

THE EMERGENCE OF SCHISM: A STUDY IN THE HISTORY OF THE  
SCOTTISH KIRK FROM THE NATIONAL COVENANT TO THE FIRST  
SECESSION

A Master's Thesis

by  
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September 2014

To Cadoc, for teaching me all the things that didn't happen.

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Graduate School of Economics and Social Sciences  
of  
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in

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İHSAN DOĞRAMACI BILKENT UNIVERSITY  
ANKARA

September 2014

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in History.

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## **ABSTRACT**

The Emergence of Schism: a study in the history of the Scottish Kirk  
from the National Covenant to the First Secession

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September 2014

This thesis will account for the prevalence of schism in the Scottish Church during the 18<sup>th</sup> and 19<sup>th</sup> centuries. The analysis will focus on theological developments in the 17<sup>th</sup> century during the War of the Three Kingdoms. Specifically it will concern itself with how the Covenant legitimized civil critique, and how Covenanter ideology and identity developed during the Engagement, as well as within the persecutions of the Restoration period. The thesis will look at specific issues within the Kirk, such as those surrounding the institution of patronage, as well as at the ideological battle over presbyterian identity, which took place after the Williamite Revolution. Ultimately, the argument within this thesis is that orthodox, Covenanting, presbyterianism in its very nature promoted schism because of its lack of a firm hierarchy, and its inability to gain civil support.

## ÖZET

Bölünmenin Doğuşu: İskoçya Kilisesi tarihinde Ulusal Ahit'ten İlk  
Bölünmeye Değın Bir Çalışma

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Bu tezde 18. ve 19. yüzyıllarda İskoçya Kilisesi'nde gerçekleşen bölünmeleri açıklamaya çalışmaktayım. İncelememin odağı, 17. Yüzyıldaki Üç Krallık Savaşları zamanındaki teolojik gelişmelerdir. Özellikle inceleneyeğim konu, "Covenant"'ın (Ahit) eleştiri kültürünü nasıl meşrulaştırdığı, ve "Covenanter" (Ahitçi) fikrinin ve kimliğinin "Engagement" ile Restorasyon döneminde gerçekleşen zulümler sırasındaki gelişimidir. Kilise içerisinde ortaya çıkan "patronaj" (hamilik) kurumu nezdindeki sorunlar ve William İhtilali'nden sonra gelişen presbiteryen kimliği üzerindeki ideolojik savaş gibi belirli sorunlar incelenecektir. Sonuç olarak ortaya koyduğum sav, ortodoks Covenant (Ahit) presbiteryanizmin doğasında bölünmeyi teşvik ettiği, bunun nedeninin de sağlam bir hiyerarşiden yoksun olması ve devlet desteğini yanına alamamasıdır.

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I would firstly like to thank my advisor, Cadoc, for sitting through multiple hours of me chain smoking and misdating important events. His patience is saintly. Secondly I must thank Corey Nelson for her support throughout my education, my mother for her encouragement, and Noelle and Camille for their love and admiration. I'd like to thank Cihan Demir for his long lunches, and his passion; Cengiz Inceoglu for turning me toward history; and Serkan Tas for distracting me, spot checking my logic, and listening to me ramble about the Covenanters. Lastly, I would like to thank Paul Latimer, Kenneth Weisbrode, David Thornton, and Ann-Marie Thornton, for their guidance over the last few years.

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## **CHAPTER 1:**

### **INTRODUCTION**

In 1648 the Scottish Church was at its zenith. The Kingdom of Scotland bordered on theocracy under the rule of the Kirk party—presbyterian church courts voted laws into action and even determined foreign policy decisions for the nation. It was at this time that expert theologians such as Samuel Rutherford and George Gillespie met for the Westminster Assembly and authored the Westminster Confession of Faith, considered second only to the Bible itself in this articulation of religious truth stretched towards infallibility. In short, this was a very good time for the Church of Scotland. Yet less than 100 years later, in 1733, a sizeable number of Scottish parishioners, and some of her most devout ministers split off from the Kirk to form the Associate Presbytery. Shortly afterwards a group of ministers, led by Thomas Boston, split again to form the Relief Church, in 1761. Then in 1843 half of the country abandoned the National Church during the Disruption, crippling the Kirk's ability to influence the lives of everyday Scotsmen. In this short work I will attempt to explain how schism became so prevalent in the Scottish Church. Our focus will be on the specifics involved in Ebenezer Erskine's 1733

schism of the Associate Presbytery, but our analysis of schism will span over three centuries, from the War of the Three Kingdoms in the mid-1600s to the Disruption in 1843.

In order to treat our topic properly, it is necessary that the scope of this thesis remain limited. We will be focusing exclusively on developments within Scottish presbyterian theology, and the ecclesiastical history of the Scottish Church. While the examination of schism in a larger historical context, or developments elsewhere in the British Isles are directly relevant, they cannot receive extensive treatment here. The goal of this thesis will be confined to examining the development and nature of schism within Scottish presbyterianism. I am confident that this will pose a sufficient challenge in the short space we have.

We will begin our discussion by examining the articulation of Covenanter theology in the writings of Samuel Rutherford and others during the reign of the Kirk party. Our attention will be focused on the manner in which Covenanting presbyterianism legitimizes the critique of civil and ecclesiastical authority, and the consequences that this has for structure of presbyterian church hierarchy. We will discuss the perceived danger of the Independency heresy, as the ecclesiastical division caused by the Engagement. Our attention will then turn to the development of a distinctive Covenanter identity during the persecution of orthodox presbyterians in the Restoration period. It is toward the end of this period within the persecuted Covenanter groups that the idea of schism, and the circumstances under which it might be permissible are discussed in detail by men like Alexander Shields. After having discussed this relevant background information we can move our discussion into the 1700s.

William III's invasion of Britain, and the accompanying changes brought about during the Presbyterian Settlement are important events, as they represent the beginning of a battle of ideologies within presbyterian circles in Scotland. It is in this period when the identity of Covenanting presbyterianism as defined during the persecution of the Restoration period comes into conflict with a competing narrative. This alternative presbyterianism eventually flourished with state support as the Moderate party in the Scottish Church. The birth of this party, and its rival, the orthodox Evangelical party is depicted in a few important events of the early 1700s: the passing of the Patronage and Toleration acts in 1712, the Marrow Controversy, and the trial of John Simson. Through analysis of these events I will attempt to show the first clear distinctions between the Moderate and Evangelical parties visions for the future of presbyterianism. After a brief discussion of these events we will turn our attention to the schism of 1733 itself.

Ebenezer Erskine, William Wilson, Alexander Moncrieff, and James Fisher seceded from the Established Church to form the Associate Presbytery in 1733. In our examination of the schism itself we will focus first on the narrative of events as seen through the eyes of these ministers, then we will turn our attention to a deeper analysis of events, as well as of the structure of orthodox presbyterianism generally. I hope to show that while the specific complaints of the seceding brethren certainly played a major roll in the schism, larger ecclesiastical characteristics are also at least partly to blame. While complaints regarding the institution of patronage, abuses of power in the General Assembly, and doctrinal laxity formed the immediate causes of the 1733 secession; the breakdown of hierarchical authority, and the inability of higher church courts to enforce

their decisions also played a roll in encouraging the schism. These factors played out time and again in the various schisms throughout the history of the Church.

In the closing chapter of this thesis we will take a broad look at the character of the Associate Presbytery after 1733, as well as at the various schisms in Scotland until the Disruption in 1843. In our cursory overview of these events I hope to show that general characteristics within orthodox presbyterianism are more to blame for the fissions in the Church than any specific event that may have sparked a single instance of ecclesiastical secession. Orthodox presbyterianism, as developed by the Covenanters, is antagonistic toward all forms of civil and ecclesiastical authority. This aggressiveness toward the state means that Covenanting presbyterians seldom garner civil support, and so is unable to enforce doctrinal unity on the lower courts within the Church. The result is that orthodox presbyterianism in its very structure ferments constant secession. Hopefully this will all become clear in the following pages, but for now we must turn our attention to the mid-1600s.

## **CHAPTER 2:**

### **THE COVENANT DURING THE WAR OF THE THREE KINGDOMS**

In this first chapter our goal will be to provide some of the relevant background information regarding schism in the 17<sup>th</sup> Century. We will focus primarily on the development of the theological notion known as Covenanting, particularly in the writing of Samuel Rutherford. I will attempt to situate Rutherford's writings within a larger body of Calvinist thought regarding the Covenant as a political, as well as an ecclesiastical contract. The aim will be to show how Rutherford's work solidified the theological foundation for the critique of civil, and later clerical, authority within the presbyterian party of the Scottish Kirk; the legitimization of this critique would prove to be fundamental to the development of Covenanter thought, and the 1733 schism specifically. After examining the development of Covenanter ideology, we will turn our attention to what may be called the first schism in the Kirk: the split between the Resolutioner and Protester divisions of the presbyterian party caused by the Engagement of the late 1640s. Additionally, we will discuss a few of the major controversial issues relating to clerical

authority in the period, concerning patronage and the spread of independency, as these will prove to be recurring themes in our exploration of schism in the Kirk. In short, this chapter will attempt to illuminate the political and theological transformations that the Scottish Church underwent during the years surrounding the War of the Three Kingdoms. Ultimately, I aim to show how the development of ecclesiastical thought in Rutherford's time shaped later perceptions of the ideal form of Scottish presbyterianism, as well as the king's role in ecclesiastical functions; and how the conditions within which the schism between Resolutioners and Protesters in the Cromwellian period occurred prefigured later schismatic tendencies. A bit of background information regarding the relations of the civil authority and the Church of Scotland will be necessary; so it is there that we shall begin.

The relationship between Crown and Kirk was fraught with difficulties from the moment Charles I assumed the throne. His father, King James VI, had managed to impose a weak version of episcopacy on the Scottish Kirk and had begun the slow process of amalgamating the Scottish and English churches. James found the English ecclesiology to be more suitable to his needs, as the king wielded much more power within the structure it produced in comparison with the proposed ecclesiology of the Scottish presbyterians. However, James left his work largely incomplete upon his death, and his son's labor proved counter-productive, to say the least. In 1637 Charles I attempted to institute some liturgical changes in Scotland in the form of a prayer book, part of a program aimed at reforming the church along English lines. This proved disastrous for the young king, as the Scots, sharing views similar to those of the English Puritans, viewed the ornate religious practices of their southern neighbors as reeking of

Popery: they began to revolt almost immediately. Ministers from the presbyterian party with in the Kirk had made arrangements in advance for a formal protest against the proposed service book.<sup>1</sup> A riot was organized in Edinburgh where according to popular legend, a woman named Jenny Geddes is said to have sparked the unrest when she threw her stool at the presiding minister and shouted, "Daur ye say Mass in my lug?"<sup>2</sup> Historians today doubt the legitimacy of this dramatic narrative, but the existence of Geddes aside, the introduction of the service book certainly caused general unrest in many of the major cities in the kingdom. The political misstep of introducing the new prayer book acted as a catalyst within Scottish society, leading to a more concrete articulation of dissenting religious beliefs. The result, completed in 1638, would be known as the National Covenant. The National Covenant, and the Covenanters who therefrom take their name, radically changed the nature of protest within the Scottish Church, and provided the theoretical foundation for many future conflicts between Church and State. With the importance of the notion of Covenanting in mind, it will behoove us to take a short detour in our analysis to look into the specifics of this uniquely Presbyterian idea.

## **2.1 The National Covenant and Covenanter Ideology:**

To begin our discussion of the National Covenant it is necessary for us to outline the concept of ‘covenant’ within Calvinist thought generally. The idea of the covenant comes from late medieval theology and makes use of the Old Testament, where it

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<sup>1</sup> David Stevenson, *The Scottish Revolution 1637-44* (Edinburgh: John Donald, 2003), 60-63

<sup>2</sup> Brian Cummings, *The Book of Common Prayer: The Texts of 1549, 1559, and 1662* (Oxford: University Press, 2011), xlviii

represents an agreement made between God and man. According to Samuel Rutherford, to give a relevant example, the first covenant, the Covenant of Works, was an agreement between God and Adam, which promised that in exchange for obeying Him, God would grant Adam eternal life. This covenant was broken when Adam committed sin and partook of the forbidden fruit,<sup>3</sup> leading God to enact a new covenant to ensure the salvation of man, one that was not based upon the works of men, but the grace of God. This second covenant, the Covenant of Grace, was enacted between God and Jesus Christ, promising to save a few elect persons in exchange for the sacrifice of the blameless Son of God.<sup>4</sup> According to Calvinism, not every person, not even every Christian, is capable of receiving salvation. Only those whom God has elected will be forgiven their sins through the Covenant of Grace. This forms the foundation of a key presbyterian idea: double-predestination.

This notion of double-predestination, the categorization of all mankind into the elect, saved by the Covenant of Grace, and the reprobate, those whom God has not chosen to save, causes some peculiar theological developments within Calvinism. No man can be sure of his, or another's salvation. Even John Calvin himself may have been counted among the reprobate and condemned to hell. There are, however, various ways that one can reassure oneself that one is among the elect. James Guthrie, Rutherford's best-known pupil, suggested a daily verbal renewal of the personal covenant between the individual and God. This practice became common. It is undertaken simply by pledging oneself to the glory of God, and promising to abide by His laws as best one can.<sup>5</sup>

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<sup>3</sup> Gen. 3:1-19 NKJ

<sup>4</sup> M. Charles Bell, *Calvin and Scottish Theology* (Edinburgh: Handsel Press, 1985), 72-74

<sup>5</sup> Ibid. 84

Additionally, a person who lives his life abiding by the Covenant of Works according to his ability, while not redeeming in itself, gives indication of election. The Covenant of Works has already been breeched, man has failed to fulfill his end of the bargain; but those who obey the moral law and follow God's path—who act as if they were saved—give evidence that they may be among the elect.<sup>6</sup>

The understanding of these covenants came to hold an important position within Calvinist theology. We may now designate these notions more precisely as federal theology, from the Latin *foedus*, a covenant or treaty. Humanity has failed to abide into the Covenant of Works and so is condemned to death unless chosen by God to be accepted by the Covenant of Grace. These fundamental points take on increased significance when complemented by the political notion of the covenant as described in Johannes Althusius' work. Johannes Althusius (c.1563-1638) was a German jurist and Calvinist theologian whose work had great influence on early Calvinists in Scotland as well as on mainland Europe. His work expanded the notion of the covenant in Calvinist theology, and provided the foundation for later Scottish developments by such theologians as Samuel Rutherford. Althusius gave the first significant account of how the concept of covenant might be applied at a ecclesiastical, as well as civic level. Althusius follows convention in tracing the notion of the covenanted nation from the Old Testament, specifically from the example of God's chosen people, the tribes of Israel.<sup>7</sup> Using this agreement between Israel and God as his model, Althusius claims that nations found themselves upon a number of different covenants. The first of these is a covenant between the individuals within society: they agree with one another that they want to live

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<sup>6</sup> Ibid. 85

<sup>7</sup> John Witte, *The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism*. (Cambridge: Cambridge University Press, 2007), 190

in a society and that some good would come from the restriction of their mutual liberties. Next comes an agreement between these people and their leader, who promises to provide just laws in exchange for the obedience of his people. These in turn lead us to the covenant between the ruler of the covenanted nation and God himself, wherein the ruler promises to obey and enforce God's laws, as God's tool on earth.<sup>8</sup> This last covenant is perhaps the most important in terms of its political significance, as it demands that the covenanted king follow a very specific set of guidelines.

Althusius explains that the covenant between the king and God requires that the king fulfill a certain number of responsibilities to render him a legitimate ruler. Most significant among these is the ruler's support of good and just laws, which should encourage the people to behave in accordance with the Covenant of Works. In Calvinist political theology the church and the king have a responsibility to act as the moral conscience of the nation and to use their authority to make laws to promote ethical behavior. At very least, the king should not make any laws that infringe upon the Decalogue, as this would run contrary to God's declared will. The Decalogue is explained, in this context, as acting as a set of 'spiritual rights,' which are essentially the Ten Commandments put into positive terms. Rather than declaring 'thou shall not kill,' the political covenant recognizes the Decalogue as guaranteeing that one will not be made to kill.<sup>9</sup> This reading of the Decalogue became very important in light of the particularly Scottish additions to Calvinist political theology, as George Buchanan had recognized its infringement to be a justification for the deposition of a monarch.<sup>10</sup> In

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<sup>8</sup> Ibid. 191

<sup>9</sup> Ibid. 191-192

<sup>10</sup> Roger Lockyer, *James VI and I* (London: Longman Publishers, 1998), 38

essence, the Scottish Kirk demanded that their covenanted king provide laws that abide by the Decalogue and thus help his people to abide by the Covenant of Works. If he breeched the imperatives ordained by the Decalogue then he could be justifiably dethroned.

Althusius' work on covenant theology as a means to determine the legitimacy of a ruler had a major effect on the political life in Scotland. His notion of divine rule as verifiable by a certain set of standards was expanded upon by Samuel Rutherford to form a potent and distinctively Scottish platform for questioning authority. This aspect of covenant theology was initially used to critique episcopalians within the Kirk and to argue against various monarchical injunctions into the ecclesiastical realm. However, as presbyterian thought became more radical and more divided during the Restoration period, the theological determination of legitimacy began to be turned inwards towards various factions within the presbyterian party itself.

The National Covenant was not the first covenant to be sworn by the Scottish Church. There had been a number of confessions of faith proclaimed in the 1580s and 1590s, and agreement with them was by subscription, which signified entry into a pact or covenant to uphold them. However, it was during the 1630s that the Kirk began to use the swearing of covenants as a kind of loyal protest.<sup>11</sup> In the opening paragraph of the National Covenant there is a section that demands that those who uphold the covenant “detest all vain allegories, rites, signs and traditions brought in[to] the kirk, without or against the word of God...”<sup>12</sup> This section speaks directly to Charles I's imposition of the new prayer book, which the General Assembly viewed as transgressing the Decalogue's

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<sup>11</sup> Smith, Anthony D. *The Cultural Foundations of Nations* (Oxford: Blackwell Press, 2008), 123

<sup>12</sup> “The National Covenant; or, the Confession of Faith.” *The True Covenanter*. Web. 25 March 2014. <<http://www.truecovenanter.com/>>.

prohibition on worshipping false gods. The sovereign was not to promote any laws that prohibited his people from living in accordance with the Covenant of Works, and the imposition of what the Scots viewed as a Popish work did just that. The presbyterian invitation to Charles I to subscribe to the National Covenant but he refused; the practice of swearing the Covenant, and the political notion of covenanting, however, continued. In a manner that mirrored Guthrie's call for a daily renewal of the personal covenant between the individual and God, the Kirk began to renew Scotland's commitment to the political covenant between God and the Scottish state on a regular basis.

In the years after the establishment of the National Covenant the Kirk began to use more aggressive forms of Covenanting and sharpened its political character. The Solemn League and Covenant is perhaps the most significant example of this. By it, first Cromwell's English parliament, and later Charles II promised to impose presbyterianism on all of Britain in exchange for military and political support. In this covenant the same threat of divine punishment was invoked to urge those agreeing to it to remain true as in its second section, which included a warning against schism, heresies, and breach of contract, on penalty of plague.<sup>13</sup> Both the English parliament and Charles II would renege on their pledges and the sour taste that his forced swearing of the Solemn League and Covenant had left in the king's mouth would make him an enemy of the Covenanters when he regained power in 1660.<sup>14</sup>

## **2.2 Two Kingdoms, Patronage, and Brownism:**

Samuel Rutherford was a prolific writer, and did much to solidify the Scottish

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<sup>13</sup> Ibid.

