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THE
“CONSCIENCE CLAUSE.”

SPEECH

OF

THE ARCHDEACON OF TAUNTON

IN THE

LOWER HOUSE OF CONVOCATION OF
CANTERBURY,

FEBRUARY 6TH, 1866.

J. AND F. H. RIVINGTON, LONDON AND OXFORD.
SAUNDERS AND OTLEY, 66, BROOK STREET, LONDON.

1866.

S P E E C H.

Mr. PROLOCUTOR,—The Resolution I have to move is as follows:

“That it is the opinion of this House, that to insist upon the insertion of the ‘Conscience Clause’ in the Trust Deed of a Parish or other school of the Church of England, as a condition of assistance out of the Parliamentary grant, is not just; and that to accept the ‘Conscience Clause’ on the part of such school is neither just as respects future managers of the school, nor is it safe as respects the teaching of the Church.”

When in 1839 the Civil Power applied itself to the question of aiding the school-teaching of the poor, it found that teaching conducted mainly, if not altogether, in England, Wales, Scotland, and Ireland, upon the denominational principle.

Exceptions were recognised by the Minute of December 3rd, 1839; but neither this nor any other—including the case of British and Foreign schools, appreciably affect the statement just made. School teaching of the poor in England, Wales, Scotland, and Ireland, was then in all four denominational. It has remained, and is still, in all four denominational, though in Ireland the principle has been for some years under considerable disfavour on the part of the Civil Power; and it has been the basis of the whole recognised system of the Committee of Council on Education, and, up to 1856, its practice, that it be aided *as such*.

It is hardly necessary to say that it is not the natural tendency of a Civil Power, governing a people of many denominations, to dispense its aid upon the denominational principle. Its natural tendency is to deal with school teaching, as with all other

questions of the social life, irrespectively of denominational differences ; that is to say, it looks rather to what may be called political and social convenience than to the religious elements of the question. This is part of the inheritance of a divided people. It is true that the Civil Power insists upon the necessity of “ the Christian Religion ” being taught in schools ; but what exactly it means by “ the Christian Religion ” it would not be easy to say. All that is easy to say is, that it means a comprehensive, and therefore an undogmatic, “ Religion.” It finds divisions than which none stir men’s minds more deeply, and it proposes to heal them by an amalgamation of “ the Faith ” and religious opinion. Now all reasoning *à priori*, and all experience, lead to the same conclusion—that this is impossible, and, if possible, not to be wished, as being only a false representation of “ the Unity of the Faith.”

That this is the object of the Civil Power is evidenced in many ways ; particularly is it evidenced by the language of the Order in Council, June 3rd, 1839, in reference to the establishment of a normal Central School :—

“ The Committee are of opinion that the most useful application of any sums voted by Parliament would consist in the employment of those monies in the establishment of a normal school, under the direction of the State, and not placed under the management of a voluntary society. The Committee, however, experience so much difficulty in reconciling conflicting views respecting the provisions which they are desirous of making in furtherance of Her Majesty’s wish that the children and teachers instructed in the school should be duly trained in the principles of the Christian religion, while the rights of conscience should be respected, that it is not in the power of the Committee to mature a plan for the accomplishment of this design without further consideration ; and they, therefore, postpone taking any steps for this purpose until greater concurrence of opinion be found to prevail.” *

* Vol. I. Minutes, 1839-40, p. viii.



The Committee wanted then—what they found they could not have, and what they have been wanting ever since, but which they never can have—that is to say, what is called the “comprehensive” system of school teaching, in which differences of religious belief go for nothing. They failed then, as they are failing now, when they have revived the attempt in another shape, which goes beyond comprehension even in its outward aspect, and issues directly in “the Secular system.” Religious principle was too strong for them, as it is now, and will be. *Ex pellas furcâ, tamen usque recurret.* For the sense of the people, whether of the Church or of the Sects—and I use the word “Sect” in no offensive sense, but as marking the actual severance of the Nonconformist bodies from the Church, and the vital distinction between them and the Church—a thing which it is every day more and more necessary that the Church should keep carefully in sight, because the world is every day more and more putting it out of sight—the sense of the people, and its steadfast adherence to the denominational principle strictly construed—the principle that school teaching must be not only *generally* religious, but must be also *particularly* religious; that is, that it must represent and enforce the precise religious belief of the particular body to which the school belongs, and no other belief—has been from the first, and will be to the last, too strong for the natural tendencies of the governing power. The English people, though, unhappily, they are not one in mind and judgment touching the “one Faith,” being yet in the main a religious people, know very well that, under any other conditions, there is really no “education” of a child possible, or, if possible, worth having.

I cite here a passage from the Report of the Education Commissioners 1861 :—

“The feelings of the nation at large are proved by the fact that, with hardly an exception, every endowment for purposes of education, from the universities down to the smallest village school, has been connected

by its founders with some religious body. The colleges of the University of London are a remarkable instance of this. Each of them is distinguished from the rest by its aspect towards religion. University College, which excludes religious instruction from its course, stands alone; but most of the affiliated colleges are connected with religious denominations, as King's College with the Church of England, and Stonyhurst and Oscott with the Roman Catholics. The controversies which have occurred in the course of the last twenty years, the difficulties which they have thrown in the way of the establishment of any comprehensive system, and their practical result in the establishment of the denominational Training Colleges and elementary schools, appear to us to place beyond all doubt the conclusion that the great body of the population are determined that religion and education must be closely connected, and we do not think that any other principle than that which is the base of the present system would secure this result.

“It has been supposed that the object of securing the religious character of education might be equally attained either by restricting the teaching given in the schools to points upon which different denominations agree, or by drawing a broad line between the religious and the secular instruction, and by providing that the religious instruction should be given at particular hours, and by the ministers of different denominations. We do not think that either of these expedients would be suitable to the state of feeling in this country.

“With respect to the plan of restricting the teaching to points agreed upon, we may refer to the history of the British and Foreign School Society. Udenominational teaching was its distinctive principle, but all the schools, including British and others which are founded on that principle, contain only about 14·4 per cent. of the scholars in public schools, whilst the remaining 85·6 per cent. are in denominational schools. The British schools are for the most part large schools in towns, and are usually established where the various dissenting bodies, not being numerous enough to establish denominational schools, prefer a British school to one connected with the Church of England. Religious communities, when able to do so, always appear to prefer schools of their own to schools on the udenominational principle.

“The British and Foreign School Society is the oldest of all the societies connected with education, and might for a considerable time have been regarded as the representative of all the bodies which were not satisfied with the principles of the National Society; but in the course of the last eighteen years the Wesleyans and the Independents have established boards of their own.”

So much then for the general principle common to us all, and fatal, in my belief, to the establishment of any comprehensive system of school teaching here in England. It is for the Parish Schools of the Church of England, whether in union with the National Society or not in union with it, that I am concerned to speak in this place.

It is, then, the comprehensive or “State” system which is the darling project of the Committee of Council on Education. It has been so, as we have seen, from the first, and they have only abandoned it when they found themselves compelled to do so. In every way that appears to offer a prospect of encouragement, they are continually seeking to gain one or more steps towards it. The Order in Council, just cited, is one evidence; another is the fact that among their Forms of Trust Deed, published in 1840, there is one “for a parish school not being in union with the National Society, nor the British and Foreign School Society,” and another “for a Church of England school, not being a parish school, nor in connection with the National or British and Foreign School Societies,” which contain a Conscience Clause.* In this way, while, in 1840, they knew what they were about too well to think of proposing anything of this nature for schools in union with the National Society, they tried to lay the foundations in Parish Schools not in union with the National Society for the comprehensive system. But it is a significant fact in the history of this question, and I commend it to the especial attention of the House, that when you

* Forms 3 & 4, vol. 1, Minutes, 1839-40, pp 99—104.

come to the "Management Clauses," which some seven years later superseded the Trust Deed Forms of 1840, all trace of such attempt has disappeared; probably because it had been found that no Parish School, or Church of England School not being a Parish School, would have anything to say to it. The Management Clauses for Church of England Schools are for *all* such schools, whether in union with the National Society or not, whether Parish Schools or other, and there is no trace in them of a "Conscience Clause." Further conclusive evidence of the purpose of establishing a State system will be supplied as I proceed.

