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# PRESBYTERIANISM, SECULARIZATION, AND SCOTTISH POLITICS AFTER THE REVOLUTION OF 1688–1690\*

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**ABSTRACT.** *This article assesses the significance of Presbyterian ideas of church government in Scottish politics after the revolution of 1688–90. While recent historians have revised our understanding of Scottish politics in this period, they have mostly overlooked debates concerning religious authority. The article focuses on what contemporaries called the ‘intrinsic right’ of the church: its claim to independent authority in spiritual matters and ecclesiastical administration. The religious settlement of 1690 gave control of the kirk to clergy who endorsed divine right Presbyterianism, believed in the binding force of the National Covenant (1638) and the Solemn League and Covenant (1643), and sought to uphold the intrinsic right. An ambiguous legal situation, the criticisms of episcopalian clergy and politicians, and the crown’s religious policies helped to make the Presbyterians’ ecclesiological claims a source of instability in Scottish politics. Meetings of the general assembly and, after 1707, the appointment of national fast and thanksgiving days were particularly likely to spark controversy. More broadly, the article questions two narratives of secularization assumed by many previous scholars. It argues that Scottish politics was not differentiated from religious controversy in this period, and that historians have exaggerated the pace of liberalization in Scottish Presbyterian thought.*

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The last decade has seen a renaissance in studies of Scottish politics under William and Mary and Queen Anne. Ten years ago, the field was dominated by the works of William Ferguson, Patrick Riley, and Paul Hopkins, who shared a Namierite vision of late seventeenth- and eighteenth-century politics as venal, factional, and unprincipled. Ferguson concentrated particularly on the passage of the treaty of union through the Scottish parliament in 1706–7, the product (he thought) of management and bribery.<sup>1</sup> Riley analysed the dominance of the leading magnates. He gave a shrewd account of the political ‘business model’ of men such as the second duke of Queensberry, but showed little interest in the attitudes of lesser fry in parliament, let alone in the country at large.<sup>2</sup> Hopkins

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<sup>1</sup> W. Ferguson, ‘The making of the treaty of union of 1707’, *Scottish Historical Review (SHR)*, 43 (1964), pp. 89–110; idem, *Scotland: 1689 to the present* (Edinburgh, 1968), pp. 1–69; idem, *Scotland’s relations with England: a survey to 1707* (Edinburgh, 1977), pp. 180–272.

<sup>2</sup> P. W. J. Riley, *The union of England and Scotland: a study in Anglo-Scottish politics of the eighteenth century* (Manchester, 1978), esp. pp. 10–15; idem, *King William and the Scottish politicians* (Edinburgh, 1979).

offered a nuanced analysis of Highland Jacobitism, but generally accepted Riley's view of parliamentary politics.<sup>3</sup>

More recent historians have questioned the assumption that Scottish politics in this period was bereft of ideology, and that its practitioners lacked consistency. For Derek Patrick, burgh and county politics in the 1690s exhibited 'consistent conflict between Revolutioner and Jacobite candidates reminiscent of the two party system' in England.<sup>4</sup> The end of the decade, as Karin Bowie has illustrated, saw the emergence of the country party, fuelled by discontent over the failure of the Darien scheme.<sup>5</sup> If this controversy had largely subsided by the death of William in 1702, subsequent failures of parliamentary management, and a revival of episcopalian and Jacobite aspirations, brought unprecedented political divisions in the five years preceding the union.<sup>6</sup> After the abolition of the parliament and the privy council, the evolution of Scottish parties was increasingly determined by Westminster politics. Nevertheless, significant political tensions remained in many Scottish localities; David Hayton has described 'traces of party politics' in parliamentary elections from 1708 to 1715.<sup>7</sup>

Looking beyond the parliamentary and electoral arenas, historians have found further reasons to doubt the Namierite interpretation of the period's politics. Several scholars have emphasized popular participation in politics, notably during the revolution of 1688–90, when violent crowds undermined established ecclesiastical and political authority, securing a Williamite victory by intimidation.<sup>8</sup> Crowd demonstrations, popular addressing, and controversial pamphleteering were staples of political life from the late 1690s to 1707.<sup>9</sup> Historians have also sought to understand Scotland within larger European and global contexts. Douglas Watt and Allan Macinnes have established links between colonial trade, international credit networks, and Scottish politics.<sup>10</sup> By assessing the earl of Portland's Scottish activities, David Onnekink has shown that William's northern kingdom was by no means isolated from his European military and political concerns.<sup>11</sup> The tercentenary of the act of union led scholars to

<sup>3</sup> P. Hopkins, *Glencoe and the end of the Highland war* (Edinburgh, 1998 edn), esp. pp. 8, 208.

<sup>4</sup> D. J. Patrick, 'People and parliament in Scotland, 1689–1702' (Ph.D. thesis, St Andrews, 2002), p. 7.

<sup>5</sup> K. Bowie, *Scottish public opinion and the Anglo-Scottish union, 1699–1707* (Woodbridge, 2007).  
<sup>6</sup> K. M. Brown, 'Party politics and parliament: Scotland's last election and its aftermath, 1702–1703', in K. M. Brown and A. J. Mann, eds., *Parliament and politics in Scotland, 1567–1707* (Edinburgh, 2005), pp. 245–86.

<sup>7</sup> D. Hayton, 'Traces of party politics in early eighteenth-century Scottish elections', in C. Jones, ed., *The Scots and parliament* (Edinburgh, 1996).

<sup>8</sup> T. N. Clarke, 'The Scottish episcopalians, 1688–1720' (Ph.D. thesis, Edinburgh, 1987), pp. 6–9; T. Harris, 'The people, the law, and the constitution in Scotland and England: a comparative approach to the glorious revolution', *Journal of British Studies*, 38 (1999), pp. 28–58, at pp. 34–7; N. Davidson, 'Popular insurgency during the glorious revolution in Scotland', *Scottish Labour History*, 39 (2004), pp. 14–31.

<sup>9</sup> Bowie, *Scottish public opinion*.  
<sup>10</sup> D. Watt, *The price of Scotland: Darien, union and the wealth of nations* (Edinburgh, 2007); A. I. Macinnes, *Union and empire: the making of the United Kingdom in 1707* (Cambridge, 2007).

<sup>11</sup> D. Onnekink, 'The earl of Portland and Scotland (1689–1699): a re-evaluation of Williamite policy', *SHR*, 85 (2006), pp. 231–49.

re-emphasize the importance many early eighteenth-century Scots attached to securing the Protestant succession and winning the war against Catholic France.<sup>12</sup>

The last decade's scholarship has certainly made Scottish political history in this period a more multi-dimensional subject. Yet there is a curious omission. The re-establishment of Presbyterian government in the Church of Scotland – perhaps the most fundamental change effected by the revolution – has only a shadowy and marginal existence in most of the new accounts of politics. Michael Graham has demonstrated that a Presbyterian pastoral agenda – the suppression of profanity and blasphemy – impinged on high politics, at least in the mid-1690s.<sup>13</sup> But few historians have examined what difference Presbyterians' attitudes to church government – their ecclesiology – and their views on the crown's authority in religious matters made to Scottish politics after the revolution.<sup>14</sup> The need to 'secure' the Presbyterian settlement looms large in the recent historiography of the union, especially in Jeffrey Stephen's work.<sup>15</sup> But by concentrating on this issue, scholars risk treating the church as akin to a modern interest group, whose demands could readily be accommodated to the political process and appeased. It is important to recognize that the Presbyterian clergy and their lay supporters were both lobbyists seeking favours from the political process, and ideologues aiming to impose the terms in which the church's place in politics and society was understood. The role of Presbyterianism in Scottish politics depended only in part on the level of support offered to the kirk by the crown and its ministers. A more fundamental matter was the degree of deference politicians were prepared to pay to Presbyterian ideas of political and ecclesiastical authority. Unless historians reconstruct Presbyterian ideology, therefore, they risk perpetuating a Namierite history of religious politics, in which all Presbyterian claims seem like 'jargon'.<sup>16</sup>

This article argues that Presbyterian ideas were of considerable importance in Scottish politics in the decades after the revolution of 1688–90. In Scotland, as in England, the revolution settlement revived old religious debates and stimulated new ones. South of the border, claims about religious authority helped to

<sup>12</sup> See e.g. C. A. Whatley with D. J. Patrick, *The Scots and the union* (Edinburgh, 2006); C. Storrs, 'The union of 1707 and the war of Spanish succession', in S. J. Brown and C. A. Whatley, eds., *The union of 1707: new dimensions* (Edinburgh, 2008), pp. 31–44.

<sup>13</sup> M. F. Graham, 'Kirk in danger: Presbyterian political divinity in two eras', in B. Heal and O. P. Grell, eds., *The impact of the European Reformation: princes, clergy and people* (Aldershot, 2008), pp. 178–84; M. F. Graham, *The blasphemies of Thomas Aikenhead: boundaries of belief on the eve of the Enlightenment* (Edinburgh, 2008).

