

The relations of church and state : an object lesson

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THE
RELATIONS OF CHURCH AND STATE.
AN OBJECT LESSON¹⁾.

II.

From our previous survey of the actual relations between Church and State and of the prevalent teaching on the same for the period immediately preceding the Revolution, we may gather only too safely that the Church was in evil case, to all appearance without hope of remedy.

Parliament and the King held her in sore bondage.

Until the Toleration Act of 1687 Parliament would indeed have called itself an assembly of churchmen, but with the reservation that churchmanship was to be defined by its own authority, if not by the caprice of the King. It received the bishops as members today, tomorrow it might banish them from the country. It may have been nominally, an assembly of churchmen, but it never was a Church Assembly, and after the heavy blow dealt in 1687 to the old fallacy that Church and State were commensurate in membership, there could be no pretence that it was either the one or the other.

The King, who held the real power, might be what he pleased. James did not even profess to be a churchman, and Charles, though never a Romanist¹⁾ (Wesley's Diary 10th dec. 1772) had as little moral fitness as due authority for meddling with the internal affairs of the Church.

Nor did the Privy Council much mend matters. One of its chief ornaments was Lauderdale, a presbyterian who persecuted the presbyterians because he was determined before everything to make all bow to the authority of the King, whose representative he himself was.

¹⁾ Voir la *Revue* d'avril 1906, p. 285-300.

By such authority wielded by such men we have seen the Church to have been established, and patronised, and strangled.

The very inmost citadel of her corporate life, the apostolic, that is the missionary, power of the bishops was interfered with. Under the farce of the *congé d'élire* neither they, nor the presbyters, nor the laymen as such had any choice or discretion as to who should be raised to the episcopate. Nor was the State content with this usurpation but even forced unordained men into recognition as ordained clergy with a cure of souls. It was as if Tiberius by calling himself a Christian would have acquired the right of dictating to the Apostles and the infant Church in Jerusalem, nay of dictating to our Lord Himself, who were the men that should be sent to labour in the vineyard.

Doctrine and worship were things to be settled by royal decree or acts of Parliament, not even to be discussed in Synod or in pulpit save by royal favour.

If any one dared to remonstrate against these things in word or in deed, he was immediately punished. And from other causes also any strivings after freedom were necessarily feeble and fruitless. With wild fanatics preaching rebellion and even glorying in murder; with the shadow of the Whitehall scaffold still lying over the land; with a large party ready utterly to do away with the catholic order of the Church, we had not far to search, I do not say for the justification, but for the explanation both of the vacillating tyranny of the State and also of the over-pliant attitude towards it of many good men hampered as they were by extravagant conceptions of its spiritual prerogatives.

Nor is this all, for we may be sure that the King and his advisers would choose no man for bishop who might be suspected of possessing any desire or ability to maintain the independence of his office. Thus James Sharp was the first primate, and James Sharp was a Presbyterian who had come into prominence as the bearer of a petition to the King not to tolerate episcopacy.

So long as the Stuarts should sit peacefully on the throne there was, humanly speaking, no hope of improvement in the Church's evil case. For though among the things that we have

enumerated some may have been peculiar to the period immediately under review, yet the evil was firmly rooted in the existing order, and each age would have brought its own aggravations.

But there are visitations in the hand of God that work marvellously beyond human expectation. The Revolution of 1688 with the century of oppression that followed offered to the Church an opportunity of regeneration through fire.

No other event, within the bounds of historical probability could have done the same.

It is needless to speculate in detail what without the Revolution the political and ecclesiastical development would have been, for picture it in what reasonable manner you will, the room occupied by the freedom of the Church will seem but small.

But we may usefully try to imagine what would have happened had the Revolution come, but had episcopacy in Scotland as well as in England been retained as the official religion.

To aid our imagination in this we turn naturally to glance at England. In the years that followed the Revolution the Church there continued in all essential points in the same condition as before, so far at least as concerns our present point of view. For James's tyranny was a thing personal to himself, in the category of accidents as regards the Church and her broad relationship with the authority of the State. Secular interference was carried under William to less extravagant detail, and he himself in face of Parliament had less arbitrary authority than his predecessor, but none the less the permanent conditions were as essentially erastian as ever. The same ruler that in Scotland had turned out Catholic order for his own political convenience was perforce accepted in England as the head of the Church. Her bishops were his nominees.

