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SCOTLAND'S MAGNA CHARTA: THE NATIONAL COVENANT

I

THE year 1638 stands out in Scottish history as that which saw the organized resistance of the Scottish nation to the attempt made by King Charles I and his ecclesiastical adviser, Archbishop Laud, to force the Church of Scotland into conformity with the polity and worship of the Church of England. This resistance reached its culmination in the famous National Covenant, followed by the decisions of the Glasgow Assembly which abolished the ecclesiastical system imposed by the King and his father James VI and re-established the Kirk upon a distinctly Presbyterian basis.

It has frequently been assumed that the revolt was almost wholly religious in character—the manifestation of a deep-rooted antipathy on the part of the Scottish people to certain forms of worship and ecclesiastical order. Undoubtedly religious feeling played an important part, but in addition there were other factors of a political and economic nature. It needs to be remembered that the early Reformed Church in Scotland was not averse to liturgical forms or ecclesiastical superintendence. But what the Scottish people did resent was the absolutist policy of the King in imposing the Laudian Service-Book and seeking to subject the National Kirk to alien domination—a policy which infringed both civil and religious rights.

The dispute between Charles and his Scottish subjects did not mark an entirely new development in the relations between the Crown and the Church. Before the Reformation the Crown and the Church as represented by the Papacy had disputed over the powers and limits of the Two Spheres, Temporal and Spiritual. After the Reformation Crown and Kirk were at issue regarding their respective rights and jurisdictions. The question was not peculiar to Scotland, for following the break-up of the Holy Roman Empire and the rise of independent sovereign States national rulers endeavoured to make them-

selves absolute masters within their domains, claiming full authority both in State and Church. In some States the "Prince" secured ecclesiastical supremacy, but in Scotland the supremacy of the Crown in the Spiritual Sphere was keenly disputed and resisted.

With the Reformation there arose in Scotland a new force represented by the General Assembly. This new power claimed an authority which constituted a challenge to the absolutist pretensions of the Monarchy. Each grounded its claims on the principle of Divine Right and asserted its own superiority. With a King like James VI, who tenaciously held the doctrine of the Divine Right of Kings, and a Church led by a dogmatic ecclesiastic like Andrew Melville, who maintained not only the spiritual independence of the Church but also its Divine superiority, Scotland could not but become the arena of conflicting ideals and parties. The struggle which ensued influenced the whole course of Scottish history, and terminated only with the Revolution Settlement following the accession of William and Mary.

To understand the later stages of the conflict it is necessary to summarize James's policy and achievements. What he desired for himself was a position similar to that held by Queen Elizabeth in England, viz., the Supreme Headship on Earth of the Church within the Realm. This fact explains James's strong support of Episcopacy as against Presbytery. There is no reason to suppose that James believed in the Divine Right of Bishops or that his ecclesiastical policy was determined by a disinterested zeal for Episcopacy as such, but he was astute enough to see that a bureaucratic system like Episcopacy might be made more amenable to his absolutist aims than a representative system like Presbyterianism, especially a Presbyterianism which regarded him as "God's silly vassal" and subject to the discipline of the Kirk like any other member. Hence James made a determined effort to obtain control over the Church and to maintain some form of Episcopacy within the Church of Scotland. His policy resulted in a dual system of government by bishops and Assembly—a system satisfactory neither to strict Episcopalians nor to ardent Presbyterians. Such, however, was all the King could get, and it served his immediate ends. James pursued his policy with characteristic cunning and statecraft. He enlisted the support of the nobles, or secured their non-interference, by making large grants from Church

lands. Moreover, he succeeded in binding the Kirk to his will, obtaining control of the Church Courts and persuading the Assembly to accept titular bishops with administrative powers.

When, in 1603, James crossed the Border to assume the English Crown he found a National Church after his own heart—a Church which accepted the royal Headship. At Whitehall James enjoyed a sense of freedom such as he had not known in Scotland. He was not slow to take advantage of his new dignity. He desired now more than ever to bring the Scottish Church into closer resemblance to the Church of England. From a complacent Parliament and a subservient General Assembly he obtained assent to the reconstruction of the Church on Episcopal lines. Though careful not to interfere with the subordinate Courts, the Presbyteries and Kirk-sessions, he muzzled the Church as a political force by rendering the General Assembly ineffective. Apparently James had triumphed, but the conflict between Crown and Kirk was merely stayed, not ended.

