

Lastly, shall not Churchmen be strongly swayed by the Archbishop of Canterbury's words, "I have, after very serious consideration, come to the conclusion that the time has arrived when we ought most distinctly to state our opinion that the course at present pursued by the Government in relation to this matter is one which ought to be abandoned at *all costs?*"

A. E. MOULE.

ART. IV.—THE PRESENT ASPECT OF THE RITUAL STRUGGLE.

IT is proverbially hard for the actual combatants to gain any general notion of the battle in which they are engaged. Whether or not we consider ourselves combatants in the hot contest now raging around us, we cannot avoid being involved more or less in its confusion. We cannot choose but hear the noise of the strife dinning in our ears, and, as Churchmen, there are few of us who can withhold the keen interest which the gravity of the crisis is worthy to inspire. But what is near always seems great, as compared with what is far off, and so the very height of the prevailing excitement only makes it more difficult to stand quietly aside, and, viewing the *mêlée*, as it were from without, to endeavour to compare the past with the present, to note the changes which late events have made, and to strive to ascertain whither the tide of battle is sweeping us. But although it may be hard, there is surely no more useful or needful work for each of us individually to perform, if we would restrain ourselves from being betrayed into an extravagance not less hurtful to our own souls than to the Church of which we are members. History will supply many instances of contests undertaken perhaps for the sake of great principles, but so conducted that the real issue has been soon forgotten. Men and parties who began to contend for the truth have been found in the end to be only fighting for victory, and so nothing but loss and sorrow has ensued to the cause sought to be defended. It is with the hope of preventing any such disaster amongst those who are now contending for the principles of the Reformation, that an attempt to grasp the present situation is recommended. Let us consider some of its leading features.

The first thing that strikes us is *the fact of a crisis*. If we look back for a little more than twelve months we shall perceive an entire change in this respect. No doubt the relations of different parties in the Church towards one another were strained, and the attitude of the Ritualistic clergy was extremely embarrassing to the Bishops, but still matters could not be

called urgent. The result of the appeal to the law on the questions at issue between the Ritualists and Protestant Churchmen was pretty clearly appreciated on both sides. The Ecclesiastical Courts had on the whole decided against Ritualism, and the Ritualists had as a body decided against the Ecclesiastical Courts—that is, they had elected to retain their peculiarities of ceremonial, notwithstanding their illegality, and in defiance of the Courts. Men shook their heads, and said it was too bad; but meanwhile what used ten years ago to be regarded as astounding innovations were becoming established in every large town and in many country neighbourhoods, and gradually Ritualism was gliding into a position where it could claim the prescriptive rights which come of long possession. So little did affairs seem to be approaching an acute stage that some of the wisest amongst our spiritual rulers could speak of things as “settling down.” The Archbishop of Canterbury, for instance, in his last Visitation, held in August, 1880, thus expressed himself:—

I am thankful to say that I believe the agitations of the past years are subsiding, and that our Church may now soon be allowed to brace itself with undivided energy to the great conflict of these latter days. . . . I trust we are coming, *if we have not already come*, to the end of our late unhappy divisions within our own Church.

We do not quote these words for the ungracious purpose of exposing an error in foresight, but to show what, in the opinion of a very sagacious observer with admirable opportunities of ascertaining the truth, was the tendency of events a year ago. For our own part, we feel confident that had no new force intervened to push the ritual question into a new channel, the extreme party would have speedily turned a position already strong into one quite impregnable. But a new force did intervene. On the 30th of October, 1880, the Rev. T. Pelham Dale was committed to prison for his contempt of the Court of Arches, in disregarding the monition and inhibition of Lord Penzance. It would be foreign to our purpose to discuss the policy which prompted this step. We neither impugn it nor defend it. We merely chronicle the event as the beginning of a new phase of the ritual controversy. It was closely followed by the imprisonment, for similar reasons, of the Rev. R. W. Enraght, and the initiation of the proceedings which, a few months later, culminated in the Rev. S. F. Green's confinement in Lancaster Castle. The circumstances, which were much the same in all these cases, should be borne in mind. In each the suit was of long standing; in each the accused clergyman had, after trial, been found guilty of the use of the Mass vestments and the employment of certain ceremonies which had likewise been declared illegal by the Judicial