Convocation, that is the General Assembly, never met. The Church had in effect no corporate life. With her own proper machinery she undertook no work; all was left to private effort which was sometimes retained within the pale and sometimes driven without by the force of casual circumstances.

Perchance a great reformation has been wrought in England, since those days? What are the conditions there in our own time?

The Church is living and struggling after corporate life in a way she never did before, but it is not hers yet. Her bishops are still the nominees of the crown. She is still enthralled to Parliament, and this a Parliament that no longer even professes to be an assembly of churchmen. No one indeed can regret the loss of that profession with all the tyrannical hypocrisy implied, but with it vanished also the last shred of a covering that veiled the ugliness of the Church's plight.

Nor are these fundamental defects without visible and regrettable results even today when, all accidental points being favourable, the practical evil should be a minimum. The very idea of Church life and loyalty is in general sadly deficient and distorted. On one side men will make more case of a parliamentary establishment as such than they will of steadfastness in the Apostles doctrine and fellowship. On another they will take their stand on self-willed definitions and interpretations of catholic authority in scorn of their own living branch of the Church. And surely both these evils result in great part from the fact that under the heel of the State it is Church chaos rather than Church order that strikes the eye.

Again while Creed revision may be a permissible, may be a desirable thing, it is impossible that men who felt that the Church was in its own sphere an independent society with a definite existence, and an apostolic purpose of its own, could even contemplate as some do that the resurrection of Christ should be an open question. They are able to do so, it would seem, because in so many ways the Church has the appearance of being no more than a society interested in religious matters, taken up by Parliament, and therefore as a national institution open to every man of what belief soever he may happen to be. Erastianism like schism, though their methods are different, is all too efficacious in destroying the conception first of the apostolic Church and then of the historic paratheke. I say nothing so extravagant as that its immediate, or even certain, result is the absolute loss of faith in the unique Christian gospel, but simply that it destroys one of its proper defences.

Indeed with all her spots and wrinkles the Church of England is spiritually as thoroughly alive as ever she was, and that is no small thing. But there is nothing in her condition to make us doubt but that her light might shine still more

purely and steadily, if less brilliantly to the eye of flesh, if only healing could be brought for that evil in her which is now before our eyes. Still less is there anything to show that in both kingdoms that evil would have passed away had the Scottish bishops welcomed William and so allowed him to countenance them and their Church as the State Establishment.

Rather the contrary is manifest, and this all the more when we remember that the benefits of our earthly downfall have not been confined to Scotland. In our Church, ecclesiastically identical with their own, our English brethren had before their eyes in former days a living example of the fact that antagonism between Church and State was so far from having passed away with the last heathen emperor of the Romans, that their own King oppressed the Church on the north of the Tweed, though he favoured it on the south. They might argue that it was the King's necessity, not his fault, or they might be utterly indifferent to what they saw. But the thing was there, a few at least must have reflected on it, and many more been unconsciously influenced by it.

The time of oppression has now gone, political necessity may be more stringent than ever, all that is accident may be changed, but the essential instructive fact has remained from the days of William to our own.

Again, in the relations between the new Scottish Establishment and the State there was proof that even an established Church could maintain her own corporate life and spiritual freedom to an extent hitherto undreamed of. For whatever we may think of the origin of the present Establishment there is not, and never has been, much at fault in her working relationship with the State. This lesson also has always been open to the English Church.

In addition to all this we shall see later in how very definite a manner, when the Anglo-Celtic race had spread far and wide over the world, our own diminished and feeble Church roused the English Church to a truer sense of her own being and prerogatives¹).

¹) The reference here is to the consecration of Bishop Seabury. This event however has already been dealt with (Intern. Review, 1898, p. 561) and we shall content ourselves with this note.

The Education Bill for England at present, during the writing of this note, before Parliament, and certain to be passed by the Commons, is a

And yet, in spite of all, the English Church is still in bonds forged by erastianism. It is difficult to believe that without our painful purification in Scotland there would have been so much as a movement in the direction of liberty. And for our own Scottish Church it was well within the mark to say that so long as the Stuarts should sit peacefully on the throne there was no hope for her.