<sup>14</sup> Ronald Hutton, *Charles II: King of England, Scotland, and Ireland* (Oxford: Clarendon Press, 1989), 54

Church's political thought during the Civil War and Cromwellian period. It was at this time that Rutherford published his book, *Lex Rex*, uniting the theory of the Two Kingdoms with Covenanter political theology to formalize the church's idea of the role of a legitimate king, as well as to elaborate the presbyterian vision of the separation of church and state. The Two Kingdoms theory was an idea first introduced into the Scottish Kirk by Andrew Melville during the reign of James VI; it was expanded upon and formally adopted by the Kirk in the Second Book of Discipline. This theory seeks to delimit clear boundaries between clerical and civil authority within the realm, denying that the monarch should assume absolute control in ecclesiastical matters. The Two Kingdoms theory claimed that Christ acted as the head of the Kirk, ruling through ecclesiastical courts, and that their jurisdiction lay completely outside of the king's temporal domain. Rutherford argued that the state and church should work within separate, but complementary spheres, with the state exercising physical authority over the population to promote righteous behavior and the church maintaining a hold on the people's consciences, with the ability to withhold communion, or excommunicate immoral subjects.<sup>15</sup> These ideas were less extreme than those of some of the more zealous clergymen of Rutherford's time; but they still granted the Kirk extensive power by virtue of its role as the national conscience. According to Rutherford, the Kirk even retained the right to excommunicate the sovereign, if he should rule in a tyrannical way—for example, making a law that violated the Decalogue. Rutherford went further in claiming that the king, by virtue of his position, was bound within a covenant with his people, and that “a covenant giveth ground of a civil action and claim to a people and the

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<sup>15</sup> John Coffey, *Politics, religion and the British revolutions: the mind of Samuel Rutherford* (Cambridge: Cambridge University, 1997), 208

free estates against a king, seduced by wicked counsel to make war against the land...”<sup>16</sup>

The power allotted to the Church in this narrative extended too far for some, who argued that it might act as an ecclesiastical veto on the sovereign should he pass any laws that the General Assembly found unacceptable. Ultimately, this amounted to what John Coffey has called “a radical redistribution of moral authority from the civil magistrate to the clergy.”<sup>17</sup> Equally controversial were Rutherford’s views on church patronage.

Church patronage was the practice of allowing nobles, the king, or other corporate patrons to appoint parish ministers. The idea was that the patron would provide financial support for the upkeep of the church and see to the maintenance of the minister’s lodgings in a town or county, and in exchange he would be granted the right to appoint the minister for the congregation. The practice of patronage, and the specific details regarding how it functioned, varied considerably in the Church of Scotland across time and was a frequent point of contention among ministers, often appearing at the root of disagreements. Rutherford and his fellow minister George Gillespie, both of whom acted as commissioners during the Westminster Assembly of Divines, held that the practice of patronage went against scripture. Gillespie argued that a minister must not be chosen “without the consent of the church.”<sup>18</sup> He believed that the congregation had the right to veto a patron’s choice of minister if they found him unacceptable, but did not go so far as the Second Book of Discipline, which gave ordained elders within the parish congregation the right to choose, or call, their minister independently. Gillespie’s notion of consent being necessary, and the idea of the veto specifically, distinguished him from

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<sup>16</sup> Samuel Rutherford, *Lex Rex, or the Law and the Prince* (Colorado: Portage, 2009), 100

<sup>17</sup> Coffey, *Politics, religion and the British revolutions*, 209

<sup>18</sup> W. D. J. McKay, *An Ecclesiastical Republic: Church Government in the Writings of George Gillespie* (Edinburgh: Rutherford House, 1997), 157

others writing in his time and would prove to be an attractive alternative to many within the church later on, most significantly, to Thomas Chalmers in the 1840s.<sup>19</sup> Rutherford's views were perhaps the most extreme, going farther even than the Second Book of Discipline. He explained that "the Scriptures constantly give the choice of the pastor to the people. The act of electing is in the people; and the regulating and correcting of their choice is in the presbytery."<sup>20</sup> In his work, Rutherford extended the right of election to all of the heads of households within the congregation, not just to the ordained elders. Despite the important nuances between their views regarding church patronage Gillespie, Rutherford, and the Second Book of Discipline were situated on the same end of the spectrum regarding this debate. For some, the idea of interfering with patronage at all was too much.

George Baillie, a clerical contemporary of Rutherford and Gillespie, believed that any move to alter the institution patronage was dangerous for the Church. Baillie saw the desire to get rid patronage as a slide toward the growing heresy of Brownism, which advocated the creation of autonomous local congregations that were not subordinate to any higher authority. Brownism sought to completely separate church and state, arguing that the church required no magisterial authority to make laws or pass judgments, a task that they believed should be left entirely to the local congregation. The Brownists represented independency, the antithesis of Scottish Reformed ecclesiology, which insisted on a hierarchy of dicasteries. Rutherford was less hostile to the Brownists than Baillie, sharing their opinions on patronage and the separation of powers, though he

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<sup>19</sup> Iain F. Maciver, "Moderates and Wild Men: Politics, Religion and Party Division in the Church of Scotland, 1800-1843;" *The Scottish Nation Identity and History*: Ed. Alexander Murdoch, (Edinburgh: Cromwell, 2007), 112

<sup>20</sup> John Lightfoot, *The Whole Works of the Rev. John Lightfoot, D.D.* ed. Rev. John Rogers Pitman. (London: J. F. Dove, 1824), 231

ultimately disagreed with them in the matter of ecclesiastical structure.<sup>21</sup> Nevertheless the real threat of Brownism lay in its potential for schism. If each congregation had the power to act independently then the proliferation of heresies and divergent disciplinary ideas was sure to arise.

The extent to which Rutherford's ideas about patronage were affected by Brownism is unclear; but the heresy certainly made an impression on Scots in the south-west. In as early as 1643 Baillie reported rigid Brownism throughout that region, with "avowed Brownism" in Aberdeen.<sup>22</sup> In 1649, the General Assembly passed an act abolishing patronage entirely, revealing that, Brownism aside, Baillie's idea of clerical appointment was at odds with the majority of ministers within the Church. The act was never formally adopted, as Charles I ended up being executed shortly after its passing, hence it could not be ratified. Needless to say, his son, Charles II, was not interested in discussing the issue. Rutherford's Covenanter ideology, the Two Kingdoms theory, and Oliver Cromwell's despotic republic all played huge roles in determining the outcome of what might be regarded as the Kirk's first schism, begun by an event now known as the Engagement. Our discussion of the Engagement, and its effect on the more extreme branches of presbyterian ideology, are critical to understanding the evolving notion of schism within the Scottish Kirk.

### **2.3 The Engagement:**

In the aftermath of the English Civil War, Charles I lay languishing in a prison on the Isle of Wight. His negotiations with Cromwell and the English parliament were

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<sup>21</sup> Coffey, *Politics, religion and the British revolutions*, 205

<sup>22</sup> Gordon Donaldson, *Scottish Church History* (Edinburgh: Scottish Academic, 1985), 212

proving to be unfruitful, and so he attempted to negotiate a secret treaty with the Scots. Under the terms of this treaty Charles I agreed to confirm the Solemn League and Covenant in the English parliament, as well as to enforce a presbyterian church government in England for three years, after which the ecclesiastical fate of the kingdom was to be decided by an assembly of divines. In exchange for this, the Scottish parliament agreed to negotiate with the English on behalf of the king, and if necessary, to use the Scottish army to enforce his rule. However, within the terms of this treaty, Charles I stipulated that neither he, nor any of his subjects would be bound to the Covenant against their conscience, a stipulation which led many in the Kirk to doubt his sincerity. The Kirk was split in half over the issue, with a number of ministers, united under the duke of Hamilton, supporting the Scottish parliament's decision to accept the king's treaty, while the powerful marquis of Argyll led the dissent. A powerful factor for Hamilton's party within the Kirk was that, while imprisoned, Charles I was in the hands of English Independents—whom they saw as a greater threat than an uncovenanted King. Hamilton's faction was able to gain approval of the treaty; but this was to prove an empty victory because of the divisions that it caused.

In 1648 the vast majority of noblemen in the Scottish parliament approved the Engagement with the king, and recruitment for the Scottish army began.<sup>23</sup> Due at least in part to divisions within the Kirk, the number of those conscripted was much lower than anticipated, and in addition the troops were ill-trained in comparison with Cromwell's men. The Scottish army crossed the border into England on the 8<sup>th</sup> of July and, were routed by Cromwellian forces, at the battle of Preston, before the end of August. Their

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<sup>23</sup> David Stevenson, *Revolution and Counter Revolution 1644-51* (Edinburgh: John Donald, 2003), 81

defeat prompted widespread revolt among the more hardline Covenanting ministers, who had disapproved of the Engagement in the first place. These ministers, with Argyll at their head, immediately assured Cromwell of their support, then went about disbanding the Engager army and purging any ministers within the Kirk who had approved of the ill-fated project. Despite the professed loyalty of Argyll and others, Cromwell's troops occupied Scotland on September 21<sup>st</sup>, and demanded that all ministers, noblemen, and bureaucrats who had supported the Engagement be removed from office, and banned from it for life. While the initial royalist support was particularly low in this climate, Cromwell's exit from the country and the subsequent execution of Charles I caused sentiments to change rather quickly.

Thus began the rule of the Kirk party in Scotland, episcopalians were marginalized from church politics, the army was purged of royalist officers, and the majority of nobles (almost all of whom had supported the Engagement) were barred from holding office. The resulting Scottish government was a borderline theocracy, and would be known by some of the more zealous Covenanters as “the two best years that Scotland ever saw.”<sup>24</sup> Politics at this time gained a much more partisan appearance, being controlled primarily by church courts composed of hardline Covenanting presbyterians. Yet even within this group there were significant nuances of ideology.<sup>25</sup> While the Kirk party unanimously agreed that Charles II was the rightful king of Scotland, they were divided over whether or not they should support his attempt to retake England from Cromwell. Thus, the Kirk was again split over whether or not to support an invasion of England by the king. This time the split would prove even more significant.

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<sup>24</sup> James Kirkton, *A History of the Church of Scotland 1660-1679*, ed. Ralph Stewart (Lewiston: Edwin Mellen, 1992), 22-23

<sup>25</sup> Stevenson, *Revolution and Counter Revolution*, 115

The majority party in the Kirk, known as Resolutioners, held that Charles II should gain their support, provided that he swore to uphold the National Covenant. A large minority, however, argued that Charles II could not be trusted and should gain no such support. Both parties essentially agreed that the only justifiable reason for Scotland to invade its southern neighbor was to impose the Solemn League and Covenant—that is, to spread presbyterianism throughout England. Charles II had made a show of swearing to the Covenants, but the Protester party rightly doubted his integrity, and had reason to think that Resolutioners within the Kirk were tools of the royalists who had escaped the post-Engagement purge.<sup>26</sup> In 1651 the resolution to support Charles II passed in the General Assembly, with noted dissent from the Protesters, who subsequently had four of their members deposed.<sup>27</sup> The Scots again went off to battle. Despite the domination of the relatively moderate Resolutioners within the Kirk party, the more zealous Covenanter's religious commitment still hindered their success on the battlefield. Resolutioners and Protesters alike were suspicious of anyone who held the king in too high esteem, and so carried out numerous reorganizations of the Scottish army in an effort to ensure that anyone with power fought for the Solemn League and Covenant, and not for the Crown.<sup>28</sup> Protesters fought within the Scottish army, but with reservations: the ministers were convinced that a small, but pious army could defeat Cromwell more effectively than mere numerical superiority, and so they purged greater and greater numbers of soldiers. In early September Cromwell again defeated the Scottish army at the battle of Worcester, prompting the dissenting members of the Protester party to separate

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<sup>26</sup> Ibid. 159

<sup>27</sup> Donaldson, *Scottish Church History*, 170

<sup>28</sup> Stevenson, *Revolution and Counter Revolution*, 145

themselves from the Church entirely, refusing to recognize the authority of the higher courts, and creating the first true schism in the Kirk.

The Protesters represented the most zealously committed Scottish presbyterians of the time. During the initial conflict over whether or not to support Charles II, the Protesters were unwilling to concede to him in any respect, desiring his complete and total devotion to the Solemn League and National Covenants. After Charles II was defeated and fled to France, the National Covenant provided much of the theoretical justification for the Protesters' separation from the Kirk, as in their view the Resolutioner party was not allowing the Church to fulfill its duties as the national conscience of Scotland. The fact that the Resolutioner party remained close to the nobility and was more accommodating to 'malignants' (those who had supported the Engagement), was seen as proof that the main body of the Kirk had strayed from the Covenant, and so was failing in its duties. It was the Protesters who, during the war, urged the continued purge of the army, to remove anyone with questionable moral virtue. They were suspicious of the king's desire for a larger, better-trained army, which they viewed as an attempt to subvert the goal of enforcing the Solemn League and Covenant. The Resolutioners on the other hand had a slightly more pragmatic view of the situation. Recognizing that numerical superiority and seasoned troops would contribute to victory, they were willing to accommodate many of the king's requests. It is not that the Resolutioners were uncommitted to presbyterianism, or even to the Covenant itself; but they were willing to put their religious reservations aside in favor of a more stable political structure. In the end, their position was vindicated somewhat when the purged Scottish army was defeated, but their loss of political control allowed them to be marginalized under

Cromwell's strict rule and their apparent lack of religious commitment allowed the Protesters to justify their schism.

Even within the most committed Covenanting circles, support for the Protesters' schism was anything but uniform. While both Samuel Rutherford and Patrick Gillespie, George's brother, supported the Protester party within the Kirk, only Gillespie took part in its ultimate secession. Rutherford could not bring himself to abandon the Kirk, despite agreeing with Gillespie on a number of key points, and even supporting the Protester party generally. In his ever-colorful language, he referred to the Scottish Kirk as his "harlot-mother," explaining that despite all her faults, he could not abandon her.<sup>29</sup> This was a common idea among dissenting parties within the Kirk throughout each of her schisms, the notion that work must be done from within to make the undivided church body more pure. Alternatively, men like Patrick Gillespie had fewer qualms with secession.

After the defeat at Worcester, the Protesters were put into a position of power in Scotland. Initially angered over the fact that the Resolutioners had put loyalty to the king above a commitment to the Covenant, they were put into an awkward position as they took control of Kirk despite their status as a minority party. Refusing to acknowledge the authority of higher church courts, which were still dominated by the Resolutioner party, they claimed to be the true Church of Scotland—another recurring theme with dissenting bodies. Practically, this had the effect of putting the Protesters' ecclesiastical views closer to those of the Cromwellian government, which favored independency. The seceding ministers, and Patrick Gillespie specifically, had a good relationship with both Oliver and

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<sup>29</sup> Samuel Rutherford, *Samuel Rutherford's Letters*, ed. A. A. Bonar, 2 vols. (Edinburgh: 2009, Bibliolife), 392

Richard Cromwell, and so the seceding Kirk, calling itself the Holy Army, gained significant administrative support from London. George Baillie, a member of the Resolutioner party, complained of this saying, “When a very few Remonstrators [Protesters] or [the] Independent party will call a man, he gets a kirk and the stipend, but when the presbytery, and well near the whole congregation, calls and admits, he must preach in the fields, or in a barn, without stipend.”<sup>30</sup> This strong state support for dissent was key to the Protesters’ ability to secede—indeed it was the peculiar nature of the political establishment at the time, which provided the need for such an establishment to emerge from the within the Kirk. Cromwell’s government needed support, and so provided a space for the articulation of views, which might have been persecuted as Brownism, or Independency under different circumstances.

The period surrounding the Wars of the Three Kingdoms provided potent fertilizer for the growth of Scottish presbyterian ideology. Covenanter theology—both individual and political—was developed extensively by Rutherford and his contemporaries, providing presbyterians with the theoretical foundation for the critique of civic and clerical authority. The Wars of the Three Kingdoms allowed for the articulation of more extreme presbyterian ideas, both through the ruling Kirk party, and through the dissenting Protesters following the Engagement. While the Covenanting tradition has figured into our analysis to a great extent thus far, our primary focus has been on its implications for the theoretical justification of schism in Scottish presbyterian theology. In the next chapter we shall continue with this discussion, but change focus slightly, to examine the development of Covenanter identity as an extremist presbyterian sect.

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<sup>30</sup> Donaldson, *Scottish Church History*, 216

## **CHAPTER 3:**

### **THE RESTORATION AND THE PRESBYTERIAN SETTLEMENT**

In this chapter we will focus on the period beginning with Charles II's restoration to the throne and ending with the Presbyterian Settlement under William III. Our goal will be to consider how persecution of the Covenanters under Charles II and James VII contributed to changing attitudes toward, as well as the presbyterian reactions to the persecutions in their initial seizure of power. We will discuss the policy of offering indulgences' effect on Kirk unity during the persecution of the Covenanters and after the Williamite Revolution, as well as how this policy helped to create a distinctive identity within radical presbyterian circles. The clerical debates during the settlement, and episcopalian reactions to the shift in ecclesiastical power under William III, must also be spoken of. The purpose of this chapter is to show how the monarchical policy of granting indulgences to select ministers during the Covenanters' persecution intentionally divided presbyterians into irreconcilable factions; how this division persisted after the settlement, well into William III's reign; and then to highlight the evolving opinions about schism

within these various factions. With an eye toward readability we will follow a chronological path, beginning in the 1660s, and continuing until the early 1700s.

### **3.1 The Restoration: Indulgences and Covenanter Identity:**

On April 23<sup>rd</sup> 1661 Charles II was crowned King of England in Westminster Abbey, restoring the Stuart dynasty to power. Upon assuming power, Charles immediately began to implement his policy toward the Scottish Kirk, firstly by restoring episcopalians to positions of authority, and reinstating bishops; secondly with a set of acts intended to root out the remaining presbyterian dissent. That same year Charles officially nullified the National Covenant with the passing of the Act Rescissory, which many presbyterian ministers felt represented a theological impossibility: in their view, one could not simply nullify a commitment to, and of, God.<sup>31</sup> The following year, in 1662, Charles took things a step further when parliament passed the Act for Presentation and Collation, requiring Scottish ministers across the country to swear allegiance to Charles II and to formally denounce the Covenant themselves. This act weighed heavily on the moral consciences of many presbyterians, and as a result around 270 ministers<sup>32</sup> were forced from the pulpit, claiming that the denunciation of the Covenant was both sinful and theologically impossible.<sup>33</sup> The fate of these deposed ministers and their like-minded congregations will be the focus of the first section of this chapter.

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<sup>31</sup> Clare Jackson, *Restoration Scotland, 1660-1690: Royalist Politics, Religion, and Ideas* (Woodbridge: Boydell, 2003), 107.

<sup>32</sup> Ibid. 109

<sup>33</sup> Christopher Durston and Jacqueline Eales, *The Culture of English Puritanism, 1560-1700* (New York: St. Martin's, 1996), 237

A number of the ministers deprived of their parishes in the early days of the Restoration turned to the creation of private prayer societies and field preaching in an effort to continue, what they believed to be, the Lord's work. These groups gained particular popularity in the southwest, where allegiance to the Covenant and presbyterianism was strong. Field preachers, as they were then called, earned their name because of their tendency to hold services in open fields, or in barns, because they were forbidden from coming within five miles of their former churches. While these outlawed congregations initially saw themselves as within the Kirk, persecution, government policy, and public debates between legal ministers and the field preachers helped to create a separate identity among the dissident presbyterian body. Allegations of schism from both sides of the conflict played an important role in the discourse of the time.