<sup>14</sup> An exception is C. Jackson, 'Revolution principles, *ius naturae* and *ius gentium* in early Enlightenment Scotland: the contribution of Sir Francis Grant, Lord Cullen (c. 1660–1726)', in T. J. Hochstrasser and P. Schröder, eds., *Early modern natural law theories: contexts and strategies in the early Enlightenment* (Dordrecht, 2003), pp. 107–40.

<sup>15</sup> J. Stephen, *Scottish Presbyterians and the act of union 1707* (Edinburgh, 2007). See also D. J. Patrick, 'The kirk, parliament and the union, 1706–1707', in Brown and Whatley, eds., *Union of 1707*, pp. 94–115; Macinnes, *Union and empire*, pp. 286–7.

<sup>16</sup> Riley, *King William*, p. 7.

divide the political elite, sparking many of the period's *causes célèbres*, notably the convocation controversy, the trial of Henry Sacheverell, and the Bangorian controversy.<sup>17</sup> Jonathan Clark's conceptualization of an English 'ancien régime' was controversial, but his work has played a vital role in underlining the force of the ecclesiological debates catalysed by the revolution.<sup>18</sup> The nature of ecclesiastical authority was different in Scotland, as was the relationship between the church and the civil government. But Clark's claim that there was 'little Scottish reflection on the nature of the establishment' is mistaken.<sup>19</sup> This statement reflects not the reality of post-revolution Presbyterian politics, but rather the paucity of good secondary literature.<sup>20</sup>

I will concentrate on the aspect of Presbyterian ideology that was to prove most politically problematic in the decades after the revolution. This was the claim that the kirk had what contemporaries called an 'intrinsic right', deriving from Christ's institution of the church, to exercise authority in matters of worship, discipline, and ecclesiastical administration, independently of the civil government. Many consequences of this belief were uncontroversial. The great majority of Scots accepted that it belonged to the clergy to preach and to administer the sacraments. In this period, there was little systematic challenge to the role of kirk sessions and other ecclesiastical courts in policing the population's morals and behaviour.<sup>21</sup> The intrinsic right became controversial after the revolution because of the revival of a Presbyterian conception of the church, and because the crown aimed to effect its religious policies by managing the kirk's general assembly, which met in most years following the 1690 settlement. The crown's actions offended many clergy and lay Presbyterians, who agitated for a formal declaration of the right of the assembly to meet at its own appointment (rather than by royal order), and to perform its functions without excessive interference from the royal

<sup>17</sup> J. Hoppit, *A land of liberty? England, 1689–1727* (Oxford, 2000), pp. 216–23, 231–6, 283–5; M. Goldie, 'The nonjurors, episcopacy, and the origins of the convocation controversy', in E. Cruickshanks, ed., *Ideology and conspiracy: aspects of Jacobitism, 1689–1759* (Edinburgh, 1982), pp. 15–35; G. Holmes, *The trial of Doctor Sacheverell* (London, 1973); A. Starkie, *The Church of England and the Bangorian controversy, 1716–1721* (Woodbridge, 2007).

<sup>18</sup> J. C. D. Clark, *English society 1660–1832: religion, ideology and politics during the ancien régime* (Cambridge, 2000 edn). See B. W. Young, 'Religious history and the eighteenth-century historian', *Historical Journal*, 43 (2000), pp. 849–68, at pp. 859–61.

<sup>19</sup> J. C. D. Clark, 'Great Britain and Ireland', in S. J. Brown and T. Tackett, eds., *The Cambridge history of Christianity*, VII: *Enlightenment, reawakening and revolution, 1660–1815* (Cambridge, 2006), p. 68.

<sup>20</sup> Foremost among older studies are the (rather narrowly conceived) works of Thomas Maxwell. T. Maxwell, 'William III and the Scots Presbyterians: part I – the crisis in Whitehall', *Records of the Scottish Church History Society (RSCHS)*, 15 (1964), pp. 117–40; idem, 'William III and the Scots Presbyterians: part II', *RSCHS*, 15 (1965), pp. 169–91; idem, 'The church union attempt at the general assembly of 1692', in D. Shaw, ed., *Reformation and revolution: essays presented to the Very Reverend Principal Emeritus Hugh Watt* (Edinburgh, 1967), pp. 237–57. There is a brief account of the debates in Stephen, *Scottish Presbyterians*, pp. 6–8.

<sup>21</sup> L. Leneman and R. Mitchison, 'Acquiescence in and defiance of church discipline in early modern Scotland', *RSCHS*, 25 (1993), pp. 19–39.

commissioner. The campaign to assert the intrinsic right reflected lay and clerical unease at the apparent marginalization of Presbyterian ideology by the crown and leading figures within the church. Indeed, the most radical Presbyterians criticized the 1690 settlement itself, condemning its apparent Erastianism and the implication that church government could be changed according to political circumstances. An act of the assembly or of parliament asserting the intrinsic right was thought to be one way in which the Presbyterian mainstream could appease this sentiment.

By uncovering the debates about the intrinsic right, then, this article questions the extent to which Scottish politics was becoming secularized in the decades after 1690. I challenge two narratives of secularization assumed by much existing literature. The first, as has been indicated, is one of differentiation.<sup>22</sup> It suggests that the significance of religious arguments was increasingly restricted to an ecclesiastical sphere after 1690, and that they ceased to have much impact on high politics. For example, the discussion of religious themes in Ferguson's *Scotland: 1689 to the present* (1968) is extensive, but largely confined to a chapter separate from his account of politics.<sup>23</sup> The second narrative concerns the character of Presbyterian doctrines in this period. In their history of the Scottish church from 1688 to 1843, Andrew Drummond and James Bulloch presented the post-revolution years as a time of increasing moderation and tolerance.<sup>24</sup> Recently, Ryan Frace has encouraged us to see a softening of ecclesiological attitudes among Presbyterians by 1710.<sup>25</sup> And while Colin Kidd acknowledges the prevalence of divine right arguments in Presbyterian thought, his work tends to emphasize the emergence of more moderate historical and constitutionalist strands.<sup>26</sup> This was a period, I argue, in which *iure divino* attitudes and theological conservatism were of continuing, and perhaps growing, significance.<sup>27</sup> Before returning to these themes in its conclusion, the article first analyses the Presbyterian concept of the intrinsic right, and its broader ideological significance. It then assesses the impact of these Presbyterian ideas on politics, allowing

<sup>22</sup> See D. Martin, *On secularization: towards a revised general theory* (Aldershot, 2005), p. 20.

<sup>23</sup> Ferguson, *Scotland: 1689 to the present*, pp. 102–32.

<sup>24</sup> A. L. Drummond and J. Bulloch, *The Scottish church, 1688–1843: the age of the moderates* (Edinburgh, 1973), pp. 1–24.

<sup>25</sup> R. K. Frace, 'Religious toleration in the wake of revolution: Scotland on the eve of Enlightenment (1688–1710s)', *History*, 93 (2008), pp. 355–75, esp. at pp. 363–4.

<sup>26</sup> C. Kidd, *Subverting Scotland's past: Scottish whig historians and the creation of an Anglo-British identity, 1689–c. 1830* (Cambridge, 1993), pp. 62–9; idem, 'Religious realignment between the Restoration and union', in J. Robertson, ed., *A union for empire: political thought and the British union of 1707* (Cambridge, 1995); C. Kidd, 'Constructing a civil religion: Scots Presbyterians and the eighteenth-century British state', in J. Kirk, ed., *The Scottish churches and the union parliament, 1707–1999* (Edinburgh, 2001), pp. 1–21. This is the case with C. Kidd, 'Conditional Britons: the Scots Covenanting tradition and the eighteenth-century British state', *English Historical Review*, 117 (2002), pp. 1147–76.

<sup>27</sup> See also A. Raffae, 'Presbyterians and episcopalians: the formation of confessional cultures in Scotland, 1660–1715', *English Historical Review*, 125 (2010).

something of the religious context to be restored to our understanding of the period.

