THE INFLUENCE OF ANDREW MELVILLE ON THE DEVELOPMENT OF THE SCOTTISH REFORMED CHURCH'S SYSTEM OF GOVERNMENT BEFORE 1625

by

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A thesis submitted to the Faculty of Graduate Studies and Research in partial fulfilment of the requirements for the degree of Master of Arts.

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August, 1963

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PREFACE

The following work has been undertaken with a desire to investigate further those portions of the life of Andrew Melville which are likely to be of general interest, to learn more of his life in its historical setting, and to form an estimate of his contribution to the development of the Scottish Reformed Church.

It must be acknowledged that the name of Andrew Melville in line of succession among those of the Reformers has somehow failed to gain a place of prominence in public recognition, a place, in fact, which his labours and his accomplishments would appear to justify. In general practice, to reflect on the Protestant Reformation in Scotland is to raise in imagination the intrepid figure of John Knox. He was indeed its leader, and seemingly the very leader required by the so-called Lords of the Congregation in their efforts to achieve religious reform. Nevertheless, there are those who in their veneration for Knox credit him with even greater distinction. These tend to regard him as the very summa summarum of the Scottish Reformed Church.[1] This is an opinion which endures in spite of the fact that the actual leadership of Knox in Scotland covered a period of not more than twelve years, that is, from 1560 to 1572. The truth is, of course, that the accomplishment of the Protestant

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[1] "The life of the Scottish Reformer is, in fact, the history of the Scottish Reformation." Thomas M'Crie, Life of Knox, 7th ed. (Edinburgh: Blackwood, 1873), p. ii.

Reformation in Scotland was not the work of one man, but of many.

It is at this point that popular credence has led the way to much misunderstanding. Religious reform in Scotland and Scottish presbyterianism are not one and the same thing. Whatever of a distinctly presbyterian nature was incorporated into the discipline of the Reformed church in 1560 was no more than presbyterianism in process of development. The final draft of that system and its final acceptance by the nation was the accomplishment of a later period.

That the years from 1560 to 1572 mark a period of very great importance in Scottish history is beyond dispute. They were years during which Knox manifestly played a prominent part in public affairs. He managed at the same time to introduce into Scotland a religious system bearing resemblance, in principle at least, to the calvinistic ecclesiastical polity already established at Geneva. Much has been written with regard to this absorbing period, and Knox himself has provided a lengthy account of his own activities pertaining thereto.[2] Furthermore, new books on the life of Knox and on the period of Mary Stuart, all presuming to shed new light on the religious and political controversies of the time, continue to be published and to be read with absorbing interest. As a result, a wealth of information concerning Knox and his times has been assembled and made available.

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[2]John Knox, History of the Reformation, first published in 1586, ed. W.C. Dickinson, (London: Nelson, 1949), hereafter quoted, Knox, Hist. of Ref.

To a similar degree, popular fancy has long retained a deep interest in that later period, including the closing days of the Stuart administration, which witnessed the fierce persecution of Scottish Presbyterians. The stirring accounts of the Covenantors, and of the bold defiance of many others, the tales of the cruelties perpetrated by Laud and the King's men on those who refused to acknowledge the hated episcopacy, have all been written into the familiar pages of Scottish history.

An important question thus arises: how are we to account for the unquestioned courage and constancy of those seventeenth century Presbyterians who, facing threats of death or imprisonment, conducted an intelligent defence of a well-defined and accepted ecclesiastical polity?

It is not enough to attribute their devotion solely to the influence of John Knox's ministry exercised nearly three quarters of a century earlier. This is beyond the range of even the keenest imagination. As an alternative, it would seem that a careful study of those political and ecclesiastical accounts which belong to that intervening period, or more especially to that section of it which lies between the years of 1575 and 1625, offers the prospect of a much more satisfying explanation.

As stated, John Knox's leadership and life came to an end in 1572, a relatively short period after the momentous days of 1560. The Reformed faith which he introduced, though presbyterian in principle, was still far from being completely established or

even generally accepted at the time of his death. Both the Scottish Confession of Faith and the first Book of Discipline were composed in 1560. Yet, while the first was adopted from the beginning as the creed of national religion in the kingdom, its counterpart never was formally ratified by parliament. Indeed, even before Knox's ministry came to an end, schemes were already on foot to introduce episcopal forms into the Scottish kirk. The "tulchan" episcopacy was in fact formally proposed in 1572, and under such circumstances that not even Knox could prevent its intrusion. It may be argued that he was a man then in failing health, but this in itself was not a deciding factor.