After the deposition of these ministers, both Charles II and his brother James VII worked to divide the presbyterians of the Kirk further, by periodically offering indulgences to ousted ministers throughout their reigns. The indulgences gave dissenting ministers the possibility of returning to their parochial ministry, on the condition that they renounced the Covenant and pledged their loyalty to the king. To be a field preacher at this time meant to experience constant harassment at the hands of the Stuart state, including death sentences, summary executions, imprisonment, and torture.<sup>34</sup> For want of personal safety and a consistent income (and perhaps in some cases a genuine change of heart), many ministers accepted the indulgences offered to them, opting for the tried and tested habit of attempting to change the Kirk from within. These ministers joined their less extreme presbyterian brethren and episcopalian ministers in the established

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<sup>34</sup> Allan J. Macinnes, "Covenanting Ideology in Seventeenth-Century Scotland" in Jane H. Ohlmeyer, ed., *Political Thought in Seventeenth-Century Ireland: kingdom or colony* (Cambridge: Cambridge University, 2000), 217-20

Church of Scotland, renouncing their renegade status, and returning to the comfort of local parishes; for them the offering of indulgences was embraced as a legitimately conciliatory policy. However, regardless of their personal inclinations, indulged ministers and those who had from the beginning remained within the Kirk, eventually became the target of the more firmly resolved. Conformist ministers were used as examples of the sin of the state, which was said to have corrupted good men—this rhetoric accomplished the king's goal of dividing the presbyterians. The royal policy of offering indulgences to the ministers acted as a tool by which the state was able to alienate the more zealous from more moderate presbyterians within the Kirk, effectively splitting the base of presbyterian support throughout the kingdom.

The effectiveness of this strategy is best demonstrated by examining the war of words between ministers who had withdrawn from the Kirk, and their brethren who had remained in, or returned to, the Established Church. The more moderate ministers of presbyterian inclination within the Kirk focused much of their energy on curbing the power of episcopalians and attempting to allow the king to rule in accordance with the Covenant. Their conflict with episcopalianism aside these conforming presbyterians attempted to draw attention away from issues of church government, arguing that religion should instead be more focused on promoting good ethics among the general population—a conformity to the zeitgeist, as well as to the establishment. Given the hostility of the state that their more committed brethren provoked, it is little wonder that they concerned themselves with less politically contentious topics. The nobility had been largely marginalized during the reign of the Kirk party, and so the more moderate ministers were able to court political favor with them by emphasizing the bloodshed of

the Civil War and calling on the people to avoid zealous reactions to church polity, the question of episcopacy, and the Covenant specifically. This discourse resonated with the majority of Scots who had begun to see the effects of the Covenanting struggle as dangerous to religion itself.<sup>35</sup>

Those ministers, who refused to abandon the Covenant, or Covenanters, in turn viewed the mild-mannered position of their more mainstream counterparts with contempt, beseeching their sometimes meager congregations to refrain from attending services presided over by conformists and indulged ministers. This ‘us or them’ mentality was powerfully divisive because it alienated those ministers who ‘had accepted Indulgence [but] were open sympathizers with those who still refused any degree of conformity.’<sup>36</sup> In response, the ministers within the Church of Scotland fought fire with fire, accusing the Covenanters of schism and Popery.<sup>37</sup> The issue of Popery aside, and despite their protests, this charge of schism had some foundation to it, as demonstrated by the distinctive identity that the Covenanters built up during the Restoration. The construction of this identity is perhaps best demonstrated by looking at the formation of one of the more extreme Covenanter groups known as the Cameronians.

On June 22<sup>nd</sup>, 1679 around 6,000 poorly organized, ill-trained Covenanter troops were assembled near Bothwell Bridge. They had been building their numbers over the course of a few weeks in response to royal dragoons, who were using force to disperse some local conventicles. Around 5,000 regular troops and militia, under the Duke of Monmouth’s command attacked and quickly defeated the men, killing around 400 Covenanters and taking over 1,200 prisoners, most of whom were deported to overseas

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<sup>35</sup> Jackson, *Restoration Scotland*, 129

<sup>36</sup> David S. Ross, *The Killing Time Fanaticism, Liberty and Birth of Britain* (Edinburgh: Luath, 2010), 119

<sup>37</sup> Jackson, *Restoration Scotland*, 128

colonies.<sup>38</sup> This event, known as the Battle of Bothwell Bridge, became very significant for Covenanter historians as one of the great atrocities of the so-called ‘Killing Times.’ The same year Rev. Robert MacWard ordained Richard Cameron as a minister, and is said to have prophetically declared on the occasion: “Behold all ye spectators! Here is the head of a faithful minister and servant of Jesus Christ, who shall lose the same for his Master's interest; and it shall be set up before sun and moon in the public view of the world.”<sup>39</sup>

Immediately upon receiving his calling, Cameron made himself an enemy of the state. His commitment to the Covenant was extreme and uncompromising, and his preaching was very popular at the local conventicles. As a result Cameron was able to draw some of the surviving men from Bothwell Bridge to his side. On the 22<sup>nd</sup> of June, 1680, a few days short of the first anniversary of Bothwell Bridge, Cameron and a few of his men issued ‘The Declaration and Testimony of the True Presbyterian, Anti-prelatic, Anti-erastian, persecuted party in Scotland,’ at the mercat cross at Sanquhar. In this declaration Cameron called Charles II a tyrant, denounced his openly Catholic brother, James, and effectively declared war upon the state. MacWard’s prophecy, shortly thereafter came true, as Cameron was killed by royal dragoons a little over a month later. If his head was put on a spike, Cameron’s name and cause managed to live on, as many of the remaining Covenanters began to organize around Cameron’s ideology, naming themselves Cameronians in his honor.

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<sup>38</sup> Ross, *The Killing Times*, 139

<sup>39</sup> Alexander Smellie, *Men of the Covenant: the story of the Scottish Church in the years of the Persecution* (London: Andrew Melrose, 1908), 85

The Cameronians, spread out over Galloway, Clydesdale, and sometimes farther east, were, if more consistent than other Covenanters, close enough to them in their principles of hostility to the established order in Church and state. They had a militant element to them, but not anything terribly out of the ordinary. The importance of Cameron's story, is that it represents a recurring theme within Covenanting circles, the tendency to use martyrdom, defeat, and small numbers to justify their cause and unite themselves as a group. The era of Covenanter persecution under Charles II and James VII alienated the most zealous presbyterians, and allowed them to construct an identity in opposition to that of the Established Kirk.

Faced with continued persecution, and dwindling numbers, the Covenanters worked to build a narrative based on historical accounts as well as biblical citation, which attempted to legitimize their status as the true Church of Scotland. Their narrative was frequently apocalyptic in nature. It cast the Hill Folk as the last remnant of God's chosen people in Scotland, destined to experience persecution akin to that foretold of in the Book of Revelation, until the Lord eventually intervened on their behalf and punished the wicked. The construction of this elaborate narrative allowed them to solidify their identity as a separate group, and to explain their small number, dissenter status, and persecution; their repeated calls for true presbyterians to avoid civilly sanctioned services deepened the rift between the Establishment and Covenanters even further. Despite this, the Covenanters never admitted to schism, instead preferring to depict themselves as the true Kirk, regardless of their numbers. As Richard Cameron himself explained: "There will not be many men, or women, or children in it, and the remnant that He will leave in

it will be a poor afflicted people. But that small company will leaven the whole lump,”<sup>40</sup> so that the presbyterian cause, and the Covenant will be redeemed. In their eyes it was the episcopalians and indulged ministers who had seceded from the true Church of God—a charge that would echo again in 1733 and in each of the schisms in the Church of Scotland thereafter.

Despite debates over who had perpetrated the schism, the Covenanters were aware that their policies constituted a definitive break from the majority community. The persecution that they experienced and the discourse that they employed, enabled them to construct a definite identity based on their otherness in relation to the state sanctioned Church of Scotland. If the Kirk and her General Assembly were forsaking the Covenant, giving in to erastianism, and bowing their heads to a popish king, then the Covenanters were the remnant sufferers, wandering through Scotland’s desert of apostasy, ever faithful to the true word of God. In their actions and in their discourse, the Covenanters presented a model of religious protest in Scotland, which was based on the National Covenant’s grounds for interrogating authority, and which legitimized a desperate alternative for the faithful protester—schism. In an effort to understand better the theoretical justifications of schism in Covenanter ideology, as well as the immediate effects of radical Covenanters on the Scottish Church, it is helpful for us to turn our attention to the writings of Alexander Shields.

Alexander Shields is an interesting character. Born around 1660, he entered into the ministry at a young age and quickly became a fiery advocate for the Cameronian cause. During the persecutions of the 1680s Shields supported secession from the Church

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<sup>40</sup> John Howie and James Kerr, eds., *Sermons Delivered in Times of Persecution*, (Edinburgh: Johnstone and Hunter, 1880), 444

of Scotland, but changed his opinions after William of Orange's invasion, acting as an intermediary between the moderate and extreme presbyterian factions that emerged after the Presbyterian Settlement. In the next section of this chapter we shall examine Shield's writings in the period following William III's invasion, in an attempt to understand changing attitudes toward schism at the time.

### **3.2 Alexander Shields: The Presbyterian Settlement**

In 1688 William of Orange sailed across the English Channel and landed 17,000 troops. He had, as the matter was presented, arrived at the behest of various Scottish and English lords, who entreated him to defend the Protestant religion against the openly Catholic James VII. Upon arriving in Britain and seizing the throne, William ushered in a breadth of changes to British politics, not least of which dealt directly with the Kirk. In what became known as the Presbyterian Settlement, William abolished episcopacy in the Scottish Church. It was to be for the last time. He reinstated those Covenanting ministers who had been deposed under Charles II and James VII's rule for refusing to conform and changed the patronage system, so that the power to elect ministers was vested in church elders, along the lines of the Second Book of Discipline. This shift away from episcopacy was not so much an ideological choice, as a politically expedient decision. Presbyterians were generally seen as more supportive of the Glorious Revolution, as it was called, and so proved to be natural allies to the stad-holder/king.<sup>41</sup> This dramatic shift in the state's policy towards presbyterians generally, and as an extension towards the Covenanters amounted to a revolution within the Kirk. As with any large-scale changes, dissent was

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<sup>41</sup> Alexander Murdoch, *British History 1660-1832* (New York: MacMillan, 1998), 55

bound to appear. While the freshly ousted episcopalians protested their dismissal and cried schism, more serious contention emerged from within the presbyterian party itself, between moderate presbyterian ministers, who had conformed to Stuart rule, and those Covenanting presbyterians, including Cameronians, who had resisted.

In 1690 William allowed for the return of around 60 ministers who had been deposed since 1661.<sup>42</sup> It is important to remember that more than 270 ministers had initially been forced from the pulpit for refusing to denounce the National Covenant and to accept the ecclesiastical settlement, however many had accepted indulgences during the Restoration period.<sup>43</sup> Hardliners had refused to denounce the instead opting to, preach in the fields with the threat of imprisonment and execution constantly hanging over their heads. Upon the triumph of presbyterianism in 1689, moderate presbyterians and Covenanters alike rejoiced, and many of the hardline Covenanters returned to the Kirk. The result however, was far from a happy reunion. Many of the more extreme ministers doubted the sincerity and credentials of their brethren, which created a division within the Kirk. The Cameronians, in particular, refused to accept the Presbyterian Settlement, as they saw William III as an uncovenanted king. Alexander Shields attempted to heal the division between these two groups, beseeching the General Assembly to address what he viewed as the legitimate concerns of the more hardline Covenanters, and calling for restraint from the more radical ministers—some of whom openly advocated for schism from the newly established Presbyterian Church of Scotland.

Alexander Shields was a proven Covenanter, an outspoken opponent of indulgences, and had experienced the brutality of the Restoration era persecutions first

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<sup>42</sup> Kenneth B. E. Roxburgh, *Revival: An Aspect of Scottish Religious Identity*. Ed. Robert Pope. (Cardiff: University of Wales, 2001), 201

<sup>43</sup> Jackson, Clare. *Restoration Scotland*, 109

hand. He had been removed from the ministry for refusing to denounce the Covenant and was arrested for participating in an illegal conventicle in 1685. He eventually acknowledged the king's authority under torture, but openly regretted it thereafter, preaching of his folly at great length. His openly aired regret was an inspiration to some. James Renwick spoke of him thus: "I thought it both singular and promising to see a clergyman come forth with such a confession of his own defections, when so few of that set are seen in our age to be honored with the like."<sup>44</sup> During the reigns of persecution of the Covenanters, Shields accepted the legitimacy of secession from the prelatic Kirk, but after the Glorious Revolution he turned his wit and pen toward advancing unity within the Church. His opinions on matters regarding schism and Kirk reform are instructive, and luckily for us abound. First we shall examine his argument against schism.

Shield's pamphlet, *Church Communion Inquired Into or a Treatise Against Separation from This National Church of Scotland*, was published posthumously in the early 1700s. In this short work, Shields attempted to pacify his more radical Covenanter brethren, and reflected upon the conditions under which schism within the Church might be appropriate. Shields admits that there are some instances in which schism is acceptable, and that he himself separated from the Kirk under James VII's reign. However he says that, "none of these things which were in controversy betwixt us and some other presbyterian ministers, could be owned as sufficient grounds of separation, if the Lord should send deliverance to his Church and give us access to present our grievances to Church judicatories, with personal Safety (which we could never have, until

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<sup>44</sup> John Howie, eds., *Biographia Scoticana: Or A Brief Historical Account of the Lives, Characters, and Memorable Transactions of the Most Eminent Scots Worthies...* (Glasgow: Khull, Blackie & Co., 1824), 481

the late happy Revolution).”<sup>45</sup> The more hardline Covenanter ministers of the post Revolution period maintained many of the same criticisms of the Kirk that they had advanced during the Restoration era. They wanted the National Covenant renewed and preached throughout the Kirk, the repentance of ministers who had accepted indulgences under Stuart reign, and the deposition of ministers appointed by the episcopacy. Shields agreed with the propositions—as we shall discuss shortly—but felt that schism was no longer necessary. His argument was that while concerns of his more extreme bretheren were valid, schism was unwarranted so long as problems could be addressed through the proper channels. Purifying the Kirk was impossible during the Restoration, but after the Presbyterian Settlement it became possible to change the Kirk from within..

Shields used the logic of the Covenant to describe instances where schism might be appropriate. He argued that union with the established Church was necessary, unless it “obstruct[s] us from any duty, or obstruct[s] the maintaining of the testimony, or involve[s] us in sin, or oblige[s] us to palliate sin, or to approve condemned sins, or condemn approved duties.”<sup>46</sup> This is a reformulation of the same ideology that Rutherford expounded in dealing with Charles II. In Shield’s estimation, the same rules for determining the legitimacy of a ruler apply also to determining the legitimacy of a church. If the church does not make any rules, which require the layman, or minister, to violate the Covenant of Works, then it is legitimate. It was on these grounds that Shields argued against the notion that communion could not be kept with conformist, or indulged, ministers. Shields stated that, “our joining with them in present duty (as their preaching now is) cannot be a partaking of their former sin; for that sin of their does not now affect

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<sup>45</sup> Alexander Shields, *Church-Communion Enquired into: Or A Treatise Against Separation From This National Church of Scotland* (1706,) 4

<sup>46</sup> Ibid. 21

the exercise of their ministry, but is only personal, which is not a ground of withdrawing.”<sup>47</sup> Shields argued that the acceptance of indulgences and episcopal appointment were sins, but that these sins were personal in nature, requiring personal repentance, and they did not poison the Church as a whole. It was only when the Kirk forced others to sin that secession became necessary.

Shields’ list of legitimate grounds for separating from the Kirk is short, he recognized that illegitimate schism is a sin, and that schism in general should only be undertaken as a last resort.<sup>48</sup> That said, he was sympathetic to the protestations of the ministers advocating for schism, but sought an alternative to what he viewed as too drastic a measure. Shields argued for reforming the Kirk from within, through the proper church courts and channels. He saw the newly won freedoms that the Revolution brought, as a chance for a kind of new beginning for the Kirk. He explains that

now in the present state, the church is not to be looked upon as adult, or in a manly estate, as it was in the times of the purest reformation, or in a decrepit estate, as in the times of defection and division; but in an infant state to be a-new settled over again, planted over again and purged over again, contending to recover what reformation is lost, and to preserve what it can recover.<sup>49</sup>

Despite his arguments against schism, Shields was not insincere in his belief that the Kirk needed to be purified, and provided a model for exactly what needed to be done.

In 1690, just a year after William III’s usurpation of the throne, Shields and some of his colleagues presented his *Humble Opinions* to the General Assembly in Edinburgh. His purpose in these proposals was to call the Assembly into action to reform itself in accordance with Covenanter beliefs. The proposal contained an introduction and seven parts, each describing various reforms that he thought were necessary for the purification

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<sup>47</sup> Ibid. 24

<sup>48</sup> Ibid. 12

<sup>49</sup> Ibid. 29

of the Kirk. Shields echoed many of the feelings of his more intransigent brethren, calling attention to the appointment of ministers who had conformed under the Stuarts, the existence of indulged ministers within the Kirk, the National Covenant having ceased to be taught, and the lack of justice for those persecuted in the ‘Killing Times.’ The specifics of a few these points are especially useful for our study of schism, and the schism of 1733 especially.

Firstly, his assertions regarding conforming and indulged ministers are important. Shields argued that the ministers appointed by prelates to charges across Scotland performed a schismatic function, dividing the Kirk between Covenanters and conforming ministers, and as a result, forcing the deposition of good ministers. He points to the use of indulgences specifically as a tool, which the state and ill-intentioned ministers used to drive a wedge between the clergy in an effort to impose erastianism on the Kirk. This, he argues, was a deliberate attempt to catalyze schism within the Church of Scotland. Furthermore, he argues that many of the ministers appointed during the Restoration, were imposed upon their congregations via patronage, and so were not ordained according to the Second Book of Discipline. He goes on to say that the indulged and conforming ministers “were, and are perjured covenant-breakers, avowedly disowning our covenants, and stated in opposition to that reformation, which is therein sworn to be maintained.”<sup>50</sup> In writing this proposal Shields was voicing the fears of many Covenanters, and attempting to curb the growth of a new kind of presbyterianism within the Kirk; one made up primarily of indulged ministers and those appointed under episcopacy.

Covenanters had been pardoned under the new establishment, but they were still the

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<sup>50</sup> Alexander Shields, *To the Moderator and remanent Members of the General Assembly, now convened at Edinburgh, October 1690, The humble Proposals of Mr. Alexander Shields, &c.* Web. July 28<sup>th</sup> 2014: <[http://www.truecovenanter.com/shields/shields\\_humble\\_proposals\\_to\\_assembly.html](http://www.truecovenanter.com/shields/shields_humble_proposals_to_assembly.html)>.

minority, and this made the more orthodox Covenanting ministers very uncomfortable. They saw the Kirk moving in a direction that was only nominally presbyterian—but this will be discussed in greater detail in the next chapter. Despite his fears for the future of the Church, Shields, made his loyalty very clear.

Shields retained faith in the ability of the General Assembly to reform the Kirk from within, and to make those changes necessary for its purification. He maintained throughout his proposal that despite his anger and sorrow he “never thought this [proposal] a schism.”<sup>51</sup> He called on the General Assembly to remove the, “intruders, covenant-breakers, perjured subscribers of scandalous oaths and tests, schismatics and persecutors.”<sup>52</sup> He wanted the true Covenanting presbyterians, those who had suffered under Charles II and James VII, to hold power, but he was not willing to divide the Kirk over the issue, so long as the possibility of reforming the Kirk from within remained viable. Shields maintained throughout that he was not attempting to impose any kind of ultimatum on the General Assembly, that his loyalty to the Kirk was not contingent upon these proposals being accepted, but argued that their consideration would benefit the Kirk as a whole. We can almost hear the echo of Rutherford in his work, ever critical of, yet ever hopeful for his harlot-mother Kirk.