## I

In December 1698, the commission of the general assembly issued *A seasonable admonition and exhortation*, a document containing an unequivocal statement of Presbyterian ecclesiological views:

We do Beleve [sic] and own that Jesus Christ is the only Head and King of His Church, and that He hath Instituted in His Church, Officers and Ordinances, Order and Government, and not left it to the will of Man, Magistrat, or Church to alter it at their pleasure, and We Beleve this Government, is neither *Prelatical* nor *Congregational*, but *Presbyterian*[.]<sup>28</sup>

Christ's foundation of the church, as explained in chapter 30 of the Westminster confession of faith, was the root of Presbyterian ecclesiological claims. 'OUR LORD Jesus Christ hath instituted a Government and Governours Ecclesiastical in His House', asserted Walter Steuart of Pardovan, an elder of the kirk and a student of its laws.<sup>29</sup> As another writer explained, 'the Ministers of the Gospel have from the LORD JESUS CHRIST the Power, or if you will, the Keys, both of Doctrine and Discipline immediately and solely'.<sup>30</sup> This 'intrinsic Power in the Church' was not subject to the control of the magistrate, argued Gilbert Rule, principal of Edinburgh's town college. Indeed, the church and the civil government were distinct halves of the 'twofold Kingdom of Christ'.<sup>31</sup> Presbyterians asserted that Christ was the only head of the church, but they allowed that the civil magistrate should be its 'nursing' father or mother, a supportive parent who respected his or her child's rights.<sup>32</sup>

The Presbyterians' emphasis on the divine source of authority in the church reflected their shared commitment to *iure divino* Presbyterianism. '[A]ll do know', wrote Thomas Forrester, principal of New College, St Andrews, 'that we hold' Presbyterian government 'to be of Divine appointment, and the Government

<sup>28</sup> *A seasonable admonition and exhortation to some who separate from the communion of the Church of Scotland* (Edinburgh, 1699), p. 6.

<sup>29</sup> Walter Steuart, *Collections and observations methodiz'd; concerning the worship, discipline, and government of the Church of Scotland* (Edinburgh, 1709), p. 1.

<sup>30</sup> *Letter to a member of the general assembly of this church to meet at Edinburgh, April 26. 1710* ([Edinburgh?], [1710]), p. 2.

<sup>31</sup> [Gilbert Rule], *A true representation of Presbyterian government* (Edinburgh, 2nd edn, 1690), p. 4; see also David Williamson, 'Account of the sufferings from 1660 to 1688', Edinburgh, National Library of Scotland (NLS), Wod. Fol. XI, fo. 3v.

<sup>32</sup> [James Clark], *Presbyterial government as now established and practised in the Church of Scotland methodically described* (Edinburgh, 1701), p. 5; [Rule], *True representation*, p. 4; [Gilbert Rule], *A sermon preached before his grace the kings commissioner and the three Estates of parliament, May the 25th 1690* (Edinburgh, 1690), p. 11. The expression comes from Isaiah 49:23. For the broader significance of this text, see J. Coffey, *Persecution and toleration in Protestant England, 1558–1689* (Harlow, 2000), pp. 30–2.

established by the Apostles'.<sup>33</sup> Presbyterians 'do firmly believe that there is but *one* Government by *Divine Right*, viz. the Presbyterian', concurred John Anderson, minister of Dumbarton, in 1714.<sup>34</sup> According to James Clark, the power given to the clergy by Christ was 'by his Will and Wisdom shared in such a Just paritie' that ministers 'are all made Peers in Power and Authority, none being Superior in Order, Degree, or Jurisdiction to another'.<sup>35</sup> To think that church government was a 'thing indifferent', to be decided by men, was 'a great Mistake and a Reflection on Christ, as if he were an imperfect Head and Law-giver', as the Edinburgh minister David Williamson told the general assembly of 1703.<sup>36</sup> Gilbert Rule agreed: church government was 'determined by Christ and revealed in the New Testament'. 'We assert Presbyterian Government to be so of Divine Right, as we can make no composition with men about it.'<sup>37</sup> Several of these writers, notably Forrester, Rule, and Clark, supplemented their case with historical and constitutionalist arguments, according to which Presbyterianism was the primitive church government of Scotland, and was particularly suited to the post-revolution polity.<sup>38</sup> Yet divine right remained essential to Presbyterian ecclesiology.

Presbyterians also stressed the continuing significance of the National Covenant (1638) and the Solemn League and Covenant (1643) in post-revolution Scotland. Some recent historians, notably Stephen and Patrick, have exaggerated the decline in the importance of these documents.<sup>39</sup> Presbyterians saw Scotland as a covenanted nation, a community particularly favoured by God. Thus in 1698, the commission of the general assembly called it 'the Mercy of Our Land, that We are a Land in Covenant with God'.<sup>40</sup> More specifically and controversially, Presbyterians argued that the National Covenant and the Solemn League and Covenant constituted a fundamental divine law that would bind Scotland in perpetuity. In 1702, the synod of Galloway passed an act asserting that the Covenants were 'binding upon us and our posterity', and affirming the members' willingness to renew the oaths.<sup>41</sup> David Williamson, a minister sufficiently respectable to be made moderator of the general assembly, consistently preached of the binding force of the National Covenant. Addressing the assembly in 1703, he

<sup>33</sup> Thomas Forrester, *The hierarchical bishops claim to a divine right, tried at the scripture bar* (Edinburgh, 1699), p. 53.

<sup>34</sup> John Anderson, *A defence of the church-government, faith, worship & spirit of the Presbyterians* (Glasgow, 1714), p. 37.

<sup>35</sup> [Clark], *Presbyterial government*, p. 6.

<sup>36</sup> David Williamson, *A sermon preached in Edinburgh at the opening of the general assembly of this national Church of Scotland, upon the 10th day of March 1703* (Edinburgh, 1703), p. 32.

<sup>37</sup> [Rule], *True representation*, pp. 3, 5.

<sup>38</sup> Kidd, 'Religious realignment', pp. 160–2; idem, 'Constructing a civil religion', pp. 4–10.

<sup>39</sup> J. Stephen, 'The kirk and the union, 1706–07: a reappraisal', *RSCHS*, 31 (2001), pp. 68–96, at p. 76; Patrick, 'The kirk, parliament and the union', p. 100. Contrast Kidd, 'Conditional Britons'; idem, *Union and unionisms: political thought in Scotland, 1500–2000* (Cambridge, 2008), pp. 74–7.

<sup>40</sup> *Seasonable admonition and exhortation*, p. 7.

<sup>41</sup> Synod of Galloway minutes, 1689–1712, Edinburgh, National Archives of Scotland (NAS), CH2/165/2, p. 138.

said he was not 'now pressing the taking or renewing the Covenant, altho' I own the binding vertue of it'.<sup>42</sup> The National Covenant was probably more important to Presbyterians than the Solemn League and Covenant, because the latter was originally an alliance with England, whose church was now stubbornly committed to episcopacy.<sup>43</sup> In a 1706 manuscript, however, Robert Wylie, minister of Hamilton, argued that 'tho it should cease as a League in the Duties to be performed to the neighbouring Nations', the Solemn League and Covenant remained a 'firm and Inviolable' Covenant in the Church of Scotland.<sup>44</sup> Gilbert Rule also saw the Solemn League and Covenant as binding on Scots, regardless of English attitudes.<sup>45</sup> Even if some ministers doubted this, the most politically cautious, notably William Carstares, accepted that the National Covenant was binding.<sup>46</sup>

Apart from members of the Cameronian United Societies, Presbyterians did not renew the Covenants at or after the revolution.<sup>47</sup> Yet this did not mean that the Covenants were buried, forgotten, or superseded. Presbyterians saw them as perpetually binding, because they summarized divinely warranted duties – such as the need to combat popery and profanity – and because they asserted Presbyterian principles. According to Robert Rowan, the minister of Penninghame in Wigtown presbytery, 'no creature can loose the obligation' of the Covenants 'from off [th]e Persons or their Posterity who took them, by reason [tha]t [th]e word of God makes them good and just and perpetually to be so, because the things engaged to in them are commanded of God'.<sup>48</sup> Speaking to the commission of the general assembly during its debates over parliamentary union, the Fife minister Allan Logan argued that the National Covenant expressed a biblical prohibition of civil office-holding by clergy, which applied in all churches.<sup>49</sup> John Brand, minister of Bo'ness, made a similar point, telling his congregation that '[th]e Articles of [th]e Coven[ant] being founded on G[od's] Word, all [th]e Churches of Ch[rist] who o[wn] [th]e same Founda[tio]n are bound unto [th]e s[eve]ral Art[icles] [the]r[e]of, tho n[o]t draun up in Form of Covenant'.<sup>50</sup> The Covenants, in short, expressed Scotland's

<sup>42</sup> Williamson, *Sermon preached in Edinburgh at the opening of the general assembly*, p. 13; see also idem, *Scotland's sin, danger, and duty faithfully represented in a sermon preach'd at the West-Kirk, August 23d, 1696* (Edinburgh, 1720), pp. 35–7.

<sup>43</sup> See e.g. [Michael Shields], *Faithful contentings displayed: being an historical relation of the state and actings of the suffering remnant of the Church of Scotland*, ed. J. Howie (Glasgow, 1780), p. 455; Robert Wodrow, *Analecta: or, materials for a history of remarkable providences* (4 vols., Maitland Club, [Edinburgh], 1842–3), I, p. 28.

<sup>44</sup> Robert Wylie, draft petition of the commission of the general assembly to parliament, 1706, NLS, Wod. Fol. xxxv, fo. 143r.

<sup>45</sup> [Gilbert Rule], *A [second] vindication of the Church of Scotland* (London, 1691), pp. 13–14.

