

C. D. A. LEIGHTON

The Non-Jurors and their History

This paper is concerned to establish and elucidate the intellectual distinctiveness of the Anglican Non-Jurors of the late Stuart and early Hanoverian period. It places the Non-Jurors in the context of the early Counter-Enlightenment and finds their distinctiveness within it, as a body, in the extent and intensity of their commitment to rationalist, critical historical study as a theological method, reflecting a primitivist, or more precisely, restorationist religious stance. The writings of Charles Leslie and Jeremy Collier are those chiefly used in exemplification. The concluding part of the study enquires into the sources of the Non-Jurors' confidence in the value of historical argument in controversy. It points particularly to the Non-Jurors' use of the practices of contemporary historiography, which regulated the application of rationalism by requiring concurrent application of doctrinal and moral standards.

This study is concerned with the writings revealing a study of the past, which came from the pens of those Anglicans who rejected the accommodation — and communion with those disposed to accept it — between their church and the regime established in the British Isles in the wake of the successful Dutch invasion of the late seventeenth century.¹ Jacobite political commitment comes quickly to mind as offering some explanation of Non-Jurors' particular zeal for historical and antiquarian studies; for search for historical precedent, often from seemingly *recherché* sources, was at the heart of the period's constitutional debates. The Catholic historian, Thomas Innes, was happy to state explicitly his purpose in labouring over Pictish king-lists, when he sent a copy of his justly famous *Critical Essay on the Ancient Inhabitants of . . . Scotland* to King James VIII: it was to strike “at the root of the Revolution principles in Scotland.”² The root was the history which had been received from Scotland's venerated humanist, George Buchanan. However, the character of

1. Others, who continued in communion with the larger body of compliant Anglicans, may also be called Non-Jurors, in that they refused the oaths required by the new government. See J. C. D. Clark, *Samuel Johnson: Literature, Religion and English Cultural Politics from the Restoration to Romanticism* (Cambridge: Cambridge University Press, 1994), 127, 137–39. The more restricted definition used here serves to simplify the identification of Non-Jurors, while use of the wider one could hardly alter the central contentions of this essay, about Non-Juror use of historical scholarship.

2. Quoted from Innes by William Ferguson in *The Identity of the Scottish Nation: An Historical Quest* (Edinburgh: Edinburgh University Press, 1998), 191.

constitutional debate was but one manifestation of the permeation of early modern Britain's culture with concern for the past. More determinative of the habits of thought among Non-Juring clergymen, no doubt, was the constant tendency of the British tradition of ecclesiastical learning (shared with the French) to emphasize the importance of historical argumentation, as an auxiliary to and methodology of divinity.³ The present study points to the Non-Jurors' development of this historiographical tradition as constituting the most important part of their intellectual distinctiveness and calls attention to some features of contemporary historiography which underpinned that development.

However, the ambiguity of the study's title will allow some reference, which may serve to contextualize the discussion, to the descriptions given of the Non-Jurors by such later writers as have devoted substantial attention to them. These may be divided into two. There are those which constitute what may be called, if it suggests no disparagement, a denominational tradition, which displayed a degree of sympathy and indeed identification with the Non-Juring body. A consequence of this was to deny the Non-Jurors, to a considerable extent, their political commitment, their engagement with their own period and their intellectual distinctiveness, which was formed in that engagement. Only in recent decades has there emerged a more distanced view, which has served to combat that pollution of an alien past produced by the sympathy of later generations.

Late eighteenth-century comment on the Non-Jurors displays little more than a continuation of the partisanship of what was not yet the previous age. It was the concerns of a later age that required remodellings of the Non-Jurors, characteristic of the denominational tradition. Despite his singularity, manifested in his eventual begetting of a new and short-lived syncretistic religion named Alism, the Victorian writer, Francis Barham, illustrated the change in his comments. In providing an introduction to one of the most substantial Non-Juror contributions to English historical writing, by Bishop Jeremy Collier, Barham displayed his inability to do other than present his subjects in contemporary dress. He was conscious not only of the contemporary relevance of his discussion of High Churchmanship as he wrote in 1840, but also accepted the Oxford Movement's reworking of the identity of that tradition.⁴ The Non-Juring High Churchmen were thus defined pre-eminently by their position in relation to Catholicism and Protestantism, on the Anglican *via media*, while their opponents were described as an "Orange" party.⁵ It was his improbable attribution of neutrality to the Non-Jurors in the great conflict between Christians which allowed Barham to develop a sympathy with them. His description of Collier as "a man who strove gallantly and not unsuccessfully,

3. Owen Chadwick, *From Bossuet to Newman: The Idea of Doctrinal Development* (Cambridge: Cambridge University Press, 1957), chap. 1.

4. Peter B. Nockles, *The Oxford Movement in Context: Anglican High Churchmanship, 1760–1857* (Cambridge: Cambridge University Press, 1994).

5. Francis Barham, preface to *An Ecclesiastical History of Great Britain . . .*, by Jeremy Collier, new ed. (London: William Straker, 1840–41), 1:iii–xii.

to emancipate his mind from the various prejudices of the sects” suggests that he might have better sought subjects for biographical eulogy among their Deist enemies than among the Non-Jurors. Unsurprisingly, Collier was endowed with the virtues of the nineteenth-century historian.⁶

When the publisher of Collier’s *magnum opus* reissued it a little over a decade later, he had found a more appropriate editor, Thomas Lathbury. Though the sympathies of this clerical historian with the Non-Jurors rested on a much better understanding of them than that possessed by Barham, his desire to ensure their place in the legitimizing genealogy of the High Churchman of the mid-nineteenth century necessitated, notably, two defences of them. They were to be cleared of any suspicion of Romanist sympathies and of being “enemies to their country.”⁷ A thoroughgoing opposition to the principles of the Glorious Revolution would have justified the latter charge and Lathbury accordingly took care to depict them as advocates of a resistance to King James, which went awry because he “was determined on quitting the country” and because of “[t]he duplicity of the Whigs.”⁸ An examination of their religion too left the Non-Jurors blameless. Lathbury was convinced that “all sound and well informed Churchmen . . . [would] admit, that the main principles of the Nonjurors were in strict accordance with those of our reformers and of the Church Catholic in every age.”⁹

The conforming of the Non-Jurors to the changing requirements of the Church of England was long continued; but Lathbury’s themes remained. Canon Overton, in a very comprehensive account of the Non-Jurors’ lives and writings, just after the turn of the twentieth century, asserted that these latter gave no indication that the authors “were in any way different . . . from plain English Churchmen.”¹⁰ While acknowledging a general commitment to Jacobitism, he had very little to say about the political theology which underlay this. Almost fifty years later, Bishop John Wand found in the Non-Jurors an articulation of “the prevailing doctrinal emphasis within the Church of England [of his own day].” Their separation, he went on to say, was occasioned by “a mere matter of politics.”¹¹ Curiously, in view of this contradiction of the constant assertion of the Non-Jurors themselves, that the schism was occasioned by the “church point” rather than the “state point,” he devoted most of his study to a few singularly apolitical individuals, Bishop Thomas Ken and William Law, and to the later Non-Jurors’ liturgical concerns.

