

# **THE STATE AND THE CHURCH**

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The State and the Church by Arthur Elliot

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**ARTHUR ELLIOT**

**THE STATE AND  
THE CHURCH**



THE STATE  
AND  
THE CHURCH

BY THE  
HON. ARTHUR ELLIOT, M.P.



London  
MACMILLAN AND CO.  
1882

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~~Arthur Elliot~~  
24863. e. 34.

## PREFACE.

IN the following pages, where it has been necessary to touch at all upon historical topics, I have endeavoured to confine myself to what is generally admitted, rather than to follow the lead of any controversial writer. In Reeves' History of English Law, and in the constitutional histories of Mr. Hallam and Mr. Stubbs will be found, related or referred to, ample matter it is believed to support general statements of an historical character contained in this work.

As regards Ecclesiastical Law, Parish Law, and the more purely legal aspects of the subject included under 'State and Church,' I have had to examine the works of many legal writers. To Sir R. Phillimore's recent work on Ecclesiastical Law are referred those readers who wish to study in detail this branch of the subject.

As regards Scottish history I have in the main relied upon Burton's 'History of Scotland.'

The existing position and circumstances of the Established Churches of Great Britain, favourite subjects with controversial writers, it is not easy to find impartially

dealt with outside the contents of Blue-books and Parliamentary returns. It is not the object of this work to accumulate full and precisely accurate statistics, and I have merely made use of such information as I think can be relied on to present a general picture of the two great religious institutions of the country sanctioned and supported by the State.

I must express my thanks to Mr. C. F. Jemmett, B.C.L., of Lincoln's Inn and the Inner Temple, for his great kindness in rendering me valuable assistance in revising the more legal portions of this work.

A. D. E.

*May* 1882.

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# STATE AND CHURCH.

## CHAPTER I.

### RISE AND PROGRESS OF THE NATIONAL CHURCH.

THE relationship that exists between State and Church in the United Kingdom at the present day is so peculiar, and differs so much from what we find existing in early times, that it will be necessary, in order to explain it, to take a short retrospect into the religious history of this country. In early times, the mere conception that various religions and Churches could grow up side by side and flourish within the same State would have seemed an impossible one. Throughout Western Christendom, up to the date of the Reformation, there was but one religion and one Church, and for many years after the reformed faith had prevailed over a large portion of Europe, the form of religion decided upon and 'established' in each State became the State religion, all others being either actually persecuted or subjected to civil disabilities of a greater or less degree. When the universality of the prevailing form of Christianity was for ever destroyed by the Reformation, it was found, doubtless, to the surprise of many reformers, that the assertion of the right of

private judgment against the claims of authority was as antagonistic to the pretensions of the newer hierarchies as it had shown itself to Papal decrees or Episcopal councils. The transition from the conception of one religion throughout Christendom to that of one religion for each State was a considerable one; but the later transition, which has been less noticed because more quietly accomplished, from a state of things where a 'national' religion was alone professed and tolerated by each nation, to a condition of society where all religions are treated by the State as exactly on the same footing, where, in short, each man's religion is treated by the State as a matter solely within his own cognisance, and with which it will not meddle, is as wide a transition as the former, and the consequences which its complete accomplishment will bring about it is for the future fully to reveal. As the principles of toleration made but slow progress after the triumph of Protestantism, so the later principle of complete religious equality between all religions and all sects follows but slowly upon the removal of civil disabilities. In some countries this principle has already triumphed; and it cannot be doubted that in all countries it is gaining ground. In the United Kingdom at the present day we find in England one form of Protestantism 'established' and closely connected with the State; in Scotland another form of Protestantism also 'established,' though much less closely connected with the State; and in Ireland a system of complete religious equality where each religious body or sect, unfavoured and unprotected by the State, manages its own affairs in the way it