Committee. With the solitary exception of Mr. Tooth, whose imprisonment was but short, and ultimately led to his retirement from his living, no clergyman who had been the subject of a ritual prosecution had experienced this extreme result of contumacy. Some, like Mr. Ridsdale, had, after a stout opposition, surrendered; while others, like Mr. Mackonochie, successfully defied the sentences of the spiritual courts. It was principally the spectacle of triumphant lawlessness presented by the latter clergyman, and the failure of an attempt to deal with him by deprivation, which raised a considerable clamour amongst the supporters of the Church Association that the prosecutors should not any longer suffer themselves to be "played with" by the other side. Accordingly the Council suddenly adopted what seemed to outsiders a new policy. It cannot be condemned for want of vigour. Two clergymen were promptly lodged in prison, a third was launched on the road thither, and a fourth was sentenced to deprivation. At once a change passed over the surface of Church affairs. The Ritualistic party were up in arms. The English Church Union plied every means at its disposal to foment agitation. The *Church Times* rang with furious denunciations of its enemies, while, in its largest type, it invoked the prayers of its readers for the clergy "in prison for conscience' sake." It was natural that in such quarters the imprisoned clergy should be regarded as martyrs, and the Church Association as their cruel, malicious persecutors; and it was equally natural that the leaders of the party should seek to turn to its advantage events in many respects so suitable for their purpose. All parties were profoundly moved by an occurrence so startling in the nineteenth century, though it would have been considered exceedingly commonplace in the sixteenth. The secular press discussed the matter with lively interest, and the *Times* kept a special column for the details of Mr. Dale's prison diet and occupations. In a word, we had arrived at a crisis of no small urgency. Every one turned to the bishops. English Churchmen have for centuries exercised a peculiar right with regard to the bishops. If anything goes wrong in the streets of London, if a horse runs away with a cart, or a thief with a pocket-handkerchief, or a fire breaks out, or a passer-by chances to fall into a fit, we all of us indignantly ask one another, "Where are the police?" So in Church matters. It is a settled practice that in ordinary times the bishops should be blamed for whatever is amiss, while in a crisis they are not only held responsible for its occurrence, but are expected to devise a remedy and, harder still, to procure its adoption. In this instance a mild palliative, a dilatory remedy, was the only one ready to hand, and the bishops—first in Convocation and then in Parliament—asked for a Royal Commission to consider the constitution and working

of the Ecclesiastical Courts under the Reformation statutes. Meanwhile Messrs. Dale and Enraght were released from prison, owing to the omission of a formal step in the proceedings. Mr. Green had not yet arrived at Lancaster Castle.

All sides on the whole concurred in the appointment of the Commission. It had been loudly and confidently asserted by the extreme High Church clergy that the present Church courts were founded in open and utter contravention of the principles which guided the Reformers. Hundreds of honest and earnest men conscientiously believed this. The question is not one the answer to which is patent and obvious; it depends upon historical facts and inferences, not particularly familiar to most of us. It is surely worth while then to have all the light which the deliberations and investigations of such a body as a Royal Commission can throw upon the subject. The action of the Bishops, therefore, approved itself to the public mind. It had another result, which, it is not too much to say, was intended. It tided over the crisis, and postponed the taking of any definite step to a future time which at any rate *may* be a calmer one. *An attitude of waiting* was thus produced which seems to be another of the peculiar features of the present state of things. It is conceded that no change ought to be made until the Commission has reported (1) as to the constitutional status of the Courts, and (2) as to the working of their procedure. But there is still a general feeling that, when the Commission has reported, something must be done. The crisis which the imprisonment of Mr. Dale created a year ago has not subsided. It can scarcely be said to be in abeyance, for the temporary tranquillity which might perhaps have been the result of the pendency of the Commission has been prevented by the imprisonment of Mr. Green. It is then to the future that it will be well to turn our attention. What is the inclination of public opinion as to Ritualism? It is hardly necessary to say that this disposition, whatever it be, supposing it to continue, will greatly influence, if it does not altogether control, the policy of our rulers. Barren speculation as to future legislation would be plainly outside our subject—the present aspect of the Ritual struggle; but the bent of public opinion is as plainly within it, and its influence on legislation is therefore referred to, to remind the reader of the extraordinary importance of taking due account of this factor of the problem.