Let us now recall the actual events of the Revolution so far as they concern us. When William on his arrival found that Scotland by a distinct and powerful majority was in favour of episcopacy he endeavoured to obtain the support of the bishops, and was ready on his part to recede from his alliance with the Presbyterians. But while there is nothing to show that any bishop would have bestirred himself actively in the fugitive king's behalf, not one was found to declare himself openly in favour of William. In James's creature, Hamilton, Bishop of Dunkeld, we have perhaps an exception. This man is said to have been sub-dean of the chapel royal at the time of his death, but even in his abandonment of his own party and his own church there seems to have been nothing open and courageous.

As to the general opinion among those who for one reason or another preferred episcopacy to presbyterianism it is reasonable to believe that at the first the majority, so far from being Jacobite, would have been distinctly Orange in their sympathies, and as General Mackay in his well known letter written to the Laird of Grant in 1690 declares, this party, had it been organised, would have been more considerable than that of the presbyterians themselves. But such a state of matters could not long continue; the sturdy unanimity of the bishops for James, and the existence of a powerful, active, and intolerant presbyterian faction the warmth of whose support William dared not alienate for nothing, speedily resulted in the almost complete identification of episcopacy with Jacobitism.

disheartening blow to all who hoped that the twice spirits of erastianism and papalism were losing strength. That the Bill is directed in essence against the Established Church does not make it unerastian, but simply emphasises the anomaly of maintaining an Established Church at all along side of an open Parliament.

That king indeed, who knew nothing and cared less about our Church questions in themselves, saw the advantage that would accrue to himself if he were able not only to win the support of what was numerically by far the stronger body in Scotland, but also at the same time to establish one subservient Church throughout the length and breadth of his new dominions. Accordingly we find that he makes more than one cautious effort in favour of episcopacy, but the vigilance of the presbyterians and the attitude of the bishops formed a combination that he could not overcome. At most he succeeded in restraining the persecuting ardour of the former. Not that we were protected from all violence, or that Scotland would ever have become presbyterian without the aid of the soldier, but the process was a gradual one, and brought to completion only when loyalty to the Scottish bishops had perforce come to mean, or at least to carry the colour of disaffection towards the new reigning house. Our outward downfall was greatly furthered by the action of our bishops, not merely by the words of Bishop Rose in London, but rather by the persistent attitude of which these words were the expression.

Who shall now say but that those bishops in England were of clearer vision who saw in James an autocrat, bound by no ties of honour, his conscience being in the keeping of his confessor, working above all things for the total perversion of the Church, as chief pastors of which it was that they, the bishops, had taken their oath, and that so mere literal loyalty to it would be as grave an error in their case, as Herod's observance was in his?

We note in passing that neither on one side nor on the other was there any movement made for the liberty of the Church. Orange bishops and Jacobite bishops were alike unresisting, unquestioning erastians.

But now, let us glance once more at the presbyterian party and the manner of its triumph. We shall not only receive thereby a better knowledge of the blow that fell on the Church but also fresh evidence that it was not by following presbyterian example that we should have been delivered from the bondage of our own fundamental error.

The flight of James was fatal to his cause even in Scotland. The presbyterian party were ready for their opportunity

and made full use of it, and from the very first their power would be strengthened by an ever increasing number of those who without any love for presbyterianism in itself would fight its battle, through their determination to support William if not with the bishops then without them.

In January 1689 a meeting of presbyterian ministers held in Edinburgh addressed a letter to William entreating him to restore the presbyterian form of Church government, and protesting that they had ever been opposed to the remission of the penal laws directed against the papists. If they do not expressly ask for their enactment against the prelatists, there are obvious reasons for their silence with which neither tolerance nor a desire for the free voice of the whole Christian folk of Scotland have anything to do. Their later conduct shows that we may here with absolute justice look to these same obvious reasons for their sole motive.

In March of the same year, at the request of a number of his Scottish supporters, convened the estates. Taken by surprise, and without leading, the loyalists knew not what to do, and many held aloof altogether from the elections.

Nevertheless they felt themselves strong enough in the convention to make one effort, putting forward the Marquis of Atholl as a candidate for the chair. But when the Orange party carried their man by a distinct majority the others gave up the game, Some of them left the meeting altogether, and those that remained resigned themselves to the triumph of William.