In the Restoration period the policy of persecution and the intentionally divisive practice of offering indulgences drove a wedge between groups of the presbyterian inclination. The Covenanters and field preachers at this time developed a powerful discourse, which identified themselves as the faithful remnant, battling episcopalians and reprobates in the established Kirk. The wounds inflicted in this battle of ideologies were

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<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

not easily remedied, even after the Presbyterian Settlement in 1690. Alexander Shields worked hard to reconcile the opposing ideologues within the Church, by addressing the concerns of radical presbyterians and preaching against schism; the damage, however, was largely done. The seed of ecclesiastical critique, sown in the writings of Rutherford and nurtured by the example of the Covenanters, now included schism as a viable means of redress. Shields attempted to patch-up the early cracks in Kirk unity, but the notion of schism as an alternative for the faithful remnant, against an unholy Kirk, was established; indeed even by discussing the idea of ‘legitimate schism,’ he was really only contributing to the problem. In the next chapter we will discuss the realization of Shields and the other Covenanters’ fears—the growth of the moderate presbyterian within the Kirk.

## **CHAPTER 4:**

### **THE BATTLE FOR PRESBYTERIAN IDENTITY**

In the previous chapter we looked at the construction of radical presbyterian identity within Covenanter congregations during the reigns of Charles II and James VII; as well as at the objections that some within this minority group had with rejoining the Kirk after William III's Presbyterian Settlement. In this chapter we shall focus more intently on the nature of the Presbyterian Settlement as a compromise, as opposed to a victory, for orthodox Scottish Presbyterians. In seeking to understand the schism of the Associate Presbytery in 1733, it is essential that we distinguish the orthodox Calvinism of Ebenezer Erskine and the other fathers of the secession from the more mild-mannered, less theologically committed Presbyterianism which characterized the Moderate party of the Kirk throughout the 18<sup>th</sup> century. It is in the early days of the Presbyterian Settlement that this distinction becomes clear. Our goal will be to understand how and why this less rigorous version of Presbyterianism overtook its more zealous counterpart as the Kirk bulwarked itself against episcopalianism and solidified commitment to its ecclesiastical structure. With this aim in mind, we will first look at the tense political situation

following William III's usurpation of the throne, and how this uncertain political landscape lent itself to creating a much more tolerant version of Presbyterianism, effectively marginalizing the more Kirk's orthodox members. We shall then turn our attention to some of the major controversies within the Kirk at the time: the Patronage and Toleration acts, both passed in 1712, the argument regarding the abjuration oath, the Marrow Controversy, and the infamous trial of John Simson. These events, and the debates surrounding them will help us to understand the declining strength of orthodox Presbyterians and the emerging power of the Moderate party within the Kirk.

#### **4.1 The Presbyterian Settlement, the Union, and 1712**

In the previous chapter we touched briefly on the Dutch Invasion, and William III's choice to support the presbyterians in their bid to control the Kirk; but it is worthwhile for us to focus a bit more on the specifics of that choice in our present discussion. As the news of William's march toward London reached Edinburgh the Scottish bishops sent Dr. Rose, the bishop of Edinburgh, to determine their fate under the prince's impending rule. William is said to have expressed his anger to Rose, as support for the presbyterian cause in Scotland had evidently been overstated to him.<sup>53</sup> Indeed, at this point support for episcopalianism was overwhelming north of the Tay (which amounted to about half of the country), and was even popular in certain parts of the south, particularly with the landed classes. This popularity gave the emergent episcopalians a certain satisfaction, as they were content to know that learned divines, and a good portion of the north were opposed to the Willimite Revolution; in the

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<sup>53</sup> George Grub, *Ecclesiastical History of Scotland*, vol. III (Edinburgh: Edmonston and Douglas, 1861), 297

episcopalian view, those in real positions of traditional authority still supported the ‘true king.’<sup>54</sup> The Scottish bishops having declared for James VII made William’s outright support of episcopacy an impossibility; however their widespread support meant that he couldn’t afford to alienate them completely. With that said, it remains unclear which ecclesiastical system the new king would have chosen, had the circumstances been different.

William was aware of the trouble caused by zealous presbyterians during the mid-1600s. Their theocratic tendencies, and the advantage that their church courts had over the crown in regard to local administration, made the presbyterians dangerous allies. Their status as a persecuted minority, and the episcopalian preference for James VII, also made them the only effective allies. While the new king might have overestimated the support that the presbyterian clergy had in their native land, he certainly did not underestimate their potential to sow discord once in power. In October of 1690, William called the first General Assembly to be held under his reign. He was eager to ensure that his backing for the presbyterians did not immediately cause him grief and so orchestrated the event very carefully. A previously passed act of parliament ensured that the membership of this assembly was as temperate as possible. Records indicate that 116 ministers and 47 elders were called to the event, making a total of 163 members—an exceptionally small number for a General Assembly. Of those ministers called, only 60 had been what were then referred to as ‘Antediluvians,’ or men who had suffered

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<sup>54</sup> C.D.A. Leighton, “Scottish Jacobitism, Episcopacy, and Counter-Enlightenment” *History of European Ideas* 35 (2009): 7-8

dispossession in the 1660s.<sup>55</sup> While the 1690 General Assembly couldn't be representative of all Scotland—as in that case it would have undoubtedly been episcopalian, and hence Jacobean—William was emphatic that it should not be dominated by radical presbyterianism either. He emphasized this point by advising the men assembled “that the work of the Assembly should be performed in a wise and generous spirit, especially in relation to the great number of episcopalian ministers who held aloof from presbyterianism.”<sup>56</sup> The then moderator of the General Assembly, Mr. Hew Kennedie, replied in a letter to the king that the assembly had “in a great measure performed [their work] with that calmness and moderation which becometh the ministers of the gospel of peace,”<sup>57</sup> John Warrick, however, points out that the General Assembly's ‘calmness and moderation,’ were more practical than compassionate, as it would have been impossible to replace the huge number of episcopalian ministers in the north—there simply weren't enough presbyterians to go around.

It was in this atmosphere that Alexander Shields presented the proposals mentioned above. His opinions regarding the indulged ministers, the episcopalians, and the National Covenant were representative of exactly the brand of Presbyterianism that William feared and that the newly established Kirk needed to distance itself from. The future of Presbyterianism was anything but settled at this point, and “having gained so much the Assembly was cautious. It appeased the enthusiasts by an emotional Act proclaiming a national fast and humiliation, lamented ‘the great decay of piety under the late prelacy,’ and appointed two commissions to visit the regions north and south of the

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<sup>55</sup> Andrew L. Drummond and James Bulloch *The Scottish Church 1688-1843* (Edinburgh: Saint Andrew, 1981), 9-10

<sup>56</sup> John Warrick, *The Moderators of the Church of Scotland from 1690-1740* (Edinburgh: Oliphant, Anderson, and Ferrier, 1913), 40-41

<sup>57</sup> *Ibid.* 42

Tay”<sup>58</sup> to inspect them for clerical irregularities. It was at this point that the Cameronians left the church, preferring to keep on preaching in the fields rather than submit to an unCovenanted king, or adhere to what they viewed as a watered down version of Presbyterianism. However, the vast majority of ministers who preferred presbyterian principles remained in the Kirk, grateful for what they had received in the settlement and willing to tone down their opinions for the time being.

Although presbyterians in the Kirk had in some sense been vindicated by the Dutch Invasion and had come back into power under William III, the fact of the matter is that they were more politically expedient for the prince than they were popular with the people. Forced into a kind of limbo, ministers within the Kirk were at this point unprepared to associate themselves with the extremist Covenanters, or with the Jacobean episcopalians, they simply wanted to worship in the state Church. Thus, the reins of power fell to men who were willing to compromise to create a middle ground for the general population. William Carstares is a good example of such a man. A dyed-in-the-wool presbyterian, Carstares’ father had been a Covenanting minister, and a Protestor during the Civil War; Carstares himself had personally endured the thumbscrew in the reign of Charles II for refusing to give up his coreligionists, and had eventually been exiled for his commitment to the Covenant.<sup>59</sup> Carstares returned to Scotland from exile aboard one of William’s ships during the Dutch Invasion. Throughout his life, he had a profound effect on the development of the post-1688 Kirk. He was one of the few Covenanters who learned toleration from his persecution. Throughout his life he worked closely with the king to ensure that Presbyterianism was a manageable and effective

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<sup>58</sup> Drummond and Bulloch, *Scottish Church*, 11

<sup>59</sup> Ibid. 1

religion for the kingdom. His efforts almost certainly allowed for the success of Presbyterianism in Scotland, but also changed the path of its development, laying the foundation for the future alienation of its core members.

Under William III the threat of the reemergence of episcopalianism, and the desire to remain in the Crown's good graces tempered the more hot-blooded Presbyterians, and careful political maneuvering allowed the more moderate ministers to direct affairs in the interest of both the Crown and the Kirk—effectively keeping the peace and allowing for the security of Presbyterianism. In Queen Anne's reign the future of the Kirk remained unclear, and the 'Act of Union' of 1707 presented the first major potential hiccup in peaceful relations between Church and Crown. Opposition to the act was widespread throughout Scotland and many expected the Kirk to lead the assault against it. One of the impulses for the 'Act of Union' was to unite the Scottish and English successions laws, as the Kingdom of Scotland had failed to follow England and Ireland in accepting the 'Act of Settlement' of 1701, which promised the throne to the elector of Hannover after Queen Anne's death. The Scots opted out of this agreement, preferring to leave the question of succession unanswered, and the 'Act of Union' was Queen Anne's second attempt to bring them into the fold. At the local level many ministers began preaching against the proposed union very early on, fearing that, as it would abolish the Scottish parliament, the Crown would then be free to push Anglican religious practices on Scotland, and ultimately to do away with Presbyterianism. In response to these fears, Queen Anne sent a commission north to work on addressing Presbyterian concerns. The specifics of these negotiations between Crown and Kirk,

regarding the union, would form some of the foundations for later protests by Scottish ministers.

After a somewhat drawn-out process, Queen Anne's commission was able to secure the Kirk's support for the 'Act of Union,' by means of the 'Act for Securing the Protestant Religion and Presbyterian Church Government,' 1707. This act ensured that any future union between Scotland and England would be made void if the Presbyterian Church, as established in 1690, was tampered with in any way. The wording of this act would prove to be too vague for some ministers later on, and even at the time a few dissenting ministers on the lower Kirk courts wanted more explicit clauses inserted into the act, regarding particularly, the abolition of patronage, and giving insurance against Episcopalianism. Despite these objections, the more moderate ministers within the commission, such as William Carstares and John Stirling, were able to convince the General Assembly that a general statement would be more beneficial to the security of the Kirk. They argued that specific guarantees might make it seem like anything left unmentioned was not protected under the act.<sup>60</sup> Stirling, the then Moderator of the General Assembly, claimed that with the passing of the act Presbyterianism had never before been so secure, as church government was now tied directly to the political union of the two states.<sup>61</sup> All assurances aside, some lingering reservations from the more orthodox clergymen prompted the passing of the 'Act Against Innovations in the Worship of God' a little later in the year, which aimed to further protect the Kirk from episcopalian and English practices. After its passage large-scale opposition to the union mostly dissipated within the Kirk.

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<sup>60</sup> Jeffery Stephen, *Scottish Presbyterians and the Act of Union 1707*. (Edinburgh: Edinburgh University, 2007), 65-66

<sup>61</sup> Ibid. 229

In the two and a half decades between William's invasion and the succession of George I the character of Presbyterianism, and the pattern of denominational affiliation within Scotland as a whole changed dramatically. As men the likes of Carstares and Stirling prevailed upon the Kirk to work with the government, the ideological composition of ministers in the Church of Scotland began to shift further away from the kind of presbyterian orthodoxy that had characterized the Covenanters. This change in character was at least partly pragmatic: as they needed to contend with the propaganda war against them being perpetrated by episcopalian ministers. A good example of this can be found in the writings of Bishop John Sage, who attempted to convince his English readers that Presbyterians constituted a danger to civil society, "by virtue of their 'seditious and ungovernable tempers' inducing 'open rebellions.'"<sup>62</sup> As Presbyterianism began to disassociate itself from the zealotry in its foundations, the initial popularity of episcopalianism steadily declined. That is not to say that Presbyterianism necessarily won the hearts of the people by its own merits; but the deprivations of non-juring clergy and the episcopalians' continued association with Jacobitism made them less and less popular as the years went by, particularly after the 1715 Jacobite uprising. "In 1688 the Church of Scotland had 926 parishes. Between then and 1716 the ministers of 664 were deprived. Of the rest, many had died; few who served under the episcopate escaped."<sup>63</sup> As the number of episcopalian ministers declined, so too did the power of orthodox Presbyterians. It is significant to note that after 1715 no minister directly tied to the Covenanting cause, or the struggle against the Stuarts, acted as moderator in the General Assembly. These changes were the first indications of the coming division between the

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<sup>62</sup> Leighton, "Scottish Jacobitism, Episcopacy, and Counter-Enlightenment" 6

<sup>63</sup> Drummond and Bulloch, *Scottish Church*, 9

Moderate and Evangelical parties, which would characterize Scottish ecclesiastical politics for the next century and would provide the framework for the 1733 schism. However, before we discuss the emergence of these clerical parties, it is necessary to look at the year 1712.

1712 was very important year for the Scottish Kirk, as it saw the passing of the Toleration and Patronage Acts. The ‘Patronage Act,’ as you may have guessed, reintroduced the practice of patronage to the Kirk and wealthy landowners, or heritors, were allowed to choose the ministers for the congregations that they supported financially.<sup>64</sup> Since the Presbyterian Settlement patronage had been suspended and parish elders were allowed to call the ministers that they chose to preach before their congregations. As mentioned above, the practice of church elders calling their ministers, as opposed to heritors electing them, was seen by many as an essential component of Presbyterianism, the roots of which went back to the *Second Book of Discipline*.<sup>65</sup> The more orthodox ministers in the Kirk saw this as a clear violation of the terms agreed upon within the ‘Act for Securing the Protestant Religion and Presbyterian Church Government.’ The General Assembly of 1712 issued a protest against the act in those terms saying, that the “bill presented in the Parliament of Great Britain for restoring of patronages...is contrary to our Church constitution, so well secured by the treaty of union, and solemnly ratified by the acts of parliament of both kingdoms.”<sup>66</sup> It is not surprising that Queen Anne ignored their protests; but the fact that a more violent

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<sup>64</sup> Callum G. Brown, “Chapter Four: Religion.” *Modern Scottish History 1707 to the Present Volume I: The Transformation of Scotland, 1707-1850*. Ed. Anthony Cooke et al (East Linton: Tuckwell, 1998), 70

<sup>65</sup> “Second Book of Discipline: Chapter 3” *The True Covenanter*, Web. 30 June 2014.  
<[http://www.truecovenanter.com/kirkgovt/scotland\\_kirk\\_books\\_of\\_discipline\\_1621.phtml](http://www.truecovenanter.com/kirkgovt/scotland_kirk_books_of_discipline_1621.phtml)>.

<sup>66</sup> “Acts of the General Assembly of the Church of Scotland 1638-1842, No. X Sess. 11” *British History Online*, Web. Nov. 2013. < <http://www.british-history.ac.uk/report.aspx?compid=60114>>.

reaction was not felt is a clear testimony to how much the character of the ‘presbyterian Kirk’ had changed from 1640 to 1712. This change was not lost on the whole of the Kirk, and the acts of 1712 as well as the change in character which the General Assembly’s reaction to them represented, would form the crux of the Associate Presbytery’s complaints in 1733. Initially, the ‘Patronage Act’ did not cause a significant amount of unrest. While the orthodox ministers, and the General Assembly as a whole, regarded the act as contrary to the word of God, they found ways to dull the edge of patronage in the years directly following its passing. It wasn’t until around 1725 that the Kirk would feel the full weight of the act, which we will discuss in the coming chapter. The real point of contention at these times surrounded the ‘Toleration Act,’ and its accompanying oath of abjuration.

According to the ‘Toleration Act’ all non-Catholics would be granted toleration provided that they swear an abjuration oath,. This troubled orthodox presbyterian ministers for a number of reasons. The most obvious issue that presbyterians had with this act was that it allowed toleration for episcopalians. This took a lot of authority from Presbyterian Church courts, as they were no longer able to excommunicate or reprimand wayward Christians who did not associate themselves with the Established Kirk. A more pressing issue was embedded within the oath of abjuration. The wording of the oath seemed to imply that all but English Churchmen would be excluded from British throne. Although the oath was modified in 1715, and again in 1719 “in such a way as to exclude the oblique reference to the English Church;” this did little to assuage the concerns of the ministers, “for the stricter Presbyterians believed that they could not swear allegiance without ‘homologating’ such iniquitous institutions as the Union, toleration and

patronage.”<sup>67</sup> In all about a third of the ministry refused to take the oath, and in the temperament of some of the more devout ministers this amounted to something approaching schism. Many presbyterian non-Jurors refused to sit with other ministers in presbyteries and synods. One minister went so far as to say that the Juroring ministers “had taken the crown off Christ's head, and set it upon the Queen's.”<sup>68</sup> Despite the internal division that the oath caused within the Kirk, the government showed considerable restraint, largely leaving the non-Juroring presbyterians alone. While the ‘Toleration Act,’ and the oath of abjuration, revealed some of the first cracks in the foundation of Kirk unity, in the next section we shall discuss the trial of John Simson, as well as the Marrow Controversy. It is in the discussion of these events that we will see the foundation of that unity start to crumble, as battle lines between the more moderate and orthodox ministers begin to be drawn.

## **4.2 The Simson Trial: Battle Lines Drawn**

In 1714 James Webster, the minister of Edinburgh’s Tolbooth Church, brought formal charges against John Simson, professor of divinity at Glasgow University, accusing him of teaching the heresies Arminianism, Socinianism, and Arianism to his students. Simson’s unorthodox teaching methods made him a target for criticism, as he tended to play the devil’s advocate in lectures, arguing heterodox opinions and challenging his students to use reason to disprove his position.<sup>69</sup> Webster, and some other

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<sup>67</sup> William Law Mathieson *Scotland and the Union A History of Scotland from 1695 to 1747* (Glasgow: James Maclehose: 1905), 236

<sup>68</sup> Robert Wodrow *The Correspondence of the Rev. Robert Wodrow Vol. I*, ed. Rev. Thomas M’Crie (Edinburgh: Wodrow Society, 1842), 340

<sup>69</sup> Anne Skoczylas, *Mr Simson’s Knotty Case: Divinity, Politics, and Due Process in Eighteenth-Century Scotland* (London: McGill-Queen’s University, 2001), 4

orthodox ministers saw the emphasis on reason in universities as dangerous, as they believed that any diminished emphasis on divine revelation would open the door to the creeping influence of Deism, which prevalent in the churches of England at the time.<sup>70</sup>

“On 14 May 1717 the assembly found that Simson had ‘vented some opinions not necessary to be taught in divinity,’ and had employed expressions ‘used by adversaries in a bad and unsound sense;’ these were prohibited for the future, but no further censure was passed.”<sup>71</sup> It was on the same day that the General Assembly passed another verdict, this one condemning the Auchterader creed.