The denominational principle then, strictly construed, has been the only principle upon which it has been proposed to extend public aid to the schools of the Church up to the year 1856, save only in the case of the two obsolete Forms of Trust Deed to which I have referred, as it is the only legitimate principle upon which the Church can accept aid to her schools from the Civil Power. The few last unhappy years have seen a great change—a change which amounts to a revolution—in the system, and is full of all manner of evil issues, without one counterbalancing advantage fit to be taken into account. In these years, beginning with 1856, the proposal for comprehension has taken the shape, not of a suggestion, but of a penalty. Before 1856 it was free for founders of a parish or other school of the Church of England to accept, or not to accept, the suggestion of what is called the "liberal" basis without forfeiture; though, indeed, the construction of the Management Clauses had exempted them from having it put before them even in the shape of a suggestion. Since 1856 it is not free. The "liberal" principle in this, as in other things, has reached its natural issue, a one-sided freedom. Be free, as we please, say the Committee of Council, and you shall be helped. Be free, not after our rule, but agreeably to the principles of the Church, which we ourselves once accepted and recognised as the basis of our arrangements with the ministers and people of the Church, and you *shall not* be helped. Well,

founders of Church schools can only be free in the last way, and so if Parliament says that the Committee of Council is to have its way, which I do not believe it will say, they must incur the penalty of having a conscience. They can have nothing to do with the first way. If a Parish School be in union with the National Society, such school is expressly "for the education of the poor in the principles of the Established Church," and in no other principles, religious or secular. If a Parish School be not in union with the National Society, or if a school be a Church of England School and not a Parish School, and not in union with the National Society, the purpose, and function, and duty of such school is still the same. If it be any other, the school may indeed be called, but is not, a Parish School, or a Church of England School.

This position has been distinctly approved and recognised from the first so far as all arrangements have gone between the Committee of Council and the Committee of the National Society. This is one fact. It has been recognised since for all Church of England schools without exception by the construction of the Management Clauses. This is another fact. The principle of the two facts is the same, viz., that a "Conscience Clause" is not applicable to schools of the Church of England, however it may be applicable to other schools.

You find the "Conscience Clause" in the Management Clauses of some other schools, as you find it in the Trust Deeds of 1840. It is there, as you would expect to find it there. Religionists whose religion is based upon private judgment of the Scriptures, and is as such subjective only, have, of course, nothing to say against a "Conscience Clause." It is an expression of their own principle. But the religion of the Church of England being based, not upon private judgment of the Scriptures, but on the judgment of the Church Primitive and Catholic, touching what is "read in," or "may be proved by," Holy Scripture, is primarily, not subjective, but objective. The Nonconformist says, "This is what I find in the Scriptures." The Churchman

says, "This is what the Church finds in the Scriptures." The Churchman says more. He says, "I understand by 'Holy Scripture' what the Church understands by it—not more and not less." He goes to the Church to hear what is Holy Scripture. Article VI. "In the name of the Holy Scriptures we do understand those canonical books of the Old and the New Testament, of whose authority was never any doubt in the Church." The Church of England refers to the Church Primitive and Catholic. The English Churchman refers to the Church of England. The Churchman, if he be a Churchman, says always what the Church says, "This is the Catholic Faith." (Athanasian Creed). He bows to the decisions of the Church. "The Church hath authority in controversies of Faith." (Article XX.)

The House will permit me to cite here in illustration the memorable words of Bishop Ken:—

"As for my religion," says Bishop Ken in his will, "I die in the Holy Catholic and Apostolical Faith professed by the whole Church before the disunion of East and West. More particularly, I die in the Communion of the Church of England, as it stands distinguished from all Papal and Puritan innovation, and as it adheres to the Doctrine of the Cross."

This is the account of the fact, that, as in the Trust Deeds proposed in 1840 by Committee of Council for parish schools of the Church of England in union with the National Society, that is, for parish schools in the normal position of parish schools of the Church of England, so in the Management Clauses for all Church of England schools 1847-52 you do *not* find the "Conscience Clause." Indeed I need hardly say here that if any such insertion had been attempted or so much as hinted at in 1839-40, the whole scheme of Committee of Council, which struggled into existence in a very questionable shape by a majority of two in the House of Commons, and against a majority of 110 in the House of Lords, would have gone to pieces at once. Just so again in 1847-52, it was felt, I suppose, that any hint at

a "Conscience Clause" at that time would have been fatal to the Management Clauses, as, no doubt, it would. Wherefore those who pull the strings of Committee of Council bided their time and waited till they saw their way. And now that the idea so long cherished has not only been hinted at, but has been enforced in the first instance upon poor little schools, which may be thought an easier prey, as a condition of a building grant, that is, forced upon the Church of England under a penalty—now that founders and promoters of parish schools are told by Committee of Council "It is quite true that what we propose now is contrary to all the recorded principles of a great national compact: it is again quite true that Churchmen pay by far the larger proportion of the taxes out of which the education grant is made, but we cannot stop to consider these things. What we have to say to you is: if you like to take the new terms which we impose upon our own authority, you can have a grant; but if your conscience won't let you take them, then you must go without a grant,"—such founders and promoters, having it in charge from the Church to maintain above all things the religious teachings of their schools, have no choice but to obey their conscience rather than the Committee of Council, and to reject a "Conscience Clause," which is no "Conscience Clause," but an "Anti-Conscience Clause," for them, and to suffer the penalty of having a conscience. For their business, because their duty, is not to make their schools "comprehensive" in the sense of the Committee of Council, but to bring up children in the principles of the Church, to do their duty in that station of life to which it has pleased God to call them. Now a "Conscience Clause" prevents this in every case for few or more, as the case may be, of the children coming to the school. It intrudes into the parish school children who are there neither to be taught, nor to be prepared to be taught, the Faith of the Church. It violates the denominational principle in its tenderest and most vital point. It converts Church schools into State schools. It degrades the Parish School into a secular academy.

And I say for myself, and I believe for most other Church people, "any manner of Conscience Clause," because no alteration in its terms can possibly affect its substance, nor alter what is intended by it, and what it enables to be done. And I had proposed to move the Resolution in this shape; but it has been suggested to me that it is better not to expose it to the plausible objection that it would be in this shape rather the assertion of an abstract principle than of an actual grievance. I think this suggestion a wise one, and the form in which I have given notice of it, and now read it, answers every purpose. Now in all the discussions, public and private, that I have had on the matter, I have never found but one man who defended the "Conscience Clause" as it stands, and I thought him the boldest man I had ever come across. However, he was in a more intelligible position than some friends of mine who won't have "Conscience Clause" at all as it stands, but think they can mend it, and so make it unobjectionable. It is to be observed that no two of them agree in their amendments. But what I press is this, that they lose sight altogether of the real question which is raised by "Conscience Clause;" that is, of the question of turning the parish school into a place for secular teaching only. These are the men, I say it with much personal regard for them, and with a full sense of their many merits, who do all the mischief. I have never been afraid of opponents who have opposite principles to my own respecting the defence of the Church. The men I am afraid of are those friends who say that their principles are the same, and, saying this, maintain them with their left hand, and surrender them with their right. Now these men see the difficulties and the dangers of the case, but they won't meet them. They want to get out of them. But you cannot get out of them by any such process. They don't see that they are shifting, or rather trifling with, a difficulty which is not a difficulty of degree at all, but a difficulty of principle, and as such not admitting of any such treatment. My good friend the Dean of Ely has published a letter in which he tries his hand at framing

a new "Conscience Clause." I have not got it here, but when I saw it, I said, why this is only making ambiguous what was plain. It does not get rid of a single iota of the difficulty of principle. Now let me say that there could be few things more unbecoming or more unhappy than that this House should deal with a matter of principle as if it was a matter of detail, as if the difference between Committee of Council and Committee of National Society were a difference not of kind, but of degree only. The Rev. M. Morris, again, who has kindly sent me his pamphlet, won't touch the "Conscience Clause," but wants to alter the National Society's terms of union by leaving out "Catechism," or adding some words to signify that the discretion of the parochial clergy for the time being is to be the rule. The first proposition, I am quite sure, upon reconsideration, he will see has nothing to recommend it, and everything against it. The other is wholly needless, because it is understood upon all hands to be the rule already.*

We must have no tampering with the Parish School. For what is the Parish School? It is the nursery of the Parish Church. It is the place where the parish priest is to teach the children of the parish, as he is sworn to do in his ordination, "The Doctrine of the Sacraments, and the Discipline of CHRIST, as the LORD hath commanded, and as this Church and Realm hath received the same, according to the commandments of GOD." This is the primary and normal work of a Parish School. Again, it may be lawfully used, as it is used by many, for carrying out the missionary work of the Church of England in teaching the children of the Sects, or in preparing them to be taught, the Faith of the Church. But at this point its legitimate uses cease. It is not a place for secular teaching apart from the religion of the Church, nor again for what the Committee of Council appear to think is all that is wanted to make school teaching to be, not secular but

* See Wesleyan Correspondence, 1847, p. 40 of Parliamentary Paper, April 14, 1858.

religious, viz., that the Scriptures be read daily in the school. The Parish School is not a place for reading the Scriptures in, apart from the Church's exposition of the Scriptures. Reading the Scriptures is not teaching or learning religion, least of all is it teaching or learning the religion of the Church of England.