There are two matters which, because they are, as it were, for the moment in the same line of vision, one behind the other, it is easy to confound, so as to regard them as one and the same. Yet they are widely different. The status of the Courts and the toleration of Ritualism have only an accidental and, so to speak, an apparent connection. This is a fact which ought to be

very clearly perceived by Protestant Churchmen. There is a considerable and important section of public opinion strongly opposed to the attack of the Ritualistic clergy upon the jurisdiction of the Ecclesiastical Courts, which would yet favour such a change of the law as would render it unnecessary for these clergymen to indulge in contumacy. The position that the law must, at all hazards, be upheld, is perfectly consistent with an inclination so to alter the law as to render conflict with it unlikely. It is true that the present phase of the struggle with Ritualism is as to the status of the Courts; but in measuring the strength and noticing the direction of the forces in action around us, we may dismiss this part of the question with but slight notice. The subject of the Courts is being carefully sifted by the Royal Commission, and it may well be left for the present in their hands. Without venturing to prophesy, we may be permitted to express a tolerably firm conviction that the outcome of the inquiry will be the vindication of the *constitution*, and the condemnation of the *working* of the Ecclesiastical Courts. History is, after all, a book open to all men alike. It is reasonable, therefore, to conclude that the results to which many impartial minds have been separately led, indicate with general correctness the direction in which the collective judgment of the Commissioners, employing the same materials, will tend.

But while historical research seems to vindicate the constitutional status of the Church Courts, it requires nothing more than a memory reaching back a few years to demonstrate the futility of their procedure. It would be foreign to our object to enter into detail on this subject, but we advert to it for the purpose of referring to another symptom of the present crisis. The assiduity with which the extreme party have plied the advantages they possessed by being subject to a system effete and worn out in every part, has been carried too far. No doubt they occupied an advantage of considerable tactical value when they were able to say to the Church Association, "You must either leave us alone, or put us in prison!" But when they found that their opponents were resolved on the latter course, they pushed one clergyman after another into a position of reckless contumacy, until they overshot their mark. Intent on exciting popular sympathy, they have raised a feeling of disgust that it should be possible to use the law so as to discredit it. The consequence is that, while it is certain the Commission will report that the system of ecclesiastical penalties needs reform, *public opinion has anticipated it, and has already by its voice substituted for the clumsy expedient of endless imprisonment, what Dr. Pusey, filled with wrath, calls the "guillotine of deprivation."* Lord Beauchamp's Bill, which last session passed the

House of Lords, will, probably, next year become law. This, at any rate, is a practical improvement which the imprisonments are likely to occasion.