II

In 1625 James was succeeded by his son Charles, who, though in personal character more admirable, shared James's ideas of Divine Right and kingcraft. Charles lacked his father's astuteness, and committed follies at which "the wisest fool in Christendom" would have stopped short. Sincerely believing that Episcopacy was the only valid form of Church order, and influenced by William Laud, he was more anxious than James to establish religious uniformity in both his realms.

Charles pursued his policy with a high hand. Whereas James had sought the sanction of the Estates and the Assembly for his innovations, Charles acted solely on his own authority as King. In Scotland, as in England, he was resolved to exercise autocratic rule. He purposed to destroy the remaining vestiges of Presbyterianism in the Scottish Kirk and compel his subjects to accept a Service-Book practically identical with the English Book of Common Prayer. Not until 1633 did Charles pay his first royal visit to Scotland, but his actions were such as to arouse distrust in the minds of the people. At his coronation in the Chapel of Holyrood the service was conducted by bishops with all the accompaniments of Anglican ritual, while on the following Sunday the royal chaplains "acted their English service" (Row). In order to secure the financial stability of

an Anglicized Church in Scotland the King revoked all Crown grants of Church lands and revenues made since the Reformation. Naturally this action aroused the alarm and resentment of the nobles and other lay proprietors. Charles found it impossible to carry out his complete scheme of revocation. He was obliged to make various concessions, but it was now too late to prevent the baronial classes whose sympathies were alienated from making common cause with the clergy and people whose opposition rested on religious grounds. Moreover, the nobles were jealous of the increasing influence of the bishops in the royal councils. Their resentment was intensified when in 1635 Charles packed his Scottish Privy Council with prelates and appointed Archbishop Spottiswoode to the Chancellorship, which since the Reformation had been held by a layman.

The public fears were realized when in May 1635 the King gave his royal warrant to a new book of "Canons and Constitutions Ecclesiastical" in which the Headship of the King was asserted, episcopal ordination enjoined, and authorization given to a Liturgy in course of preparation. This manual, known as Laud's Liturgy, made its appearance in May 1637. Its first use in St. Giles' two months later occasioned an uproar which revealed how strong was the antipathy of the Scottish people to the new book. The crisis came on the 23rd July, which Hume Brown describes as "one of the memorable dates in the history of Scotland", when, according to popular tradition, Jenny Geddes hurled a stool at the head of Dean Hanna, exclaiming, "Traitor, dost thou say Mass at my lug!" So great was the tumult that the officiating clergy barely escaped serious bodily injury. Patient and long-suffering, the Scottish nation was now thoroughly aroused. A flame of indignation spread throughout the land, uniting all classes, nobles, lairds, ministers, and people, in a common resistance. Said Robert Ballie, himself suspected of leanings to Episcopacy, "Are we so modest spirits, and are we so towardly handled, that there is appearance we shall embrace in a clap such a mass of novelties?" From every quarter petitions poured in to the Privy Council demanding the suppression of the Service-Book. Alarmed at the popular outburst, the Council urged the King to conciliate the people, but Charles was obdurate.

On the 18th October there was presented to the Privy Council a "Supplication and Complainte" which, says Mr.

J. D. Ogilvie, was "so representative of the Nation and stands in such close relation to the National Covenant which followed that it may naturally be described as the National Petition". The signatures numbered five hundred, including the names of many of the most prominent people in the land. Mr. Ogilvie declares that "The Covenant which followed did no more than amplify it", and that "it was a turning-point from which the Scottish people proceeded on the path which led to their national no less than to their religious freedom". In November representative "Tables", or committees, were formed to give expression to the common grievances. The King's answer was contained in a Proclamation read at Stirling Cross on February 19, 1638. Charles frankly admitted responsibility for the introduction of the Liturgy, but he declined to withdraw it, and further declared that all convocations and gatherings unauthorized by himself were illegal and if continued would be regarded as treasonable. But the "Tables" were not to be intimidated. Immediately after the reading of the Proclamation at the Cross of Edinburgh, Archibald Johnston, the able young advocate, followed with a Protestation which, as Sheriff Orr remarks, was virtually "a declaration of war". Reluctantly the protesters were forced to the conclusion that if the national liberties were to be preserved the opposition must be organized as a national movement. "To Scotsmen in so grave a situation," says Orr, "it was almost inevitable that the idea of a 'band' or covenant should suggest itself, as so often before in their nation's history." Accordingly, on February 23, it was decided, by "a conjunct motion from the nobility, gentry, burgesses and ministers", to draw up a National Covenant, the drafting of which was committed to Archibald Johnston and Alexander Henderson, Minister of Leuchars. The task was by no means easy, for the protesters differed considerably as to how far the opposition should be carried, and various amendments were necessary before practical unanimity was reached.