The first and second rubric at the end of the Catechism show plainly enough what the mind of the Church is touching the duty of the Curate—of him *i.e.* who has the cure of souls, and what is the duty of the people committed to his charge in respect of school teaching.* At the time when the rubric was made it is true there were no Parish Schools ; but neither, so to speak, were there any Sects. Does any man say that the fact of there now being Parish Schools, and the fact of there being sects, makes any difference in the duty of the Curate? He is not, I suppose, ordained to teach one thing in the Parish Church, and another thing in the Parish School? He is ordained to teach one and the same thing in both alike, only in the school he has to see, so far as he can, that whatever secular instruction is needed to prepare a child to do its duty in that state of life to which God shall call it, is not put in the place of religious teaching, but built up upon and added to the religious teaching. I say, then, that the Curate has nothing to do with the children of the Sects, unless they be committed to his hands to be brought up in “the Doctrine of the Sacraments and the Discipline of CHRIST.”

* “The curate of every parish shall diligently upon Sundays and holy-days, after the second lesson at Evening Prayer, openly in the Church instruct and examine so many children of his parish sent unto him, as he shall think convenient, in some part of this Catechism.

“And all fathers, mothers, masters, and dames, shall cause their children, servants, and apprentices (which have not learned their Catechism,) to come to the Church at the time appointed, and obediently to hear, and be ordered by the curate, until such time as they have learned all that is here appointed for them to learn.”

Now what about the teaching in the Parish Church, if the duty of teaching in the Parish School, and, in its measure, the teaching itself, is to be adjusted according to the supposed claims of the Sects. The House will bear in mind, Management Clauses say, "the moral and religious instruction of *all* the children attending the school." Then comes "Conscience Clause" proviso, and takes some of the "all" away—restricting the exercise of the duty and damaging the teaching itself. Now the analogous grievance would be that it is a hardship upon a conscience that a Dissenter, in a place too poor or too small to have a meeting-house, should have to sit and listen to formularies and teaching in the Parish Church, from which he dissents. Is it contemplated then that the teaching in the Parish Church is to be accommodated and adjusted to meet the case of this grievance? This certainly would bring the Parish Church into harmony with the Parish School under a "Conscience Clause," and it is the only logical result of the "Conscience Clause" principle, unless indeed you sever absolutely between the Parish School and the Parish Church, and make the first a place for secular instruction only in the case of every child, which it is not proposed to do. Now I am for preserving the connection between the two intact; and, as I do not suppose there is any idea, *as yet*, of putting forward the claim I have adverted to in respect of the teaching in the Parish Church, no more, I say, ought it to be put forward in respect of the teaching in the Parish School. For a principle not applicable to a Parish Church is not applicable to a Parish School. Is it said, every parishioner, Dissenter as well as Churchman, has the same right to come to the Parish Church, but you won't let the Dissenter's child come to the Parish School? No doubt he has the right; but the difficulty proposed is a fallacy. It is not only the presence in the body in either case that is the question—but also what he comes to receive; and this can no more be changed or modified in the one case than in the other. There is also the fallacy of confounding times and circumstances. The Parish Church was built with the money of

Church people for the worship of GOD by all the parishioners, and the parish churchyard was set apart for the sepulture of the bodies of all the parishioners ; such parishioners having been baptized in the Church, and not cut off from it by any act of their own, or by sentence of excommunication. This was in a time when there were no Sects. The common right of all parishioners has remained, subject to the conditions of the Church order, and the use of her formularies, and it is as well that it should remain.

The parish school was built with the money of Church people when there had long been many Sects. Built, as the Church had been, for all parishioners who would send their children to it, subject to the like conditions ; but built expressly, as in the presence of religious divisions and the setting up of religious opinion against the Faith, for giving the religious education of the Church as contradistinguished for any other “ education.”

I take my stand, then, not upon any opinion of my own, but upon the fact of what the Church requires, and has a right to expect, from her ministers. I put aside the allegation, so powerful in these days, when it would almost seem that what the Apostle says of the state of things before CHRIST was revealed, is about to be true again of the Christian world—“ the world by wisdom know not GOD ”—I put aside the allegation that any manner of knowledge, even if it be only secular, and wholly confined to this life and its interests, is better than any manner of ignorance. I deny it: I say, that all manner of knowledge, I care not what it is, which is not based, wherever this may be had, upon the revelation of CHRIST as the GOD-MAN, and interpenetrated with a definite objective and dogmatic faith, is not only no blessing, but is a curse.

I put aside again all theories which sever in any manner between religious and secular teaching. Religious and secular teaching and example combined is education. Secular teaching and example without religion is not education. I put aside, then, all such things as these; I cannot stoop to discuss such things.

There is a memorable passage in the book which I hold in my hand, and which, though here and there there be enough to make a careful reader very suspicious of what the real purpose and object of the book would prove in the end to be, is so valuable as a repertory of sound and equitable principles of administration, that I carry it about with me wheresoever I go. I mean vol. i. of "Minutes of Committee of Council on Education, 1839-40," p. 24. I will read the passage to the House. But let me say first, with all respect, that unless a man knows this book as I know it, and I have been learning it some twenty-five years, he is in no position to discuss this question. And a man should know other things besides, which are part of this question and necessary as such to be known. I remember in a late debate in the House upon the reception of the report of the Committee of the House on this subject, an excellent friend of mine got up to oppose me, and made a mistake of ten years out of twenty-five in the history of the Committee of Council, I submit that we should know our facts before we make them the basis of an argument.

The passage is a memorable passage on many grounds ; but on no ground more than this, that it testifies emphatically against the present principles and practice of the same Committee.

"Their Lordships are strongly of opinion that no plan of education ought to be encouraged, in which intellectual instruction is not subordinate to the regulation of the thoughts and habits of the children by the doctrines and precepts of revealed religion."

A remarkable passage—what can be better ? and "my Lords" will doubtless say that they abide by every word of it. But then come in "my Lords" acts; and men are judged by what they do, and not by what they say.

"The Doctrines of revealed religion:" not the "Precepts" only, you see, but "the Doctrines," if the two could be separated, which they cannot. Now let us see a little. What are "the Doctrines of revealed religion?" The Churchman says—to me,

because to the Church, they are “the Catholic Faith.” The Baptist says to him it is something else—what, I do not attempt to say, but—certainly not “the Catholic Faith.” The Socinian again talks of Doctrines and Revelation—I had rather not attempt to define what he means by either; but one thing is plain to all men, that the Doctrines of revealed religion to him, and to the Churchman, are things as opposed as darkness is to light. It is not conceivable then that in the words I have cited, “my Lords” meant to include all three under the same category. But the “Conscience Clause,” which is “my Lords” act, proceeds upon the assumption that, substantially, they are all three under the same category, with certain differences, not of kind, but of degree; and all of them capable of being solved by “the daily reading of the Scriptures in the Schools,” and to be lamented by an enlightened time—a time of science and learning and wisdom—as having any existence, and any need of solution at all. Thus the Committee of Council endorse the broadest of all “Broad Churchism.” The truth being that the only religion compatible with the exercise of the “Conscience Clause” is, not Revealed Religion at all, but Natural Religion, and, it is to be feared in the end, not much of this even.

But, it is replied, after all, supposing much or most of what you say to be true, and not capable of being disputed—which is indeed the only correct account of it—the “Conscience Clause” is only of rare and exceptional application. Is it? It is applicable now to the cases of all schools of small parishes. I suppose upon the principle of “*fiat experimentum in corpore vili.*” Though why a poor little parish is to be sacrificed more than a big rich one it is not easy to say, unless it be because it is easier to bully a small place than a large one. Are we then going to have no care for the small parishes, which, indeed, upon the principles of the Education Grant, ought all to have been helped long ago.* Is there to be one rule in Council of Education for

* See Order in Council, June 3, 1839, vol. i. p. vii. Mr. Walter

small parishes and another for big parishes? Small parishes used to be considered rather nice things than otherwise, but if their Parish Schools are to be, as a rule, secularized by the "Conscience Clause" they will hardly retain their nice character. Then again, there is something which touches big parishes. The big parishes, which got their Trust Deeds and their grant for buildings long ago, are not so safe as perhaps some of them think. The Lord President of the Council in his evidence before the Committee of the House of Commons last year said, that in his judgment no settlement of the "Conscience Clause" would be satisfactory which did not extend to the annual grants also. Big parishes, which betray little parishes, will find themselves, in turn, betrayed. Churchmen then cannot say they are not forewarned; I wish I could add forearmed, but unhappily the two words do not always go together. Supposing, however, that at present, it is rare and exceptional, that does not make it one jot less vicious in principle; and what we have to deal with is principles and not expedients. Or is it so impossible to open the eyes of Church people that they remain blind to the steady progress that the "Secular System" has made in twenty-five years in the hands of the Committee of Council. Is it for nothing that a correspondence with the Council Office has been published within these last few months, shewing that in a school accepting a "Conscience Clause" the Parish Priest is debarred from teaching the Apostles' Creed to children who have a right to what the Council Office call "all the benefits of the school"?*

I proceed to prove the position laid down in the resolution—

has more authority on his side in the earliest records of the Council Office itself than he is perhaps aware of.