The Auchterader creed was a proposition, “assent to which had been required of a candidate for license by the presbytery of Auchterarder: ‘I believe that it is not sound and orthodox to teach that we must forsake sin in order to our coming to Christ.’”<sup>72</sup>

Condemnation of the creed dealt less with the doctrinal content that the presbytery upheld, and was more focused on the ability for presbytery courts to decide on matters such as those currently being considered in regards to Simson. The General Assembly recognized the significance of the case at hand, and ruled that no presbytery court could require any creed for the presentation of a minister, unless the Assembly approved the creed beforehand. It was shortly after the final verdict of Simson’s first trial, while the Auchterader creed was being discussed that Thomas Boston recommended a book to his friend. This book, *The Marrow of Modern Divinity*, came to constitute the next major scandal within the Kirk.

*The Marrow of Modern Divinity* was a book originally published in the 1600’s, by

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<sup>70</sup> Ibid. 95

<sup>71</sup> Alexander Gordon, Dictionary of National Biography, volume 52. (London: Smith Elder and Co. 1885-1900), 284-286

<sup>72</sup> Mathieson, *Scotland and the Union*, 229

the Englishman Edward Fisher; it consisted of a conversation between four characters, and aimed at answering some key questions regarding the Calvinist faith. In 1718 the book was republished in Scotland, with a preface by James Hog. The book immediately came under suspicion, because Hog was a member of a divergent party within the Kirk, which favored the doctrine of free grace.<sup>73</sup> A group of ministers led by Alexander Anderson condemned the book as Antinomian, and had the book condemned by the General Assembly in 1720. Following its condemnation 12 orthodox ministers, among whom was Ebenezer Erskine, the soon-to-be father of the secession Kirk, then prepared a defense of the work, which was dismissed without ceremony. All ministers within the Kirk were instructed to advise their parishioners against reading the book, and the 12 supporters of *The Marrow of Modern Divinity*, were rebuked, and questioned rigorously about their doctrinal views. Five years later, in 1725, Simson was again brought to trial under suspicion of teaching Arianism.

This second trial, frequently interrupted on account of Simson's bad health, ended with him being suspended from teaching, but allowed to keep his pay. Simson's light sentencing scandalized the more conservative ministers in the Church. The fact that a number of orthodox ministers had recently been censored during the Marrow Controversy, and that Simson, a proven heretic, was being treated so kindly, led many to doubt the orthodoxy of the Kirk as a whole. The content of Simson's trial in itself was of little import within the history of the Kirk; in the same vein, the extent to which Simson was, or was not heretical, is of little interest to our project. However, the impact that his trial had on ministers within the Kirk, was tremendous at the time of its occurrence, and is vital to our discussion of the 1733 schism. With that in mind, we shall focus the

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<sup>73</sup> Drummond and Bulloch, *Scottish Church*, 36-37

remainder of this chapter on the specifics of the case, and the perceptions of the various parties involved.

For James Webster and the other ministers opposing Simson, it was not simply his teaching style, or even the perceived heresies that made Simson so detestable; rather it was his disrespect for Presbyterian orthodoxy generally. Firstly, Simson was openly critical of certain aspects of Covenant ideology: he argued that the notion of a Covenant, was too commercial in nature, claiming that such an idea distorted the nature of man's relationship with God, and could not be supported scripturally.<sup>74</sup> In his lectures, Simson sought to divorce Adam from the Covenant entirely, and in doing so seemed to be chiseling away at the scriptural foundation for the Covenant of Works, which as we discussed in chapter one, was an integral part of Covenanter ideology. Furthermore, Simson had some controversial opinions regarding the Westminster Confession. While Simson did not attack the Confession outright, he taught that it might potentially contain flaws, and therefore should be open to scrutiny. Couched in the most conservative of terms, this might not have been a terribly controversial statement. The Westminster Confession was known within the Kirk as the principal subordinate standard, subordinate, that is, to the inerrant Bible.<sup>75</sup> In a sense, this becomes a matter of emphasis: any Presbyterian minister would have agreed that only the Bible is infallible, which is in some sense what Simson was arguing. However, along with Simson's other perceived faults, his emphasis on the *subordinate* nature of the Confession, rather than on its being *principal* seemed to hint at something sinister in the eyes of his more conservative contemporaries. Whether or not Simson was in fact attempting to undermine the

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<sup>74</sup> Skoczylas, Mr Simson's Knotty Case, 82

<sup>75</sup> Brown, Modern Scottish History, 64

foundations of Scottish Presbyterianism is irrelevant, the fact is that for James Webster and those who were to become the fathers of the Secession Church, Simson embodied an open attack on the core tenets of Presbyterianism, and the way the General Assembly dealt with him was seen as unacceptable. The Simson case is of import in the present study, not for its discussion of heresies, or the development of Presbyterian theology; rather it is important because its outcome effectively orphaned the more orthodox members of the Kirk and in doing so encouraged the development of new party lines in the Church as a whole.

In examining the ministers who supported and attacked Simson in his two cases we can see the outline of what were to become the Evangelical and Moderate parties within the Kirk, as well as the future 1733 Seceders. For orthodox Presbyterians, Simson was the “the Glasgow heresiarch,”<sup>76</sup> a title which he earned for his insistence on the use of reason, as opposed to divine revelation; his disrespect for the Westminster Confession and the Covenanting tradition; because he taught moral uprightness, rather than salvation by mercy alone; and also because he believed that patronage was preferable to ‘the call.’<sup>77</sup> In short, because he struck at the very foundation of Presbyterianism as envisaged by the inheritors of the Covenanting tradition. In addition to James Webster, Ebenezer and Ralph Erskine both criticized Simson, as did Thomas Boston<sup>78</sup> and the other Marrow Men. These were men who looked back fondly on the 1640s, and pined for a more demanding brand of Presbyterianism in line with the ideology of the Covenanters. These men would become the Evangelical party, or secede in 1733.

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<sup>76</sup> Matheson, *Scotland and the Union*, 232

<sup>77</sup> Skoczylas, *Mr Simson's Knotty Case*, 14

<sup>78</sup> Drummond and Bulloch, *Scottish Church*, 34-5

Simson's supporters, on the other hand, included the pragmatically minded Earl of Ilay, and by extension, what was to become the core of the Moderate party within the Kirk. Ilay had a tremendous effect on the development of Kirk politics through his effective use of clerical appointments, and it is under him that protests against patronage reached their tenor. That will be discussed further in the coming chapter. It is telling, however that Rev. George Logan supported Simson, as he was to become the acting Moderator of the General Assembly when the final pronouncement was made against Ebenezer Erskine and the Secession Church. John Warrick recorded a short poem regarding Logan's support of Simson, which is both informative and quite humorous:

George Logan held forth with an insolent air,  
In the pulpit, the House and the Press;  
In pleading for Simson no pains he did spare,  
He's so like him, he could do no less.  
He thought to run down by a forehead of brass,  
Each man who did Simson oppose.  
While he did but the part of a Fop or an Ass,  
And his impotent folly disclose.<sup>79</sup>

Simson's case made a significant impression on both of these widely disparate factions within the Kirk, effectively cauterizing their division. The rhetoric of Webster and Simson's detractors convinced the Earl of Ilay and other powerful families that the support of Covenanters and other hot-blooded ministers was counter-productive, as they were not effective administrative instruments.<sup>80</sup> After 1707 these families had a great incentive to show that the Kirk could be useful to the Crown, and so sought ways to temper its more unseemly elements: this would lead to the creation of the Moderate party. On the other hand, the General Assembly's lenient treatment of the 'Glasgow heresiarch,' indicated to the most orthodox ministers of the Church of Scotland that they were no

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<sup>79</sup> Quoted from Warrick, *The Moderators of the Church of Scotland*, 383

<sup>80</sup> Skoczylas, *Mr Simson's Knotty Case*, 26

longer much appreciated, leading them to join what would become the Evangelical party, or else leave the Church entirely.

In this chapter I have attempted to show how the precarious position of the Presbyterian Kirk from 1690-1715 allowed for conciliatory, moderate ministers to take control and direct the Kirk away from the ideology of more orthodox Presbyterians. We have looked at the 1707 union, as well as the Toleration and Patronage acts, passed in 1712, as examples of how political expediency took priority over ecclesiology in the period. Additionally, we have examined the oath of abjuration, the Marrow Controversy, and the case of John Simson, in an effort to understand how the beginnings of the Moderate and Evangelical parties manifested themselves in these events. In the coming chapter we shall tie these events into our discussion of schism more succinctly by examining the 1733 secession itself.

## **CHAPTER 5:**

### **THE SECESSION**

In December of 1733 Ebenezer Erskine, William Wilson, Alexander Moncrieff, and James Fisher seceded from the ‘prevailing party’<sup>81</sup> within the Church of Scotland, forming themselves into a new presbytery. In the years that followed, attempts were made to bring them back into the Established Church, but by 1740 the ministers were officially deposed from their positions, the Associated Presbytery was formed, and the schism was made final. In this chapter we shall examine the events and conversations within the Kirk during the 1730s in an effort to understand the schism from the seceding ministers’ perspective. After we have discussed the schism itself according to the accounts of those actors involved, we will turn our attention to a broader analysis of the root causes of the event, in an effort to understand how and why schism became such an attractive option. It is beneficial for us to begin with the father of the Secession Church, Ebenezer Erskine.

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<sup>81</sup> Ebenezer Erskine et al. “A Testimony to the Doctrine, Worship, Government, and Discipline of the Church of Scotland (Edinburgh: Lumisden, 1734), 47

## 5.1 The Narrative of the 1733 Secession:

As the Moderate and Evangelical parties coalesced into their distinctive forms during the events of the early 1700s, Ebenezer Erskine distinguished himself as an incredibly popular “ultra-evangelical” and an omnipresent thorn in the side of the more moderate ministers. Erskine had taken the most extreme position on almost every major issue since his ordination in 1703. He opposed all forms of the abjuration oath, asserted the divine right of every congregation to choose its own pastor as early 1715, wrote the official defense of the *Marrow of Modern Divinity*, and, as the son-in-law of John Webster, he was known for his fervent opposition to John Simson.<sup>82</sup> Erskine was a favorite target of criticism for the Moderate party, who attacked him for, amongst other reasons, urging his congregation to celebrate national feast days at slightly different times than those appointed by parliament. He claimed that while he did not object to the state appointing feast days, he would not observe those which matched the holidays listed in the calendar of the Church of England. At times he seemed to revel in these attacks. When an anonymous pamphleteer assaulted his character because of his support of the *Marrow of Modern Divinity* he replied:

To suffer reproach for Christ and his truth, I reckon not only an ornament but a treasure; and the author of the above pamphlet has done me, I conceive, a particular honor in directing his calumnious letter to me; and I do bind every scoff and calumny in it as a chain of gold about me—glorying that I, in particular, am accounted worthy to suffer reproach...<sup>83</sup>

While Erskine was familiar with spending time in the crosshairs, and evidently enjoyed it on occasion, his criticism of the General Assembly’s, ‘Act anent the Method of Planting Vacant Churches,’ 1732 gained him a reputation that was to have lasting consequences.

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<sup>82</sup> Mathieson, *Scotland and the Union*, 243

<sup>83</sup> Donald Fraser, *The Life and Diary of Ebenezer Erskine* (Edinburgh: Oliphant, 1831), 250

The 1732 act of the General Assembly was offensive to Erskine and others both in content, and because of the manner in which it was passed. The act dealt with one of the finer points of patronage, defining the course of events if a minister should not be appointed to a parish within six months. According to standing practice, the congregation would be at liberty to call their own minister if the patron did not appoint one in a timely manner. The 1732 act restricted the choice of minister in these cases to the heritors, and elders of the congregation. For Erskine and a great many others within the Kirk, this was offensive, because it further limited the right of a congregation to choose its own minister; but the manner in which the act was passed was perhaps equally troubling. When the act was proposed at the General Assembly, 31 presbyteries voted against it; 6 approved of it as it then was; 12 approved of it with amendments; and 18 did not return a vote.<sup>84</sup> It was assumed that since these last 18 hadn't voted, their votes would not be counted, but instead the General Assembly opted to count them as supporting the act, arguing that they had not expressed any dissent. The decision to count the votes in this way was protested in great numbers, but without result. In response to these events Erskine preached a now famous sermon at the opening of the Synod of Perth and Sterling.

That same year, in 1732, shortly after the General Assembly adjourned, Ebenezer Erskine was nominated to be the moderator for the Synod at Perth and Sterling. For this occasion, Erskine decided to open the session by preaching on Psalm 118:22: *the stone the builders refused is become the headstone of the corner*. In the course of the sermon Erskine made great use of the pulpit to chastise and denounce the errors of the Kirk in no uncertain language. His basic message throughout was a running comparison between the

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<sup>84</sup> Mathieson, *Scotland and the Union*, 242

ministers who had supported the 1732 act and the Pharisees, arguing that these ministers were tearing down the foundations of God's church, acting contrary to Books of Discipline and the covenant, and at its crescendo, speaking in Christ's stead. He warned that

by this act the cornerstone is receded from, He is rejected in His poor members, and the present, I think he would say, 'inasmuch as ye did it unto one of the least of these, ye did it unto Me.' I can find no warrant from the word of God to confer the spiritual privileges of His house open the rich beyond the poor; whereas, by this act the man with the gold ring and gay clothing is preferred unto the man with the vile raiment and poor attire<sup>85</sup>

Needless to say, some ministers in the audience were offended by his speech, and "after three days of warm disputation, the synod ordered him to be rebuked at the bar, for the *matter* and *manner* of his sermon."<sup>86</sup> However, not all of the ministers agreed with this decision, many sympathizing with Erskine's message. One such minister, and the son-in-law of Erskine, Thomas Fisher, decided to appeal to the General Assembly to have the sentence lifted.

So it was that Ebenezer Erskine and twelve ministers with him, appealed to the General Assembly. After a slight delay Erskine was told to return to the Assembly at its next meeting in April of 1733. By this time his supporters were reduced to seven, and of these the ministers "were careful to distinguish between the substance and the manner of his discourse."<sup>87</sup> This distinction was of great importance to many of the men who supported Erskine's cause: they agreed that he had the right to speak against the act of 1732, but were also aware that his rhetoric had been somewhat rude. Apparently a motion was made to officially distinguish this subtly, so that the Assembly's position would be

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<sup>85</sup> Alexander Robertson MacEwen, *The Erskines* (Edinburgh: Oliphant, 1900), 72

<sup>86</sup> John Brown, *An Historical Account of the Rise and Progress of the Secession* (Edinburgh: Barrie, 1793), 23

<sup>87</sup> Mathieson, *Scotland and the Union*, 244

clearer: but this was rejected.<sup>88</sup> In the events that transpired, the General Assembly upheld the Synod's verdict and demanded that Erskine submit to be rebuked. By this time only three other ministers stood by him: Thomas Fisher, William Wilson, and Alexander Moncrieff. For these men it was clear that the Assembly was attempting to limit the minister's right to protest against official acts. After the ruling was read the four men sought to enter a formal protest against the Assembly's verdict, only to find that dissenting opinions in such cases were no longer to be recorded in the court's minutes, as per an act passed in 1730. Furthermore, the Assembly demanded that the three ministers who had supported Erskine withdraw their support and apologize to the court, or else face suspension. It went on to stipulate that if the ministers should fail to adhere to the suspension, the commission was authorized to "proceed to a higher censure against the said four brethren, or such of them as shall continue to offend, by transgressing this act."<sup>89</sup>

For the four ministers involved in this case, and for others as well, the threat of 'higher censure' (presumed correctly to be deposition from the ministry) seemed to be an extreme measure. At this point the issue had ceased to be about patronage, or rude comparisons to Pharisees: it became an issue of ministerial rights. It seemed that the Assembly was telling the ministers that they could not speak publicly against its acts. The ministers were given several months to comply with the Assembly's ruling; but when the deadline came around none of them had budged. At this point the Assembly offered a compromise: if Erskine and the other ministers would withdraw their protests and obey the commissions verdict, the Assembly of the following year would clarify that they did

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<sup>88</sup> Ebenezer Erskine et al. *A Review of the Narrative and State of the Proceedings of the Judicatories...* (Edinburgh: Lumisden, 1734), 12

<sup>89</sup> Erskine et al. *Review of the Narrative*, 32

not mean to say that ministers could not protest, nor that they could not protest against the 1732 act specifically.<sup>90</sup> This the ministers counted as ridiculous, as the content of the protests that they were asked to withdraw was exactly that which the Assembly was offering to agree to. In response the Assembly suspended all four ministers, and when they began to read a further protest of this decision, they were escorted out of the meeting hall.<sup>91</sup>

In the unread letter of protest the four ministers argued that the Assembly had no right to suspend them, as they did not hold any view that could be decreed heretical, and that they were essentially being punished for protesting a decision of the Assembly on account of an opinion that was orthodox. The men continued to work as ministers, ignoring the suspension, until the Assembly resorted to its ‘higher censure’ and deposed them from their parishes all together. In response the four men declared that they were seceding from the ‘prevailing party’ within the Kirk, and constituted the Associate Presbytery. A little less than a year later, in 1734, they would publish a short work wherein they detailed their justifications for leaving the Church in a more precise manner. This, in addition to the overwhelming support that the Evangelical party gave to the dissenting ministers, prompted the Assembly to backpedal to some extent. They revoked the ministers’ suspensions, as well as the 1732 act, and even elected Erskine as the moderator of the Perth and Sterling synod. However, it was by then too late: the ministers refused the offer of reconciliation, instead issuing a series of impossible demands, and effectively solidifying the schism. Their official deposition would not come till 1740.<sup>92</sup> In the following section we will turn our attention to an analysis of the 1733 schism from

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<sup>90</sup> Erskine et al, *Testimony*, 22-23

<sup>91</sup> Erskine et al. *Testimony*, 12

<sup>92</sup> Mathieson, *Scotland and the Union*, 243

the perspective of the secession ministers themselves. This will provide us with the necessary background information to offer a deeper analysis later on.

## **5.2 Reasons for Secession:**

In their pamphlet entitled *A Testimony to the Doctrine, Worship, Government, and Discipline of the Church of Scotland*, Ebenezer Erskine and his three companions laid out their reasons for seceding from the Established Church in great detail. The bulk of criticism in this work can be summarized under three main headings: the institution of patronage and the Church's attitude toward it; expanding powers within the General Assembly, at the expense of the lower courts and of individual ministers; and a laxity in doctrine, allowing heresies to corrupt the doctrine of the Kirk. Their discussion of these grievances is important because it will help us to understand the real roots of the 1733 schism, and why they felt that it was necessary. We shall begin with patronage, and then continue to look closely at each of these three themes.

In the last chapter we touched briefly on the 'Patronage Act,' passed in 1712, and the institution of patronage has been discussed at various times throughout this thesis; but it is only after the Moderate and Evangelical parties became fully established that patronage became a major issue in clerical disputes. After the act was passed, in 1712, patronage did not immediately become a problem for the Kirk. The vast majority of ministers were opposed to patronage at this time; but a kind of subtle resistance, and some even-handed administrators ensured that the institution did not function in a disagreeable manner. Firstly, before the 1720s no minister would dare to accept appointment from a heritor, without first getting the approval of the congregation over

whom he would be presiding. In 1719 the British parliament validated a reading of the act, which said that while the patron could chose whoever he pleased, acceptance of the post by the candidate was not mandatory. That same year, the General Assembly let it be known that any minister who accepted a position without the approval of his congregation would be censored.<sup>93</sup> In the event that a patron insisted on presenting someone of whom the congregation did not approve, that person would not accept. After six months without a minister, the choice of minister reverted to the congregation itself, thus obviating the system of patronage all together. Beyond that, around “550 out of 950 livings were in the gift of the Crown, and as the royal patronage was controlled at first by Harley, the friend of Carstares, and after the accession of George I by the Whigs, it is not surprising that in the great majority of cases” the positions lay vacant until the congregations could appoint someone of their liking. This changed around the time of the second Simson case, when Archibald Cambell, earl of Ilay, gained control of royal patronage.