Who then remained to challenge such a turn of events; who could be found to take over the leadership of the Reformed church as it then existed?

The leadership to great extent devolved upon Andrew Melville who was induced to return from Geneva in 1574.[3] He was subsequently destined to play a prominent role in Scottish ecclesiastical affairs for three decades, and to exercise a significant influence long after he was removed from all possibility of personal intervention. These were unquestionably some of the most important years in the development of presbyterianism in Scotland. They were at the same time years which witnessed the growth of monarchial despotism, and with it the beginnings of those forces which

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[3] James Melville, Autobiography and Diary, (Wodrow Society, Edinburgh, 1842), p. 42. Hereafter quoted, Melville, Diary.

eventually overcame it.

The name of Andrew Melville has never received the publicity such as has popularized the name of Knox. So far as is known, Melville wrote no books and published no record of his own activities. Moreover, it seems that succeeding chroniclers have done less than justice to his memory in their failure to examine more closely his contribution to the development of the Scottish national church. Their neglect in turn permitted the growth of two evils: first, a public impression, which must be classified as a caricature inspired chiefly by his enemies, that Melville was hasty, intolerant, vehement, and lacking in humor; and second, the tendency to shade into relative obscurity, to reduce in dimension, a stature which otherwise grows with acquaintance. There seems to be more than a passing element of truth in the observation that "The John Knox of mythology is largely confounded by the Andrew Melville of history, for it was Andrew Melville and not Knox who was the originator of Scottish Presbyterianism."[4]

In the simplest terms, Andrew Melville's importance to history is this: He lived at a time when King James VI was determined to impose an episcopal government on the Presbyterian Church of Scotland, and Andrew Melville was his strongest and most influential opponent.

In the light of these circumstances the question arises:

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[4]Gordon Donaldson, Church and Nation Through Sixteen Centuries, (SCM Press, London, 1960), p. 71.

What was Melville's influence on the development of the Scottish Reformed Church's system of government before 1625?

It is believed that he was the prime mover in that procedure by which the organization of the Scottish kirk was finally and definitely cast in a presbyterian mould. Further inquiry seeks to determine the measure of his success in this regard.

It has been found necessary in the course of this investigation, in the interests of clarity and continuity, to follow some chronological order. At the same time, many matters of acknowledged historic interest, such as the Ruthven Raid, the Gowrie Conspiracy, and similar episodes, have been recalled only in so far as they are considered to have a significant bearing on the subject matter. There has been no conscious effort to present a narrative description of the times. Some liberty has been exercised with regard to the calendar limit of 1625. Melville's personal leadership was accomplished well within that period, but the fruits of his labours were not in full evidence until a later date.

The final chapter also includes a limited reference to Melville's influence on the course of democratic government in Scotland. Since the causes of both civil and religious liberty were never far apart in Andrew Melville's struggle with King James, any failure to draw attention to his contribution to the development of responsible government in Scotland would in itself create a sense of imbalance. Moreover, it would of necessity detract from our conclusions with regard to Melville's place as a competent

leader in the affairs of the Scottish Church.

The writer is greatly indebted to McGill University for the facilities placed at his disposal by the Librarian and staff of the Redpath Library in Montreal; to Professor W. Stanford Reid of the Department of History, McGill University, for his personal counsel and guidance; and finally, to the Board of Knox College, Toronto, for the materials made available at the Caven Library.

CHAPTER I

MELVILLE'S ECCLESIASTICAL AND POLITICAL FORERUNNERS

It was the fortune of Andrew Melville, no less than of John Knox, to have received sufficient training outside his native land to make a European out of one who might otherwise have been a parochial Scotsman. The intellectual stimuli to which he was exposed in Europe undoubtedly contributed greatly to his later effectiveness as chief exponent of presbyterian doctrines among his own race. Since much of the importance of Andrew Melville lies in the distinctive role he played as mediator in the struggle between the interests of church and state in Scotland, one can obtain little understanding of his policies without some knowledge of his ecclesiastical and political background. It was Melville's attachment to specific principles advocated by his forerunners which ultimately found expression in the character of the Scottish Church.

1. Early Reformers: Wyclif and Hus

It has been observed that prior to the end of the thirteenth century the main features of the emancipation movement were economic and social, and that from the fourteenth century onwards the religious factor began to play an active part.[1] Throughout the Middle Ages spokesmen against oppression of humanity were few, but

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[1] James MacKinnon, A History of Modern Liberty, 1, (London: Longman's, 1906), 158.

from the age of Wyclif and Hus the appeal became ever more audible until it took shape at length in a series of outbursts in support of religious and social reform. The movement owed much to the writings of John Wyclif, who was primarily a religious reformer, and to his disciple, Jan Hus.