III

The Document was to consist of three parts: (1) A reproduction of the King's Confession (1581) condemning Romanism; (2) An enumeration of the various Scottish statutes against Popery and for the establishment of the Reformed Faith; and (3) A protest, called forth by the present situation, against the

imposition of alien forms of worship. Wariston undertook the compilation of the first two parts, while Henderson had the more difficult task of framing the third. Both men gave many hours of intense thought to the preparation of the Covenant, which was presented to a meeting of the nobility on the 27th February. After discussion a few changes were made, and later in the day the document was read to the ministers. In his "Diary" Wariston relates: "Afternoon with great fears we went to the ministry; and, after two other alterations and one discussion of all objections, we got it approved first by the Commissioners (of Presbyteries), then by the whole ministry except one . . . for the which my heart did leap within for joy of this glorious day wherewith our souls would be ravished if they were spiritually disposed. Blessed be the name of the eternal God that made my eyes to see the Covenant of the Lord renewed in this land."¹

The following day, February 28, which Wariston calls "that glorious marriage day of the Kingdom with God", the Covenant was consummated. Arrangements were made to meet at Greyfriar's Kirk at 2.0 o'clock in the afternoon. From early morning a great concourse of people, representing all stations of life and drawn from all parts of Scotland, had been gathering at the appointed meeting-place.² Within the church the proceedings were opened with prayer by Alexander Henderson, after which the Earl of Loudon addressed the packed congregation, and Wariston read the Covenant. The Earl of Rothes asked for objections, but these were few and soon resolved. The popular tradition, perpetuated by well-known artists such as George Cattermole and William Hole, and by Robert Louis Stevenson in his *Picturesque Notes*, which represents the Covenant being signed by all classes amid scenes of great enthusiasm on a flat tombstone in the churchyard, seems to be without foundation in fact. The signing of the parchment commenced *within* the church at 4.0 o'clock. "The Covenant," says Wariston, "was subscribed first by the noblemen and barons all that night till 8 at night." During the night four parchment copies were prepared, and on the following morning these were signed by about three hundred ministers and in the afternoon by the commissioners of the burghs.

¹ *Diary of Sir Archibald Johnston of Wariston*, edited by G. M. Paul, pp. 321-322.

² The historic Greyfriar's Kirk, long divided into two portions, has recently been restored to its original size.

Thereafter it was decided that a copy should be sent to every parish. During the following weeks many moving scenes were witnessed. "I have seen," says one minister, "more than a thousand persons at once lifting up their hands and, the tears falling from their eyes, entering the Covenant." Only in a few places, notably St. Andrews and Aberdeen, both strongholds of Episcopacy, was there reluctance to take the Covenant.

The tenour of the National Covenant may be gathered from the following excerpt :

"Because, after due examination, we plainly perceive and undoubtedly believe that the innovations and evils contained in our supplications, complaints and protestations have no warrant of the Word of God, are contrary to the articles of the aforesaid confessions, to the intention and meaning of the blessed reformers of religion in this land, to the above written Acts of Parliament, and do sensibly tend to the re-establishing of the popish religion and tyranny, and to the subversion and ruin of the true reformed religion, and of our liberties, laws, and estates; we also declare that the aforesaid confessions are to be interpreted, and ought to be understood of the aforesaid novations and evils, no less than if every one of them had been expressed confessions; and that we are obliged to detest and abhor them, amongst other particular heads of papistry adjoined therein. And therefore from the knowledge and conscience of our duty to God, to our King and country, without any worldly respect or inducement so far as human infirmity will suffer, wishing a further measure of the grace of God for this effect, we promise and swear by the great name of the Lord our God, to continue in the profession and obedience of the aforesaid religion; that we shall defend the same, and resist all these contrary errors and corruptions according to our vocation, and to the utmost of that power that God hath put into our hands, all the days of our life."

