not been molested in the discharge of his ministry : and there was constant interchange of correspondence between scholars on both sides.

It is interesting to conjecture the extent and strength of the influence exercised by the little body of Non-juring clergy upon their brethren in the " public church " : or the result of the merger of the remnant of the Non-juring laity, as the schism died out, in the National Church upon their associates. But it is reasonably clear that a small nucleus was ready to hand for the influences of the Tractarian movement to work upon. As late as 1836 there are references to a small community holding the Non-juring tradition ; apparently mainly lay by that time. Would it be fair to suggest that the Non-jurors are in the ancestry of the Anglo Catholic School ? Certainly there is a family resemblance between the Doctrines of the Usagers and some modern teaching.

But whatever view we may take of the principles and practice of the Non-jurors we cannot withhold a meed of respect for a community that was painfully in earnest and suffered, perhaps more than we know, for conscience' sake. I have endeavoured in this article to present a concise and intelligible story of a chapter of our English Church History that is but little known to most Churchfolk, but has always had a fascination for me and ought I think to be interesting to many others, in the light of Lord Acton's famous dictum that " the prize of all study of history is the understanding of modern times."

(Principal authorities : *History of the Non-jurors*, by Thomas Lathbury, M.A., Pickering, 1845 : discursive and argumentative and lacking in precision ; but very valuable, especially for the negotiations with the Greeks and the inter-relations with Scotland. *The Later Non-jurors*, by Henry Broxap, M.A., Cambridge University Press, 1924 : very precise and restrained, with full table of bishops.)