Ilay inherited a position as one of the defenders of orthodox Calvinism. His father had led the Protestors in the 1650s, and lost his head at the start of the Restoration. However, while he never directly denounced orthodox Calvinism or the Evangelical party explicitly, he tended to defend the Kirk from an erastian position. Ilay appointed ministers who would work to change the Kirk from within and defend the degree of erastianism which they saw as essential to its functioning correctly.<sup>94</sup> The earl disliked

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<sup>93</sup> Ebenezer Erskine et al. “Reasons why they have not acceded to the Judicatories of the Established Church” (Edinburgh: Lumisden, 1735), 13

<sup>94</sup> Roger L. Emerson, *An Enlightened Duke The Life of Archibald Campbell (1682-1761, Earl of Ilay, 3<sup>rd</sup> Duke of Argyll*, (Kilkerran: Humming Earth, 2013), 170-171

orthodox ministers, whom he referred to as ‘Levites’<sup>95</sup> and had very strict rules regarding who would be appointed to a parish, preferring ministers who were useful and mild-mannered. His appointments would ultimately form the nucleus of the Moderate party. He supported John Simson during his second trial, and generally found the intolerance of more committed Presbyterians to be foolish. Under him patronage became a problem in the Kirk. “For a time the crown patronage was exercised with considerable respect for popular opinion, as indeed patronage was in general, but with the coming to power of Argyll and his brother, Lord Ilay, in 1725 this ceased.”<sup>96</sup> In this period complaints from congregations became very common as ministers were forced upon them with the full force of the ‘Patronage Act.’ Ilay, in controlling the royal patronage had a considerable role in this, but it is not toward him that the Seceders directed their blame.

As explained above, acceptance of the call was necessary for the appointment of a minister, and for many years that fact softened the practice of patronage, effectively rendering it meaningless. So, rather than focusing their attention on patrons, like Ilay, the Seceders in this case blamed the breakdown of this strategy on the first ministers who, “sinfully and shamefully led the way for a conditional acceptance of presentation” explaining that, “when this was not check’d in the bud, it soon became fashionable for intrants into the ministry to follow this course; and herein they were supported by the decisions of the commission of the General Assembly.”<sup>97</sup> For the Seceding ministers, the problem lay with the unorthodox views of those in the Moderate party, and at the head of the Kirk—and they could only see things getting worse. Since 1725 the General Assemblies had tended to regard patronage as a grievance, but to support the presented

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<sup>95</sup> Ibid. 163

<sup>96</sup> Drummond, *Scottish Church*, 39-40

<sup>97</sup> Erskine et al. *Testimony*, 41

minister against the congregation, which, they was claimed was a deplorable enough situation.<sup>98</sup> However, with the ‘Act anent the Method of Planting Vacant Churches,’ in 1732, the Church was taking an active role in strengthening the institution of patronage. In the eyes of Erskine and the other three ministers, the Kirk had gone from passively accepting the evil of patronage to actively working towards it. Additionally, they viewed the manner in which the act was passed as indicative of a larger structural problem within the Kirk as a whole, one concerning church governance.

Early on in Ebenezer Erskine’s trial, the issue at stake ceased to be the harsh words of his speech at the opening of the Perth and Sterling Synod, or the validity of his attack on the act passed in 1732. For Erskine, and especially for the three ministers who supported him throughout the trial, the debate concerned a minister’s right to protest, and the extent of the General Assembly’s power to dictate its will to ministers and congregations. One of the major concerns that the Seceding ministers expressed concerned a conversation that they had with the General Assembly’s committee during Erskine’s trial. They relate the exchange as having taken place in the following way:

The reverend and honorable members of the Assembly’s committee, that were appointed to converse with the four brethren after their protestation was given in, plainly told them, that it was unjustifiable to speak from the pulpit against any act of the Assembly, or the proceedings of church judicatories. And when the brethren replied, that this was an invading of a Protestant principle, contained in our confession of faith, if ministers were censured for disburdening their consciences as to public church proceedings, which appear to them to be contrary to the word of God, and to sap the foundation of our church constitution; they are likewise told, that, if they could not be silent from speaking against acts of assembly, and the proceedings of our judicatories, that then they should go out of the Church...<sup>99</sup>

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<sup>98</sup> Erskine et al. *Reasons*, 12

<sup>99</sup> Erskine et al. *Review of the Narrative*, 10-11

For the four ministers this completely removed any doubt that Erskine was being censored, not for tone, but because he spoke out against the General Assembly's ruling. The Assembly was removing the right for a minister to protest their decisions, an action that Alexander Shields had mentioned some 30 years earlier as one of the few just reasons for schism.<sup>100</sup> Furthermore, during the process of Erskine's trial it was understood that the General Assembly had acted without consulting the presbyteries when it passed the 'Act discharging the Recording of Reasons of Dissent,' in 1730. The result of this act was that reasons for protest against the decisions of Church judicatories would not be recorded, but instead would "be kept in *retentis*, to be laid before superior judicatories."<sup>101</sup> This attempt to silence the dissent of individual ministers was viewed as part of a larger campaign within the Moderate party to centralize control of the Kirk in the General Assembly. The seceding ministers saw the constant creation of commissions as a key component of this strategy.

Erskine and the other ministers complained of the General Assembly's use of commissions to decide upon a variety of matters, and particularly of the irreversibility of the decisions that these commissions came to. The ministers argued that the Assembly had been creating commissions composed of "men who they know very well will yield ready obedience to the orders of the prevailing party"<sup>102</sup> and allowed these commissions to decide on judicial issues, such as Erskine's rebuke or complaints from presbyteries regarding the settlement of ministers. They argued that this was a clear attempt by the General Assembly to usurp the rights of ministers and of presbyteries and explained that

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<sup>100</sup> Shields, *Treatise Against Separation*, 4

<sup>101</sup> General Assembly of the Church of Scotland, "Acts of the General Assembly of the Church of Scotland 1638-1842, No. VII. Sess. 15" *British History Online*, Web. Nov. 2013. <http://www.british-history.ac.uk/report.aspx?compid=60132#s8>

<sup>102</sup> Erskine et al. *Testimony*, 66

most egregiously offensive aspect of this practice was that the decisions of these commissions were then irreversible, even by the General Assembly itself.<sup>103</sup> They cited examples of times when the General Assembly acknowledged that a commission's ruling was wrong and that the presbytery had been oppressed, but then did nothing to help it. These commissions, they said, were being used to deprive the lower courts of their right to appeal decisions by the General Assembly, all while the Assembly itself appeared to have no control over the situation. In discussing the issue, the ministers posed a question to the reader, which summarizes their argument in an eloquent, if vindictive, manner.

They asked:

What difference there is betwixt fourteen diocesan prelates their taking the power of trial and ordination out of the hands of all the presbyteries in Scotland, and a commission of the General Assembly, whereof thirty one makes a quorum, their divesting all the presbyteries, of Scotland of this inherent right and privilege when their sinful and unwarrantable orders are not obeyed? For our part, we know none, except that the former exercise this lordly dominion over the heritage of God, in a plain consistency with their declared principles; when the latter do it under a *Presbyterian mask*, but in a direct inconsistency with their professed and known principles.<sup>104</sup>

The ministers believed that the power structure within the Presbyterian Kirk was being undermined in a great number of ways. The fact that both the 'Act discharging the Recording of Reasons of Dissent,' 1730, and the 'Act anent the Method of Planting Vacant Churches,' 1732, had been passed without the consent of the presbyteries, was viewed as an attack on the rights of the lower courts, as well as on the constitution of the Scottish Church as a whole. The General Assembly was abusing a legislative power that was in effect a usurpation of Christ's role as the head of the Kirk: His will was to be manifested through the will of the presbyteries, not the lone decision of the Assembly and

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<sup>103</sup> Ibid. 63-64

<sup>104</sup> Ibid. 66

its commissions. The content of these acts made it harder for ministers to protest against the decisions of the General Assembly, and strengthened the institution of patronage. And finally, the peculiar use of commissions, as described above, was seen as facilitating this assault on the Church's structure by making any protest of the Assembly's power ineffectual. These structural changes in the Kirk acted to multiply the successful settlements of ministers approved by patrons, rather than congregations, thereby further empowering the Moderate party, and allowing for orthodox Presbyterian doctrine to become more and more marginalized.

The ministers saw the success of patronage, and the structural changes taking place within the Kirk as part of a larger lapse from orthodox doctrine. They believed that proof of the Church's waywardness lay in the fact that, "gross errors and erroneous persons are countenanced and encouraged, in so far as no suitable testimony is given against them."<sup>105</sup> That the ministers were speaking specifically of John Simson was no secret. He was mentioned a number of times, as one of the pre-eminent reasons that the ministers wished to separate from the Church. The degree of offense they took is illustrated by the following quotation:

Professor *Simson* denied the *necessary existence* and *supreme deity* of the SON of GOD; yet all the resentment that the Assembly of 1729 shewed against this *blasphemer*, for unhinging the very foundation of the Christian religion, was to suspend him from teaching and preaching.<sup>106</sup>

Simson, for them, was the tip of the iceberg: they traced the corruption of the Church back to the Restoration, in a historical narrative that borrowed much from the Covenanter identity, as constructed before the Williamite revolution.

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<sup>105</sup> Erskine et al. *Reasons*, 6-7

<sup>106</sup> Ibid. 16-17 (all punctuation being the original author's)

As with James Kirkton,<sup>107</sup> the ministers of the Associate Presbytery looked back fondly on the years of the Kirk party, and the initial swearing of the Covenants. They took a page directly from the Covenanter history in their understanding of events, explaining that

in the year 1638, notwithstanding of the utmost effort of the gates of hell, almost the whole land, in a few months, subjected themselves to the oath of God for reformation; which was countenanced from heaven with a more than ordinary display of the divine presence, and down-pouring of the Spirit from on high on judicatories, and on the assemblies of his people<sup>108</sup>

Following this period of spiritual prosperity, ‘malignants,’ and evil men were put into power, so that the Kirk might be purified by righteous judgment. While they viewed the coming of William of Orange as fortuitous, they saw the caution exercised by ministers in conciliating back-sliders and opponents of presbytery during the early days of the Presbyterian Settlement as ultimately leading to the doctrinal degradation of the Kirk in their times. They were upset that Alexander Shields’ ‘representation of grievances,’ given to the General Assembly of 1690, had not been taken more seriously,<sup>109</sup> and they believed that “in waiting for a proper time and season, [they] came to lose the season and opportunity altogether.”<sup>110</sup> They lamented the fact that indulged ministers and those who had complied with prelacy were allowed to stay within the Kirk after the settlement, and saw the Moderate party’s power and John Simson’s lax treatment as a direct result of the timid nature of ministers during this early period of Presbyterian Kirk. This narrative, which emphasized the recurring compromises of orthodox ministers in the past, assured

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<sup>107</sup> Kirkton, *History of the Church*, 22-23

<sup>108</sup> Erskine et al. *Testimony*, 31-32

<sup>109</sup> John Brown, *Historical Account*, 15

<sup>110</sup> Erskine et al. *Testimony*, 35-36

Ebenezer Erskine and his adherents that the time for waiting had passed and that the Secession was an urgent necessity.

As a final note, it is important to remember that Erskine and the Associate Presbytery did not believe themselves to be schismatic. Like the Protestors under Cromwell, the Covenanter's during the restoration, the Cameronians at the Settlement, and Thomas Chalmers' Free Church of Scotland in 1843, each of these groups believed themselves to be the true Church of Scotland. In his sermons, Ebenezer Erskine emphasized the remnant Kirk, which would hold true to its values and act as the a beacon of hope for the nation's spiritual wellbeing. He believed that his separation from the Church was a necessary measure to preserve orthodox Presbyterian doctrine.<sup>111</sup> He had no doubt that the charge of schism would be brought against him, but claimed that "a peaceable departure from or leaving the communion of a church where there is just cause for it, is not a schism; for schism must be theirs, whose cause of it is; and [it is] they who run against...[orthodoxy]." <sup>112</sup> They had not left the Kirk; the Kirk had left them.

In this chapter we have attempted to follow the narrative of Ebenezer Erskine's clash with the Moderate party within the Kirk, his trial, and the subsequent secession of the Associate Presbytery. I have attempted to explain the reasons that these ministers gave for their separation from the Kirk, so that we may better understand how this drastic option came to be seen as a necessity. While it is true that the institution of patronage, changes in church structure, and a move away from orthodox Presbyterian doctrine all played a significant role in causing the schism of 1733, a larger pattern becomes visible if we reexamine some of the events previously discussed. In the next section I hope to

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<sup>111</sup> Ebenezer Erskine, *The True Substance of a Church and Nation* (Edinburgh: Alison, 1735), 6-7

<sup>112</sup> Erskine et al. *Testimony*, 97

broaden our discussion of schism by refocusing our attention on the nature of Presbyterianism generally. There are three levels of analysis that we need to examine. Firstly, the events as recounted for and explained by the members of the Associate Presbytery and the Established Church. We have covered this to some extent, but more work is in order to understand the perspective of those outside of Ebenezer Erskine's circle. Secondly, we should look at the Presbyterian Settlement in greater detail. William's ascension to the throne in some sense represents the true cause of the schism, as he disingenuously empowered the orthodox Presbyterians, preferring them for political rather than doctrinal reasons. The third level of analysis relates to the character of Presbyterianism generally, and the Covenanting movement in particular. There is ample evidence to support the notion that Presbyterianism, in its more extreme forms, was ripe for schism from the beginning. In the following section we will attempt take a second look at events, in an effort to better understand the causes of the schism of 1733 and of schism generally within the Scottish Church.

### **5.3 An Analysis of 1733:**

Firstly, let us renew our discussion of events by accepting the notion that the schism of 1733 was at least instigated by the institution of patronage, and specifically, by the act approved by the General Assembly in 1732, the 'Act anent the Method of Planting Vacant Churches;' or perhaps by a combination of this act, and the 'Act discharging the Recording of Reasons of Dissent,' passed in 1730. We can accept that patronage, and the changes in church structure represented in these two acts, at least lit the spark that would ignite the flame of the 1733 schism. The Secession leaders themselves admitted as much

in a pamphlet published in 1735.<sup>113</sup> The ‘prevailing party’ within the Established Church likewise admitted to this fact in a tacit manner when they revoked the two acts and asked Ebenezer Erskine and the other three ministers to come back into the Church that same year. Even in accepting patronage and changes in church structure as the roots of the schism, it is clear to any careful mind that the third complaint of the ministers, and the last to arise, is really to blame. It is the changes in doctrine embodied in John Simson’s trial—the slow erosion of orthodox Presbyterianism—that is truly to blame for the schism. And who and what is to blame for this turn of events? William of Orange and the Presbyterian Settlement.

Turning to the matter of the Williamite Settlement, it is not, of course, this in itself, or William himself, that is to be labeled the cause. Rather the manner of Williams ascent to power, which allowed Presbyterianism—or more specifically Covenanting, orthodox Presbyterianism—a second breath of life, is to be blamed. We have already discussed the fact that William chose presbyterianism over episcopacy, not because he preferred the one to the other, but because politically presbyterianism was the only choice. William allegedly offered to “throw off the Presbyterians,”<sup>114</sup> and support Episcopacy, if only the bishops would support him. Scottish Episcopalians, however, were firmly on the side of James VII and so little could be done. Left with only the illusion of an option, William chose to support the presbyterians, and then worked to do everything in his power to ensure that he did not regret it. The Covenanters, as we know, developed a very specific identity during the persecutions of the Restoration period, which stretched back well into the Wars of the Three Kingdoms. This was a strictly

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<sup>113</sup> Erskine et al. *Reasons*, 8-9

<sup>114</sup> Grub, *Ecclesiastical History of Scotland*, 297

orthodox, presbyterian identity and one had the support of neither the crown nor the political nation. We have discussed the careful packing of the 1690 General Assembly, the tolerance shown to indulged and conforming ministers, the lack of consideration of Alexander Shields' proposal, and the success of men like William Carstares in laying the foundations for a more moderate Kirk. These events collectively represent an early battle to shape the nature of presbyterianism into a different form from that which was represented by Covenanter identity.

This attempt to alter the character of presbyterianism was exactly what Shields feared: he wanted to preserve the Covenanter's presbyterianism, which had developed during the persecution of the Restoration. He argued for Kirk unity, however, and against schism, because he believed that the Kirk could be changed from within. The Secession ministers noticed this same change in the character of Covenanter presbyterianism, when they complained of the General Assembly wearing a 'presbyterian mask.' Both Shields and Erskine wanted the Kirk to look back to the example of 1638, and to reform the church so that it matched the "the two best years that Scotland ever saw;"<sup>115</sup> the theocratic 'golden age,' according to Covenanting Presbyterianism. Our analysis of the causes of the schism of 1733 may now turn to enquire how valid, how realistic this conservative, indeed reactionary version of reform was.

The problem with the orthodox historical narrative is that it falls apart when you start to look too closely. The Kirk's golden age was merely the product of the politics of the time, and even then it was not nearly as well received as the later Covenanter's remembered it. The result of the Engagement, and the Protester/Remonstrator division showed that neither party could keep the Kirk together. While the Remonstrators held the

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<sup>115</sup> Kirkton, *History of the Church*, 22-23

majority within the Kirk, they had no political support after the defeat at Worcester. Thus Patrick Gillespie separated. Since Gillespie's Holy Army had the support of Cromwell, the Kirk's power was ineffectual. The golden age went very quickly. Without civil support the presbyterian Kirk had no way to legitimize its rulings. This problem was exacerbated by the perceived history of the later Covenanters. The remnant was small, it was alienated from the state. It was the light in the wilderness, so to speak. The problem that this narrow-minded interpretation of Church history presents is highlighted by the comments of a moderate minister in the 1730s. He questions the Seceding brethren in the following manner:

Why do you mention the good and learned ministers that were upon the one side of the question, and put your thumb on those of the other side, who were no less worthy than they? You make honorable mention of Mr. Samuel Rutherford, and Mr. James Guthrie, who were against these resolutions; but don't you know, that my Robert Bailie, Mr. David Dickson, and Mr. Robert Douglas, men of considerable piety, learning, and prudence, were for the public resolutions?<sup>116</sup>

This helps to highlight the extent to which orthodox presbyterians cherry-picked a very specific narrative in an effort to legitimize their beliefs. The narrative defined in this way, borrowed from the Covenanters, gives an enormous amount of authority to individual ministers through its emphasis on private judgment—the result is that Covenanting presbyterianism deteriorates into a kind of independency.