* See Correspondence between the Rev. W. B. Caparn and the Secretary of the Committee of Council. Wells, T. Green; Oxford and London, J. H. and J. Parker. 1865. Price One Halfpenny. 3s. 6d. per 100.

It is something to have a cause in your hands which is so good and strong in itself, for which there is so truly everything to be said, against which there is, as truly, the more it is sifted and examined, so absolutely nothing to be said, that it takes the most perverse ingenuity to spoil it. It is something, too, to have a grievance which can never be overstated, because of the depth of the injury which it inflicts upon the Church. Now, I am not going to use any hard language about the Committee of Council. I never do ; and it would be unbecoming this House, and in all ways unfitting. Besides, the case is so strong that there is really no room and no excuse for it. People use hard language who have no case,—which, as I have always comforted myself with thinking, may be one reason why I get so much abused myself. There would be too a personal unthankfulness in it of which I would not be guilty. I am under deep obligations to the Committee of Council for enabling me to prove every tittle of what I have against them out of their own books. I assume then that the Committee of Council desire to assist what they regard as the Education of the Poor quite as honestly as I do, according to their lights—only these happen to be very bad lights, and such as no Churchman can see his way by. There was a time when they were content—it is not many years since, out of the 26 years they have lived—to let the Church walk by her own lights without incurring penalties thereby. But all this is out of date. It is wonderful how few years it takes now-a-days to revolutionise a system in the wrong direction ; and now it must be the Committee of Council lights or none at all. Wherefore, as was natural and necessary and inevitable, things have come to a dead lock, and the Committee of the National Society have closed their correspondence with the Committee of Council on the subject. The two bodies, once so harmonious, are in direct opposition. Who has done this ? The Committee of Council has done it. The Committee of the National Society has held by their Charter and their terms of union—that is, has held by

the principles of the Church, as the Committee of Council did once—at least they respected them once. But the Committee of Council have changed their course, and all this is at an end. For myself, I never doubted that it would come to this. Eighteen years ago, when I was fighting the Committee of Council about the Management Clauses, when the Committee of the National Society was all against me and with them, I knew that the day would come before long when all this would be reversed. And it has come. Principles cannot be strained beyond a certain point: they won't stand it. For my part, I think it is best never to strain them at all. It is all very well then for the Lord President to talk of his desire to agree with the Committee of the National Society and to act in co-operation with the Church; but what is the use of talking about such things, when, as he knows very well, there can be no agreement and no co-operation unless one of two things happen: the first of which is, I am afraid, too good to expect; the second of which is impossible—unless, that is, either the Committee of Council eat up the “Conscience Clause,” body and bones, and return to the principles of sound and equitable administration laid down in vol. i. of Minutes, 1839-40, which is, I am afraid, too good to expect; or, the Committee of the National Society eat up the Charter and terms of union, and, what is more, the principles of the Church, upon which the Charter and terms of union are based, and of which they are the expressions in the matter of school teaching—which is impossible. See Annual Reports of the National Society, 1864-5.

First then I have to show that to impose a “Conscience Clause” upon Parish Schools of the Church of England as a condition of a money grant is “not just” on the part of the Civil Power.

Now, it will clear the way to see what *is* just to impose. Three things are just. 1. The legal title of site. 2. The admission of Government inspection. 3. The acceptance of a Management Clause. The two first date from 1839-40; the third from 1847-52.

Now, it may seem strange that I should include a Management Clause among things just to require, when I spent some five years in struggling against the Management Clauses. But it is easily explained. I struggled then because I saw that the Management Clauses proposed to restrict, in one important particular, the liberty recognised as properly belonging to founders of Church schools in 1839-40. I felt that this was a step in the wrong direction, and, as such, it strengthened the apprehension I had entertained from the first of the ultimate issue of the administration of the Committee of Council. I struggled and I was beat. I got something, but I did not get what I most cared for. Being beat, mainly by the help of my friends, I gave up the struggle, because there was no religious principle violated by the Management Clauses. It was a question of the best method of managing a Parish School. I had a very clear opinion, as I have now, of what is the best method; but others thought differently, and the question was definitely settled in 1852, by mutual agreement, and no one wants to re-open it. This is why I include Management Clauses among things just to require. They violate no religious principle, and they are a settled thing. "Conscience Clause" does violate a religious principle, and is not by any means a settled thing; and if it was, the Church cannot take it as it takes the Management Clauses, for this single reason, which cannot be got over, that it does violate a religious principle, and does not respect churchmen's conscience, which is, I suppose, the reason why it is called "Conscience Clause."

The above three things then fill up the measure of what it is just for the civil power to require. On the other hand the Church has an indefeasible right, so long as there is an "Education Grant," to have her schools assisted upon compliance with these conditions. If in any parish she has not children enough of her own to build a school for, such as the Civil Power may reasonably ask to be provided for by money which comes in part from the public purse, she must wait till she has. But is there any even

decent reason to be given for mashing up children of the Church and children of the Sects into one till you get a sufficient number to build a school for. Are numbers to be made in this way the test of things religious? Is a parish school a thing of numbers only? Is it not monstrous that such a proposition should ever have been gravely made at all? Is it not a bad time with a people when such a proposition is not scouted as soon as it is made.

But, if, as it has happened in many cases, parishes show a sufficient number of Church children to build a school for with help from Government, what has it to do with the question of their rightful claim that there are Dissenters in the place who want a school too.

Mr. Lingen would have not only Dissenters *in esse* considered, but Dissenters *in posse*. This is "liberality" caricatured, and may be dismissed with a laugh. There is another suggestion which may be noticed here. In a late letter, published in *The Guardian*, he would appear to be trying his hand at a compromise or something of the kind—that children, whose parents object to the religious teaching of the Parish School may be withdrawn from it at certain hours. Now, nothing could be more vicious than this, or practically more absurd. It is vicious, because it forces such children into the school for "secular education" only. Besides it contradicts the great principle that the religious teaching of the school is not a thing apart, but, as it were, a golden thread running throughout the whole piece, and binding all the parts together, so that what was begun with prayer in the morning ends with prayer in the evening. It is practically absurd, because it seems impossible to say what is to be done with the "withdrawing children." Are they to go into a corner of the school, and look on in silence, or into the play ground and make a noise. The whole notion is really ridiculous, and it is very astonishing that some great authorities should have thought it worthy a moment's consideration. If then there be

Dissenters in a place, by all means let them have a school too with Government help, if they too can show a sufficient number of children *in esse* in the judgment of the department of Government charged with the administration of the Grant. But what have they to do with the Church School unless they are willing that their children shall there be taught, or prepared to be taught, the Faith of the Church. Here it is that comes in the real grievance. This is the turning point of the whole controversy about the "Conscience Clause." Here begins interference on the part of the State with the religious teaching of the schools of the Church.

I will read the "Conscience Clause" to the House.

"The (*persons authorised to manage the school*) shall be bound to make such orders as shall provide for admitting to the benefits of the school the children of parents not in communion with the (*Church or denomination with which the school is connected*;) but such orders shall be confined to the exemption of such children, if their parents desire it, from attendance at the public worship, and from instruction in the doctrines or formularies of the said (*Church or denomination*), and shall not otherwise interfere with the religious teaching of the scholars as fixed by (*these presents, or as the case may be*), and shall not authorise any other religious instruction to be given in the school."

"And shall not *otherwise* interfere."

It does interfere then in some wise. Now it is this interference—interference too under a penalty, that no grievance may be left which is not inflicted by means of the "Conscience Clause,"—which is a thing wholly new in the history of the question, violating all preceding principles of administration, unjust absolutely, as respects the Church, unjust relatively, as respects other branches of the Church Catholic, and very dangerous. There is no symptom of it from 1839 to 1847, nor again from 1847 to 1852, nor again from 1852 to 1856.