The whole proceedings connected with this meeting were of course grossly irregular, and any authority that it has is due only to the subsequent fall of events. But as we are not discussing questions of constitutional regularity, being occupied rather with the relationship between the *de facto* ruling power with the Church, let us take it at its nominal value. Let us regard it as a meeting of the Scottish Parliament.

It is however quite relevant to our purpose to note that, regular or irregular in form, it was in fact utterly unrepresentative of the nation, and obviously still less representative of the Church for it did not even aim at being an ecclesiastical assembly. We may add that of those individuals who took part in its proceedings only those of one way of thinking were in a position to vote according to their judgment, altogether without fear or favour.

This Scottish "Parliament" then proceeded to deal after a time with Church matters, and in the document called the Claim of Right laid it down that "Prelacy and superiority of any office in the Church above presbyters is and hath been a great and insupportable grievance and trouble to this nation and contrary to the inclinations of the generality of the people ever since the Reformation . . . and therefore ought to be abolished." In spite of all the purging that the meeting had suffered, it was only by a majority that this was carried, and though this does not touch its formal value it does bring home to us what an absurd travesty these words were of the genuine national sentiment. The crown was then offered to the English sovereigns, and in accepting it they were obliged to take the oath "to root out all heretics and enemies to the true worship of God who should be convicted by the true Church of God."

To a later session of the same Convention was presented by the clergy of the Synod of Aberdeen a petition that a free general assembly of the Church might be held at which all such questions as Church government might be regularly and peaceably resolved. But as the holding of such a free assembly meant the certain retention of episcopacy the Convention replied by passing an act in similar terms to the declaration already referred to, with the addition that it should be left to the king and queen to settle with the consent of Parliament that Church order which was most agreeable to the inclinations of the people.

In 1690 Parliament repealed the act which declared the supremacy of the crown over all persons and in all causes ecclesiastical. This was a great constitutional improvement and a practical gain to the country, inasmuch as the arbitrary proceedings of the king and privy council were no longer possible without flagrant illegality. But there was no surrender of erastianism, for the king and queen and this same parliament ratified together the Westminster Confession and established the presbyterian form of government and discipline.

The presbyterians, as we have seen, held the papalist form of the common fallacy and by profession at least utterly abhorred erastianism, so now some of the more logically conscientious among them were scandalised, and utterly refused to countenance the new establishment. These were known by

the name of Cameronians, and existed for some time as a separate body. It must be confessed however that sober logic was not in general their strong point, and no doubt what largely weighed with them was a thing which many of their conforming brethren also hugely disliked. This was the quiet abandonment of the Solemn League and Covenant, and the fact that William had openly from the first refused to take seriously the oath to extirpate all heretics and enemies of the true Church of God. Nay, he himself by his connection with the prelatic English Church was one such enemy and to have any friendly dealings with him was to sin grievously.

As evidence of the fierce papalism that still characterised the presbyterian leaders even without any extenuating admixture of political necessity, we may recall how the life of a lad called Aikenhead, who had spoken slightly of the Scriptures, was sacrificed to their clamours. He had expressed his penitence, and stay of execution would certainly have meant escape from it, but the Edinburgh ministers interfered successfully and the law was carried out without mitigation and without delay.

It is to be noticed that though under the later tolerance of James, the presbyterians had openly acted together as a body distinct from the state, there is in all the proceedings that effected the establishment of presbyterianism as the state religion no hint of any corresponding tolerance to be extended now to the episcopalians. There is no hint even of any departure from the fundamental error that Church and state are but different aspects of the same body corporate. But while this is a common ground from which both erastianism and papalism spring, so that we were prepared to find that the transition from the one to the other was easy, it is not easy to acquit the presbyterian leaders of conscious inconsistency when we find them, as we have done, using parliament without any ecclesiastical mandate as the authority for the abolition of episcopacy, and the introduction of presbyterianism. The details of the transaction, the character of the convention and the refusal to allow the holding of a free general assembly, do anything rather than palliate their conduct. As Knox did, they regarded the violence of their own convictions as a divine warrant for any deed that might further their designs.