Wyclif's views, reformatory and doctrinal, gained in influence as they were adopted by various sectaries, including the Lollards who introduced them to Scotland. As a reformer Wyclif maintained even before the great schism of 1378, "they blaspheme who extol the pope above all that is called God." Later, during his controversy over the Lord's Supper, he declared the pope to be Antichrist, and maintained that only two orders of ministry were established by Christ - presbyters and deacons. He claimed further, that the introduction of other orders was the result of the secularization policies of the Church.[2] Reformation of the Church, he believed, could be greatly assisted by bringing the Holy Scriptures into general use as a guide for doctrine and daily life.

It is scarcely likely that Wyclif and Hus, or their followers, foresaw the full bearing of their claim to right of worship in a way not in accordance with mediaeval creed and practice. It was, however, a claim of right which carried enormous potential significance, for in spite of all repressive measures taken to destroy its defendants they increased rather than diminished in numbers. Even Wyclif's bitter enemy Henry Knighton is said to have admitted in his

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[2] A.H. Newman, A Manual of Church History, 1, (Philadelphia: American Baptist Publication Society, 1899), 604.

De Eventibus, that if one met two men on the road one was sure to be a Wyclifite.[3]

Within thirty years after the death of Wyclif, which occurred in 1384, his opinions were taken up by Hus and published on a grand scale throughout Bohemia.[4] At his trial before the Council of Constance in 1414 Hus was accused of having denied, just as Wyclif before him had denied, that the pope and the ecclesiastical hierarchy constitute the Church. The argument he employed in his defence is of particular significance in that he appealed, not to ecclesiastical law, but to the Holy Scriptures and to conscience as the supreme arbiter of faith. It was this refusal to submit to corporate authority per se which steeled the animosity of the judges against him. To them the appeal to conscience was but another name for rebellion. Nevertheless, in his testimony Hus gave unequivocal expression to one of the fundamental principles incorporated later in the doctrinal statements of the Scottish Reformed church,[5] an emphasis on the democratic rather than on the hierarchial conception of the Church.

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[3]John Cunningham, Church History of Scotland, I, (Edinburgh: 1859), 184. (The reference is to Chronica de Eventibus Angliae, published in 1363?).

[4]Note the close connection between England and Bohemia through Ann, daughter of King Wencelaus, who became Queen of Richard II in England. This in itself favoured the importation of English books into Bohemia, but it also laid the groundwork for considerable intercourse between the universities of Oxford and Prague.

[5]Chiefly, second Book of Discipline, Chap. I, Sec. 7.

2. The Conciliar Movement

Among the precepts which distinguished Calvinism, few were of more consequence than those drawn from the doctrines of the conciliarists. Government by council was, of course, no new thing, and it may be argued that the form of government in use in the New Testament church was conciliar. But later years witnessed a trend toward a centralization and an absolutism, a trend which reached its ultimate in the assertions of the mediaeval church.

The rise of the conciliar movement as generally understood takes us back to the dark days of the papal schism of 1378-1439, and the efforts made to heal it.[6] It was with a feeling of desperation that the Council of Constance assembled in 1414-1418, primarily to heal the division, and then to reform the church in head and in member. To those who were deeply concerned with its declared purpose the results achieved by the Council could scarcely be considered a success. Fortunately, however, the interests of many of the delegates were not confined to this one objective, and the Council in consequence did reach decisions which from our standpoint over the centuries we now claim to have been of major importance.

It was indeed a valiant and far-sighted group within the Council which urged the conclusion that the church universal assembled in council is the highest ecclesiastical tribunal on earth, and that to such a council it belongs to depose unworthy popes and to do anything necessary for the well-being of the church. In the

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[6] Treated at length by J. Neville Figgis, The Politics at the Council of Constance, The Transactions of the Royal Historical Society, New Series, XIII, (London: Longman's, 1899), p. 105f.

opinion of one observer "Probably the most revolutionary official document in the history of the world is the decree of the Council of Constance asserting its supremacy to the Pope ... It forms the watershed between the mediaeval and the modern world. We see in the history of the movement the herald of the struggle between constitutionalism and the claims of autocracy in the State."[7]

The deliberations at Constance eventually gave rise to many other important questions: What is the ultimate repository of power in the state? What does Right really mean when exercised by a tyrannical power? May a tyrant be deposed against his will? What is the best form of government as applied to the state?[8] Some indication of the wide effect of such questioning is provided in the notable lament of an English Royalist in the seventeenth century, that the dangerous theories of the rights of the people first became prevalent in the Conciliar movement.[9]

Scottish Schoolmen and politicians had many contacts with the advocates of conciliarism, and, as a result, Scotland experienced a kind of conciliar movement of its own. The groundwork for it was prepared to great extent by two important circumstances: (1) the repeated anti-papal legislation which took place in Scotland[10]

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[7] J. N. Figgis, Studies in Political Thought, 1414-1625, Gerson to Grotius, 2nd ed. (Cambridge Press, 1931), p. 31.