Without state support holding up the General Assembly, Covenanting Presbyterianism was extremely fragile. Individuals within the structure had too much authority to judge matters for themselves. Furthermore, the Covenant made political support for the Kirk all but impossible. As it granted the Kirk the role of 'national conscience' and required the king and nobility to derive the legitimacy of their rule from

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<sup>116</sup> General Assembly of the Church of Scotland, *A Defense of the Church of Scotland* (Edinburgh: R. Fleming and Co. 1733), 52-53

the Kirk's interpretations, it was hardly an attractive option for a monarch, or nobleman. This critique of civil authority, which the Covenant legitimized, also translated nicely into an ecclesiastical critique, as we have seen. The result is that while every minister was required to obey the 'true Kirk,' they had extensive personal liberty in deciding what that meant. George Baillie saw this coming in Rutherford's time. He feared that the abolition of patronage would lead to independency, wherein every congregation would want rule itself and he everywhere tried to stomp out the heresy.<sup>117</sup> James Kirkton pointed to the same thing when he discussed a problem within the covenicles. The "ministers preached whatever was their own opinion in any emergent case, the people were as much judges as disciples."<sup>118</sup> Ultimately, the non-Juroring Episcopalians of the early 1700s might have had the most cogent critique of the problem within Covenanting Presbyterianism. In his article discussing the thought of Bishop John Sage, C. D A. Leighton says:

they [Presbyterians] might denounce schism, but it was their own beliefs that nurtured and sustained it... The exercise of unrestrained human judgment had overthrown the divinely instituted episcopal basis of clerical authority. Presbyterian clerical authority could rest on nothing else than a human sanction, that of a consensus to be held and executed by virtue of 'the original power of the people.'<sup>119</sup>

This abuse from Bishop Sage was certainly biased, but his analysis of the manner in which Presbyterian clerical authority was subverted by its epistemology is worth noting. Without the otherworldly foundation of civic and clerical authority in the highest court, or office of a church, individual ministers and congregations are sure to challenge authority. If all ministers are equal, and each of them derive their power from the power of the people, then no epistemological authority can be established, no set doctrine

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<sup>117</sup> Gordon Donaldson, *Scottish Church History* (Edinburgh: Scottish Academic, 1985), 212

<sup>118</sup> Kirkton, *History of the Church*, 208

<sup>119</sup> C.D.A. Leighton, "Scottish Jacobitism, Episcopacy, and Counter-Enlightenment," 8

defined. Thus, the heresy Independency has a strong tendency to creep into the Covenanted Presbyterian Church.

Look at the history of the radical presbyterians within the Kirk—they split constantly. They were Protestors during the Engagement, Covenanters during the persecutions, and the continuing Cameronians during the Settlement. The evidence becomes clearer when looking specifically at orthodox, Covenanted Presbyterians. The Marrow Controversy, often discussed as one of the primary reasons for the secession,

was primarily a contest between the zealous and the more cautious Evangelicals, in which the Moderates appeared only as allies of the latter. Principal Hadow, the most determined opponent of Simson, not only took the lead in writing and preaching against the Marrow, but is said to have drafted the Act by which it was condemned; and his party seem to have interpreted their Calvinism in a severer and more literal sense.<sup>120</sup>

The problem was not always a contest between the ideal Kirk of 1638 and the corrupted Church of indulged conformists, or even between the Covenanted, and un-Covenanted. It was more often a contest between too many competing opinions. Nothing can illustrate this more succinctly than the fact that in 1747, less than 20 years after the first schism, the Associate Presbytery divided yet again between the Burghers and Anti-burghers — the Anti-burghers even going so far as to excommunicate Ebenezer Erskine himself.<sup>121</sup>

Essentially, the difference between those who believed in the heresy Independency and Covenanted Presbyterians is that the latter professed to be bound by a higher court, provided that that court agreed with their orthodoxy. The former were more candid in their ecclesiology. We can see this sentiment reflected in Erskine's trial when the General Assembly responded to criticism by saying that Erskine's refusal to accept their decision to suspend him set a very dangerous precedent:

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<sup>120</sup> Mathieson *Scotland and the Union*, 230

<sup>121</sup> Drummond and Bulloch, *Scottish Church*, 110

For if the authority of a General Assembly is once gone, no act of that court will afterwards be obeyed, nor a recommendation regarded, but as ministers and members of the Church shall think fit. By this means a General Assembly will no more be a court of judicature, but a consultive meeting for council and advice, which every inferior court, or particular minister of this Church may receive or reject, as they or he have a mind.<sup>122</sup>

The Moderate party, while certainly moving away from orthodoxy in a number of ways, was also attempting to rationalize the ecclesiastical hierarchy of the Kirk. In 1752, William Robertson, of Gladsmuir, one of the most prominent Moderate leaders, would convey the same sentiment in what became known as the manifesto of the Moderates, wherein he explained that lower courts and ministers must subordinate themselves to the higher courts if any order is to be had.<sup>123</sup> In the coming chapter we will discuss the legacy of the 1733 schism in the 18<sup>th</sup> and 19<sup>th</sup> centuries, by looking at developments within the Associate Presbytery and a few of the other schisms in the Established Church. In doing so, I hope to show that in the end it is the individualistic character of Covenanting Presbyterianism, ever critical of civil and ecclesiastical authority, never able to unify opinion, which caused schism to break through again and again.

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<sup>122</sup> General Assembly of the Church of Scotland, *A Narrative and State of the Proceedings of the Judicature of the Church of Scotland...* (Edinburgh:Davidson, 1734), 34

<sup>123</sup> Drummond and Bulloch, *Scottish Church*, 65

## **CHAPTER 6:**

### **AFTER 1733**

In the previous chapter we discussed the events leading up to the 1733 schism of the Associate Presbytery; the causes of the schism according to the four seceding ministers; and the larger structural factors within Covenanting Presbyterianism that tend to encourage the secession of dissenting groups. In this chapter we shall investigate the immediate, and long term, effects of the 1733 schism; the character of the Associate Presbytery; and a few of the other instances of schism in the Kirk during the 18<sup>th</sup> and 19<sup>th</sup> centuries. Our goal in this final chapter is to highlight the phenomenon of schism as a recurring theme of the Scottish Presbyterian Church, and to show how specific issues, such as patronage, as well as the larger structural characteristics of Presbyterianism, continued to divide the Church well into the 19<sup>th</sup> century. We will begin with a discussion of the early days of the Associate Presbytery and the immediate effects of 1733.

## 6.1 The Associate Presbytery and the Cambuslang Work:

In 1739 Ralph Erskine, Ebenezer Erskine's brother, began making enquires after a Mr. George Whitefield, a powerful evangelical minister who had made a name for himself as a traveling preacher in England, and throughout the American colonies. Whitefield, along with the brothers John and Charles Wesley, was one of the founding ministers of the Methodist movement, which seceded from the Church of England toward the end of the 18<sup>th</sup> century to form the Methodist Church. After Ralph Erskine was satisfied with the reports he had attained he proceeded to invite Whitefield to come to Scotland, so that he might preach the Lords word within the Associate Presbytery. In 1742 Whitefield was received amicably; after he spoke at the local meetinghouse Ralph felt inclined to write to his brother, Ebenezer, saying of Whitefield, "The Lord is evidently with him."<sup>124</sup> However, despite its happy beginnings, the friendly relationship between the Associate Presbytery and Mr. Whitefield did not last. After his initial stay with the Associate Presbytery, Whitefield contacted Evangelical ministers within the Established Church, and agreed to preach to their congregations as well. Following this news, an immediate change in relations occurred between the Associate Presbytery and Whitefield. In the following years, Ralph and Ebenezer Erskine would become two of the most outspoken critics of Whitehead's evangelical revival, the Cambuslang Work. In this first section we will examine the reasons for the Associate Presbytery's rejection of the Cambuslang Work, and the political consequences of this decision. Understanding the Secession Church's reaction to the revival will help to underscore the partisan nature of the orthodox Presbyterianism as defined by the Associate Presbytery, and will allow us to

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<sup>124</sup> Arthur Fawcett *The Cambuslang Revival: The Scottish Evangelical Revival of the Eighteenth Century* (Edinburgh: Banner of Truth Trust, 1996), 185

understand the trajectory of the Established Church's politics in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries.

The early years of the Secession Church saw their cause vindicated as thousands joined their ranks. By 1740, the year that Ebenezer Erskine and his likeminded associates were officially deposed, over 100,000 souls formally considered themselves to be a part of the Associate Presbytery, which by then consisted of 36 congregations and 20 different ministers.<sup>125</sup> The fledgling church drew its base from local prayer groups, which had been connected to the Covenanters of the late 17<sup>th</sup> century. In this way, the Covenanting tradition was kept alive in the Secession Church. They still did not view themselves as seceding from the Kirk wholesale, but instead portrayed their separation as a temporary gesture that would help to put the Kirk as a whole back on course.<sup>126</sup> To understand the importance of the Associate Presbytery's initial success, we need to examine the prevailing political ideologies of the Established Kirk during this period, and the Seceders position therein.

Church history at this time became a kind of popular propaganda, and many who viewed the Established Church as too lax and far from Calvinist doctrine began to appreciate Covenant histories, such as those presented by Erskine and his friends.<sup>127</sup> This narrative, emphasized the sacrifices made during the persecution of the Restoration period and claimed the Covenant to be an indisputable part of the national religion. For many Scotsmen, adherence to the Covenant acted as a clear shibboleth for determining orthodox Scots Calvinism. The Associate Presbytery aligned itself with this narrative,

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<sup>125</sup> Steven Maisie, *Parish Life in Eighteenth-Century Scotland: A Review of the Old Statistical Account* (Aberdeen: Scottish Cultural, 1995), 158

<sup>126</sup> Callum G. Brown *Religion and Society in Scotland since 1707* (Edinburgh: Edinburgh University, 1997), 16

<sup>127</sup> Drummond and Bulloch, *Scottish Church*, 30

and in doing so portrayed itself as having picked up the mantle as the conscience of the Scottish kingdom. They encouraged the distinction between less and more ‘correct’ forms of Calvinism, effectively othering the National Church and building their identity in contraposition to that of the ecclesiastical establishment. In the world rampant heresy and declining doctrinal standards they presented themselves as a bulwark against dangerous innovations.<sup>128</sup> This historical narrative was a popular one, and it did not belong exclusively to them. The Evangelical party within the Established Church also proclaimed the Kirk to be morally degenerate and called for the revival of ethics, and the need for spiritual cleansing. Since the Seceding ministers originally formed a core component of the Evangelical party, it should not be surprising that their historical narratives overlapped; the key difference between them being that the Associate Presbytery believed that secession was necessary, and the Evangelical party ministers believed that the Kirk should be changed from within.

Alongside the narrative of the Secession Church and the Evangelical party, the Moderate party had interpreted events in an entirely different manner. While Ebenezer Erskine and the more orthodox Presbyterians in Scotland viewed the persecutions of the Restoration era as a call to renew the Covenant with God, and purify the Church; the ‘Killing Times’ also made a number of Scots reconsider the importance of ecclesiology and the finer points of religious doctrine entirely. As the Moderate party developed and took control of the Church, it emphasized personal ethics, tolerance, and submission to the state in issues of church governance.<sup>129</sup> Their narrative blamed the persecution of Presbyterians on the fanaticism of ministers who were too concerned with matters better

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<sup>128</sup> Jackson *Restoration Scotland*, 119

<sup>129</sup> Ibid. 164

left to the government. This narrative appealed to noblemen, such as the duke of Argyll, as well as parliament members in England, but it did not have the kind of popular support among the people that the Covenanting narrative managed to attain. “The fact that the leader of the Moderates, William Robertson, referred to the Covenanting movement as banditry and unworthy of the new age of the Enlightenment indicates the feeling of alienation that many ordinary Scots felt within the Established Church.”<sup>130</sup> This alienation was responsible for the early success of the Associate Presbytery, as the Seceders were seen as the most committed Evangelicals, refusing to divorce themselves from their Covenanting traditions or compromise on points of doctrine. They were largely antithetical to the Moderate Party within the Kirk, but did not initially come into any kind of fierce contention with the Evangelical party—indeed, it is from them that the Seceders drew most of their new recruits. Initially, the Associate Presbytery, in its adopted role as the moral compass of the nation, encouraged its members to move freely between congregations, and remained in frequent contact with prominent members of the Evangelical party within the National Church.<sup>131</sup> However, as time went on they began to assert a more polemical stance in relation to the Established Church. This is easily perceptible in their reaction to the Cambuslang Work.

By 1742 the ministers in the Associated Presbytery had been formally ejected from the Established Kirk for some time, and tensions were running higher than they had been in the early days of the secession. The Seceded Church had been growing and had no reason to believe that this growth would stop; so, when they rejected George Whitefield’s ministry because of his willingness to preach within the Established Church

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<sup>130</sup> *Revival: Aspect of Scottish Religious Identity*, 205

<sup>131</sup> Fawcett, *Cambuslang Revival*, 184

they could not have understood the long term effects of their decision. The majority of the Seceders' arguments against the Cambuslang Work seem unfounded in hindsight. A frequent criticism argued against the wailing and bodily pain sometimes reported by those involved in the revival, but Ralph Erskine himself had praised similar, smaller revivals within the Associate Presbytery years earlier.<sup>132</sup> A more internally consistent argument stemmed from the idea that the Established Church with all its spiritual corruption could not possibly be home to so powerful a movement.<sup>133</sup> Ultimately, however, the lack of support for the revival seems to have been politically motivated by a kind of 'them or us' mentality. The fact that Ralph Erskine had initially invited Whitefield to Scotland and supported him until he agreed to preach to the Established Church congregations seems to reveal a rather petty origin for the Secession Church's attack on the revival. This speaks to the nature of schism within the Presbyterian Church generally, as there ultimately existed no censure on Ralph, or Ebenezer Erskine's right to critically evaluate Whitefield's work, no higher church court to temper their judgment. In the absence of a higher body with the power to enforce unity, divisions were abundant and formed a key component in defining group identity.

As mentioned above, the Scottish population was much more sympathetic to the Evangelical party's historical narrative, than the Moderate party's success in the National Church would lead one to believe. Moderate ministers tended to despise enthusiasm and excesses in religion, and as the party gained power through patronage and the strategic use of the powers of the General Assembly, they ended up disproportionately representing their views within the Kirk. Covenanting ideology, or at least a firm

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<sup>132</sup> Leigh Eric Schmidt *Holy Friars: Scotland and the Making of American Revivalism*. 2nd ed. (Grand Rapids: William B. Eerdmans, 2001), 49

<sup>133</sup> Roxburgh *Revival: An Aspect of Scottish Religious Identity*, 204

appreciation of orthodox Presbyterianism, and the sacrifices made during the Restoration era, remained strong within the Scottish people's imagination, but this was not reflected in the prevailing party of the Kirk. As a result, many of the Associate Presbytery's new members came from the more committed segments of the Evangelical party; however, their attacks on the Cambuslang revival alienated a significant portion of this Evangelical base, leading to a decrease in recruitment, and even to many members abandoning the Secession Church altogether.

A good example of the dramatic effect that the Associated Presbytery's rejection of the Cambuslang Work had on Scotland's Presbyterians, can be seen within William McCullough's congregation, the home of the revival itself. In 1740 John Bar, an elder within the Cambuslang congregation, filed a formal complaint with the General Assembly because the other elders within his congregation refused to allow him to sit in on the council of elders. After some investigation it was determined that the refusal to allow Brown to participate in congregational government stemmed from his support of the 1712 law managing church patronage. The majority of the Kirk elders saw his support of this law as an affront to the National Covenant, and refused to allow him to sit with them in council. It is worthwhile to note that this scuffle occurred just two months after the Established Church had formally deposed Ebenezer Erskine and the other ministers of the Associate Presbytery from their posts. At this time it was reported that a great number of McCullough's congregation had begun to travel several miles to the neighboring Associate congregation, and evidently preferred the service there. These committed, Covenanting churchgoers fit the profile of new Associate Presbytery recruits perfectly. However, the issue regarding Mr. Brown and the diffusion of McCullough's

congregation ended abruptly after the Associate Presbytery declared itself opposed to the Cambuslang Work, in 1742.<sup>134</sup> Arthur Fawcett quotes one woman who went to visit the Secession Church at this time, as claiming that their prayers suddenly felt too alienating, and exclusory, confining “a great measure to themselves.”<sup>135</sup> It is little wonder that the Associate Presbytery seemed polemical at the time, in response to the success of the revival they had proclaimed that no uncovenanted Church could possibly produce the fruit of God, and at one point even called for a fast to atone for the sins of those involved.

The slowed growth of the Associated Presbytery had significant implications not just for the immediate future of the dissenting church itself, but also for the future of the Established Church. The Moderate party within the Kirk had gained significant advantage within Church politics from the secession in 1733. The secession had removed the most vocal orthodox ministers from the Kirk polity, thereby strengthening the Moderates significantly.<sup>136</sup> Further hemorrhaging of the covenanting, orthodox, members of the Kirk into the Secession Church would have strengthened the Moderate party, even further. A link can be seen between the retained, and returned, Evangelical Presbyterians within the Established Church and successive secessions from the Established Church; including the Disruption in 1843.

The Moderate party dominated the Established Church of Scotland, at the expense of the Evangelicals, during the second half of the 1700s. While the Evangelicals tended to focus their attention on effecting a spiritual and moral revival within the country, Moderates were more focused on securing positions within the Kirk for likeminded theologians and furthering their political aims within the Church; they were primarily a

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<sup>134</sup> Fawcett, *Cambuslang Revival*, 52-53

<sup>135</sup> Ibid. 193

<sup>136</sup> Skoczylas, *Mr Simson's Knotty*, 332-333

clerical party, lacking significant support within the population as a whole. Moderate politics reflected a preference for peace over disputations of ecclesiastical organization, and were committed to maintaining friendly relations with the Crown. The Evangelical, or Popular party made up the majority of the congregation itself, retained respect and reverence for the covenanting tradition, and was deeply disturbed over the issue of patronage. The Secession Church gained much from its association with the popular, but politically disempowered Evangelical party. The political misstep that denunciation of the Cambuslang Work represented for the Associate Presbytery, enabled a robust contingency of committed Evangelicals to remain within the National Church—balancing the powerful Moderate party, attempting reform, and ultimately seceding at a later date.

## **6.2 Other Secessions of the 18<sup>th</sup> Century:**

While the ministers of the Associate Presbytery agreed on a great number of doctrines, but their opinions were not completely consistent. In 1747, less than twenty years after their secession, the newly found church divided into two groups, known as the Burghers and Anti-Burghers. This division was the result of controversy surrounding the requirement for ministers to swear the Burgher Oath, which said:

Here I protest before God, and your lordships, that I profess and allow with my heart, the true religion presently professed within this realm, and authorized by the laws thereof: I shall abide thereat, and defend the same to my life's end; renouncing the Roman religion called papistry.<sup>137</sup>

The controversy surrounding the oath hinged on the interpretation of ‘the true religion presently professed within this realm.’ Ebenezer Erskine and the Burghers interpreted this phrase to indicate the ideal Presbyterian religion, which although professed within the

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<sup>137</sup> John McKerrow *History of the Secession Church* (Edinburgh: Oliphant, 1839), 273

realm, was not embodied within the Established Church. For this reason they had no problem with swearing the Burgher Oath. The Anti-Burghers, on the other hand, interpreted the phrase to mean the religion as practiced by the Established Church, and so claimed that they could not, in good conscience, swear to it. The two parties split over the issue, each forming their own separate synods, and both claiming the authority and title of the Associate Presbytery. The Anti-Burgher Associate Presbytery even went so far as to excommunicate Ebenezer Erskine.<sup>138</sup> Erskine, for his part was less hostile, he lamented the fact that

the same enlightened and excellent men, who, by the divine aid, had conducted themselves, with great propriety and dignity, in those appearances before the Established Judicatories, which terminated in their secession, now, when left to their own humors, contended with each other in a very culpable and indecorous manner.<sup>139</sup>

To make matters worse, these divided churches would split again around the year 1800, this time over commitment to the Solemn League and Covenant. The ‘Auld Licht’ Anti-Burgher, and ‘Auld Licht’ Burgher Associate Presbyteries both held to the obligations contained within the Solemn League and Covenant; while the ‘New Licht’ Anti-Burgher, and ‘New Licht’ Burger Associate Presbyteries believed that these commitments were no longer binding. These successive schisms within the Secession Church demonstrated the structural weakness of Presbyterian ecclesiology when higher church courts are unable to impose doctrinal uniformity. Each congregation and minister was left to exercise their own judgment in these matters, resulting in the constant multiplication of opinions, and so secessions.