The attempt by recent historiography to make amends for the denominational tradition’s embarrassed near silence about Non-Juror politics and denial of Non-Juror intellectual distinctiveness has been less than complete.

6. Francis Barham, “The Life of Jeremy Collier,” in Collier, *Ecclesiastical History* (1840–41), 1:xI–xliii.

7. Thomas Lathbury, *A History of the Nonjurors* . . . (London: William Pickering, 1845), 2.

8. Lathbury, *Nonjurors*, chap. 1.

9. Thomas Lathbury, “The Life of Jeremy Collier,” in Collier, *Ecclesiastical History* (1852), 1:i (2nd roman pagination).

10. John H. Overton, *The Nonjurors: Their Lives, Principles, and Writings* (London: Smith, Elder and Co., 1902), 391.

11. J[ohn] W. C. Wand, *The High Church Schism: Four Lectures on the Nonjurors* (London: Faith Press, 1951), 1, 18.

Acknowledgement of the centrality of Jacobitism to the political life of the British Isles in the first half of the eighteenth century¹² has resulted, it is true, in increased consideration of the Non-Jurors' political thought.¹³ If only for the elucidation of this topic, more extensive investigation of Non-Juror theological and historical writings is called for. The study of Non-Juror thought relating to matters other than that foundational of their politics remains very slight in volume and tends to blend it with High Church thought in general.¹⁴ It is true that it would be inappropriate to attribute to the Non-Jurors of a very great degree of intellectual singularity. They were participants in the debates of their times, those which together constitute the early phases of English Enlightenment/Counter-Enlightenment conflict,¹⁵ and used in them the contemporary presuppositions and explicit arguments of foes and friends. Indeed, restoring their historical specificity to the Non-Jurors in this way constitutes a preliminary corrective to the denominational tradition's depiction of them as but articulators of a perennial Anglicanism. Yet, Anglican they were, precisely on account of their involvement in early Enlightenment/Counter-Enlightenment conflict, which took place within the context of an Anglican intellectual hegemony.¹⁶ We may go further and declare that — with the exception, of course, of conclusions reached in discussions directly related to the schism and the particular views of individuals — instances of Non-Juror thought which cannot be discovered in the writings of members of the regnant church are few. They are, however, significant of a considerable degree of intellectual distinctiveness, which also finds expression in choice of subject matter, sources, emphases, etc. It remains to state in what this distinctiveness chiefly and fundamentally consisted.

In dealing with this question, it is helpful to consider the stances taken by those later Non-Jurors who came to repudiate explicitly their Anglican identity. Bishop Thomas Deacon, who, from Manchester, presided over the Non-Jurors who constituted the Orthodox British Church, warned those Non-Jurors who were not of his communion against making any claim to constitute the true Church of England. For they were thus embracing "all the errors, corruptions and defects, which are chargeable on the Church of England's constitution," as laid down in her authoritative pronouncements.

12. To a very considerable extent, this must be attributed to the work of Jonathan Clark. See especially his *English Society, 1660–1832: Religion, Ideology and Politics during the Ancien Régime*, 2nd ed. (Cambridge: Cambridge University Press, 2000).

13. For concise treatments of this topic, both of which place it within a wider context, see Paul K. Monod, *Jacobitism and the English People 1688–1788* (Cambridge: Cambridge University Press, 1989), chap. 1 and John A. W. Gunn, *Beyond Liberty and Property: The Process of Self-Recognition in Eighteenth-Century Political Thought* (Kingston, ON: McGill-Queen's University Press, 1983), chap. 4.

14. See, for example, Robert D. Cornwall, *Visible and Apostolic: The Constitution of the Church in High Church Anglican and Non-Juror Thought* (Newark: University of Delaware Press, 1993).

15. The contextualizing of Non-Juror thought in this way has been the purpose of a series of articles by the present writer. In addition to those mentioned below, see C. D. A. Leighton, "William Law, Behmenism and Counter-Enlightenment," *Harvard Theological Review* 91, No. 3 (1998): 301–20.

16. John Redwood, *Reason, Ridicule and Religion: The Age of Enlightenment in England 1660–1750*, 2nd ed. (London: Thames and Hudson, 1996).

The points at issue were doctrinal.¹⁷ However, for the most part, they were matters that had come to the fore with the attempt by some to introduce changes in the eucharistic liturgy of the Book of Common Prayer. This generated the Usages Controversy, which had disrupted and divided the Non-Juring body in the years after 1716. That is to say that they were doctrinal only by virtue of a *lex orandi, lex credendi* principle. Nor yet, however, was the Usages Controversy, at bottom, about liturgy. The extensive printed controversy reveals instead a dispute which might be recorded as a theological one about the relative authority of scripture and tradition.¹⁸ As such, it is a notable indication that the Carolines' understanding of the relationship between the sources of religious authority¹⁹ was no longer proving acceptable in the era of the early Enlightenment, when the authority of scripture was being undermined by those who placed emphasis on the individual's reason. However, the increased emphasis on tradition is rendered of more general interest, when seen as an expression of the desire of contemporary *ancienneté*, expressed most forcefully by the Non-Juring savant, Henry Dodwell, to bring critical historical scholarship to bear on the reconstruction of Christian antiquity and its mind.²⁰ It was precisely such reconstruction, as it dealt with more readily graspable matters of liturgy and discipline, which constituted Deacon's intellectual activity, as he gave his new dissenting denomination its identity.²¹