If the method by which episcopacy was restored in 1661 was bad, that by which it was abolished in 1689 was if possible worse and cannot be explained away as merely the return to the status quo ante. The thing once done, however, the advantage as regards the relations of Church and state was all on the side of the presbyterian establishment for owing to the political necessities of William he had to leave it full working freedom, while at the same time he was able to save it from itself by resisting successfully its more extravagant and cruel pretensions. For there can be no doubt but that the presbyterians left to themselves would have provoked a violent reaction, all the more that they were distinctly in a minority.

If however we were to look outside the sphere of working freedom, we should again find the balance of advantage to lie with the Church episcopal inasmuch as the nature of its constitution gives it a far more real continuity, a far more solid and independent corporate existence than can possibly be attributed to historical presbyterianism, so that William's establishment was in a far fuller sense than Charles's an erastian *creation*. But to justify these last words in detail would take us too far away from our main theme, and we may remark simply that the movers in the two events were not altogether unconscious of their truth. For while in 1661 appeal is made to the sacredness of the episcopal office, there is in 1689 no pretence made of consulting anything more durable than the will of the sovereigns and the wishes of the people, of which latter parliament is taken as the natural voice.

Let us now pass on to the period when the new order of things both in Church and in state was fairly settled, and it was possible to hold a formal General Assembly from which no danger was to be apprehended of a vote in favour of episcopacy.

In the parliament of 1703 Lord Strathmore proposed that all protestants might be allowed to worship according to their conscience. Upon this the General Assembly sent in a representation "that no such motion of any legal toleration... be entertained," that to do so "would be to establish iniquity by law, and would bring upon the promoters thereof and upon their families the dreadful guilt of all those sins and pernicious

effects both to Church and state that may ensue therefrom." So also we find them in 1707 by resolution, and in 1709 by active prosecution proceeding against the use of the English prayer book even by persons unconnected with the disestablished episcopal Church.

We notice these proceedings, not to hold up their persecuting and intolerant spirit to opprobrium, but to make manifest how deeply papalist the presbyterian Church still was. From time to time we shall find it acting in the same way, and indeed it shows no change for the space of a century.

But already the old Church party and the presbyterians are definitely separated from each other. Outside their relationship as oppressed and oppressor their mutual influence is small; and we have seen sufficient of the presbyterians to inform us how they stood with regard to the matter that is the point of this investigation. So now we may turn our eyes once more upon that Church which as possessing catholic order must ever hold for us a peculiar interest.

The petition for a national synod sent up in 1690 from Aberdeen is one of the few bright gleams in a dark period. Certainly a true national synod could hardly have been convoked under existing circumstances; the terms of the petition may seem to leave episcopacy itself too much an open question; many and mixed may have been the motives of individual signatories. But we must recognise that it takes up the sound position that Church affairs should be regulated by Church authority, and in fact implies no more in derogation of episcopacy than that the working form of the ministry is so far subject to its own apostolic authority that if it were really desirable on grounds of expediency that all presbyters should be also bishops, there would be no actual incompetency in so resolving. Moreover the petition was not an abstract declaration of faith, but a practical step taken by members of an established Church, for so they still regarded themselves, who were confident that their own views would be sustained by a large majority, and to whom it would always be open in the case of disappointment in vital matters to sacrifice their status in the establishment and so retain it in catholicity. But whether sound and workable or no, the petition was rejected, and with it all hope of hearing the true voice of the Scottish Church and people.

Not that we can assert that the Church was now in any way purged of her own error. Through her leaders she was still hopelessly erastian, and she had yet to draw very near to death having bound herself to a political corpse. Indeed it was well for her that it was a corpse, else she had never found freedom.

In 1704 the Archbishop of St Andrew's died. In addition to the Bishop of Moray who was *ab agendo*, and Bishop Gordon late of Galloway who had gone over to Rome, there were now only four bishops remaining, and something had to be done. The four survivors showed by their action that though they may have recognised the bare proposition that the episcopal office did not depend upon the sanction of kings, they were yet unable to recognise that the living force and working of the Church might and should be maintained independently of the fortunes even of him whom they acknowledged as their rightful sovereign.

Not perhaps without private consultation, but still on their own authority as state appointed bishops, they resolve that so long as any survive of the bishops of the old establishment, all authority will be centred in their hands, and other bishops will be consecrated without diocese assigned, and competent only to carry on the necessary work of ordaining and confirming.