<sup>46</sup> Robert Wodrow to James Wodrow, 19 Dec. 1706, NLS, Wod. Lett. Qu. IV, fo. 130r.

<sup>47</sup> *The National Covenant and Solemn League & Covenant; with the acknowledgement of sins, and engagement to duties: as they were renewed at Lesmahago, March 3 1688* ([Edinburgh?], 1690).

<sup>48</sup> Robert Rowan, an answer to the United Societies, 1704, NLS, Wod. Qu. xcvi, fo. 22v.

<sup>49</sup> 'The most memorable passages of the life and times of Mr J[ohn] B[ell]', NLS, Wod. Qu. LXXXII, fos. 62v–63r. <sup>50</sup> Memoirs of John Brand, minister of Bo'ness, NLS, MS 1668, fo. 109v.

pre-existing relationship with God. They were perpetually binding precisely because Presbyterian government was divinely instituted, and because the church had an intrinsic right to teach the gospel, exercise discipline, and govern its affairs.<sup>51</sup>

These views were contested. Episcopalians denied that Presbyterian government was divinely instituted; after the revolution, they increasingly asserted that Christ had planted episcopacy in his church. Episcopalians also rejected the claim that the Covenants were binding.<sup>52</sup> Presbyterian ministers were careful to play down this point in their most public pronouncements, knowing that episcopalian and Anglican enemies exaggerated the subversive character of their commitment to the Covenants.<sup>53</sup> But it was the Presbyterians' claims about the intrinsic right, and particularly those assertions that seemed to impinge on the royal prerogative, that had most significance in Scottish politics after the revolution. Indeed, the re-establishment of Presbyterianism awakened debates concerning civil and ecclesiastical authority – the so-called 'two kingdoms' – that had periodically exercised Scots since the Reformation. The fluctuating fortunes of Presbyterians from the 1580s had produced a series of conflicting and sometimes ambiguous laws concerning the authority to summon the general assembly. The 'golden act' of 1592 confirmed Presbyterian government and granted regular assemblies, at which the king (or his commissioner) was to be present to appoint the next meeting, unless his attendance were impossible, in which case the assembly itself could set the date.<sup>54</sup> In reality, a statute of 1584 prohibiting unlicensed ecclesiastical meetings was still in force, limiting the clergy's independence of the crown.<sup>55</sup> In 1610, when James VI's political position vis-à-vis the church was much stronger, the general assembly conceded that indicting its meetings was part of the royal prerogative.<sup>56</sup> By 1647, the church's view had changed: the assembly's act approving the Westminster confession of faith asserted the intrinsic right of ecclesiastical officers to summon synods, while advocating co-operation with the civil magistrate in this matter.<sup>57</sup> This compromise position was prevalent among the Presbyterians of the 1690s, who held that the magistrate's right to summon the assembly was 'cumulative', and not 'privative', of the church's right. In other

<sup>51</sup> See James Wodrow to Robert Wodrow, Jan. 1707, NLS, Wod. Lett. Qu. IV, fo. 174.

<sup>52</sup> Raffé, 'Presbyterians and episcopalians'.

<sup>53</sup> A. Raffé, 'Religious controversy and Scottish Society, c. 1679–1714' (Ph.D. thesis, Edinburgh, 2008), pp. 144–8. Probably this tendency has encouraged historians to see a decline in the importance of the Covenants.

<sup>54</sup> K. M. Brown et al., eds., *The records of the parliaments of Scotland to 1707 (RPS)*, www.rps.ac.uk (St Andrews, 2007–9), 1592/4/26.

<sup>55</sup> *Ibid.*, 1584/5/10; G. Donaldson, *Scotland: James V–James VII* (Edinburgh, 1978 edn), p. 199; A. R. MacDonald, *The Jacobean kirk, 1567–1625: sovereignty, polity and liturgy* (Aldershot, 1998), pp. 48–51.

<sup>56</sup> David Calderwood, *The history of the Kirk of Scotland*, ed. T. Thomson and D. Laing (8 vols., Wodrow Society, Edinburgh, 1842–9), VII, pp. 99–100.

<sup>57</sup> *Acts of the general assembly of the Church of Scotland, MDCXXXVIII–MDCCCLXII* (Edinburgh, 1843), pp. 158–9.

words, by allowing the crown to appoint its meetings, the assembly was not required to surrender its intrinsic right in this area.<sup>58</sup>

After the revolution, the law defining authority over the general assembly was fudged and ambiguous. This was partly because the 1690 settlement of Presbyterian government revived and ratified the 1592 act, with its mixed messages about the necessity of royal involvement in the appointment of the assembly.<sup>59</sup> Moreover, the ratified statute seemed to guarantee that the assembly would meet annually, and that a new date for its meeting would be set at dissolution, two principles King William saw fit to disregard in the early 1690s.<sup>60</sup> Some politicians thought that the 1690 settlement was too favourable to Presbyterian ecclesiology. According to the third duke of Hamilton, the settlement had encroached on the royal prerogative.<sup>61</sup> An anonymous politician of episcopalian sympathies argued that the 'present constitution' was made 'so uneasy to great numbers' in Scotland by 'the Clergyes pretending to some intrinsicke pouders independent of the King, which are considered as utterly unsafe to the Civill goverment'. According to this writer, some Presbyterians even claimed that 'non are fitt to be employed in the civill goverment' who did not accept the church's claims.<sup>62</sup>

Some Presbyterians questioned whether the 1690 settlement was so favourable to their ideology or influence. It could be argued that William's policy towards the church had the effect of preserving the royal supremacy in ecclesiastical affairs. One anonymous writer alleged that a 1663 law asserting royal authority over the 'national synod' then proposed was still in force, since the act of 1690 settling Presbyterian government rescinded the earlier statute in only a 'restricted' sense.<sup>63</sup> The way was clear, wrote Archibald Foyer, minister of Stonehouse, for the monarch to be a 'Civil pope'.<sup>64</sup> Even if the crown and its advisers had no legal arguments for exercising authority over the kirk, the experience of the English royal supremacy encouraged an Erastian attitude towards Scottish religious policy.

More fundamentally, Presbyterian critics complained that the 1690 settlement ignored divine law, implying that church government was indifferent and changeable. In the Claim of Right (1689), the Scottish Estates condemned episcopacy as

<sup>58</sup> [Rule], *True representation*, p. 4; David Williamson, *A sermon preached before his grace the king's commissioner, and the three Estates of parliament, June the 15th. 1690* (Edinburgh, 1690), p. 19; James Johnston to William Crichton, 17 Oct. 1693, NAS, SP3/1, fo. 199r; Kidd, *Subverting Scotland's past*, pp. 55–6.

<sup>59</sup> RPS, 1690/4/43.

<sup>60</sup> Robert Wylie to David Crawford, 7 Nov. 1693, NAS, GD406/1/9686; James Johnston to Archbishop John Tillotson, 10 June 1693, NAS, SP3/1, fo. 163v.

<sup>61</sup> Duke of Hamilton to King William, 19 June 1693, NAS, GD406/1/10631.

<sup>62</sup> 'Memoriall concerning the affairs of Scotland', 1695, NAS, GD112/39/169/1/2.

<sup>63</sup> Anonymous letter, 17 Nov. 1700, NLS, Wod. Qu. LXXIII, fo. 238r. See RPS, 1663/6/39. The 1690 statute (*ibid.*, 1690/4/43) repealed the earlier law 'in sua far allennerly as' it was 'contrary or prejudiciall to, inconsistent with or derogatory from the Protestant religion and Presbyterian government now established'.

<sup>64</sup> Archibald Foyer, 'A letter to a learned & dear friend concerning the causes of the growth of popery', NLS, Wod. Lett. Qu. 1, fo. 146r.

‘contrary to the inclinations of the generality of the people’. Government by bishops ought to be abolished, it was asserted, because it was unpopular, and not necessarily because it was against God’s commands.<sup>65</sup> Although the 1690 act described Presbyterian government as ‘agreeable to the word of God’, it again stressed that the unpopularity of episcopacy was the reason for the new church settlement. The law fell short of asserting *iure divino* Presbyterianism, and failed to mention the Covenants.<sup>66</sup> Members of the general assembly of 1690 tried to compensate by proposing an act to recognize the divine right of Presbyterianism, but the royal commissioner’s objections led it to be buried in a committee.<sup>67</sup> Acts of parliament of 1700, 1702, and 1703 described the Presbyterian kirk as ‘the true church of Christ’.<sup>68</sup> Yet episcopalian clerics such as John Sage and Archibald Campbell hoped that by questioning the popularity of Presbyterian government, they could persuade politicians to overturn the 1690 settlement, regardless of Presbyterian ecclesiology.<sup>69</sup> For a significant body of Presbyterian hard-liners, moreover, the defective terms in which the settlement was enacted were offensive. Patrick Walker saw the inclinations of the people as a ‘very loose unsure Foundation’ for the church.<sup>70</sup> Writing for the Hebronites, a network of disaffected Presbyterians in the south-west, Gavin Mitchell also denounced the Claim of Right’s ecclesiological indifference.<sup>71</sup> It was in response to a widespread perception that the clergy had buried their Presbyterian principles since 1690 that the commission of the general assembly issued its *Seasonable admonition and exhortation*. The campaign to assert the intrinsic right should thus be understood partly in the context of attempts to address popular alienation from the church.<sup>72</sup>

## II

Arguments relating to the intrinsic right created recurrent political crises in the reigns of William and Mary and Anne. Two broad phases can be identified. In the first, lasting from 1690 to about 1704, disagreements focused on the role of the monarch and his or her commissioner in summoning, adjourning, and dissolving the general assembly. The provocative way in which the crown handled the assembly provoked Presbyterian calls for an act to assert the intrinsic right. When successive assemblies failed to pass such an act, critics blamed management of the assembly by the crown and politically malleable clergy. During the second phase, lasting from late 1707 into the reign of George I, innovations in the appointment

<sup>65</sup> RPS, 1689/3/108.