Attitudes to society and social change, chance events and circumstances and, in the realm of religious thought, the growth of an unsurprising anti-Erastian zeal might all be used in accounting for the existence of the rather short-lived, chiefly Mancunian denomination,²² as they can in accounting for the separatist tendencies which existed among the Non-Jurors as a whole. However, the justification which they perceived from their historical reconstruction of primitive Christianity by itself constitutes perhaps sufficient and certainly necessary cause for the separatism of the former. Noting, in passing, that Thomas Deacon was, after all, the stepson of the historian Collier, the question arises whether the same degree of preoccupation with historical thought characterized earlier Non-Jurors and those contemporary Non-Jurors who were less assertively and willingly separatist. To the question thus phrased, a brief negative might be accurately returned. Nevertheless, Deacon

17. Transcription of a letter, in the Scottish Episcopal Church Library, Edinburgh, of Thomas Deacon to Reverend . . . Pierce, 4 May 1750, Mun. A6.71, fol. 6 Chetham's Library, Manchester.

18. C. D. A. Leighton, "The Non-Jurors and the Counter Enlightenment: Some Illustration," *Journal of Religious History* 22, (1998): 270–86.

19. For which see, Iain M. MacKenzie, *God's Order and the Natural Law: The Works of the Laudian Divines* (Aldershot, Hants: Ashgate, 2002), chap. 2.

20. C. D. A. Leighton, "Ancienneté among the Non-Jurors: A Study of Henry Dodwell," *History of European Ideas* 31, (2005): 1–16. These interpretations of the Usager dispute are not necessarily in conflict with its siting with reference to the history of sacramentology by James D. Smith in *The Eucharistic Doctrine of the Later Non-Jurors: A Revisionist View of the Eighteenth-Century Usages Controversy*. Joint Liturgical Studies, No. 46 (Cambridge: Grove Books, 2000). See especially p. 37.

21. Deacon's acknowledgement of the limitations of his activity are contained in a letter of 1733 addressed by Reverend John Clayton to John Wesley, quoted by Henry Broxap in *A Biography of Thomas Deacon: The Manchester Non-Juror* (Manchester: Manchester University Press, 1911), 75–76.

22. Monod, *Jacobitism and the English People*, 141–42 and 193–94.

was not grossly deviant either from the earlier generation of Non-Jurors nor his contemporaries and on their thought his own rested. The matter of Non-Juror attitudes to history, it will be argued below, is of the greatest importance if a descriptive account — as opposed to mere reference to their exclusion by the law from the regnant church — of their distinctive intellectual character is to be given. At the same time, what separated Deacon and his followers from their fellow Non-Jurors needs to be adverted to; for those attitudes will not be well understood without reference to it. This subject, it may be added, possesses an interest to anyone concerned with understandings of the past in the late seventeenth and early eighteenth centuries. Since the Non-Jurors, while constituting an intellectually distinctive body, were also, as just stated, an integral part of the intellectual life of the period and offer an exemplification of it, there is justification for going beyond consideration of the distinctive character of their work. Other traits observable there, though held in common with others, deserve note. Those pointed to in seeking, in the concluding part of this study, some explanation for the confidence the Non-Jurors placed in history writing, say much of contemporary understandings of that activity.

History and Restorationism: Leslie and Collier

A simple assertion that the schism in the late Stuart and early Hanoverian Church of England sprang from the oaths imposed by the Williamite regime is hardly to be faulted. The imposition and refusal of the oaths created not merely the minimally defining stance of the Non-Jurors, but the circumstance which the more theologically articulate Non-Jurors held to be the true cause of the schism — the replacement by the civil power of those members of the episcopal bench who refused the oaths.²³ Beyond this simplicity lie questions about the dispositions and intellectual stances which led so many to decline the oaths and sustained them in the frequently extremely difficult situation this action placed them in. It is, at one level, biography, especially intellectual biography, which yields the most satisfying kind of answer to such questions. The anxiety of Bishop George Hickes, for example, zealously “to serve the royal cause and that of the church” was certainly nourished by a desire, manifested clearly in his devotional life, to atone for his own family’s disservice of those causes.²⁴ In contrast, Denis Granville, the dean and archdeacon of Durham, who withdrew to France at the time of the invasion, could boast the most unblemished royalist background. Again unlike Hickes, he required no profound High Church theology to sustain his convictions. Though he has

23. This understanding of the matter is put forward very fully by Henry Dodwell in his *De nupero schismate Anglicano* . . . (London: R. Smith, 1704). This work was translated into English, as *An Admonitory Discourse Concerning the Late English Schism* . . . (London: J. Nutt, 1704).

24. Hilkiah Bedford’s biographical memoir of Hickes, MS Eng. Misc.e.4 (S.C. 30,502), fols. 5r–6r, Bodleian Library, Oxford, refers to the bishop’s penitential response to his father’s involvement in the Great Rebellion. His brother died as a result of involvement in Monmouth’s Rebellion. A short, modern biographical study of Hickes, though one mostly concerned with his scholarly activity, is to be found in Richard L. Harris, ed., *A Chorus of Grammars: The Correspondence of George Hickes and his Collaborators on the “Thesaurus linguarum septentrionalium”* (Toronto: Pontifical Institute for Mediæval Studies, 1992), 3–125.

been credited also with a liturgical piety, honour and an adherence to the basic principles of the political theology of his day appear to have been enough to make him a Non-Juror.²⁵

Still, it is the business of historians to offer more general observations. It seems most useful to interpret the Non-Jurors — and their motivations — in the categories of the most general discussions of their period's intellectual history, as figures of note in the early British Enlightenment/Counter-Enlightenment debates. They are very easily placed in this context, particularly when these debates are read with the history of philosophy's traditional understanding of the Enlightenment as an epistemological conflict, albeit an epistemological conflict often conducted as a social conflict between anti-clericals and churchmen. The characteristic stance of the Non-Jurors was one of unyielding confrontation as a means of dealing with a society increasingly permeated by a preference for private over ecclesiastical judgement, and in consequence lapsing into doctrinal indifferentism and other equally gross manifestations of turpitude. Indeed, the degree to which this uncompromising response to contemporary change was embraced may be regarded as constituting the distinctiveness of the Non-Juring body at a level more fundamental than the merely intellectual. The defence of ecclesiastical authority justified the separation from the regnant church²⁶ and, in its function as the antidote to the contagion of infidelity, was the constant theme in the pastoral ministry of the Non-Juring clergy.²⁷ Their activity as scholars and debaters may be helpfully seen as but an extension of this pastoral stance. In both areas of activity, their chosen instrument was history.