The signatories proceed to state that they have no intention or desire to diminish in any way the King's dignity or authority, but rather to uphold them by every means consonant with their duty to God and the maintenance of the Reformed religion and the liberties and laws of the land. Further, as they cannot look for the blessing of God unless they join with their professions and subscriptions a life and conversation becoming to Christians in covenant with God, they solemnly promise to keep themselves within the bounds of Christian liberty and to endeavour to show a good example "of all godliness, soberness and righteousness, and of every duty we owe to God and man". The terms of the Covenant clearly show there was no desire to rebel against constituted authority, yet they also reveal determination to defend the civil and religious liberties of the nation. Unfortunately it was soon discovered that fidelity to God was incompatible with obedience to the King.

Naturally the bold step caused great consternation amongst

the advocates of Episcopacy. Spottiswoode, the Archbishop of St. Andrews, on hearing of the renewal of the Covenant, is reported to have exclaimed, "Now all that we have been doing these thirty years bypast is at once thrown down". Charles himself was alarmed, and made an attempt to quash the Covenant. He made promises, offered concessions, but the Covenanters would not listen to any proposals which involved the suppression of the General Assembly. The King was equally obdurate: "I intend not to yield to the demands of these traitors, the Covenanters, and as concerning the explanation of their damnable Covenant, I will only say that so long as this Covenant is in force I have no more power in Scotland than a Duke of Venice would have. I will rather die than suffer it". Such words only helped to stiffen the resistance of the Covenanters. The King, however, thought it wise to sanction a calling of the Assembly. This free Assembly, which met at Glasgow in November 1638, was composed of 144 ministers and 96 ruling elders, including men of high social status like Lords Rothes, Eglinton, and Montrose. Alexander Henderson was elected Moderator, and the Marquis of Hamilton attended as Lord High Commissioner. The session lasted four weeks, and its decisions were fraught with great issues for the Scottish Church. One of the first acts of the Assembly was to deal with the bishops. The King's Commissioner questioned the authority of the Assembly to pass sentence upon the bishops, and expressed his intention to dissolve the gathering unless the case was withdrawn. The Moderator politely informed him that the Assembly was determined to remain until its work was completed. "In the name of the Lord Jesus," he said, "the only Head and monarch of His Church, we cannot dissolve this Assembly." The Lord High Commissioner withdrew, and issued a proclamation that all non-residents of Glasgow must leave the city. The command was ignored and the Assembly remained in session. Enactments were passed abolishing the Service-Book, deposing the bishops, and restoring the Presbyterian government and worship. Memorable were the words of the Moderator on closing the Assembly: "We have now cast down the walls of Jericho; let him that rebuildeth them beware of the curse of Hiel the Bethelite." Archbishop Spottiswoode had not underestimated the gravity of the situation. The ecclesiastical fabric upon which Charles and his father had

expended such great pains came crashing to the ground. By attempting to impose the heavy hand of despotism upon a people who cherished their national traditions and institutions, Charles had succeeded in alienating his subjects and uniting all classes of the nation whose wish was to remain loyal to their King in a common resistance to an absolutist policy inimical to the realm of Scotland. As Dr. Alexander Smellie puts it, "It was he who squandered a heritage of devotion and obedience which he might have retained to his latest hour. It was because he was a rebel against justice and law that he drove into rebellion those who would have spent their lives to promote his good".

IV

As already indicated, many factors contributed to bring about what is known in Scotland as "The Second Reformation". Emphasis must be placed upon the influence of the nobility, for without their support it is questionable if the opposition to the royal policy could have made itself effective. Says Hume Brown, "Mighty as the tide of national feeling was, it would have expended itself in vain, had it not been directed and concentrated by the action of the chief nobility". Just as the nobles had made the First Reformation effective, so now they made the Covenant effective; just as their support of King James had made Episcopacy possible, so now their alienation from King Charles secured its downfall. It would be arbitrary to deny that religious principles influenced their attitude, but what influenced them more was their concern for their class interests. Economic considerations always carry weight in the determination of policy, and on economic grounds the nobles were brought into opposition to the Crown. Charles's Act of Revocation resulted in what Hume Brown describes as "the greatest economic revolution recorded in Scottish history". Actually, however, the landed gentry suffered little loss, but they felt that their interests were attacked, and especially their prestige. The royal preference for ecclesiastics touched their dignity. Economic considerations also influenced the burghers, for the royal policy resulted in heavy taxation, which fanned the flame when trouble broke out on religious grounds.