The first case of "Conscience Clause," and therein of new forms of Management Clause, imposed by sole authority of the

Committee of Council with which I am acquainted, is that of Broadway, Worcestershire. I have the particulars of it certified to me in writing. It is in 1856—two years before the first published cases. There is in it a peculiarity which, if the subject-matter were not so grave and so full of issues injurious to the Church, would be ludicrous enough. It is not only Broadway parents who are to judge about what children are to be taught, or not taught, in the school, but it is also Broadway children. I think I remember somewhere in the “Essays and Reviews” a statement as to the age at which children may be taken as able to exercise a “discriminative judgment” touching “dogma.” My recollection is that it is at the age of seven years that this “discriminative judgment” may be assumed reasonably to begin its exercise. This then is, I suppose, what the Committee of Council would call the happy condition of Broadway parish. Anything more painfully silly it would be hard to imagine.

Wherefore no action taken by the Committee of Council up to 1856 can be said to be in favour of “Secular Education.” After 1856 the action comes in. The “Conscience Clause” is the first direct attempt to establish the principle of “Secular Education” in connection with the schools of the Church of England; and every founder who is betrayed into accepting a “Conscience Clause” admits that the parish school may be a place for “Secular Education” only. It is not then so much the injustice, nor the want of equity of which I complain—these things might have been borne with by the Church, as they have before and must be again. It is the poisonous and deadly principle of “Secular Education,” as sought to be engrafted upon the Parish Schools of the Church of England by means of a “Conscience Clause;” it is this against which I contend and shall contend as long as I have life and voice; because it is with this that the Church may not bear. To bear with it is to betray her trust. Better, ten thousand times, that the Church should not have one sixpence from the state for her schools than admit one

particle of interference with her teaching. Better, ten thousand times, to have no Education Grant at all than an "Education" Grant with a "Conscience Clause."

I ask next, were the principles of administration above specified recognised as just, and, as such, made the basis of mutual agreement in 1839—40, and again in 1847—52, by the Church on the one part, and the Committee of Council on the other ?

First then, what says vol. i of Minutes ?

It lays down the legally-secured site, and the right of inspection, as the conditions required by the Civil Power. It condemns all interference with teaching on the part of the Civil Power. I should only be abusing the patience of the House, which I am obliged to tax heavily as it is, to cite passages. Most people who care about this question know something of this book ; if they don't, they had better get it, and get it up. I will cite one passage only out of "Instructions to Inspectors," p. 28.

"He will abstain from any interference with the instruction, management, or discipline of the school, and will on all occasions carefully avoid any act which could tend to impair the authority of [the school committee or chief promoters of the school] over the teacher or over the children, or of the teacher himself over his scholars."

A fortiori, then, there could be no power of interference by Trust Deed, and, as matter of fact, so it was. The condition of a Management Clause was, as the House knows, added subsequently by mutual agreement ; but there is no interference with teaching under the Management Clauses.

Secondly, what says the great originator of the Committee of Council, Sir J. K. Shuttleworth, touching this very point of compulsory admission of the children of the Sects into a Parish School.

In a correspondence between Sir James Kay Shuttleworth, then Secretary of the Committee of Council, and myself, in 1847, the following words occur in one of Sir James's letters :—

"The conditions of their Lordships' grants are contained in their

Minutes, and there is nothing in any minute agreed to by their Lordships which can either now or hereafter place you under any obligation, moral or legal, to regulate the religious instruction of your schools otherwise than you may conscientiously approve, or which can give any persons a claim for admission to those schools, except upon conditions which you may deem consistent with your duty."

In the same correspondence, some words of the present prime minister, Earl Russell, are quoted from the report of his speech in the House of Commons :—

"In his speech on Monday the 19th instant (April 23, 1847,) Lord John is reported to have said, that 'he regarded it as a great hardship that the managers of Church schools should make it a condition of admitting children to their schools that the children should learn the catechism, and be made to attend the Church on Sundays.'"

"He is further reported to have said that 'so much did he disapprove of such a regulation being enforced, that he should consider its existence in a place, as a special ground for a grant to other parties than the managers of Church schools, in order to meet what he regards as so great an evil.'"

The House will see that there is not only no trace in Sir J. K. Shuttleworth's letter of any either actual or contemplated interference with Church schools by way of a "Conscience Clause," but that the opposite principle is carefully affirmed. There is no trace, again, in Earl Russell's speech, of any idea of forcing children not of the Church of England into a Parish School, but only of what is just and equitable, viz. : that if Dissenters in a place should be dissatisfied, and should desire to be enabled by assistance from the State to have a school of their own wherein to teach their own children according to their own principles ; they would, in Earl Russell's opinion, have a claim upon the body charged with the administration of the "Education Grant."

I published the correspondence, and preserved it. I am glad I did so. You see it comes out useful.

I cite in this place Sir J. K. Shuttleworth's account of the present position, taken from the report of a speech made by him in Lancashire, Wednesday, January 24, 1866. It includes his view of the "Conscience Clause" matter, and is interesting and important, as all that comes from him in this matter must be:—

"THE SCHOOL IN ITS POLITICAL RELATIONS.

"This was the subject of an address delivered by Sir James Kay-Shuttleworth on Wednesday evening at the annual meeting of the East Lancashire Union of Educational Institutes. The elementary day and evening school is but the porch, but it is indispensable to this training of the citizen. A Liberal Government cannot neglect national education without a fatal inconsistency. I have, therefore, asked myself anxiously why the Government grant has been lately curtailed; why half the pupil-teachers in Great Britain are being swept away; why, with this crippling of the machinery of the day-schools, the training colleges for male students in the Church of England are deprived of two-fifths of their supply of trained apprentices, and the other colleges of one-fourth; why there is an apparent sanction given to the idea that the schooling of the workman's child ceases at eleven years of age, and that he can do no more than to read, write, and cipher in the elementary school; why University scholars are chained to the mean drudgery of examining poor children in three rude elements; and why, by throwing the support of schools more and more on voluntary resources, the question is raised, in contradiction to all our traditions, whether national education is a function or interest of the State in any degree whatever. My own opinion was that the Revised Code—even if its principles were sound, from which I have declared my dissent—was prematurely introduced, and that the details of its machinery and conditions were extremely defective, and certain to produce a deterioration in the education which had been provided. But it is impossible either to submit to its destructive influences, or to resist the appeal which Mr. Walter makes on behalf of the uninspected schools. The country will not stand by and see half the pupil-teachers swept away, and the training colleges gradually drained of students, nor will it turn

a deaf ear to the claims of the taxpayers who are illogically and unjustly deprived of the aid granted under this code. Therefore, as I said, the whole principles of public elementary education are again under discussion. I would gladly have seen this unavoidable discussion postponed for some years, during which education might have been extended on the former system until the clergy had practically recognised the claims of the Nonconformist minority in small parishes, and the Congregational Dissenters had been led, as I confidently believe they would, to admit the political interest and function of the State in the education of the people. A country which contemplates an extension of the franchise to the classes supported by manual labour commits a deliberate political suicide if it neglect the preparation of the people for their duties by a universal system of well-ordered elementary schools. The Revised Code has logically rendered one of three things inevitable—either some concession to Mr. Walter; or the adoption of a rating system, such as Sir J. Pakington appears to wish; or a reversion to a pure, unaided voluntary system, such as seemed to be regarded with complacency by Mr. Adderley.”

It will be seen that Sir James deals with the school question here, as we should expect to find him dealing with it, in its political aspect, much as I said at the beginning of my speech the Civil Power of this country always has looked at it; but it is not the way in which the Church primarily looks at it. He regrets, as I had heard before, the controversy which the Committee of Council has forced upon us; but, unless I misinterpret him, he regrets it principally because he thinks it premature, and that it would have been politic to have waited a few years more, till the Church had got what is called more committed to the system. For my part, I am thankful that the move has come too quick for Sir James. I wish it had come even a little quicker. It would have saved the Church something. But it is not too late now.

Thirdly, when we come down to 1847, what do find the Committee of Council says in the correspondence with the Wesleyans?

Now, observe, I am quoting from a "Paper" supplied to me from the Council office, and entitled "Paper, being a Consolidation of Minutes and Regulations now in force of the Committee of Council. Presented to Parliament by Her Majesty's command, and ordered by the House of Commons to be printed, April 14, 1858," *i.e.*, just when the Committee of Council was hard at work to make them not "of force" by imposing the "Conscience Clause."

"8. The Committee of Council have further deliberated on the subjects adverted to in the sixth resolution of the United Committees of Privileges and Education, on the 31st of March and 1st of April, 1847.