Obviously there was no proper machinery for choosing the persons of the new bishops, and even before James's desire, expressed after the death of Bishop Rose in 1720, that no appointment should be made without his approbation, it is highly probable that his trustees, the most active of whom was Lockhart of Carnwath, had a very large say in the matter. Everything would naturally be done with as great secrecy as possible, if for no other reason, at least in order to avoid arousing the suspicion of the Government.

We must not omit to note that after the death of the Archbishop of St Andrew's Bishop Rose had assumed the title of Vicar General of that see, and aided by his own ability and by the death of the Archbishop of Glasgow, had gathered the authority of the whole Church into his own hands. Whether he had so acted of his own motion or at the instigation of James's trustees, the result fell in most happily with the designs of the latter, for when towards the end of his life the

bishop was ruling alone James had both in appearance and in reality the supreme direction of the Church.

The chaotic state of affairs from a practical point of view may be well imagined from the fact that of the six bishops alive at the death of Bishop Rose, himself the last of the old diocesan bishops to pass away, four were resident in or near Edinburgh and the remaining two in London.

As successor to him the clergy of the diocese of Edinburgh elected Bishop Fullarton, who with his brother bishops received, now apparently for the first time, formal recognition as such from the presbyters. These proceedings were undertaken with the approval of the trustees who saw their way to retain the influence of the Church in their own hands and Bp Fullarton fairly put his head into the noose by accepting appointment as a member of that body. The election was reported to James who ratified all the proceedings and recommended the clergy to accord the same deference to Bishop Fullarton as they had done to his predecessor in the see of Edinburgh. It was now that he expressed his desire that the bishops would make no appointment to the episcopate without previously consulting himself, as indeed in all probability the diocesan bishops before them had been accustomed to do. Nor was this consultation any mere formality for we find him succeeding in forcing his own nominees into the episcopate against the real wishes of the existing bishops.

For the first time also the non-diocesan bishops take their part in the government of the Church, and acting as a corporate body are styled the College.

At this time was made an attempt to allot, not formal dioceses, but spheres of work to the various bishops, but as yet only a very partial success was attained, and the immediate result was to make the actual confusion worse confounded.

Eight years previously a legal toleration had been extended to such clergy as were willing to take the oaths of abjuration of the Stuarts and of allegiance to queen Ann, and to pray for her and the Hanoverian Sophia by name. The policy of the rulers of the Church can have been no real secret, and under the circumstances we can hardly declare the conditions attached to the toleration to be surprisingly stringent, but at the same time they were not such as could be accepted by any

honest Jacobite how ready soever he might be quietly to submit in practice to the powers in possession. The non-jurors however seem to have been greatly benefited; the conditions enumerated were imposed upon the presbyterian clergy themselves, and as for various reasons they resented them and probably did not in general comply with them, they would find it prudent not to do anything that would call attention to their own irregularities. The chief reason however for which the General Assembly petitioned against the act, as both their previous and their subsequent doings would alone suffice to prove, was that toleration of episcopacy was recognised in principle. Indeed the very clauses which bore hardly on themselves seem to have been intended as a concession to their own outcry.

On the death of Queen Anne and the failure of the Jacobites to forestall the accession of the Hanoverian George, the identification of the Church in Scotland with Jacobitism became complete. Many who had formerly accepted and even welcomed the Revolution of 1688 became convinced that there was no other hope for their Church than the restoration of the Stuarts and threw in their lot with the rising of 1715. This was notably the case in the diocese of Aberdeen, the clergy of which presented an address of welcome to James, being introduced to him by the Earl of Mar.

Feeling also ran so high that those few congregations that freely accepted George and continued to qualify under the Toleration Act, soon ceased to recognise, or be recognised by, the episcopate and the Church in general. Thus originated a schism that has worked grievous mischief in many ways. Its primary root was the suicidal erastianism of the bishops, and therefore how great soever the faults of some of these separated congregations may have been in later years, it would ill become the main body of the Church to cast the guilt of schism in their teeth.

On the suppression of the rising the Toleration Act was put into active operation against the Church, but even this did not satisfy the presbyterians who in 1717, through the commission of the General Assembly, again appealed against what they called the "almost boundless toleration accorded to the episcopalians". Two years later distincter and severer penalties were laid upon non-jurors.