Moreover, the spirit of nationalism must also be taken into account. James had desired to unite England and Scotland as one realm, but his aim failed largely because neither nation

desired union. Scotland feared absorption and the loss of the independence which she had so carefully guarded throughout so many centuries. She also feared the loss of her distinctive legal and ecclesiastical systems. So when Charles, supported by Laud, endeavoured to bring the National Kirk into conformity with the Church of the South, the deep patriotic instincts of the Scottish people rose to resist the Anglicization of their beloved Church. Scotsmen realized that if the National Church disappeared the identity of the Scottish nation might also be lost.

But when all this has been said the question which most moved the masses of the people was the religious question. Though somewhat later in date than the English break with Rome, the Scottish Reformation was more thorough. For two generations Scotsmen had imbibed the principles of the Reformed Faith, and by 1638 the large majority were soundly Protestant. Popery was held in general abhorrence, and anything that savoured of Romanism was suspect. Many regarded the English Church, with its prelatical hierarchy and its emphasis on forms and ceremonies, as only half-reformed. Rightly or wrongly Laud's Liturgy was condemned as suggestive of Roman tendencies. Moreover, in Scotland as in England there was a growing movement in the direction of Puritanism which stressed purity of faith and simplicity in worship. Scotsmen were not ignorant of the measures adopted against the English Puritans and naturally they looked askance at any system which threatened their evangelical freedom.

The Covenanters have been variously judged. To some writers they represent a narrow, gloomy, fanatical, and intolerant type of religion, while to others they stand forth as defenders of New Testament Christianity, examples of earnest piety, zealous faith, and patriotic devotion. Admirers and critics alike are prone to exaggeration. The Covenanters included men of diverse characters and varying motives. Some were indeed narrow and bigoted, unable to see truth except from their own angle, too ready to deny to others the liberty which they claimed for themselves. It must be remembered, however, that they were men of their own time, children of an age which had not yet learned the meaning of religious toleration. They believed that they possessed the full revelation of truth, and were impatient of heresy and error. The National Covenant lays down "that none shall be reputed as loyal and faithful subjects

to our Sovereign Lord or his authority, but be punishable as rebellers and gainstanders of the same, who shall not give their confession and make profession of the said true religion", while the "Solemn League and Covenant" of 1643, which aimed at religious uniformity within the Three Kingdoms, is even more severe in its requirements for the suppression of heresy. Yet, as Lord Guthrie has remarked, "The National Covenanters of 1638, and the International Covenanters of 1643, stood against autocracy, for democratic principles of civil and religious liberty. This note rings true in all their Manifestos, Declarations, and Apologies. In intolerance and the use of exaggerated language, they were no worse than their age; in disinterested attachment to principle and in far-seeing assertion of the rights of the people against the Crown and the ruling classes—in what they called 'the duties we owe to Religion, our King, and bleeding country'—they were much above it". It is easy to criticize or ridicule the early Covenanters and their successors who for half-a-century maintained the struggle for spiritual independence, but no one who considers their fidelity to principle and their readiness to suffer for their convictions can withhold genuine respect. As Robert Burns reminds us, the Covenant

"Cost Scotland blood, cost Scotland tears;
But sacred Freedom, too, was theirs;
If thou'rt a slave, indulge thy sneers!"

The National Covenant is the Magna Charta of Scotland's civil and religious liberty, but its effects were not confined to Scotland, for apart from the stand taken by the Covenanters the course of religious history in England also might have been altogether different. Scotsmen may rightly hold in affectionate remembrance the struggle of their Covenanting Fathers. Their vision may have been restricted, their methods sometimes mistaken, but their ideals were lofty and sacred, aiming at nothing short of a land united in acknowledging the Crown Rights of the Redeemer. In the words of Dr. Smellie: "They wished to have Him enthroned over the country which they loved with more than the patriot's affection. It was His Crown which was the oriflamme of their holy war. For His inalienable rights they counted no peril too hazardous and no sacrifice too great."

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