"It cannot fail to be known to the United Committees, that the regulations of Church of England schools, in connection with the National Society, which render instruction in the catechism of the Church of England a condition of admission to the advantages of other instruction given in such schools, were not imposed upon that Society by the Committee of Council on Education. The maintenance of this condition has on more than one occasion been the subject of discussion in the Committee of the National Society, and it is material to the consideration of this subject that a large body of the clergy consider themselves to be under obligations of conscience to make this requirement; consequently, after repeated discussions, this rule has been maintained by the National Society, though the managers of each school are, with the concurrence of the Diocesan, at liberty to admit scholars who do not attend the Sunday-school or Divine worship according to the doctrine and ritual of the Church of England.

"Under such circumstances, my Lords, having regard also to the fact that national schools thus constituted have enjoyed the advantages derivable from Parliamentary grants since 1833, have not considered it their duty to make the admission of children of Dissenters into such schools without these requirements a condition of grants under their Minutes for August and December 1846.

"Their Lordships greatly regret that the children of Dissenters are not admissible into Church of England schools without these requirements, and they would rejoice in a change in the regulations of such schools, providing for their admission.

“ While on the other hand my Lords regard with respect and solicitude the scruples which religious parents among the poor may feel to permit their children to learn the catechism of the Church of England, they have felt themselves precluded from insisting upon a condition which might at once exclude Church of England schools, or at least the majority of them, from the advantages to be derived under the Minutes of Council.

“ Their Lordships hope that much may be expected from a careful review of the civil and political relations of the school, which has not at any previous period been so fully acknowledged to be a national institution. Regarded in this light, their Lordships cannot but hope that the clergy and laity of the Church of England will admit, that the view they take of the obligations resting upon them, as to the inculcation of religious truth, must be limited by their duty to recognise the state of the law as to the toleration of diversities in religious belief, and especially in those who, on the basis of the Apostles’ Creed, approach so nearly as the Wesleyan communion do, in doctrine, to the Church of England.

“ If their Lordships should find, upon the report of their inspectors, that in parishes with only one school aided by public grants, communicants of Wesleyan congregations, too poor to provide a school for the education of their children, had under the circumstances previously related, no opportunity of obtaining such instruction without conditions which they could not conscientiously fulfil, it would be open to their Lordships to consider whether, without a departure from the principles on which the Minutes are founded, they could provide for the education of such children.

“ I have, &c.

(Signed) “ J. P. KAY SHUTTLEWORTH.

<p>“ The Rev. Charles Prest, “ The Rev. George Osborn, “ The Rev. John C. Pengelly, “ The Rev. Thomas Vasey,</p>	}	<p>Secretaries to the United Committees of Privileges and Education of the Wesleyan Conference.</p>
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“ Resolved,—

“ That the explanations given in this letter be confirmed.

“ That, in pursuance of these explanations, the Committee will no

longer require the statement of special circumstances as prescribed by the Regulation of the 24th September, and the Minute of the 3rd December, 1839, in the case of applications from schools not in connection with either the National or the British and Foreign School Society."

What again do we read in the Management Clauses of the Church of England schools ?

"The principal officiating minister for the time being of the said parish or ecclesiastical district shall have the superintendence of the religious and moral instruction of ALL the scholars attending the school," &c.

"My Lords" regret that the Church of England does not concur with them—of course they do. They did so in 1839-40, and again no doubt in 1847. But the difference between 1839-40 and 1858, and 1847-52 and 1858, is that in 1839-40 and 1847-52, though they regretted the non-concurrence, they felt bound to respect Church principles. In 1858 they had made up their minds to supersede or override them of their own authority.

I submit then that I have proved that it is "not just" to impose a "Conscience Clause" upon Church Schools by the confession of the very body who are seeking to impose it, as by all the recorded facts of the history of the question.

But, it is said, is then the Civil Power precluded from revising the principles of a public contract with the Church of England ? Now in the letter of Sir J. K. Shuttleworth cited above the words "now or hereafter" appear to show that in his mind at least the principles were fixed and final ; and when it is remembered that one of the contracting parties is the Church, whose principles cannot change, one is not surprised that he should have so regarded the matter.

But let this pass, and let us deal with the objection in itself.

In 1839-40, and again in 1847-52, the Civil Power recognised the principle of the Church in this matter as the basis of their

proceedings with the Church. Now it is true that human policy may change its principles, and it does so continually. But the Church cannot. If then the Civil Power think that it can no longer assist the Church of England upon her own principles; if the denominational principle is to be abandoned in England, and the State system brought into its place—for the two cannot possibly co-exist in connection with State aid—let the Civil Power say so in so many words by an Act of Parliament, or at least by an Order in Council as in 1837-40. Then, after debates in both Houses of Parliament, Orders in Council settled the principles. But there is no such sanction of the “Conscience Clause,” which has introduced a principle wholly new in practice as respects Church schools. Indeed in the only Act which has any connection with the subject—the Endowed Schools Act, it is provided that the Act “shall not extend to any school established by, or to be established by, or in union with, or to be in connection with the National Society.” I say then let us have an Act of Parliament—if Parliament can be persuaded to pass such an Act, which I do not believe—or at least an Order in Council, if Her Majesty in Council can be persuaded to pass such order, which I do not believe—saying that the State can no longer assist the schools of the Church of England upon the principles of the Church of England; and that, in connection with State aid, the denominational system is to be superseded by the State system, or what Sir J. K. Shuttleworth calls “an universal system of well-ordered elementary schools;” and then we should know where we were and look our whole position in the face. But under no circumstances may the Committee of Council—which is charged with the administration of a certain point upon certain definite and acknowledged principles mutually agreed upon, and whose powers have never been supposed to extend beyond matters of detail—take upon itself to supersede or override fundamental principles on the part of the Civil Power. This then is my answer, and I submit that it is complete.

The imposition then of the "Conscience Clause" is unjust in itself, and was considered to be unjust by the Committee of Council itself up to 1856. It is also inequitable relatively to the case of other Churches. Mr. Lingen writes to me and says that all other Protestant bodies in this kingdom have got a "Conscience Clause." Possibly he does not consider the Church in Scotland a Protestant body. However, it has no "Conscience Clause," and it is, with the Church of Rome, the only analogous case to the Church of England. Mr. Lingen does not appear to know the difference between a Church and a sect.

Next, I have to show that for founders of a Parish School to accept a "Conscience Clause" is not just as respects future managers of the school.

Now a man may be able to see his way for himself to applying a "Conscience Clause" to a Parish School, and for his own incumbency—though I confess I don't understand the eyesight that sees the way, being the eyesight of a priest of the Church of England—but by what right such a man is to take upon himself to see for all that long succession of priests who are to come after him in the parish, and to leave to them, as his bequest, a Parish School upon the "secular principle," stereotyped as such for ever by a Trust Deed, it is plainly impossible to understand upon any principle known to the Church Catholic. I suppose it is among the principles (so called) of "the Broad Church," the excess of "liberality," meeting and answering to the excess of individual despotism. Now a man's individual action and influence on a parish may be got rid of as a fact, and even as an example and precedent, after a time. But how are you to get rid of a Trust Deed? A successor comes, abhorring, because the Church abhors, the very idea of "secular education," and he finds the Parish School committed to it for ever. I say it is not just. I say more. I say such conduct, setting up a man's private judgment against the judgment of the Church of which he is a priest, is a sin against the Church at large, against the

ministers of the Church who shall in after-years be priests of the parish, and against the people of the parish. At least let a man do as he would be done by. If he likes, during his incumbency, to turn the Parish School into a secular academy, he can do it. But let him not, because he likes it, stamp upon the Parish School for ever what is, as a fact, alien to his trusteeship of the Parish School. Why a man acting thus will probably prevent his successors from having anything to do with the place which bears the name of the Parish School. They will have to found and build another place where the children of the parish may once more be taught “The Doctrine of the Sacraments and the Discipline of CHRIST.”

The remaining point is, that it is “not safe” as respects the teaching of the Church to accept a “Conscience Clause.”

Much of the proof of this has been anticipated. But I add one thing,—I say then that for a Church child—for whom the parish priest is primarily concerned—you cannot do a more injurious and dangerous thing than to place him side by side in the same class with a child who is not only not of the same faith, but who is taught no faith, as by rule of “Conscience Clause.”

To exhibit to a young mind two faiths side by side, as of equal value and co-ordinate authority, is bad enough. Possibly, to exhibit to it no faith at all may be worse. I do not know. Both are so bad that it is hard to choose; and for the teaching of the Faith itself, this suffers necessarily in the hands of those who teach, by the sense of the presence of children who have no part nor lot in it, but who are there as a kind of standing denial of the Truth. Their very presence, as such, in the school to be taught secular things only is an offence; an invasion of GOD’S heritage, which is quite sure to bring its own punishment with it.