We have now brought our rapid survey down to the year 1720, and we have found no sign of improvement anywhere. The presbyterians are in spirit as fiercely papalistic, the episcopalians as blindly erastian, as ever they had been. Nay, through the political stress the extreme views of the bishops and leaders had now been driven into the mass more widely and deeply than in former years.

We now pass on to the miserable contests during which the Church nearly perished, but from which a better state of things gradually arose. The attempt to divide the country into spheres of action for the various bishops was a symptom of a corporate life that had never been wholly quenched; it was as a contest between the diocesan and the collegiate systems, complicated as it was by questions of ritual, that the first battle of freedom was actually fought and won; and it was James's foolish interferences that precipitated the contest.

In 1727 we find twelve Scottish bishops, six collegiate and six diocesan, the two parties being in open antagonism. In that year the latter met in Edinburgh and passed six canons which placed the Church formally on a diocesan basis, Bishop Miller, who had been chosen as their ordinary by the clergy of Edinburgh, being named as interim metropolitan until the due restoration of the archbishopric of St Andrew's. They then communicated with the College who replied by suspending Bishop Miller and by appointing as acting head of the Church Bishop Freebairn who had been a nominee of James, thrust upon the bishops for consecration against their better judgment, and clearly for that reason, or owing to fresh mandate, the very man to represent the extreme erastian cause.

This state of affairs continued until 1731, by which time it must have become evident to the College party that they were fighting a losing battle. In that year at any rate they agreed with their adversaries in a written concordate according to the terms of which the diocesan system was adopted not in name indeed but in essence, and the College in the full original sense of the term came to an end. Any legal right however to the use of the term diocese was expressly disclaimed, nor did the districts assigned to the various bishops coincide with the old diocesan divisions. Elections to bishoprics were to be made by the presbyters of the corresponding dis-

tricts acting on a mandate from the Primus, while the power of veto lay with the bishops as a body. The Primus himself, the permanent chairman, was to be chosen by the suffrages of his brethren.

Had the concordate been all, the Church would now in constitution have been wholly freed from the incubus of the exiled royal house, but there was also an understanding that all consecrations were to be intimated to James before being carried into effect; and not only so, but it appeared later that the bishops had bound themselves not to fill up any vacancy in the see of Edinburgh without his express consent.

The concordate marks the turn in our history towards a better state of things. The unwritten and secret agreements with regard to James show indeed that not only Jacobite sentiment but even erastian principle was still strong among the bishops. James on his part was not slow to avail himself of the back door still left open to him, and undoubtedly his restoration would have smothered the tender life. The Church as a whole was still absolutely without organisation, and even the bishops quarrelled scandalously among themselves. But still in the concordate was laid the foundation on which the Church was to be rebuilt in principles of freedom, even if the pressure of persecution from the outside was yet to bear heavily upon her in fact, and even if we have to admit that those who ruled were building more wisely than they knew.

When in 1739 the see of Edinburgh became vacant, the bishops refused to issue a mandate for proceeding to the election of a new occupant. It is from their correspondence on this occasion that we learn of their private agreement with James both to obtain his express consent for any election at all in Edinburgh, now regarded as the see of the Vicar General, and also to hold the titles of St Andrew's and of Glasgow altogether in abeyance. The refusal to issue the mandate was thus due to James, and what occurred in 1745 may suggest to us his reason. For though the rising in that year may have been at the most a forlorn hope, or a wild dash on the part of Prince Charles himself, it may well have been preceded by years of intrigue and serious expectation. James in fact could not reconcile himself to allowing the appointment to Edinburgh to pass in any way out of his own hands, and was

hoping for an opportunity of making it from the throne of his fathers.

In spite of this the Church continued to gain in the elements of her own true life. The presbyters were beginning to assert the due claims of their order; and the canons of 1743, though promulgated by the bishops alone, recognised feebly as it may be that they themselves were not irresponsible autocrats in the brotherhood of Christ.

Moreover the study of primitive authors was being more and more taken up, and one of the canons above mentioned expressly enjoins the bishops to recommend to their clergy the literature of the apostolic and two next succeeding ages. One result of this awakening spirit of love for primitive purity we have with us yet in our precious heritage, the Scottish Liturgy. And more important even than this one definite result must have been the quickening influence upon the whole life of the Church.