<sup>66</sup> *Ibid.*, 1690/4/43.

<sup>67</sup> Wodrow, *Analecta*, 1, pp. 200–1; draft act ratifying Presbyterian government, 1690, NLS, Wod. Oct. XII, fo. 9r.

<sup>68</sup> RPS, 1700/10/72, 1702/6/30, 1703/5/189.

<sup>69</sup> [John Sage], *The fundamental charter of presbytery, as it hath been lately established in the kingdom of Scotland, examin’d and disprov’d* (London, 1695); [Archibald Campbell], *Queries to the Presbyterians of Scotland, whereunto a satisfactory answer is humbly desired* (Edinburgh, [1702]), pp. 47–8.

<sup>70</sup> Patrick Walker, *Biographia Presbyteriana* (2 vols., Edinburgh, 1827), 1, p. 225.

<sup>71</sup> [Gavin Mitchell], *Humble pleadings for the good old-way, or a plain representation* ([Edinburgh?], 1713), p. 24.

<sup>72</sup> Raffe, ‘Religious controversy’, pp. 156–80.

of national fasts and thanksgiving days revived Presbyterian claims about the intrinsic right.

Tensions between King William and the Presbyterian clergy developed soon after the 1690 settlement. At stake was the church's attitude towards the episcopalian clergy, who had been left outside the establishment by the settlement. Until 1695, the crown's main policy was to encourage the Presbyterian courts to receive the episcopalians into full ministerial membership of the church, not least because this would encourage them to be loyal to the king. Most of the Presbyterian clergy were reluctant to comply with William's instructions; indeed, Presbyterians saw reason to act against the more ineffectual of the episcopalian clergy who continued to possess churches and stipends. In this spirit, the commission of the general assembly for the south met in January 1691, depriving from their parishes five episcopalian ministers who declined the court's authority.<sup>73</sup> Alarmed that church courts presumed to act while he was in Holland, the king issued a letter instructing the assembly's commissions to cease all processes against episcopalians.<sup>74</sup> The Presbyterians complied, although Hugh Kennedy, moderator of the southern commission, expressed the barbed hope that the king 'hath no intention to abridge us in the Just and Legall privileges of this Church'.<sup>75</sup> In October 1691, a royal letter rescheduled the forthcoming meeting of the assembly itself to a date in January.<sup>76</sup> This alarmed some Presbyterians, who saw the adjournment as 'a plain denying of the intrinsick power of the Church to call her Assemblyes as often as is needfull'.<sup>77</sup> Such complaints were muted, however, despite episcopalian attempts to inflame their opponents' suspicions about the crown's motives.<sup>78</sup>

The first significant struggle over the intrinsic right came at the general assembly of January and February 1692. The royal commissioner, the earl of Lothian, sought to persuade the assembly to receive into the church up to two hundred episcopalian ministers on the basis of a formula devised by the king's advisers.<sup>79</sup> When it became clear that the Presbyterians were unwilling to comply, the king instructed Lothian to dissolve the assembly without naming a date for its next meeting, a threatening and arguably illegal act.<sup>80</sup> In the dramatic scene following Lothian's announcement of the dissolution, the assembly's moderator,

<sup>73</sup> [John Cockburn], *A continuation of the historical relation of the late general assembly in Scotland* (London, 1691), pp. 31–5; account of the proceedings of the commission, 21 Jan. 1691, NAS, GD26/10/56.

<sup>74</sup> Historical Manuscripts Commission (HMC), *Supplementary report on the manuscripts of his grace the duke of Hamilton*, ed. J. H. McMaster and M. Wood (London, 1932), pp. 115–6; W. Fraser, *The Melvilles earls of Melville and the Leslies earls of Leven* (3 vols., Edinburgh, 1890), II, pp. 51–2. The stop was continued by another royal letter in June: *ibid.*, II, pp. 52–3.

<sup>75</sup> Address by the commission to the crown, 24 Apr. 1691, NAS, GD26/10/60.

<sup>76</sup> *The register of the privy council of Scotland*, 3rd ser., ed. P. Brown, H. Paton, and E. Balfour-Melville (16 vols., Edinburgh, 1908–70), XVI, pp. 574–6.

<sup>77</sup> Robert Langlands to William Dunlop, 4 Nov. 1691, NLS, MS 9250, fo. 268r.

<sup>78</sup> John Law to William Dunlop, 7 Nov. 1691, NLS, MS 9250, fo. 271r.

<sup>79</sup> Maxwell, 'Church union attempt'.

<sup>80</sup> Additional instructions to the earl of Lothian, 6 Feb. 1692, NAS, GD40/2/19/2/3; Johnston to Tillotson, 10 June 1693, NAS, SP3/1, fo. 163v.

William Crichton, asserted the kirk's 'Spiritual Intrinsic power, from Jesus Christ, the only head of his Church'.<sup>81</sup> According to one account, Crichton's statement prompted acclamatory cries from the assembly; Lothian complained of tumult, unintelligible shouting, 'ill Tun'd prayers, and psalms'.<sup>82</sup> These outbursts added to the king's frustration with the Presbyterians, and the assembly's failure persuaded him to change the balance of the civil government in favour of politicians with episcopalian sympathies.<sup>83</sup>

The 1692 assembly shows the importance of relations between the crown and the church, and thus arguments about the intrinsic right, in Scottish politics of the 1690s. In January 1692, the secretary of state Sir John Dalrymple claimed that there was 'nothing now in britain thats mor the subject of mens observation then whither the presbyterians will comply w[i]t[h] the kings desirs in assuming' the episcopalians.<sup>84</sup> As King William told the parliament in March 1693, 'Church matters' were 'in a great measure the subject of contention'.<sup>85</sup> Sir Patrick Murray agreed, writing in 1694 that 'wee have made that about Ministers power the great busines of Scotland'.<sup>86</sup> Unsurprisingly, the crown was reluctant to allow the assembly to meet after 1692, issuing five separate proclamations adjourning planned sessions.<sup>87</sup> Having failed in 1692, the government struggled to develop a strategy for bringing about the admission of episcopalian clergy into the church. In December 1693, Robert Wylie, the duke of Hamilton's ecclesiastical adviser, predicted that the forthcoming assembly 'will either be to very little purpose or will have a bad effect unles matters be concerted befor by some Ministers, and particular pains taken therein'.<sup>88</sup> William feared that allowing a meeting in 1694 would give the Presbyterians further opportunity to act against the episcopalian clergy.<sup>89</sup> Tensions between the government and the church remained high until the crown's policy changed in 1695, when a new church act offered loyal episcopalian ministers royal protection while not insisting on their admission to the church.<sup>90</sup>

With the exception of the moderator's speech in 1692, the crown's apparent disregard for the intrinsic right initially produced little serious complaint from

<sup>81</sup> Register of the general assembly, 1690–2, NAS, CH1/2/12, p. 153.

<sup>82</sup> Account of the dissolution of the 1692 general assembly, NAS, GD26/10/74; earl of Lothian to Sir John Dalrymple, 15 Feb. 1692, NAS, GD40/2/8/43.

<sup>83</sup> Earl of Tweeddale to King William, 9 Feb. 1692 and 16 Feb. 1692, NLS, MS 7027, fos. 16–17, 20r; James Johnston to the earl of Tweeddale, 5 Mar. 1692, NAS, SP3/1, fo. 4r.

<sup>84</sup> Sir John Dalrymple to the earl of Tweeddale, 11 Jan. 1692, NLS, MS 7014, fo. 5r.

<sup>85</sup> King William to the Scottish parliament, 23 Mar. 1693, NAS, GD406/1/10718.

<sup>86</sup> Sir Patrick Murray to the earl of Lothian, 1 Mar. 1694, NAS, GD40/2/7/62.