But a graver issue lies behind. As we have said, the real issue is not the status of the Courts, but the toleration of Ritualism. Now, as to this the imprisonments have had an important bearing. They have not only given an urgency to the matter, which it did not previously possess, but they have defined and narrowed the issue, so that it is possible to indicate with confidence the crucial point of the contest. The key of the ritual position is the ceremonial of the Mass. The subtleties of language and the numberless shades of divergence in theological opinion have made it wellnigh impossible to meet the Ritualistic clergy, as a party, on the question of Eucharistic doctrine. But the Mass vestments and their accessories are things obvious, distinct, and tangible. There is a sharp line of distinction between these vestments and the plain robes which the English clergy have used for three centuries. On the other hand, the similarity of the revived vestments to the vestments of the Romish Church is a matter of eyesight as to which argument is simply out of place. To most persons alb, chasuble, tunicle, and cope are mere words conveying no picture to the mind, but let any who are not personally familiar with the appearance of Ritualistic clergymen when celebrating the Eucharist, convince themselves of the truth of what we say by turning to recent numbers of the *Graphic*,¹ where accurate illustrations will be found of these dresses. Now, the bare and simple question which recent events have forced us to face, and the answer to which is, we may depend on it, being silently formulated in the public mind while we await the Report of the Commission, is just this:—Whether we shall make a great change in the basis of the Church of England, and admit the Mass vestments together with what they mean, or whether we shall stand firm on the old restricted anti-Romish basis and risk the dangers of a large secession from our Communion. We have said that toleration of the vestments means admission of what they symbolize, and we say this deliberately, without forgetting the earnest and, no doubt, sincere disclaimers of many who now, for the sake of peace, are clamouring for toleration. We hear, indeed, of various ingenious, almost feminine, schemes for giving and withholding at the same time. “Let us,” says one, “allow the Edwardian vestments, but put a notice in the Prayer Book to say that we mean nothing by them.” “Let us,” says another, “have a Eucharistic vestment, but not any of the present ones, so that the connection with mediæval superstition may, at any rate, be

¹ March 5, 1881. March 12, 1881.

severed." We may envy the simplicity, but we cannot in honesty commend the common sense, of those who advocate such lame makeshifts. Suppose you permit the Mass vestments. They have a history of nine or ten centuries. Their symbolical meaning is stamped and burnt into the mind of the civilized world in such a manner that it cannot be wiped out. The Church of Rome still uses them and proclaims their symbolism, and those who have introduced them amongst us equally avow their symbolical character as the proper accompaniment of the Mass. Is it to be believed that the weekly and daily presentation of a gorgeous ritual especially framed to teach to the eye the doctrine of the Sacrifice of the Mass, will be neutralized and counteracted by the deft insertion in some corner of our Prayer Book of an italicized rubric full of Protestant professions! We may judge of the reasonableness of this proposal by imagining the President of the French Republic adopting the crown and sceptre of royalty, and all the other trappings which the world associates with monarchy, and asking the people to consent to these outward changes on the strength of his promise, notwithstanding all appearances to the contrary, to remain true to the Republic. We leave our readers to conjecture the measure of "toleration" which would be accorded to such a project.

Again, it is most difficult to see how the invention of some new garment, which neither Protestants nor Ritualists desire or approve—the former because they want no vestments, the latter because they want their own and none others—can satisfy either party. Moreover, the adoption of a special vestment of any kind for the Eucharist will be regarded by very many as an innovation so serious as to imply a practical surrender of the Protestant theory of the Lord's Supper. Let us, at any rate, be candid. If the vestments are to be admitted, we shall thereby so widen the limits of the Church of England as to make it clear that henceforth the Romish doctrine, with its appropriate ritual, and (to put the case strongly) the Zwinglian doctrine, with its appropriate ritual, will occupy an equally acknowledged place within our Communion. We do not say that such a state of things is inconceivable, but it is idle to conceal the fact that its inauguration will mark a change in the constitution of the Church far graver and deeper than any which has passed over her since the Reformation. It is scarcely accurate to say that such a revolution would undo the Reformation. The work of the Reformers would still exist, but under new conditions. Before the Reformation, the Church of England was Romish and anathematized Protestantism. After the Reformation, until now, the Church of England has been Protestant and has anathematized Romanism. It is now proposed that the Church should cease

to anathematize either religion, and that all, whether Protestants or Romanists, who care to remain in her fold, shall be free to do so. We have entered rather more fully into the meaning of toleration than the symmetry of this paper would warrant, because we desire to make clear what is comprehended in this word as applied to the present state of things. We now return to our task of noting the prominent features of the time. We are dealing with public opinion.