In one word, have a “Conscience Clause” and you have with it, and by it, the principle of “Secular Education” imported

into the Parish School. Church Education and Secular Education cannot co-exist in the same place. Either Church Education must get the better—in which case, so long as this remains so, the “Conscience Clause” stands part of the Trust Deed only as a memorial of injustice and false principle, but stands there a weapon for every evil hand, always ready to be raised and turned against the Church as occasion may serve,—or Secular Education must prevail, as it probably will in all cases where there is a “Conscience Clause:” in that case the school is no more a Parish School.

I submit that I have proved my case point by point. If any man has anything to say against it or any part of it, I shall listen, I hope patiently; though it be a hard thing to be patient when the keeping of the Faith and thence the well-being of the Church and the honour of GOD is concerned, patiently to listen to reasoning which I know all the time, as well as I know that I am a living soul, to be unsound and dangerous, and to have for its only recommendation that it substitutes expedients for principles, and is the expression of a loose and shallow and unfaithful time.

The time wants “Broad Church”—that is, no Church at all. (See Article xix. and compare Broad Church with it). The time wants no objective faith—that is, no faith at all. The time wants “Secular Education”—that is, no education at all. It was only the other day that a great meeting was held at the Mansion House, to set on foot a scheme for the so-called “Education” of the middle class of this huge city. It was presided over by the Lord Mayor of London. It was attended by great numbers of chief citizens. It had its origin in a move made by a priest of the Church of England. In the resolutions passed by acclamation at that meeting there is no word about religion. It is only referred to by implication, and the expression that the “Education” was to be “wholly unsectarian.” We all know what this means: Church and Sect are to be

reduced under the same category by lowering the Church into a Sect.

I see that Mr. Rogers, the author of the scheme, writes as follows in a letter published in the *Times*, Monday, January 29, 1866.

“The great aim of the schools (which will be carried on upon the principle of day-schools only) will be to prepare the scholars for the industrial and commercial work of life, and none will be excluded from the benefits to be derived from them. It is the opinion of the Committee, in which I entirely concur, that while religion must necessarily be the guiding principle of all education, in a school of this nature, open to all classes in a community like that of the City of London, and considering that the children will be immediately under home influence, the distinctive doctrinal teaching should be left to parents and to those ministers of religion whom they may select for the purpose.

“I am, yours faithfully,

“WILLIAM ROGERS.

“D. P., Esq., London Assurance Company.”

It appears, then, to be as I expected; “preparation for the industrial and commercial work of life” as carried on in this school is to be carried on, *so far as the school is concerned*, wholly without religious teaching properly so called. Mr. Rogers says, “distinctive religious teaching,” meaning, I suppose, that there may be indistinctive religious teaching in the school. What this may be I do not profess to understand, and I should like to have Mr. Rogers under examination for ten minutes about it. But there is another thing about which Mr. Rogers says nothing. What about prayers morning and evening in the school? Are there to be any prayers, or are the scholars to be prepared for the industrial and commercial work of life in a place which has no prayers? If any prayers, I suppose they are to be on the indistinctive principle. The scholars of every school must be under discipline: it is implied in the idea of a school;

and so, therefore, in this school. But there is one kind of discipline which will be wholly absent from this school—one without which all other discipline is not only valueless, but is an offence—and that is religious discipline. “Distinctive religious teaching.” I doubt whether the phrase had any existence till late years: certainly none as conveying what it is now used to convey. It may possibly be found as intending the divers formularies of teaching in the Church Catholic—all teaching The One Faith. But I doubt it. Certainly it has never been found as intending what it is now used to intend—that there are many faiths, all of them *ex hypothesi* of equal value and authority. The phrase—and it is a favourite phrase now—sets up the facts of an unbelieving world as of authority against the exclusive declaration of Holy Scripture, that the Faith is One. It does more; it sets up religious opinion in the place of Faith. We have all heard of Godless Colleges. It has been reserved for Mr. Rogers and the City of London to lay the first stone here in England of the Godless School.

Well, the time must have such things if it will. But may GOD keep us from having any part in them for our own souls' sake. Let the time have such things if it will, but GOD preserve the Church from having any part in the sin.

The first great step openly made by those who represent the Civil Power of England in the matter of school teaching towards “Secular Education” has been made in the “Conscience Clause.” Let the Church of England look to it.

Whatever may be said in the course of the debate, there is one fallacy which I hope will not be repeated here for the credit of this House: I mean the fallacy which confounds between the practice of many managers of Church schools in admitting the children of the Sects into the schools of the Church to be taught then and there, or to be prepared to be taught, the Faith of the Church, and the *exactly opposite* practice sought to be established under the “Conscience Clause.” The House will allow me to

read a short exposure of this fallacy contained in a letter of my own lately published in *The Times*.

THE "CONSCIENCE CLAUSE."

To the Editor of the Times.

SIR,—There is a fallacy lying at the root of one great portion of the defence of the "Conscience Clause," which I shall be glad to be allowed to notice in *The Times*.

It is said—see, *e.g.*, the evidence of Dr. Temple, as cited in *The Times* of December 26—that "the majority of the clergy act upon the principle of the 'Conscience Clause.'"

Now, this is to confuse between two things distinct in their essence. I doubt whether there are any of the clergy—I am certain there are not many—not having schools under a "Conscience Clause," who "act upon the principle of the 'Conscience Clause.'"

The practice of a great many of the clergy—it may be of the majority—is to admit children of Dissenting parents into the parish school, and then and there either to teach them, or prepare them to be taught, the faith of the Church of England. This is one way in which it is conceived the Church may discharge her missionary office.

But the "principle of the 'Conscience Clause'" is diametrically opposed to the above practice. "The principle of the 'Conscience Clause'" is, that clergy shall have children of Dissenting parents in the schools of the Church of England for secular teaching only—children who, if their parents demand it, shall be there neither to be taught, nor to be prepared to be taught, the faith of the Church of England. "The principle of the 'Conscience Clause'" is therefore to debar the clergy altogether from the discharge of their missionary office, as exercised in their schools, in respect of all such children.

The fallacy is so continually repeated—making two things one which are directly opposed—that I think you will allow me to call attention to it. When I was before the Committee of the House of Commons, I was surprised to find that the minds of members of the committee were possessed by it. I have since found the same confusion elsewhere, where I least expected it.

The real truth is that the "Conscience Clause" has raised distinctly

the question whether "secular education," apart from religion, is under any circumstances allowable in the schools of the Church. The Church, I need hardly say, knows but one education, and that is her own religious education. Under the "Conscience Clause" she is asked to give another "education," one with which religion has nothing to do. I submit that she cannot be asked to do this justly, nor can she consent to do it safely.

Nor, indeed, do I believe that Dissenters, when they see clearly what the issue is, will desire an invasion of the schools of the Church, which can only work to the injury of their own children no less than to the injury of the children of the Church.

Faithfully yours,

GEORGE A. DENISON.

East Brent, Dec. 27.

Therefore, to sum up what has been said :—

Because a "Conscience Clause" imposed upon parish schools is contrary to all the recorded principles of a national compact, twenty-six years old, and only infringed upon during the last eight years;

Inasmuch as—

(a) It destroys the denominational system which, though not insisted upon in all cases, as by Minute of December 3, 1839, was never violated by forcing scholars of different denominations into the same school, till "Conscience Clause" came;

(b) It introduces the "Secular system" into parish schools;

(c) It establishes the severance between religious and secular teaching;

(d) It admits the interference of the Civil Power with the matter and the manner of the teaching of the Church;

(e) It applies to the Church of England a rule which is not applied to any other branch of the Church Catholic, in England, Wales, or Scotland.

Again:—

Because a “Conscience Clause” stereotypes for a parish school a system which is faithless and secular, in place of one which is faithful and missionary.

Again:—

Because a “Conscience Clause” degrades the office of the parish priest;

Because it degrades the office of the parish schoolmaster;

Because it lowers the character and impairs the power of the teaching of the Church upon the minds of all the children of the school to which it is applied.

For these reasons, and for others which I do not repeat here, of equal force and cogency, I say that a “Conscience Clause” is neither “just” nor “safe.”

If every other reason for having nothing to do with any manner of “Conscience Clause” could be got over, this reason cannot be got over—that to accept it damages the whole position of the Church, and impairs its power of holding fast the trust committed to it, to teach the Faith.

Now, seeing that everything is to be said against “Conscience Clause,” and nothing for it, the question naturally arises, How came the Committee of Council to introduce such a thing at all?

The question is easily answered, but the answer is not creditable to the introducing body.