<sup>87</sup> Privy council acta, 4 Apr. 1693–17 Aug. 1694, NAS, PC1/49, pp. 140–1, 147, 181–3; privy council acta, 4 Sept. 1694–3 Sept. 1696, NAS, PC1/50, pp. 161–3, 208–9, 252–3, 257–8.

<sup>88</sup> HMC, *Supplementary report on the duke of Hamilton*, p. 129. Contrast Robert Wylie's 1703 sentiments: see below, p. 330.

<sup>89</sup> Duke of Hamilton to the duchess of Hamilton, 7 Mar. 1694, NAS, GD406/1/7460.

<sup>90</sup> *RPS*, 1695/5/186; J. McCormick, ed., *State-papers and letters, addressed to William Carstairs* (Edinburgh, 1774), pp. 254–5.

within the kirk. Yet royal adjournments of the assembly began to incite protests.<sup>91</sup> By the late 1690s, ministers and elders in several of the lower courts – presbyteries and synods – were calling for an act of the general assembly to assert the intrinsic right.<sup>92</sup> In 1702, seven presbyteries instructed their commissioners to the assembly to demand a formal statement of the church's rights.<sup>93</sup> The campaign for the intrinsic right was boosted by the emergence of the country party as an organized political opposition. In the parliament of May 1700, country members attempted to rescind the 1663 statute that apparently sustained royal ecclesiastical authority. In November 1700, the party called for an act in favour of the intrinsic right.<sup>94</sup> Some country politicians, such as Walter Steuart of Pardovan, were undoubtedly sincere supporters of the church.<sup>95</sup> Others presumably aimed chiefly to embarrass the crown. The more hard-line Presbyterian ministers relished the opportunity to radicalize Presbyterian sentiment; in January 1701, for example, three ministers from Hamilton presbytery requested that Edinburgh clergy summon a synod to assert the intrinsic right.<sup>96</sup>

The crown was determined to prevent the assembly from asserting the intrinsic right. After 1692, royal commissioners were repeatedly instructed to allow the assembly to do nothing contrary to the king's prerogative.<sup>97</sup> In 1702, the earl of Seafield told the royal commissioner to the assembly that the 'point your lordship has most reason to be afraid of is the asserting of their intrinsick power'.<sup>98</sup> Unfortunately, the royal commissioners' main strategy to prevent this – managing the assembly in co-operation with ministers and elders close to the crown – merely increased the frustrations that had led to calls for an act asserting the intrinsic right. In 1703, Robert Wylie complained that management had 'cramp't the true Freedom of our Assemblies', and that some clergy were reluctant to affirm the intrinsic right as a result of 'certain refin'd Modern Politicks'.<sup>99</sup> Another Presbyterian praised the campaign for the intrinsic right, condemning the 'C[our]t Sycophants who (for an empty title) sacrifice every thing [tha]t should be dear to us'.<sup>100</sup> Writing in 1700, a third commentator complained that motions for the intrinsic right 'hath alwayes bin waved by Ministers of Influence

<sup>91</sup> Adam Cockburn to the duke of Hamilton, 30 Nov. 1693, NAS, GD406/1/3835; M'Cormick, ed., *State-papers and letters*, p. 264.

<sup>92</sup> M'Cormick, ed., *State-papers and letters*, pp. 364–6; Hamilton presbytery instructions to the general assembly, 1701, NLS, Wod. Fol. xxxv, fo. 55r.

<sup>93</sup> St Andrews presbytery instructions to the general assembly, 1701, NLS, Wod. Fol. li, fo. 25r; Wodrow, *Analecta*, i, p. 13.

<sup>94</sup> David Hume, *A diary of the proceedings in the parliament and privy council of Scotland. May 21, MDCC.–March 7, MDCCVII* (Bannatyne Club, Edinburgh, 1828), pp. 5, 12–16.

<sup>95</sup> *Ibid.*, p. 15

<sup>96</sup> Robert Maxwell to Robert Wodrow, 13 Jan. 1701, NLS, Wod. Lett. Qu. iii, fo. 38r.

<sup>97</sup> W. J. Hardy, ed., *Calendar of state papers, domestic (CSPD), 1695* (London, 1908), p. 122; E. Bateson, ed., *CSPD, 1698* (London, 1933), p. 13; idem, ed., *CSPD, 1699–1700* (London, 1937), pp. 8, 353; idem, ed., *CSPD, 1700–1702* (London, 1937), pp. 216, 522.

<sup>98</sup> HMC, *The manuscripts of the duke of Roxburghe* (London, 1894), p. 153.

<sup>99</sup> [Robert Wylie], *Letter from a gentleman in the city to a minister in the country* ([Edinburgh?], [1703]), pp. 3, 5. <sup>100</sup> James Wallace to Robert Wodrow, 15 Apr. 1701, NLS, Wod. Lett. Qu. i, fo. 156r.

in the Assembly'. Underlining the issue's importance, he argued that the lack of an explicit statement of the intrinsic right was the 'strongest and most unanswerable exception' that separatist Presbyterians such as the Hebronites and the United Societies 'adduce against the present constitution of presbitery'.<sup>101</sup>

In 1703, the royal commissioner to the assembly used another, more drastic, strategy to prevent its members from asserting the intrinsic right: announcing the immediate dissolution of the meeting. As in 1692, this caused an outcry. Thomas Boston later recalled that the dissolution came 'like a thunder-clap', provoking 'from all corners of the house, protestation...against it, and for the intrinsic power of the church'.<sup>102</sup> The campaign to assert the intrinsic right had accelerated over the previous year, following the sudden dissolution of the 1702 assembly in response to the anticipated death of King William.<sup>103</sup> This dissolution, and the accession to the throne of Anne, an Anglican tory, caused Presbyterians to fear for the future success of general assemblies, and for royal support for the kirk more generally.<sup>104</sup> In this context, the synods of Lothian and Tweeddale, Glasgow and Ayr, Dumfries, and Galloway passed acts asserting their loyalty to Presbyterian principles.<sup>105</sup> One of the assembly's functions was to examine and sanction the actions of synods, and it was feared in 1703 that the royal commissioner would refuse to allow the assembly to approve the provocative synod acts.<sup>106</sup> In fact, the commissioner's decision to dissolve the 1703 assembly seems to have been made in response to another motion, which he mistakenly interpreted as relating to the intrinsic right.<sup>107</sup> The dissolution led at least two more synods to pass acts in favour of divine right Presbyterianism.<sup>108</sup>

Unsurprisingly, a renewed confrontation was feared at the 1704 general assembly. Yet, this meeting passed peacefully, thanks to compromises on the part of the royal commissioner, Lord Ross. He allowed the assembly to approve the minutes of the synods that acted in favour of Presbyterianism, but took care that no statements reflecting on the royal prerogative were aired in the assembly itself.<sup>109</sup> This approach, effectively allowing the lower courts to discuss the intrinsic right as long as it was not asserted in the assembly, seemed to pacify the

<sup>101</sup> Anonymous letter, 17 Nov. 1700, NLS, Wod. Qu. LXXIII, fo. 237r.

<sup>102</sup> Thomas Boston, *Memoirs of the life, time, and writings of the reverend and learned Thomas Boston*, ed. G. H. Morrison (Edinburgh, 1899), p. 164.

<sup>103</sup> Wodrow, *Analecta*, 1, p. 13.

<sup>104</sup> W. Fraser, *The earls of Cromartie: their kindred, country, and correspondence* (2 vols., Edinburgh, 1876), 1, p. 169.

<sup>105</sup> Synod of Lothian and Tweeddale minutes, 1698–1710, NAS, CH2/252/7, p. 133; Synod of Glasgow and Ayr minutes, 1687–1704, NAS, CH2/464/1, pp. 318–19; Synod of Dumfries minutes, 1691–1717, NAS, CH2/98/1, p. 169; Synod of Galloway minutes, NAS, CH2/165/2, pp. 137–8.

<sup>106</sup> [Wylie], *Letter from a gentleman in the city*, p. 11.

<sup>107</sup> L. W. Sharp, ed., *Early letters of Robert Wodrow, 1698–1709* (Scottish History Society, 3rd ser., vol. 24, Edinburgh, 1937), pp. 258–9.

<sup>108</sup> Synod of Angus and the Mearns minutes, 1701–6, NAS, CH2/12/1, pp. 143–4; Boston, *Memoirs*, pp. 165–6.

<sup>109</sup> J. Grant, ed., *Seafield correspondence from 1685 to 1708* (Scottish History Society, new ser., vol. 3, Edinburgh, 1912), p. 369.

clergy, and in later years the government endorsed it as good practice.<sup>110</sup> Moreover, Ross dissolved the assembly in a consensual fashion, inaugurating the custom whereby meetings were closed by both the commissioner (in the monarch's name) and the moderator, representing Christ's authority.<sup>111</sup>

The 1704 assembly brought a decline in political tensions concerning the intrinsic right. Within two years, the prospect of parliamentary union with England had become the central issue in Presbyterian politics.<sup>112</sup> Although the union raised fundamental questions about the role of divine law in the Scottish constitution, debates concerning the intrinsic right were temporarily eclipsed. Nevertheless, the union precipitated a new phase of controversy over the intrinsic right, provoked by the crown's appointment of fast and thanksgiving days without consulting the Scottish clergy.