It would be affectation to deny that the pressure of the imprisonments has brought into prominence, if it has not created a *considerable feeling in favour of toleration amongst the High Church clergy*. It is very noticeable that the Five Deans' memorial, which boldly asked for a *modus vivendi* for Ritualism, received more than 4,000 signatures. Over and above the Ritualistic clergy it must be admitted that many names appeared in that document which would not have been found there ten or even five years ago. Again, the marked increase of clerical support which the English Church Union has recently received is a fact not to be lost sight of. Altogether there would seem to be a decided tendency on the part of the High Church clergy to lend a helping hand to the extreme party. But even more ominous are the utterances of some of the rulers of the Church. Thus, the Dean of Durham (one of the Church Courts Commissioners) at the Newcastle Church Congress defended the permissive use of Eucharistic vestments on the ground that a cope is required by the canons to be worn in cathedrals when Holy Communion is administered. He considered this an admission that the Church intended to mark with special dignity this sacrament. We will not stop to inquire into the merits of the argument. The cope has never been a Eucharistic, but a Choral vestment, implying authority, and its use being confined to cathedrals, would seem to show that it was intended to mark the dignity of these central churches rather than to add to the solemnity of a service which is surely equally sacred wherever celebrated. The point, however, for notice is, that the subject being the "Permissible Limits of Ritual," the Dean considered the Mass vestments within those limits. Again, the Bishop of Winchester, in a letter in which his Lordship declined to be present at a meeting to express sympathy with Mr. Green, thus wrote :—

I certainly do most deeply deplore the imprisonment of Mr. Green, and disapprove, moreover, of the prosecution of clergymen for ritual offences—at all events, except in the most extreme cases; for I think that the National Church, being a true portion of the Church Catholic, ought to be wide in its comprehension and tolerant of much diversity in thought and practice.

It is true, the Bishop goes on to state his disapproval of Mr. Green's contumacy, as distinguished from his Ritualism; but, having regard to the occasion that called forth these words, it is difficult to read them otherwise than as a declaration in favour of toleration of the Mass vestments. That such expressions are novel in Episcopal utterances will be apparent to those who will take the trouble to examine documents. Compare, for instance, this letter with the words used by Archbishop Longley in February, 1866 (in reply to a memorial from the English Church Union):—

I cannot but feel that those who have violated a compromise and settlement which has existed for 300 years, and are introducing vestments and ceremonies of very doubtful legality, are really, though I am quite sure unconsciously, doing the work of the worst enemies of the Church.

The contrast is all the stronger when we remember that Archbishop Longley wrote thus before the Purchas and Ridsdale judgments had declared the vestments to be illegal. We are quite aware that this is but one side of the picture. We have not forgotten that, if five deans and 4,000 clergy pleaded for toleration of the Mass vestments, ten deans and nearly 4,000 clergy petitioned against it. Bishops, too, have spoken out manfully and firmly against Romish innovations. For an example we need only refer to the primary Charge of the Bishop of Liverpool, which has recently excited so much attention. Such of the Diocesan Conferences as have been held have not, viewed as a whole, been favourable to the claims of the Ritualistic clergy; and the same may be said of the Newcastle Church Congress. Yet, after making all due allowance for these contrary symptoms, there remains an impression that the tendency to tolerate the high Ritual of the Romanizing party is more openly expressed, if not more widely diffused, than formerly, amongst the clergy of all orders. With regard to the great body of the laity, there is but little evidence to guide us. The efforts to release the imprisoned clergymen are no safe guide, because sympathy with suffering will account for much of the support given. Yet, even taking the memorials, petitions, and meetings got up for the purpose of securing the release of Mr. Dale, and now of Mr. Green, as a criterion, they seem to show that the Ritualistic party have failed to enlist the laity on the side of Ritual toleration. Those who sign the petitions and attend the meetings are, it is plain, for the most part already enthusiastic supporters of the cause, and their numbers are the reverse of imposing.