The choice is not surprising. At the extreme edge of the period's Enlightenment/Counter-Enlightenment argumentation, where orthodox churchmen met Deists, the use of history in Christian apologetic was a crucial matter. It was the consistent desire of the Deists to shift debate from history to philosophy. It was Gotthold Lessing, who momentarily for the future of Protestant theology, formulated the problem of that "ugly ditch," preventing the contingent truths of history serving apologetic, which was to be confined to the realm of the necessary truths of reason. However, well before Lessing wrote, the various aspects of his problem were discussed and seen to be at the heart of the Deist controversies in the British Isles.²⁸ The point is conveniently illustrated by the career in controversy of the Deist, Anthony Collins. He began that

25. Denis Granville, *The Resigned and Resolved Christian and Faithful and Undaunted Royalist* . . . (Rouen: John Baptiste Besonge, 1689). For clear exemplification of Granville's lack of commitment to High Church positions, see his observations on French Protestantism in *The Remains of Denis Granville* . . . , ed. George Ornsby. Publications of the Surtees Society, Vol. 47 (Durham: Andrews & Co., 1865), 35–38.

26. C. D. A. Leighton, "The Religion of the Non-Jurors and the Early British Enlightenment: A Study of Henry Dodwell," *History of European Ideas* 28, (2002): 250–55.

27. See, for example, the account of Edward Hart of his ministry in Chatham, in correspondence with Hilkiah Bedford. Edward Hart to [Hilkiah Bedford], 31 Dec. 1716, Rawlinson Letters 42 (S.C. 14, 924), fol. 161r, Bodleian Library, Oxford.

28. The dimensions of Lessing's problem are pointed out in Gordon E. Michalson, Jr., *Lessing's "Dirty Ditch": A Study of Theology and History* (University Park: Pennsylvania State University Press, 1985), chap. 2.

career by joining in what he called the “controversy of mysteries,” which has been regarded as marking the beginnings of the Deist controversy. It is most readily understood as one which anticipated Lessing’s concern about the possibility of appropriation of alien and thus incomprehensible religious assertions from the remote past. The anxiety to exclude history persisted to the end of Collins’s career, when his *Discourse of the Grounds and Reasons of the Christian Religion* attacked, chiefly, the historical defence of Christianity with reference to the fulfilment of prophecy.²⁹ The controversy provoked by this last was extensive³⁰ and prolonged. The most effective reply to Collins came from the pen of the future bishop of London, Thomas Sherlock, whose views were attacked by Conyers Middleton more than twenty years later.³¹ Such assaults had but limited impact and Anglican and other Christian apologists displayed their confidence in such historical apologetics well into the nineteenth century.

Some, however, including authors of decided orthodoxy, were content to debate on the philosophical ground chosen by the Deists. It should be noted that such variation in apologetic tactics did not exist among the Non-Jurors, though they were conscious of and occasionally spoke of contemporary philosophy. It is noteworthy too that the most enduringly popular expression of enthusiasm for historical apologetic, *A Short and Easy Method with the Deists*, was the work of the celebrated Non-Juring author, Charles Leslie. Here Leslie set out a method to be followed in historical apologetic, which he himself utilized in more substantial works and which reflected the dispositions of other members of his communion.³² However, if Leslie’s use of historical argument in debate on the most fundamental matters, such as was required in controversy with Deists or Jews, occasioned no censure from his fellow Non-Jurors, he was often less happy with the use some of them made of history. He was not much at odds with them. His thought, like theirs, had been strongly influenced by seventeenth-century Anglicanism’s liking for history, by virtue of its character as publicly verifiable discourse about “matters of fact,” which undermined the assertions of the divinely illuminated enthusiast and its promise, in its refinement and development, to resolve disputes among Christians on the basis of the belief and practice of the early church. However, this influence, in Leslie’s case, was more cautiously received than it was among others. Caution was induced chiefly by adherence to a *sola scriptura* position, bred of a desire for a rationalist, though not philosophical apologetic. The ecclesiastical history of the post-biblical period might show what the church taught, but not that it was right to do so. This was to be

29. A panorama of Collins’s writings is given by James O’Higgins, *Anthony Collins: The Man and His Works*. International Archives of the History of Ideas, No. 35 (The Hague: Martinus Nijhoff, 1970).

30. See the list of some three-dozen replies to *Grounds and Reasons* given in the preface to [Anthony Collins], *The Scheme of Literal Prophecy Considered . . .* (London: n.p., 1727).

31. *The Miscellaneous Works of . . . Conyers Middleton . . .* (London: R. Manby and H. S. Cox, 1755), 5:185–319. See also the anonymous *Letter from the Late A[nthony] C[ollins] Esq. to . . . Dr. C[onyers] M[idddleton]* . . . (London: S. Austin, 1750).

32. Leighton, “Religion of the Non-Jurors,” 261–62.

demonstrated only from the historical veracity of the scripture. Thus, in writing against Isaac Orobio de Castro, as representative of Judaism,³³ he complained that his religion, by taking its stand on tradition, ran into the circularity of the Catholic argument, “proving the authority of the church from the scriptures, and the authority of the scriptures from the church.” In consequence “the authority of the church is proved only from the authority of the church.” Rather a stand was to be taken on “the authority of the holy scriptures, and the facts therein contained, being established by the common principles of mankind.”³⁴ The appeal, in other words, was ultimately to reason. Such an argument prevailed little with many of his fellow Non-Jurors, who were inclined to apply Leslie’s attempt to verify biblical teaching with the historical verifiability of scripture to a defence of patristic teaching. Post-biblical ecclesiastical history was as replete with the supernatural and just as capable as biblical history of enduring examination “by the common principles of mankind.” When the Usages Controversy broke out, Leslie made clear his objections to this extension of his method, characteristic of the Usagers, in his *Letter about the New Separation*. Unsurprisingly in view of his concerns with Catholic/Protestant debate, Leslie spoke of those he criticized as placing an unacceptable degree of emphasis on tradition. In truth, his opponents were not speaking of tradition as Leslie, Catholics, and other Anglicans understood it — as the controllable possession of an existing ecclesiastical authority.³⁵ Their understanding of tradition as truth to be declared from the labour of the rationally guided historical investigator, endows with perceptiveness Leslie’s declaration of unwillingness to follow them. He would not “launch into an ocean that has neither shore nor bottom, . . . [without] any compass to steer by, where we must be driven about by every wind of doctrine.” For the moment, because of the rather limited historical interests and fissiparous inclinations of the Usagers, Leslie feared more the making of “divisions in the church for little singularities,”³⁶ discovered by scholarly research. Leslie went on to counter this extreme development of his own enthusiasm for the historical method in theology by illustrating the manifestly undesirable results it might produce and by listing the sources of unreliability in the early Christian texts.³⁷