Originating in the sixteenth century in both Scotland and England, national fast days were ordered in response to perceived instances of divine anger, notably political crises such as war or rebellion, or natural phenomena including plague and famine. They allowed for a display of collective repentance and worship, which aimed to appease God's wrath and to restore the favour of his providential guidance. Thanksgiving days were held to acknowledge the blessings of divine providence, particularly after the cessation of natural emergencies, or in response to military victories.<sup>113</sup> Whatever the political significance of fasts and thanksgivings, many Presbyterians regarded them essentially as acts of worship, whose appointment was part of the ministerial office, and thus an aspect of the church's intrinsic right.<sup>114</sup> It was important that the clergy decided on the cause and justification of fast days, Presbyterians argued, otherwise fasting would be ordered in response to trivial political considerations, and become 'meer pageantry' and a 'fearful Mocking of God'.<sup>115</sup> In fact, the normal practice for appointing fasts and thanksgivings in the period from 1689 to 1707 was characterized by co-operation between the ecclesiastical and civil authorities. Typically the assembly, its commission, or another church court meeting in Edinburgh passed an act for a

<sup>110</sup> W. Fraser, *The Annandale family book of the Johnstones, earls and marquises of Annandale* (2 vols., Edinburgh, 1894), II, pp. 22–3.

<sup>111</sup> Fraser, *Earls of Cromartie*, I, p. 231; Boston, *Memoirs*, p. 165; Edmund Calamy, *An historical account of my own life*, ed. J. T. Rutt (2nd edn, 2 vols., London, 1830), II, pp. 159–60.

<sup>112</sup> Stephen, *Scottish Presbyterians*; Raffe, 'Religious controversy', pp. 181–207.

<sup>113</sup> With Philip Williamson, Natalie Mears and Stephen Taylor, I am preparing *British state prayers, fasts, thanksgivings and days of prayer, 1540s–1970s* (Woodbridge, forthcoming 2012). This volume will contain the first full list of fasts, thanksgivings, and special prayers in Scotland, England, and Ireland, as well as edited texts relating to each occasion. For a brief survey of Scottish fast days, see J. Stephen, 'National fasting and the politics of prayer: Anglo-Scottish union, 1707', *Journal of Ecclesiastical History*, 60 (2009), pp. 294–316.

<sup>114</sup> 'Anent the power of appointing nationall fasts and thanksgivings', NLS, Wod. Oct. XII, fo. 34; *A short but plain discovery to whom the due right of describing and appointing fasts doth belong* (London, 1708); *An answer of several ministers of the Church of Scotland, to a letter written to a member of the assembly* ([Edinburgh], [1710]).

<sup>115</sup> 'Anent nationall fasts and thanksgivings', NLS, Wod. Oct. XII, fo. 35v; overture for an act of the presbytery of Hamilton, 1708, NLS, Wod. Qu. LXXIII, fo. 289r (quotations).

fast or thanksgiving, and then sought the sanction of the privy council or parliament. Since the church courts initiated the process, explaining and justifying the special worship, Presbyterians thought that this arrangement was legitimate and scripturally warranted.<sup>116</sup>

This spirit of co-operation dissipated within a year of the union. In November 1707, without consulting the clergy, the Scottish privy council issued a proclamation for a fast to be held on 14 January 1708, a day that was also to be observed in England, Wales, and Ireland.<sup>117</sup> The crown's unilateral appointment of the fast created unease among 'a great many of our people' and 'not a feu of our Min[iste]rs', one Presbyterian observed.<sup>118</sup> Not only were the Scottish clergy sidelined, Presbyterians complained, but it was well known that Anglican bishops advised the queen on the appointment of such days.<sup>119</sup> The 1708 fast was the first of several special observances appointed by civil authority alone. It soon became clear that the lack of ecclesiastical authority led the most scrupulous Presbyterian ministers and lay people to disregard these fasts and thanksgivings.<sup>120</sup> A fast appointed by royal proclamation for 29 March 1710 was not observed in various areas, including Dunbartonshire, Hamilton, and Lanark, where few ministers announced the day to their parishioners.<sup>121</sup> In May 1710, the general assembly responded by passing an act calling for the observance of all fasts and thanksgivings, 'whether appointed by the Church or the supreme magistrate'.<sup>122</sup> Yet non-observance of special days remained a problem.<sup>123</sup>

As with the crown's adjourning and dissolving of the assembly in the 1690s, some Presbyterians feared that the civil appointment of fasts and thanksgivings was a policy intended to deprive the kirk of its rights. During the 1710 general assembly, when fasts were much debated, ministers published two pamphlets warning that the crown's actions infringed the intrinsic right, placing Presbyterianism under the Erastian control of the state.<sup>124</sup> It is difficult to determine how widespread these views were. Yet the management of the assembly and its commission by politically prominent ruling elders, and ministers close to the

<sup>116</sup> 'Anent nationall fasts and thanksgivings', NLS, Wod. Oct. XII, fos. 33v–34r; *Short but plain discovery*, p. 4.

<sup>117</sup> *Proclamation for a solemn national fast*, 28 Nov. 1707 (Edinburgh, 1707).

<sup>118</sup> Newsletter, 2 Jan. 1708, probably by Robert Wylie, NLS, Wod. Qu. XI, fo. 33v.

<sup>119</sup> Elizabeth West, *Memoirs, or, spiritual exercises of Elizabeth West* (Edinburgh, 1724), p. 233; Patrick Warner to Robert Wodrow, 28 Mar. 1710, NLS, Wod. Lett. Qu. II, fo. 139; T. M'Crie, ed., *The correspondence of the Rev. Robert Wodrow* (3 vols., Wodrow Society, Edinburgh, 1842–3), I, pp. 130–3.

<sup>120</sup> HMC, *Report on the manuscripts of the earl of Mar and Kellie*, ed. H. Paton (2 vols., London, 1904–30), I, p. 426; *An essay for removing of prejudices, against the keeping of days of fasting and thanksgiving* ([Edinburgh?], 1713), pp. 5–6.

<sup>121</sup> *By the queen, a proclamation*, 18 Feb. 1710 (Edinburgh, 1710); Wodrow, *Analecta*, I, pp. 260–1.

<sup>122</sup> *Acts of the general assembly*, p. 443.

<sup>123</sup> See e.g. *A seasonable advertisement, concerning the late publick fast of the 25th January, 1712* ([Edinburgh?], [1712]); *Reasons of Masters James Hog and James Bathgate, humbly offered to the reverend presbytery of Dunfermline, for their not observing the day of thanksgiving appointed by the king* ([1724]).

<sup>124</sup> *Answer of several ministers; A humble representation of several ministers of the Church of Scotland* ([Edinburgh?], [1710]), pp. 2–3.

court, gradually brought fasts and thanksgivings more fully under the crown's control. In March 1716, on a request from secretary of state Townshend, the moderator helped to ensure that the commission buried a motion for a thanksgiving.<sup>125</sup> When the crown itself later appointed a thanksgiving, in a proclamation of 8 May 1716, it apparently did so without consulting the church, even though the general assembly was sitting at the time.<sup>126</sup> In November 1720, when it was feared that plague afflicting the continent would spread to Britain, Allan Logan of Culross called for the church to appoint a fast day, but expected that Presbyterians 'In the government will slight the motion as they have done heretofore'.<sup>127</sup> On this occasion, in fact, the commission did pass an act, instructing presbyteries to appoint fast days, but this was quickly superseded by a royal proclamation for a national fast, which made no reference to the commission's act.<sup>128</sup>

To an important but increasingly alienated constituency within Scottish Presbyterianism, these slights to ecclesiastical authority were emblematic of the church's uneasy position after the union. For Robert Wylie, the January 1708 fast was 'an ill presage or rather symptom of our declining state'.<sup>129</sup> Robert Wodrow warned that the lack of co-operation between the civil government and the church following the Scottish privy council's abolition in 1708 meant that 'gradually we are like to fall out of the use of national fasts, at a time when there is so great need of them'.<sup>130</sup> In 1724, James Hog and James Bathgate, ministers in the presbytery of Dunfermline, feared there was a 'Design gradually to deprive our Assemblies of their intrinsick Power to appoint Fasts and Thanksgivings, wherewith they are vested by the Glorious Head of the Church'.<sup>131</sup> By 1728, Patrick Walker thought this design had been accomplished. 'National Fasting and Mourning are so far gone out of Request, that they are quite neglected by this Church, the Power being given up into the Hands of the Magistrate; and what Fasts we have now, are by the Authority of the King and his Council, made up of Lords Spiritual and Temporal'.<sup>132</sup> The victory of the civil government over the kirk's intrinsic right, in the matter of fasts and thanksgivings at least, seemed complete.