It is, no doubt, the fear of wholesale secession which inclines so many towards toleration. The Ritualistic clergy are bent on

fighting their battle with absolute recklessness of consequences. They will have toleration or disruption. Many seem willing to escape the latter by conceding the former. But it must not be lost sight of, that the Evangelical party, both clergy and laity, feel very strongly in this matter of Ritual toleration. Holding the views which they have always held as to the deadly character of Romish error, they cannot do otherwise. At present, they have shown unshaken loyalty to the Church of England, and it may be regarded as certain that they will continue to do so as long as she retains her sound exclusive Protestant foundation. But it would be hazardous to attempt to speculate what would be the effect upon earnest Protestant Churchmen of the legalization of the Mass vestments and all which they imply. In proof that there is already a murmur which, if the tendency to toleration should develop itself, will undoubtedly rise into a cry of portentous power, we quote words used by one of the speakers at the late Church Association Conference:—

They must tell the Episcopal Bench that the time had arrived when they must make their choice between two opposing systems; that if they wished to have the Mass, they must give up the Gospel; and if they wished to have the Gospel, they must give up the Mass. In other words, if they wished to retain the sons of the Reformation in the Church of England, they must give up the enemies of the Reformation; and if they wished to keep the friends of the Church of Rome, they must give up the friends of the Reformation.

We note this as a nascent, not a prominent, feature of the present time. It is as yet but the little cloud, the size of a man's hand; but it is none the less certain that, under conceivable circumstances, it might become a great storm.

To sum up what has been said. The present position of things seems to be one of crisis, which, however, is deferred for a short time while the Royal Commission is deliberating. But when this interval has elapsed it will have to be decided whether a quasi-Romish Ritual shall be admitted or expelled from the Church of England. There can be little doubt that the public mind is gradually being made up on some aspects of this momentous issue. While as to the *status* of the Courts, the public awaits the guidance of the Commission, it has already wellnigh determined that obstinate disobedience to the Queen's Ecclesiastical Courts *de facto* must be visited with a total exclusion from preferment, instead of a penalty so incongruous as imprisonment. But, on the main question of Ritual toleration, there would appear to be in some quarters a strong inclination to escape the evils of a violent conflict by the still heavier disaster of concession to Romish superstition. To what extent this tendency will prevail, we cannot tell; but when we look around, and try to measure the strength

of the defences which still guard the Protestant purity of our Church, it is not a little alarming to notice how comparatively few and weak those defences are. The Protestant prejudices of the multitude may be cajoled and overcome; the anti-Romish instinct of the House of Commons may give way before the self-will of a powerful Minister; accumulated difficulties may drive the bishops into a false step, and so one after another of the fortifications may crumble and fall. But there still remains one buttress—the great body of Evangelical clergy and laity—on which, as we trust, reliance may be placed. Upon their staunch fidelity to the principles which gave them their party name, and upon the wisdom and unanimity of their combined action, depend in no slight degree the safety of our Reformed Church and her unscathed deliverance from the fierce ordeal which it has pleased the Great Head of the Church that she should undergo.

LEWIS T. DIBDIN.

ART. V.—"HER MAJESTY'S PRISONS."

Her Majesty's Prisons: their Effects and Defects. By ONE WHO HAS TRIED THEM. Two vols. Sampson Low & Co.

IN writing this narrative, says the Preface, the author has been desirous of exposing the ill-treatment and petty tyranny existing in some of our prisons, and, at the same time, of pointing out what appeared to him the weak points in the present system of conducting local prisons. Putting all personal considerations on one side, he has desired to set down "the simple and *exact* truth." It will be admitted, without question, that he has "spoken out plainly." To admit that his allegations are well-founded is another matter.¹

Why, where, or for what he was arrested, he says, "matters not to the reader." Having been committed for trial, he was sent to the county gaol; and there he stayed for some three weeks.

All the arrangements for unconvicted men, he states, are infinitely worse than for the duly convicted prisoners. Now, inasmuch as about twenty per cent. of the men sent for trial are

¹ Some of his stories are serious in the extreme. He charges certain prison officials with dishonesty, gross neglect of duty, and brutal ill-treatment. His language about magistrates seems to us rash as well as rough.

The narrative relates only to two of "Her Majesty's Prisons," county gaols. It differs materially, therefore, from such books as "Five Years' Penal Servitude."