Thus, though our numbers had so woefully decreased that we had perhaps no more than 130 clergy, and though the laws against us were severer, the year 1745 found us in a healthier state than we had been in 1715. But even yet our cure was far from complete, and even the progress we had made was very insecurely held. Still had the hand of God to lie heavy upon us in outward things, and drive us whether we would or no along the upward path.

In this last attempt to procure the restoration of the Stuarts our clergy took a far less prominent part than might have been expected; indeed only two actively bestirred themselves, and we know with regard to one of these, Robert Lyon of Perth who acted as chaplain in the Prince's army, that he was moved not so much by political Jacobitism as by the evil case of the Church. And doubtless to any one living at that day, however enlightened, the present persecution at the hands of the Hanoverians would have seemed a more weighty thing than any warning conveyed by the knowledge of the bad old days of erastian pseudo-prosperity.

But when the rebellion was crushed, and the Government fell upon the vanquished with the fury of a panicstricken beast, it was evident that the destruction of the Church was one of the main objects in view. Lyon and the other prisoners,

including a witness who had come up under safe-conduct to testify that Lyon had never borne arms, were hanged by the neck for three minutes and then disembowelled; chapels were burned on all sides; no man of Scottish nationality, were he as Hanoverian in sentiment as King George himself, was henceforth to be permitted to officiate in public under any pretext; before the end of the century some four bishops and forty presbyters were all that were left to struggle on in the ministry of the Church.

By the original form of the new law those of the clergy who were already settled in charge of congregations, and would renew the parliamentary oaths, and conduct service according to parliamentary mode, were permitted to remain, and of this passing tolerance five availed themselves, but a few years later the law was reenacted and these five also were driven out. It is only at this extreme point that we find any protest being made by the English bishops, and though it was late in coming some of the arguments they used seem to show that they must have had some realisation of the preposterous character of the original edict also. Twenty of them ventured to vote against its later form.

With regard to the presbyterians in Scotland itself, we are thankful not to find any pronouncements of the General Assembly in prompting or even in support of the persecution. It is difficult indeed to believe that there was no inspiration from private presbyterian sources, but that is another thing, and we note that while we ourselves were losing our erastianism, the presbyterians were at least modifying their papalism.

The bitter and gratuitous persecution of the Church would at first rather revive its languid, even if generally held, Jacobitism, but in the long run the utter ruin of the cause would change loyalty to the Stuarts into a mere sentimental opinion. So also our erastianism by losing its concrete object would continue to grow less and less, for scarcely yet could it be transferred to the actually reigning house.

When in 1760 George III ascended the throne, and episcopal worship began to be winked at the inevitable tendency also began to manifest itself. In 1776 the see of Edinburgh was filled up in the proper manner, as far as appears without any reference at all to the authority of the Stuarts. In 1777

the last of the English non-juring bishops recommended his people to the fatherly care of the Scottish bishops, who accepted the charge for themselves and took no steps to procure the consecration of another English non-juror. We may believe that they foresaw and desired the end of the schism. In 1788 Prince Charles died, and though King George was not the nearest heir to the throne on strictly legitimist principles, the various diocesan synods resolved that they would in future pray for him by name as king, and this action was accepted by all save a few of the laity and one presbyter.

In 1791 a great convention of the Church was held, and so far had the idea of her own corporate life progressed, that there were present as members representative laymen with the right of voting.

The Church at last was alive and at work as a true body none the less that things were still to some degree fluid and incomplete. The terrible canker of erastianism with its attendant evils had at last been burnt out of her heart and consciousness. It is true that at the date last mentioned the persecuting laws were in full force, and that even now in 1906 there remain on the statute book many intolerant provisions directed against us. It is true that we have not yet arrived at a stable and satisfactory constitution of corporate life. It is true also that the number of opinions is to be measured by the number of men. But from the point of view of this paper the year 1791, the year of the Convention of Laurencekirk, marks the coming of age of the regenerated Church.

It will have been noticed that no mention of the consecration of Bishop Seabury was made in its due place in the chronological sequence. But this is not because that action was of small importance, but because it marked so definitely the position of our Church as a portion of the Church Catholic, and had such farreaching results, that it requires for adequate treatment a separate article¹⁾.

Aberdeen.

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¹⁾ Voir la Revue de juillet 1898, p. 561.