### III

Scottish historians have been reluctant to recognize the prominence of religious arguments in politics after the revolution of 1688–90. Religion became

<sup>125</sup> William Mitchell to Viscount Townshend, 16 Mar. 1716, London, The National Archives (TNA), SP54/11/180C.

<sup>126</sup> *London Gazette*, 8–12 May 1716, no. 5432; *Reasons of Masters James Hog and James Bathgate*, p. 13.

<sup>127</sup> Allan Logan to Lord Grange, received 8 Nov. 1720, NAS, GD124/15/1214/1.

<sup>128</sup> Commission of the general assembly minutes, 1720–5, NAS, CH1/3/17, 53–5; *London Gazette*, 15–19 Nov. 1720, no. 5904.

<sup>129</sup> Robert Wylie to Robert Wodrow, 19 Dec. 1707, NLS, Wod. Lett. Qu. iv, fo. 213r.

<sup>130</sup> Wodrow, *Correspondence*, I, p. 573. <sup>131</sup> *Reasons of Masters James Hog and James Bathgate*, p. 11.

<sup>132</sup> Walker, *Biographia Presbyteriana*, I, p. xxii.

unfashionable, in part perhaps because the historiography of religious politics in the Restoration period seemed stale.<sup>133</sup> A long-standing tendency to depict the 1690 settlement as the solution to Scotland's confessional strife<sup>134</sup> encouraged Ferguson, Riley, and others to overstate the extent to which post-revolution politics was secularized. The union of 1707 promoted a gradual separation of high politics from Presbyterian debates, since it extracted Scotland's parliamentarians away from the Scottish context for large parts of the year. Yet the union also bolstered the prominence of the general assembly and its commission as sites of political confrontation and partisanship.<sup>135</sup>

Scottish politics was not highly differentiated from religious life in the years after 1690. Moreover, I have questioned the suitability to this period of a second secularization narrative. A version of the 'internal secularization' thesis, this narrative emphasizes the changing character, and increasing moderation or liberalization, of religious beliefs.<sup>136</sup> Preoccupied with the forebears of the Moderates – the party that dominated the general assembly from the 1750s – and the origins of the Scottish Enlightenment, historians have often exaggerated the speed with which religious moderation took hold of the eighteenth-century kirk.<sup>137</sup>

Rather than seeing the ascendancy of moderate attitudes, the forty years after 1690 seem to have witnessed growing ecclesiological and theological rigidity among Presbyterians. To some extent, this was a response to episcopalian and Anglican opposition: the polemics of high-church episcopalians encouraged an obsessive commitment to *iure divino* concepts and Westminster orthodoxy in the church.<sup>138</sup> As products of this atmosphere, most of the new ministers of the 1690s and 1700s upheld traditional Presbyterian attitudes. In the 1710s and 1720s, large amounts of clerical energy were absorbed by two theological controversies, concerning the ambiguous teaching of Professor John Simson of Glasgow, and the marginally unorthodox *Marrow of modern divinity*.<sup>139</sup> None of the sides in these disputes heralded the theological minimalism of the Moderates. Moreover, conservative ecclesiological attitudes were to the fore in arguments about the oath

<sup>133</sup> I. B. Cowan, *The Scottish Covenants, 1660–1688* (London, 1976), and J. Buckroyd, *Church and state in Scotland, 1660–1681* (Edinburgh, 1980), were perhaps the last major redactions of a narrative originating in Robert Wodrow's *The history of the sufferings of the Church of Scotland* (2 vols., Edinburgh, 1721–2).

<sup>134</sup> Cowan described the revolution as the 'triumph of Presbyterianism': *Scottish Covenants*, p. 134.

<sup>135</sup> J. S. Shaw, *The political history of eighteenth-century Scotland* (Basingstoke, 1999), pp. 110–12.

<sup>136</sup> See B. R. Wilson, 'Reflections on a many sided controversy', in S. Bruce, ed., *Religion and modernization: sociologists and historians debate the secularization thesis* (Oxford, 1992), pp. 203–5.

<sup>137</sup> In addition to the works of Drummond and Bulloch and Frace, see R. L. Emerson, 'The religious, the secular and the worldly: Scotland, 1680–1800', in J. E. Crimmins, ed., *Religion, secularization and political thought: Thomas Hobbes to J. S. Mill* (London, 1990).

<sup>138</sup> Raffé, 'Presbyterians and episcopalians'.

<sup>139</sup> A. Skoczylas, *Mr Simson's knotty case: divinity, politics, and due process in early eighteenth-century Scotland* (Montreal, 2001); D. C. Lachman, *The Marrow controversy, 1718–1723: an historical and theological analysis* (Edinburgh, 1988).

of abjuration, which a large minority of Presbyterian clergy refused to swear after it was imposed by parliament in 1712.<sup>140</sup>

It was only in the 1730s, I suggest, that significant changes were clearly underway. A rising generation of ministers, notably those educated by William Hamilton at Edinburgh, voiced more liberal theological attitudes.<sup>141</sup> Whereas the general assembly had condemned the *Marrow* as unsound in 1720, and forced Simson's suspension in 1727, in subsequent years heterodox academics such as Archibald Campbell and William Leechman successfully defended themselves from condemnation by the church courts.<sup>142</sup> Most importantly, the 1730s saw a prominent group of hard-liners leave the establishment to form the Secession church. Their wide-ranging critique of the kirk included complaints about the assembly's failure to assert the intrinsic right after 1690, and its refusal to appoint fasts by its own authority.<sup>143</sup> Their departure helped to cool ecclesiological tensions; in 1744, the crown stopped instructing its commissioners to the general assembly to prevent discussion of the intrinsic right.<sup>144</sup>

In the second half of the eighteenth century, the Moderate and Popular parties in the Church of Scotland were divided by their attitudes towards patronage, and by various cultural and theological preferences. The Moderates sought to uphold the general assembly's authority over the lower church courts, but members of both parties placed less emphasis on the intrinsic right than had their parents and grandparents.<sup>145</sup> A degree of internal secularization had taken place within the establishment. But this change was not irreversible. After 1833, radical claims for the kirk's authority re-emerged, as a general assembly dominated by evangelicals contested the right of the Court of Session to impose ministers presented by patrons.<sup>146</sup> Revealingly, the new ecclesiological radicals looked back to the immediate post-revolution period, claiming that religious authority was enshrined in

<sup>140</sup> Raffe, 'Religious controversy', pp. 201–6.

<sup>141</sup> H. Sefton, '“New-lights and preachers legall”: some observations on the beginnings of Moderatism in the Church of Scotland', in N. Macdougall, ed., *Church, politics and society: Scotland, 1408–1929* (Edinburgh, 1983), pp. 186–96.

<sup>142</sup> A. Skoczylas, 'Archibald Campbell's *Enquiry into the original of moral virtue*, Presbyterian orthodoxy, and the Scottish Enlightenment', *SHR*, 87 (2008), pp. 68–100; T. D. Kennedy, 'William Leechman, pulpit eloquence and the Glasgow Enlightenment', in A. Hook and R. B. Sher, eds., *The Glasgow Enlightenment* (East Linton, 1995), pp. 56–72.

<sup>143</sup> *A testimony to the doctrine, worship, government and discipline of the Church of Scotland* (Edinburgh, 1734), pp. 33–4, 40.

<sup>144</sup> TNA: PRO, secretary of state's ecclesiastical entry book, 1727–37, SP44/153, pp. 17–18, 20, 54–7, 146–9, 214–17, 268–70, 333–7, 388–91, 471–3; TNA, Scottish church book, 1742–64, SP56/2, pp. 8–12, 35–9, 57–60.

<sup>145</sup> I. D. L. Clark, 'From protest to reaction: the Moderate regime in the Church of Scotland, 1752–1805', in N. T. Phillipson and R. Mitchison, eds., *Scotland in the age of improvement: essays in Scottish history in the eighteenth century* (Edinburgh, 1970); J. R. McIntosh, *Church and theology in Enlightenment Scotland: the Popular party, 1740–1800* (East Linton, 1998).

<sup>146</sup> S. J. Brown and M. Fry, eds., *Scotland in the age of the Disruption* (Edinburgh, 1993).

the act of security for the church of 1707.<sup>147</sup> The revived struggle for the intrinsic right – which resulted in the Disruption of 1843 – proved that Presbyterian ideology continued to threaten the stability of Scottish politics. It was only in the twentieth century that solutions to this problem were found, most notably the delayed, and perhaps final, triumph of secularization in Scotland.<sup>148</sup>

<sup>147</sup> Lord Rodger of Earlsferry, *The courts, the church and the constitution: aspects of the Disruption of 1843* (Edinburgh, 2008), pp. 2–3.

<sup>148</sup> See esp. C. G. Brown, *The death of Christian Britain: understanding secularisation, 1800–2000* (London, 2001).