Leslie would never have been disposed to allow the products of mere historical research to serve as an authoritative guide, unrestrained by contemporary authority, in ecclesiastical life. His own use of history had always been restrained by a perception of the contemporary needs of the church, of the sort which guides ecclesiastics concerned with the regulation of the utilization of tradition. He valued the ability of history to display “[t]he old primitive principles, and notion of the church” and insisted that they “must be

33. For this writer, see Yosef Kaplan, *From Christianity to Judaism: The Story of Isaac Orobio de Castro*, trans. Raphael Loewe (Oxford: Oxford University Press, 1989).

34. *Theological Works of the Rev. Charles Leslie* (Oxford: at the University Press, 1832), 1:200.

35. For Leslie’s statement of this position, see Leslie, *Works* (1832), 1:384.

36. Leslie, *Works* (1832), 1:506.

37. Leslie, *Works* (1832), 1:516–17.

revived." However, this reflected no devotion to the ancient in itself, but a desire to combat the pre-eminent contemporary evil: "[t]hat secular spirit which the principles of Erastianism have begot."³⁸ Yet, it was not alone in the utilization of historical rationalism in defence of the most fundamental assertions of Christianity that Leslie had himself encouraged the kind of thought which directed the Usagers. Before the emergence of the conflict they provoked, Leslie had written in a way that suggested an unqualified desire to found all controversial theology on a historical heuristic. He insisted, in his praise of ecclesiastical history addressed to the younger Samuel Parker, that "all controverted points in divinity, either as to doctrine or to discipline . . . must be determined by matters of fact," to be displayed in a historical reconstruction, from the scriptures and patristic texts, of the "sacred *depositum*."³⁹ He went on to illustrate the method he commended, with a defence of *jure divino* episcopacy. In brief, Leslie had good cause to write against the Usager schism, for he was among those whose writings had contributed to its emergence.

Leslie, in view of his abilities, may hardly be called typical of them; but he represented the mind of the Non-Usagers well. The other end of the rather narrow spectrum of Non-Juror attitudes to history may be represented with reference to the Usager bishop, Collier. Leslie valued and perhaps overvalued history; but it was always, in his case, made to serve the mind of a controversialist, who sometimes reflected on its limitations in that service. Collier's devotion to history was more profound. Though he did write as a moralist and political pamphleteer, he clearly preferred historical discourse and indeed displays a mind habitually directed, in a remarkable degree, by a zeal for *ancienneté*'s recreation and revivification of antiquity. That his works do not, for the most part, ostensibly deal with antiquity as, for example, Dodwell's do, only serves to make this point clearer. Collier's works show the depth and breadth of the penetration of the kind of thought best expressed by Dodwell.

Collier's immense *Ecclesiastical History*, dealing with British history in the medieval and early modern periods, shows, in its treatment of Anglo-Saxon Christianity, an *ancienneté* which was inclined to embrace the early medieval period at least as its own. It shows, in its entirety, a deep conviction about the perennially determinative role of Christian antiquity in ecclesiastical life. An acceptance of a degree of identity between primitive and Anglo-Saxon Christianity was not uncommon among Anglicans. Thus, like the study of the church of the Fathers, the study of the Anglo-Saxon church, the future bishop of London, Edmund Gibson, held, was valuable in polemic "against . . . the foreign churches (Protestant and Popish)."⁴⁰ Collier stated this view very explicitly and forcefully by asserting the presence in the Anglo-Saxon church of those supernatural gifts,⁴¹ which constituted the chief argument in

38. *Theological Works of the Reverend Mr. Charles Leslie* (London: W. Bowyer, 1721), 1:595.

39. Leslie, *Works* (1832), 1:412.

40. Gibson to [George Hickes], 5 August 1705, MS Eng. Hist. b. 2 (S.C. 29,778), fol. 99, Bodleian Library, Oxford.

41. See, for example, Collier, *Ecclesiastical History* (1840–41), 1:lxix–lxxii.

defence of the primitive church's enduring authority.⁴² The point was further made by showing the agreement of Anglo-Saxon and primitive practice and doctrine.⁴³ It might even be said that Collier showed a tendency to merge zeal and veneration for an authoritative antiquity with a medievalism that encompassed more than the Anglo-Saxon era; for he offered, for example, commendation of the Gregorian reforms and the discipline of the church of the Norman period.⁴⁴ Medievalism, as Henry Wharton's *Anglia Sacra* of 1691 witnesses, was by no means unattractive to the High Churchmen of the era. However, in truth, not only its sections dealing with the Middle Ages, but the whole of the *Ecclesiastical History* reflects a thorough absorption of the Non-Jurors' reconstruction of primitive Christianity, with its heavy emphasis on what was called the "Cyprianic Age." It is no doubt possible to read, for example, complaints against the Reformation, which Collier depicted as, in part, a malicious lay attack on ecclesiastical wealth and authority, as merely a reflection of Non-Jurors' perception of the contemporary situation of the Church of England.⁴⁵ However, the frequency with which Christian antiquity is invoked in the work indicates the extent to which that perception had roots in serious historical and particularly patristic study.