They were told that they must cut down the education grant. How was it to be done? It might be done, as it has been, in two ways. 1. By “Revised Code;” 2. by “Conscience Clause.” The second of these two ways of saving money was, no doubt, welcomed by the Council office with an especial welcome; being a great step towards the establishment of the comprehensive and undogmatic, that is, in the end, of the secular system. For a comprehensive system which comprehends a child to whom you

may not teach the Apostles' Creed, is, I apprehend, not to be distinguished from the secular system, even by the versatile ingenuity of the Council Office. It is in this as in other things; the pupils have got beyond the tutor. Sir J. K. Shuttleworth, the parent of the Committee of Council on "Education," did not get farther than the comprehensive system; whether he gets farther than it now, I do not know. It is difficult to suppose that a man so intelligent and able should not have perceived that the one system necessarily issues in the other. However this may be, his pupils, the chief of whom is that eminent adversary of the Church of England, Mr Lingen, have found no difficulty in making the two systems exactly coincide. As respects the saving of money for the Chancellor of the Exchequer, "Conscience Clause" has answered very well. The building grant fell off to the extent of £60,349 15s 11*d* in 1862-3, principally because Church people will not have a building grant coupled with a "Conscience Clause." I believe there has been a like falling off in 1864-5.

Now men can get over the "Revised Code"—though it was not altogether a very clean proceeding—because, first, there was a good deal to be said for it, and second, because it infringed no religious principle, and did violence to no conscience.

But they cannot get over "Conscience Clause," because it does infringe a religious principle, interferes with the teaching of the Church, and does not respect the consciences of managers of Church schools. This last is, I suppose, the reason why it is called the "Conscience Clause," as I have said above.

Now how did the Committee of Council set about it? They introduced—for the first time (for there is no trace of it from 1839 to 1858)—the practice of asking what were the relative numbers of Church and Dissenting families in a place; then they set down all doubtful cases, all families difficult to class, to the credit of the Sects, and made the answer to the application accordingly. But, if we look at the form of questions A and B,

pp. 5—9, 15—18, vol. i. Minutes, we find no trace of any question of the kind. It could not have been ventured upon then, and there is no reason why it should be ventured upon now but the want of ordinary moral courage, and care for principles and knowledge of what is at stake on the part of Churchmen, which are so marked features of our times.

The “Conscience Clause” question is not then a money question, except accidentally, but a great question of principle. It saves money it is true; but that is not the main point, though it supplied the opportunity. It introduces the secular system into the parish schools of the Church of England.

There is another thing naturally to be asked. What on earth is Church or State to gain by it? I say nothing, except a loss. Things must be measured by what they cost. Now a “Conscience Clause” school gets some money, in exchange for Church principles. The price, I submit, is too high. It gets a greater number of children perhaps, though I don’t believe that this would often be the case, in exchange for its duty in teaching, and its power to teach. The price is again, I submit, too high. What is a Dissenter to gain by it? “Secular Education” for his child in a Church school.

What is lost by “Conscience Clause?” A man accepting it brings himself under the permanent control of a body who have shown that they will not allow contracts and compacts and vested interests and Church principles to stand in the way of pushing onward their darling project—a body which has managed to break up the co-operation between Church and State in respect of school teaching. Here then are two things lost—the confidence which is begotten of, and begets, security, and the cordial co-operation of Church and State. There is another thing lost by it—the general building of schools is much impeded by it; poor localities especially are in all ways the sufferers by it.

There is yet another question. Who is pleased with “Conscience Clause?” The pleasure, such as it is, is confined to two

classes of Her Majesty's subjects. First, those Nonconformists, whose Nonconformity is rather political than religious. Religious people can't be pleased with the "Secular Education" of their children, or with any approach to it. Secondly, what is called "the Broad Church"?—a feature of our times which of all bad features is the worst. Outside the Council office I know of none others who are pleased with "Conscience Clause."

But some still say, Never mind, let us admit it, it will be a dead letter. I have no belief in anything of the kind. If I had it would make no difference. I cannot endorse such a policy as this. It is wrong alike by Church and Sects. It reminds me of the time of the so-called Oxford Reform Bill. I said to a dear friend of mine who was active in it at that time, "How many Dissenters do you think are going to walk into Oxford over Magdalen and Folly bridges when the thing is done?" "Not one," said he. "Well," said I, "you are frank enough with me, but if you were as frank with the public what would become of the Commission? And, if you are not frank with the public, I can't see the honesty of your proceeding." Just so, some say, let us have a "Conscience Clause," and Dissenters will make no difficulty about their children being taught the Church's Faith any more than if there were no "Conscience Clause;" *e. g.* give them the power of withdrawing their children from the class at certain hours, and you will see that they won't withdraw them. Why then pretend to be so anxious to consult a conscience which by your own showing is not strained now? If Dissenting parents do not object to their children being taught the Church's Faith—as is very commonly the case—wherefore a "Conscience Clause"? If they do object, wherefore is their conscience to be consulted at the expense of the Churchman's conscience?

But supposing, on the other hand, that you are deceived in your expectations, and the "Conscience Clause" is turned, as I make no doubt it would be, into a ready weapon of offence against the Church, you will have put it out of the power of the

Church to defend herself, and the parish school is sacrificed for ever.

Whatever we do let us avoid two things : first, the making a show of what is called “liberality” in these “last days” which we have no expectation will produce any draughts upon us; and second, the compromising principles, which we are sworn to keep intact by any act of ours, for what is called expediency in these “last days.” Now, expediency belongs to things indifferent in both ways. These may be either expedient or inexpedient. But to principles it belongs only in one way : these are always expedient, never inexpedient.

There is one state of things, and one only, which would have in some sort justified the Civil Power—or those who are supposed to represent it in the matter—in inflicting a “Conscience Clause” upon Parish Schools. But this state of things has had no existence, has no existence, and will have no existence. What I mean is this. If the Church had demurred in a country like ours to the making of grants to the Sects in aid of their Schools, there would have been some ground for saying—If you won’t hear of our helping other Schools than your own, you cannot be surprised if we decline to help you except on condition of your admitting into your Schools the children of the Sects.

But not only has the Church never so demurred nor ever will demur, not only has she never made any complaint about grants to the Sects, but she has been and is willing and active in doing her missionary office in educating the children of the Sects, in such manner as is compatible with her own principles and her Divine trust.

I will never believe, till I see it done, that this House, knowing what is at stake; knowing that the real question at issue is, not at all what some strive to make it, but the question between Religious and Secular education in the Parish Schools of the Church of England;—I will never believe that the House will so much as hesitate to declare its unqualified condemnation of the “Conscience Clause.”

It may be impossible, in these evil times of worldly wisdom, decaying principles, and failing faith ; it may be impossible in this country of ours, where men seem to have set up two chief idols to worship — intellect and money — may GOD in his mercy avert the issue — to persuade the Civil Power not to do so grievous a wrong to the Church of England as to insist upon a “ Conscience Clause ” as a condition of assistance out of the Parliamentary grant to her Parish Schools. It may be impossible to bring the Civil Power to see that the wrong is not one to be measured only by the refusal of money to which the Church has an indefeasible right, but also by a measure larger and deeper far ; by the temptation which such refusal carries with it to put aside conscience and to betray trust. It may be found impossible to arrest the downward course of the Civil Power. May God forbid for all our sakes. But if this shall be found to be impossible, it is never impossible for Churchmen to be content to be without the assistance, and to suffer the civil wrong rather than to sell their conscience and the trust committed to them by the Church for a reputation for liberality which is false, and for a sum of money which stains their hands.

For the rest—desiring earnestly the co-operation of Church and State in the great matter of the Education of the People—I appeal ; I appeal from the Lord President of the Council, the Vice-President and the Secretary of the Committee of Council on Education, to the Queen in Council. I appeal from a Department of the Administration to the Crown in Parliament. I appeal from all those who would exchange “ Church and State ”—than which there is nothing better—for “ State Church,” than which there is nothing worse. I appeal from those Churchmen who, directly or indirectly, by abandonment or by compromise, surrender the deposit of the Faith, and depart from the Church’s Law. From all these I appeal to the Church, and to the Church’s LORD—

Appello Ecclesiam et Ecclesiæ DEUM.

Mr. BRAMSTON moved the “previous question” :—

After six hours’ debate, the House divided, Wednesday, February 7th—

Ayes	15
Noes	46
	<hr/>
	31

The original Resolution was then put, and carried without a division ; and on Mr. SEYMOUR’S motion, a rider was added to it as follows :—

“That the resolution just passed be taken up by the Prolocutor to the Upper House with the prayer of the Lower House, that their Lordships would use their influence to procure the withdrawal of the ‘Conscience Clause’ by the Lords of the Committee of Council on Education.”