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<sup>138</sup> Drummond and Bulloch, *Scottish Church 1688-1843*, 110

<sup>139</sup> Fraser, *Life and Diary of Ebenezer*, 449-450

Meanwhile, the Established Church experienced a second, smaller schism in 1761 when Thomas Gillespie, Thomas Boston, Thomas Colier, and three elders (who were most likely also named Thomas), seceded to form the Relief Church. These ministers left the Established Church after Gillespie was deposed by the General Assembly. He had refused to take part in the induction of a minister at a parish in Inverkeithing, because the appointment was against the will of the local congregation. The newly formed church took its name as a form of protest against such practices: “the relief being to themselves from the evils of patronage.”<sup>140</sup> The Relief Church was less antagonistic toward the Established Church than the Associate Presbytery had been, encouraging its parishioners to attend services wherever they were inclined. It would join with the ‘New Licht’ branches of the Secession Church in 1847 to form the United Presbyterian Church.

One of the more significant results of this secession was the publication of what became known as the manifesto of the Moderate party. The commission of the General Assembly’s ruling on the Inverkeithing dispute struck many Moderate ministers as being too lenient. In response, William Robertson, the longstanding leader of the Moderate party, and several of his friends, published a written statement in support of their position. The argument ran that the equality of ministers in the Presbyterian ecclesiastical structure granted a certain amount of freedom, while the subordination of these ministers to higher Church courts preserved civil tranquility within the nation. They explained that

regulations for public order shall be established; not by the private fancy of every individual, but by the judgment of the majority, or of those with whom the society has consented to entrust the legislative power. Their judgment must necessarily be absolute and final, and their decisions received as the voice and injunction of the whole.<sup>141</sup>

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<sup>140</sup> James Rankin, *A Handbook of the Church of Scotland* (Edinburgh: Blackwood, 1879), 57

<sup>141</sup> *Annals of the General Assembly of the Church of Scotland from the Final Secession in 1739, to the Origin of the Relief in 1752* (Edinburgh: Johnstone, 1838), 231

The ministers argued that private judgment did not give ministers the right to disrupt public order, and claimed that without subordination to higher authority anarchy would reign in both the ecclesiastical and civil realm. At one point in this text the ministers made their historical perspective clear by blaming the tumultuous events surrounding the reign of the Kirk party in the late 1640s on “Independency, falsely called liberty of conscience.”<sup>142</sup> These ministers despised the popular foundation of the Evangelical party, and preferred restraint and order to enthusiasm, or zeal. The tight grip that the Moderate party held on the higher courts within the Established Church left little room for the more popular Evangelical ministers to shape the Kirk in their image. This situation, most emphatically expressed by the resilience of church patronage, proved unbearable for some, and greatly contributed to the causes of the aforementioned schisms. While the aforementioned secessions were significant events in the development of Scottish Church history, the crescendo of this struggle over the identity of the Presbyterian Kirk would come in 1843.

### **6.3 The Disruption:**

The Disruption of 1843 completely changed the Scottish Church, splitting it in two and greatly diminishing its ability to influence the everyday lives of Scotsmen forever thereafter. It was in this event that the issue of church patronage finally came to a head, and the Evangelical party asserted itself against the erastian principles that they saw embodied in the Moderates. This event is important to our discussion of schism, because it shows the final result of the competition between Evangelical, and Moderate party

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<sup>142</sup> Ibid. 237

historical narratives. Through the omnipresent issue of church patronage a larger point of contention was ultimately addressed: the nature of the Church and state's relationship, and the boundaries of their respective jurisdictions. The final result of this confrontation was the implied admission that the Evangelical party, and by extension orthodox Presbyterianism, could not exist within the Established Church. This proved once and for all that establishmentarianism could not coexist with the decentralized, individualistic nature of orthodox Presbyterianism. In our discussion of these events it would behoove us to begin with an analysis of Church politics in the early 1800s.

The early 19<sup>th</sup> century saw the gradual decline in power of the Moderate Party within the Established Kirk; by 1832 they were no longer the dominant party within the Church.<sup>143</sup> The Moderates had allied themselves closely with the Tory government in London, and while they proved adept at controlling the higher courts within the Kirk in spite of their relative popularity, the tides eventually changed. The Evangelical party in the Established Kirk could be loosely connected to the Whigs in government, but on the whole they were less homogenous than the more uniform Moderate party.<sup>144</sup> The different goals of the Moderate and Evangelical parties in the Established Church greatly effected their orientations and relative successes. The Moderate party tended to focus on consolidating power through the appointment of ministers, and control over the higher courts within the Kirk; the Evangelicals on the other hand were largely a popular movement, and hence generally lacked a sophisticated political strategy. However, in the 1830s this changed as the Evangelicals rose to power under the capable leadership of Thomas Chalmers, a powerful theologian, orator, and early social worker.

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<sup>143</sup> A. C. Cheyne *Studies in Scottish Church History* (Edinburg: T&T Clark Ltd, 1999), 107

<sup>144</sup> Maciver "Moderates and Wild Men," 104

In the 1830s the Tory Government in London suffered a brief defeat allowing the Whigs to take power, and effectively removing the power base of the Moderates in the Established Kirk. Unlike the Evangelicals, Moderates depended on patronage from the government and from local elites in order to maintain power within the Church. The Moderates saw themselves as friends of the government, and made this fact known to parliamentarians, writing letters that emphasized the need for the Moderate party to retain power in order to keep the Kirk tame<sup>145</sup>. The Whigs left these letters unanswered, and in doing so tacitly allowed the Evangelicals to gain the upper hand. They shied away from all-out support of the Evangelical party, as they owed allegiance both to them and Secession Church in Scotland.<sup>146</sup> Nonetheless, the limited support given to the Evangelicals was enough for Chalmers and his party to enact significant reforms within the Church and to cement their position of power.

Chalmers had been working for some time toward the project of Church Extension, which he saw as integral to his larger goal of involving the Church more actively in social work, and in the lives of an increasingly urbanized Scottish public. Chalmers argued that the Established Church's parochial system was out of date and unable to meet the needs of huge influxes of Scots into major cities such as Glasgow and Edinburgh. He saw the rapid growth of the Associate Presbytery and the Relief Church as a direct result of their flexibility in these matters. Chalmers solution to this problem was the passing of the 'Chapels Act,' 1834, which attempted to solve what became known as the Voluntary Controversy. The Voluntary Controversy was brought about by the influx of provincial Scots into towns and cities; as populations expanded, they began

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<sup>145</sup> Maciver, *Ibid.* 110

<sup>146</sup> Cheyne, *Studies in Scottish Church History*, 102

spontaneously calling new churches into existence wherever they were needed. These churches were granted a kind of limited legitimacy in the National Church, as their ministers, despite having been officially ordained, were not allowed various rights and privileges—including the privilege of sitting on higher church courts. In an attempt to remedy this situation Chalmers called for the expansion of the Church through the ‘Chapels Act,’ which gave around 200 of these popularly convened churches full rights in the Kirks ecclesiology.<sup>147</sup> Most of these newly formed congregations had Evangelical ministers, which in turn increased the party’s power in the Kirk’s higher courts.

Their position secured, the Evangelicals then turned their attention to addressing the issue of patronage. The Evangelical party at this time was somewhat divided over the how to handle the institution. Some members argued for the complete abolition of patronage, while the majority under Chalmers preferred reforming the system, but leaving it intact.<sup>148</sup> Chalmers saw some form of patronage as essential to the preservation of the link between the state and the Established Church, which he viewed as necessary for his social programs, as well as for the spiritual revival of Scotland as a whole. Under his direction the General Assembly passed the ‘Veto Act,’ which retained the system of patronage while granting congregations the right to veto the presented minister if the majority of the heads of households found him unsatisfactory. This was a far cry from the popular election of ministers that some Evangelicals envisioned, but gave the people more power in choosing their minister. The Moderate party was expressly opposed to the

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<sup>147</sup> Ibid. 98

<sup>148</sup> Ibid. 109

passing of the ‘Veto Act,’ as they rightly saw any attack on patronage as direct attack on the power of their party.<sup>149</sup>

As with previous attempts at modifying the system of church patronage, events quickly came to a head. In 1834 the patron of the parish of Auchterarder in Perthshire presented a minister by the name of Robert Young to the congregation there. The heads of households of this local congregation overwhelmingly voted against his appointment, and so the ‘Veto Act’ was put to the test. Young, on the advice of a popular Moderate lawyer, John Hope brought his case before a civil court, claiming that the ‘Veto Act’ was unconstitutional, as it devalued the right of the patron to choose a minister. They claimed that this right was the patron’s private property, and therefore could not be altered in ecclesiastical courts.<sup>150</sup> The civil court agreed with Hope, and after Chalmers’ appeal to the House of Lords, they approved of the ruling as well. The Evangelical led General Assembly immediately called on all parishes to ignore the decisions of the civil courts in this matter, and to uphold the ‘Veto Act’ despite the ruling of the House of Lords. For the Evangelical Party, the question of who could define the jurisdiction of the church courts came to the forefront of this dispute; the civil authorities claimed that the session court retained the right to decide such matters, while the Church claimed the right for itself.<sup>151</sup> Shortly after this incident, seven Moderate party ministers in Strathbogie went against the General Assembly’s order and agreed to install a minister against the will of a local congregation. The General Assembly responded by suspending them from office, much in the way that Ebenezer Erskine had advocated such cases be handled some 100 years

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<sup>149</sup> Maciver, “Moderates and Wildmen.” 112

<sup>150</sup> Lord Rodger of Earlsferry *The Courts, the Church, and the Constitution Aspects of the Disruption of 1843* (Edinburg: University Press, 2008), 11

<sup>151</sup> Ibid. 17

earlier.<sup>152</sup> After the suspension of these ministers the Evangelical party split in two; the more moderate Middle Party, disapproved of the General Assembly's harsh dealings with the 'Strathbogie Seven,' while the majority approved of the events.<sup>153</sup> At this point the issue ceased being solely about patronage, and took on larger significance as a legal battle over Kirk jurisdiction as a whole.

The Evangelical ministers were horrified at the ruling of the House of Lords, believing that their courts should be entirely separate from civil courts and that this had been guaranteed by the 'Act of Union' in 1707.<sup>154</sup> They saw the government's infringement on these rights as intolerable. The British Parliament at the time, while still Whig, rejected the General Assembly's call for help in part because of its democratic implications, and also because of the successful lobbying of the Associate Presbytery and Relief Church, in whom the parliament members had an alternate ally.<sup>155</sup> This event placed the entire position of the Church into question, leading many to fear what they imagined as the complete erastian domination of the Kirk by the state. In response, Chalmers, and the Evangelical General Assembly, were driven to new forms of protest. In May 1842 the General Assembly expressed their support for the complete abolition of patronage and approved the 'Claim of Right,' which asserted the Church's spiritual independence in rather controversial terms.

The lord Jesus, as king and head of his church, hath therein appointed a government in the hand of church officers, distinct from the civil magistrate; and that in all matters touching the doctrine, government, and discipline of this church, her judicatories possess an exclusive jurisdiction, founded on the word of God...[and] they will assert and at all hazards defend, [this jurisdiction] by the

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<sup>152</sup> Ebenezer Erskine et al. "Reasons" Edinburgh: Lumisden, 1735, 13

<sup>153</sup> Cheyne, *Studies in Scottish Church History*, 113

<sup>154</sup> Earlsferry, *Courts, The Church*, 17

<sup>155</sup> Cheyne, *Studies in Scottish Church History*, 114

help and blessing of that great God, who, in the days of old, enabled their fathers, amid manifold persecutions, to maintain a testimony, even to the death, for Christ's kingdom and crown; and, finally, that they will firmly enforce submission to the same upon the office-bearers and members of this church, by the execution of her laws, in the exercise of the ecclesiastical authority wherewith they are invested.<sup>156</sup>

Chalmers even went so far as to claim that no power besides the General Assembly itself could repeal the 'Veto Act.'<sup>157</sup> The government responded by ignoring the 'Claim of Right,' as well as the Kirks protests against patronage. They then went a step further, declaring the 'Chapels Act' illegal, effectively removing hundreds of Evangelical ministers from the General Assembly and ensuring that they would soon lose control of the Church.<sup>158</sup>

Against the Evangelical party's accusations of erastianism, the Moderates within the Kirk believed Chalmers' Assembly to be bordering on theocracy, and threatening civil order. John Hope, wrote in defense of the Moderate position. He quoted some Moderate ministers who dissented from the 'Claim of Right' as saying:

We highly disapprove of the concluding part of the declaration sanctioning, as it seems to us to do, the dangerous doctrine, that whatever the judicatories of the Established Church may chose to comprehend under spiritual matters, they have power to enforce by ecclesiastical censures, although declared by the supreme legal tribunals of the country to be an invasion of civil right, and consequently illegal.<sup>159</sup>

Hope himself went on to depict the Assembly's act as "a renewal of the ecclesiastical proceedings of former times—in their worst spirit and form—and aiming at authority and *practical* power as formidable as any ever claimed by the Church of Rome."<sup>160</sup> The

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<sup>156</sup> "Acts of the General Assembly of the Church of Scotland 1638-1842, No. XIV. Sess. 6" *British History Online*, Web. Nov. 2013. <http://www.british-history.ac.uk/report.aspx?compid=60240#s15>

<sup>157</sup> Earlsferry, *Courts, The Church*, 20

<sup>158</sup> Cheyne, *Studies in Scottish Church History*, 114

<sup>159</sup> John Hope *A Letter to the Lord Chancellor on the Claims of the Church of Scotland in Regard to its Jurisdiction and on the Proposed Changes in its Polity* (Edinburgh: Whyte, 1939), Appendix 6

<sup>160</sup> *Ibid.* 63

Moderate ministers claimed that they should not have to obey the directives of the General Assembly if they conflicted with the laws of the civil court. Although the conflict had begun over the legitimacy of the ‘Veto act,’ the passing of the ‘Claim of Right’ had transformed the issue into an argument over the definition of civil and ecclesiastical jurisdictions. To be clear, this was not a question of whether patronage itself fell under civil jurisdiction, rather it was a question of who delineated the boundaries of these jurisdictions in the first place. The Moderates’ argument had two very interesting consequences.

First, in terms of the legal battle then at hand, the Moderates’ argument granted the state the right to define the parameters of ecclesiastical authority, which the Evangelical party saw as erastian. Even more interestingly, the Moderate party had formed a justification for disobeying higher church courts, which was strikingly similar to that of dissenting Presbyterians some years earlier. Chalmers recognized this in a pamphlet he wrote shortly after the Disruption. In this work, he quoted several pages of William Robertson’s Moderate party manifesto, and argued that, in this case, the Moderates themselves had used private judgment as an excuse to disobey higher church courts. In an attempt to highlight their hypocrisy he explained that, “the doctrine of subordination is now thrown aside, when it no longer serves the purpose; and, still worse...it has become powerful to the cause of adversaries.”<sup>161</sup> Seceding ministers, and some of the more conservative Presbyterians had used orthodox religious doctrine as a measuring stick to determine the legitimacy of Kirk authority; in this dispute, the Moderates had replaced that measuring stick with adherence to civil law. While their

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<sup>161</sup> Thomas Chalmers, *What Ought the Church and People of Scotland do Now?* (Glasgow: Collins, 1840), 23

legitimacy qualifiers were certainly different, the effect was the same. Because the Presbyterian hierarchy of courts was not obeyed the Kirk fractured. Although the Evangelical party controlled the General Assembly throughout this dispute, their lack of civil support meant that, as always, it was them who would have to leave the Church. On May 18<sup>th</sup>, 1834 Professor David Walsh, the outgoing Evangelical Moderator of the General Assembly broke with tradition and read a long letter of protest after the morning prayer, afterwards he took his hat and walked out of the assembly hall. More than 400 ministers and between a third and one half of the congregation of the Church of Scotland went with him.<sup>162</sup> He and the other ministers then proceeded to elect Thomas Chalmers as the first moderator of the newly formed Free Church of Scotland. This schism precipitated a dramatic change in the role of the Church in Scotland, and saw the Evangelical party largely abandon the Kirk. In the mind of many of those in the Evangelical party, and in Chalmers' mind in particular, the link between the state and Kirk needed to be strong in order to fund missions, contribute to poor relief, and provide the necessary social structure for the ideal parochial Scottish society. In the events of the Disruption some of the most ardent supporters of Establishmentarianism were converted to the belief that true orthodox Presbyterianism could not exist within such a structure.

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<sup>162</sup> Brown, *Religion and Society in Scotland*, 21

## **CHAPTER 7:**

## **CONCLUSION**

Throughout this thesis I have attempted to show that schism within Covenanting presbyterianism was not the exception, rather, it was the rule. The Williamite Revolution nominally put presbyterians into power, but actually began a conflict between two competing notions of what it meant to be presbyterian. The polarized identity that Covenanting presbyterians constructed during the persecutions of the Restoration period placed itself in opposition to both the State, and the Established Church. They viewed themselves as the faithful remnant, preserving orthodox presbyterian faith against the sinful hordes. This identity was kept alive in the historical narratives of Evangelical ministers after the Presbyterian Settlement, and acted as the focal point of disputes between Moderate and Evangelical party ministers throughout the 18<sup>th</sup> century. Patronage and disputes over doctrine while important were really only indicators of this larger ideological battle. Orthodox, Covenanting presbyterianism was simply too unwieldy to garner state support, so the Moderates attempted to provide an alternative to their more committed Evangelical brethren. The inability of Orthodox presbyterianism to coexist

within the established state structure was not the product of individual issues, such as patronage; it was the result of larger structural issues.

The extrapolation of Covenanting theology in the 1600s had empowered ministers within the Kirk to criticize civil and ecclesiastical authority, by setting standards by which authority could be legitimized. According to the ideology developed, if a king or Kirk infringed upon the dictates of the Covenant, they could legitimately be dethroned, and disobeyed. In the civil sphere this led to the Kirk's decision to disobey Charles I, and in the ecclesiastical sphere it meant schism. According to the presbyterian ecclesiastical hierarchy each minister was equal, but should submit to church courts and these should in turn submit themselves to the decisions of higher courts. This theoretically separated the presbyterians from believers in the heresy of Independency, however as we have seen the Covenant's legitimization of the critique of authority weakened the hierarchical structure of the church significantly.

Patrick Gillespie's Holy Army showed that this theoretical hierarchy was only practical if the Church had the civil support to enforce uniformity of doctrine. Despite the theoretical hierarchy of presbyterian courts, private judgment almost always ruled when civil support wavered. The Moderate party's decision to disobey Thomas Chalmers' General Assembly in 1843 proves this point perfectly. Despite their appeals for obedience and submission to the higher courts within the Church, the presbyterian hierarchy proved too flexible for their professed principles. When faced with the opportunity, they disobeyed the higher courts in favor of their own judgment.

Ebenezer Erskine and the other Associate Presbytery ministers believed that they were fighting for presbyterian identity, and to an extent they definitely were; however,

the 1733 schism, like those that followed it, was more the product of the Kirk's inability to enforce its doctrine, and the presbyterian affinity to question authority. The Moderate party was correct in emphasizing that order within the Presbyterian structure depended upon the submission of private judgment to the hierarchy of Church courts. However, the legitimacy of those courts was quickly dispelled, when the Moderates had the civic support to manifest their dissenting ideology. In this respect they mirrored Patrick Gillespie's Protester army from 200 years earlier. Orthodox Presbyterians were left with a sort of paradox. Without civil support orthodox Presbyterianism could not enforce its hierarchy—its emphasis on clerical equality and private judgment allowed for the diffusion of too many distinct notions. Additionally, because of orthodox Presbyterianism's persistent critique of state authority—most notably articulated in the National Covenant—they could never acquire any kind of civil support after 1660. The problem being that the ecclesiastical structure of orthodox presbyterianism itself was a recipe for theocracy at best, and constant schism otherwise.

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