Since writings on moral topics constitute a fairly significant part of Collier's corpus, it appears appropriate to place his famously provocative *Short View of the Profaneness of the English Stage* under that heading. However, it should be remembered that it bore the subtitle: *together with the sense of antiquity upon this argument* and that the controversy which the work initiated was an episode, albeit a minor one, in the quarrel of the Ancients and "the Moderns, whom he vilifies and condemns."⁴⁶ It is the subtitle of the work which indicates its structure, his strictures upon the contemporary stage being framed by and interspersed with discussion of the ancient stage. It is still more noteworthy that the culmination of the book's argumentation was a call to accept the authority of the Christian antiquity.⁴⁷ It may be added that the writer who acknowledged that this was "the main strength" of the case set out by Collier, and accordingly offered arguments against patristic authority,⁴⁸ was the opponent who received the most extensive response from him.⁴⁹

The most striking example of Collier's preoccupation with the re-creation, by historical scholarship and in religious practice, of Christian antiquity is

42. Leighton, "Ancienneté," pp. 11–12.

43. Collier, *Ecclesiastical History* (1840–41), 1:1xxii, lxxv–lxxviii provide exemplification.

44. Collier, *Ecclesiastical History* (1840–41), 1:1xxiii, lxxviii.

45. Collier, *Ecclesiastical History* (1840–41), 5:21 provides exemplification.

46. *The Antient [sic] and Modern Stages Surveyed: or, Mr. Collier's View of the Immorality and Profaneness of the English Stage Set in a True Light . . .* (London: Abel Roper, 1699), 201. This work has been attributed — very improbably in view of its violently Whiggish and anti-clerical content — to the Tory writer, James Drake.

47. Jeremy Collier, *Short View of the Profaneness of the English Stage . . .*, 4th ed. (London: S. Keble, 1699), chaps 1 and 6 and, for example, pp. 89–96, 146–47, 159–61. The appeal to the authority of the primitive church is on pp. 250–77.

48. *Antient [sic] and Modern Stages*, 33.

49. Jeremy Collier, *A Second Defence of the "Short View of the Profaneness and Immorality of the English Stage, etc.": Being a Reply to a Book, Entitled, "The Ancient and Modern Stages Surveyed, etc."* (London: S. Keble et al., 1700).

offered by another of his controversies, that over the public absolution, at the foot of the gallows, of the two Jacobite conspirators, Sir William Parkyns and Sir John Friend.⁵⁰ The action of Collier and two other Non-Juring clergymen in giving absolution, with the dramatic gesture of a laying on of hands, without any equally public indication of penitence by the condemned, was an occasion for declarations of outrage among Whigs. A large number of bishops happened to be in London for the meeting of parliament and, a week after the execution, jointly issued a complaint that the action of the Non-Juring clergymen amounted to declaring that the condemned men were martyrs. Merely in passing, they referred to the form of absolution.⁵¹ Ignoring the politics of the matter, Collier replied with a discussion of the form of absolution, justifying his action with reference to the practice of the primitive church⁵² and it was largely on this matter that subsequent discussion turned. For Archbishop Tenison at least did not think Collier's response to the bishops' reproof either an evasion or a manifestation of a singular cast of mind and asked Humphrey Hody, always willing to enter the lists with the most scholarly of the Non-Jurors, to reply to Collier on his own terms. It was that position of Collier which would later make him a Usager, against which Hody directed his strongest argument. Tradition, in the sense Collier understood it, was not to be used to over-rule, but was to be regulated by the seventeenth-century church. He insisted that

[t]he Church of England has as much power and authority, as to the institution or abolition, the use or disuse of any particular ceremonies, as St. Cyprian's own church had; and a minister of the Church of England, is not to govern himself herein by the usage of the Church of Carthage, but by his own.⁵³

Collier either did not perceive or was unwilling to deal with such a fundamental challenge to his habitual pattern of thought. His reply remained preoccupied with the practice of antiquity.⁵⁴

This response to Collier, in that it dealt with him on his own terms, does much to reveal the intellectual environment which nourished the Non-Juror passion for history. Such a passion was a significant phenomenon in late-seventeenth- and early eighteenth-century Anglicanism, or, to put it another way, in the intellectual life of England in the period. The causes of this are not far to seek. They lay in the long-established use of history in denominational polemic; in the value of history as a publicly verifiable discourse, which could refute the enthusiasts; and in history's ability to act as an alternative to philosophy, in an age when philosophical debate seemed only to breed

50. For remarks on the conspiracy in which they were involved, see Monod, *Jacobitism and the English People*, 99–100.

51. *A Declaration of the Sense of the Archbishops and Bishops . . . Concerning the Irregular and Scandalous Proceedings of Certain Clergymen . . .* (London: John Everingham, 1696).

52. [Jeremy] C[ollier], *A Defence of the Absolution Given to Sir William Perkins [sic] . . .* (London: n.p., 1696).

53. [Humphrey Hody], *Animadversions on Two Pamphlets . . .* (London: John Everingham, 1696), 7.

54. [Jeremy] C[ollier], *An Answer to the Animadversions on Two Pamphlets . . . by Mr. Collier . . .* (n.p., 1696).

scepticism.⁵⁵ Moreover, the notion of restoration of Christian antiquity was able to serve as a basis for moral and pastoral reform.⁵⁶ If this is noted, much has been done to give the Non-Jurors, as scholars and thinkers, a temporal specificity, to which their historians have often failed to advert. More may be done in this respect, by noting them as opponents of an Enlightenment which challenged, at an intellectual level, religious claims to certain knowledge and, at a social level, the institutional authority of the church. In brief, in moving towards definition of their position, the Non-Jurors are to be placed among those opponents of the early Enlightenment, who chose history as their weapon. In going further and positioning them within the Counter-Enlightenment, it is useful to point to their confrontational disposition and unwillingness to compromise: with the regime, over the oaths; with prevailing attitudes in society, in their pastoral practice; and with emerging trends in intellectual life, in their learned defences of Anglican Christianity. This last point is exemplified strikingly in the repudiation of even the discourse of their opponents, manifested in their commitment to historical argumentation. It is the consistency with which the Non-Jurors held to this preference that marks them off as a body. There was a significant number of individuals within the regnant church who shared the Non-Jurors' decided preference for historical over philosophical argumentation — one deriving from a similar unwillingness to accommodate themselves to the fashions of the age. However, there were many who did not. Non-Jurors might be discovered making use even of Cartesian philosophy.⁵⁷ However, despite the diversity of their scholarly interests, the Non-Jurors included no philosopher in their number. Similarly, in turning from enthusiasm for history to the use made of it, it is true that individuals who made their careers in the regnant church, such as Nathaniel Marshall, the translator of Cyprian and writer on penance, possessed attitudes to history very close indeed to those of the Non-Jurors, or, more exactly, the Non-Usagers. Yet a consistent tendency, realized fully among the Usagers, towards the view that a rational, scholarly reconstruction of the ancient past should, by itself, constitute a binding authority in ecclesiastical life was characteristic of the Non-Jurors as a body.

This observation may well render the Non-Juring movement of interest to more than historians of Anglicanism or late Stuart and early Hanoverian Britain. It indicates that the history of the Non-Jurors, to use the phrase ambiguously, may be taken as part of the history of Christian primitivism or, more precisely, restorationism. If it is so taken, it calls for a considerable extension of the description of those phenomena, more commonly associated

55. For the last point, see Alan C. Kors, "Skepticism and the Problem of Atheism in Early-Modern France," in Richard H. Popkin and Arjo Vanderjagt, eds., *Scepticism and Irreligion in the Seventeenth and Eighteenth Centuries* (Leiden: Brill, 1993), 185–215.

56. Eamon Duffy, "Primitive Christianity Revived: Religious Renewal in Augustan England," in Derek Baker, ed., *Renaissance and Renewal in Christian History: Papers Read at the Fifteenth Summer Meeting and the Sixteenth Winter Meeting of the Ecclesiastical History Society*. Studies in Church History, vol. 14 (Oxford: Basil Blackwell, 1977), 287–300.

57. See, for example, Jeremy Collier, *Essays Upon Several Moral Subjects*, 4th ed. (London: Richard Sare and H. Hindmarsh, 1700), 2:77–96.

with the sectarian fringes of Protestant history.⁵⁸ Over-extension, by pointing to the near universal tendency in Christianity to accord some privileged status to the age of its beginnings or some other age of its past, is to be avoided, as leading to a loss of clarity. Attention is better confined to individuals and bodies for whom the restoration of the past was a dominant concern. These should, however, include those who, like the Non-Jurors, were willing to make use of critical historical methods and were concerned with periods outside that of biblical history. Consideration of these variations in primitivist and restorationist thought much enhances the abstract discussion of the phenomenon. In discussion of historical particulars, the inclusion of the Non-Jurors allows the development of an understanding of the relationship between restorationism and the history of Renaissance and Enlightenment thought and scholarship or, to take a broader perspective, the mind of early modern Europe in its veneration of an authoritative past.⁵⁹ Further exemplification of this relationship is not difficult to find. From the perspective of Non-Juror studies, Jansenism, in which often “the return to Augustinian spirituality was the means to enable the primitive Church to flourish again in the seventeenth century,”⁶⁰ comes readily to mind. It is perhaps significant that Jansenist inclinations and commitments were not uncommon among the Non-Jurors’ fellow Jacobites.

Regulating of Historical Scholarship

Some clarification is required if, as has been done here, a commitment to historical rationalism is identified as characteristic of the Non-Jurors. In the first place, such a commitment to rationalism should not be seen to commend modification of a claim that the Non-Jurors occupied a place of importance in the history of the English Counter-Enlightenment. Crucial as matters of epistemology may be in giving definition to Enlightenment and Counter-Enlightenment positions, matters of motivation and intention are more important in placing individuals and groups in a vast complex of debates which were concerned with and reflected not only epistemological positions, but understandings of “who or what institution held the authoritative interpretation of truth.”⁶¹ J. G. A. Pocock’s offers an anachronistic description of the Enlightenment, in which the roles of aggressor and victim are reversed and the champions of civil society struggle against the power of religionists to challenge its authority.⁶² However, this depiction of a society in strife reflects

58. Richard T. Hughes, ed., *The Primitive Church in the Modern World* (Urbana: University of Illinois Press, 1995) elaborates on the terms used here and indicates something of the present range of discussion.

59. Daniel Woolf, *The Social Circulation of the Past: English Historical Culture 1500–1730* (Oxford: Oxford University Press, 2003) does much to place early modern historical scholarship in such a broader perspective. See especially chapter 2.

60. Quoted from Jean Orcibal by Henri de Lubac in *Augustinianism and Modern Theology*, trans. Lancelot Sheppard (New York: Crossroads Publishing, 2000), 34.

61. J. A. I. Champion, *The Pillars of Priestcraft Shaken: The Church of England and its Enemies, 1660–1730* (Cambridge: Cambridge University Press, 1992), 10.

62. J. G. A. Pocock, *The Enlightenments of Edward Gibbon, 1737–1764*, vol. 1 of *Barbarism and Religion* (Cambridge: Cambridge University Press, 1999), 7.

a truth which discussion of intellectual history's theme of the growth of rationalism would not. We need not hesitate about identifying the position of the Non-Jurors in the conflict thus depicted: whether aggressors or victims, their cause was the advancement of religious authority. Further, when some temporal specificity is given to the term "historical rationalism," the compatibility between the Counter-Enlightenment purposes of the Non-Jurors and their preferred intellectual weapon is readily seen. For the historical rationalism they commended was one regulated by Christian moral and doctrinal authority.

In illustrating this, it is useful to enquire into the sources of Non-Juror confidence in history, as a discourse capable of placing their own vision of the past above reasonable criticism. Such confidence was not unwavering. Leslie not only spoke, in exaggerated fashion, of the difficulties presented by the primary sources for the study of early Christian history; but he also, for example in speaking of William Wake's contribution to the Convocation Controversy,⁶³ expressed his dissatisfaction with the ability of history to address controverted matters in the field of divinity. Historical discourse might, he observed, be used to "keep . . . aloof from the cause" and avoid pertinent, but inconvenient topics of debate.⁶⁴ However, such expressions of doubt were rare and the Non-Jurors and others of the period maintained a striking confidence in the capacity of their historical arguments to defeat their enemies. The confidence is made less remarkable by reflection on the idealist presuppositions of the seventeenth- and early eighteenth-century mind, not yet habituated to the invocation of the concept of "interest" to explain the adoption of opinions. Why would history, a branch of rhetoric, be practiced at all, if men were not generally swayed by argument? Account should also be taken of period's confidence in empirical methods of study, as much manifested in history as in other fields. Expressions of the conviction that "matters of fact," generated by an inductive method, might be held separate from interpretation abound in the writings of the Non-Jurors no less than in those of others. Collier, for example, considered it necessary to excuse the presence of "remarks" in his work; but he considered "this latitude . . . sufficiently defensible," in that they served "to clear matters of fact."⁶⁵ Thomas Carte, the Non-Juror who produced a civil history of England around the middle of the century, saw less need to apologise for his "reflections."

I have avoided a parade of reflections, which those, who use them most, make equally upon true and false facts, and instruct the least by them, at the same time that they seem to preclude the reader from making his own: and have only used them upon the most important occasions.⁶⁶

63. For this, see Mark Goldie, "The Nonjurors, Episcopacy, and the Origins of the Convocation Controversy," in Eveline Cruickshanks, ed., *Ideology and Conspiracy: Aspects of Jacobitism, 1689–1759* (Edinburgh: John Donald, 1982), 15–35.

64. Leslie, *Works* (1721), 1:585.

65. Collier, *Ecclesiastical History* (1840–41), 1:1xxix.

66. Thomas Carte, *A General History of England* (London: printed for the author, 1747–54), 1:xii.

Other explanations of the confidence the Non-Jurors placed in history are to be found in their own immediate circumstances. The intellectual formation of the first generation of Non-Jurors in the Restoration period induced a dismissive attitude towards the sudden surge of challenges to the orthodoxies of their youth, which the Williamite triumph brought in its wake. Hickes, for example, expressed some surprise, in 1690, to find that medieval writers were being used to justify contractarian views, but remained confident that “we shall always find as much at least in them for the security of the true English monarchy and succession.”⁶⁷ To the points of explanation listed here, another may be added. It is necessary to perceive the moral distance between the Non-Jurors and their opponents in order to understand their belief in the capacity of history to serve controversy so effectively. That such a distance existed hardly requires illustration. The violence of language used and the obvious lack of common ground in the politico-ecclesiastical disputes of the era of rage of party will have suggested to anyone at all acquainted with them the existence of a morally polarized society. This is a perception which is at its clearest at the extreme point of the discourse of those who perceived themselves and were not infrequently perceived by others as that remnant of the Church of England which suffered for conscience’s sake. However, manifestation of this moral divide in historical writing merits comment.

Justin Champion remarks that much of the character of historical debate in the period rested on the assumption that history could be judged “true, only if it had a congruency with the ethical or theological framework of truth.”⁶⁸ It should be added that, in view of Christian orthodoxy’s insistence that faith was the moral act of one exercising virtue and the origin of further manifestations of virtue, ethical and theological or doctrinal considerations came together. Adherence to doctrinal error might in itself preclude an author from understanding history aright; but it also constituted just cause for suspicion of a turpitude, which, when historical activity was undertaken, manifested itself in untruthfulness. At the extreme, as in the case of the “infidel” spoken of by Collier, historical dialogue ceased to be possible.⁶⁹ However, the *prima facie* case against those opponents, with whom one might debate, remained to be proved, a task accomplished, in the phrase of the time, by undermining their “credit” as reliable historians.⁷⁰ Such credit rested, in part on the writer’s skill and knowledge, but in part, perhaps the greater part, on his probity. The Non-Juror, Matthias Earbery, drew the distinction, calling up an image from the commoner use of the word “credit.” The Whig bishop and historian, Gilbert Burnet, he said, had long conducted his trade on unsound credit, since, though “no man questioned his opulency, yet several suspected his fidelity.”⁷¹

67. Quoted in Harris, *Correspondence of George Hickes*, 26.

68. Champion, *Pillars of Priestcraft*, 27.

69. Collier, *Ecclesiastical History*, 1:1xi.

70. For exemplification of the use of the concept of “credit,” see Champion, *Pillars of Priestcraft*, 44–52.

71. Matthias Earbery [Philaethes, pseud.], *Impartial Reflections on Dr. Burnet’s Posthumous History* (London: Richard Macey, 1724), unpaginated preface.

In brief, much of the historical writing of the period was taken up with a legitimate form of academic criticism, which consisted in the exposure of the immoral character of one's opponent, already at least suspected on account of his doctrinal or theological stances. If the Non-Jurors, in such circumstances, possessed an intense degree of intellectual conviction, which was likely to sweep away doubt about the manifest soundness of their arguments, the explanation chiefly lies in the intensity of their own moral conviction and consequent perception of the scholars and scholarship they contended against. Such moral condemnation was sufficiently clearly expressed even in the somewhat restraining environment of writings which sought acceptance as scholarship. When Collier, for example, sought to undermine the credit of the long dead but still much consulted William Prynne, the Puritan pamphleteer who had been both imprisoned in the Tower of London and made keeper of its records,⁷² he can hardly be said to have been violent in his language. Yet, he did enough to make clear his view of the Presbyterian historian, by repeatedly pointing to his "misrepresentation of matter of fact" and adverting to the doctrinal foundation of it. In this way, the reader was led to "find him light upon the scale" when judging his skill and integrity.⁷³ In truth though, it is in the Non-Jurors' political tracts, so often preoccupied with contemporary history, and in their private correspondence, that the intensity of their moral disapprobation of their foes was most forcefully expressed. Leslie, for example, reserved some of his most bitter hostility for those churchmen who, in contrast to those who merely acquiesced in the Usurpation, defended it. "[T]o save their own credit," as they engaged in "cheating and deluding the people" in their interpretation of recent history, they offered arguments, which they knew "in their own consciences," if they indeed possessed consciences, to be both irreligious and worthless.⁷⁴

This study has argued that the intellectual distinctiveness among contemporaries of the Non-Jurors, as a body, lies in the extent and intensity of their adherence to a tendency, albeit not always pursued to extremes, towards a restorationist programme for ecclesiastical life. It was remarkable, though certainly not singular, among such programmes in Christian history, for its dependence on a critical, rationalist historical method. However, in stating this, account must be taken of temporal specificity of Non-Juror scholarship, which did not abandon closely interrelated doctrinal and moral regulation of the use of that method. It would require further study and argument to determine whether the subjection of rationalism to such regulation left Non-Juror positions open to criticism on the grounds of circularity or whether a union of historical investigation with religious and moral judgments effected sound, or at least more convincing defences of those positions.

72. William M. Lamont, *Marginal Prynne, 1600–1669*, Studies in Political History (London: Routledge and Kegan Paul, 1963).

73. Collier, *Ecclesiastical History* (1840–41), 1:lxii–lxxi.

74. [Charles Leslie], *Remarks on Some Late Sermons . . .* (London: n.p., 1696), 18–19.