[8] --------, Politics, Council of Constance, p. 106f.

[9] --------, Stud. Pol. Thought, p. 36.

[10] W. S. Reid, "The Origins of Anti-Papal Legislation in the 15th Century in Scotland", The Catholic Historical Review, XXIX, No. 4, (January 1944), 3ff.

during the fifteenth century, and, (2) the desire of the feudal element to control the land and the wealth of the church.[11] Both served to weaken the mediaeval conception of the infallibility of the church as an institution.

John Major, 1467-1556, was the last and greatest exponent of conciliarism in Scotland. It was while serving as a professor at the Sorbonne in Paris that he became indoctrinated with modern views with regard to papal powers. The source was the Gallican school of reformers there. After a second sojourn in Paris, 1525-1531, his convictions led him to revive the arguments of D'ailly and Gerson in favour of a limitation of papal power, specifically through the assertion of the supremacy of a council over the pope.[12] In his best known work, A History of Greater Britain, he clearly argued for the constitutional rights of the people against their usurpation at the hands of unconstitutional rulers. The king, he said, is not above the kingdom, but the kingdom is above the king.[13]

Major was neither a democrat nor a militant reformer in the modern usage of such terms, yet, such opinions certainly have a democratic flavour to them. Moreover, in their very enunciation

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[11] --------, "Scotland and the Church Councils of the 15th Century", The Cath. Hist. Review, XXIX, No. 1, (April 1943), 24.

[12] Peter D'Ailly, and John Gerson, of the University of Paris, sometimes called the greatest of the pure theologians. The University of Paris joined with the king of France, Philip IV, to compel Pope Benedict to resign. It was one of the first to move in favour of a general council. Cf. Newman, Hist. of Christianity, I, 526-527.

[13] John Major, A History of Greater Britain, Tr. A. Constable, Scot. Hist. Soc., (Edinburgh: 1892), footnote, pp. 158, 203.

they were bound to stir public opinion. His lectures in Glasgow and those delivered later in St. Andrews were popular among the young spirits of the age who were eager for reform. Men such as Patrick Hamilton, John Knox, and George Buchanan, all attended his classes.[14] He was, according to Knox, a man who was already considered a national oracle in matters of religion. The importance of his opinions lies, therefore, not in their novelty alone, but in the stimulating effects which they produced on the minds of his pupils and those who in later years investigated his teachings afresh. Thus it came about that the church of Andrew Melville, even more than that of Knox, reflected the principles of the conciliar movement.

3. Ecclesiastical, Political, and Monarchial Theory

The conciliar movement in itself is witness to the serious questions which engaged the minds of all able and progressive thinkers of the time. They were questions which led ultimately to clearer distinctions between ecclesiastical and political jurisdictions, and at the same time to a keener appraisal of the limitations of each, as then understood, to serve social and national good. The bitter contest waged between king and kirk in Scotland toward the close of the sixteenth century was but another manifestation of the conflict of ideologies being fought to varying conclusions on the European continent. Throughout one may distinguish four main schools of reasoning,[15] viz.: Mediaeval Roman Catholic, -

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[14] MacKinnon, Hist. Mod. Lib., II, 370.

[15] J. F. C. Hearnshaw, Social and Political Ideas of the 16th and 17th Centuries, (New York: Barnes and Noble, 1940), p. 34.

church and state exist together, but the church rules supreme; Jesuit, - church and state are separate, but with the state in an inferior position; National kings, - royal supremacy over all, with the state free to prosecute traitors and heretics alike; and Puritan, - separation of church and state, with civil government dependent on contract and consent, and Holy Scripture the ultimate authority in religion.

There was no lack of those who would freely and forcibly express their opinions on these matters. For our purpose it is enough to trace briefly the general trend of their thought in ecclesiastical, political, and monarchial theories of government in so far as they appear to have had a significant bearing on the characteristics of the Reformed Faith, and as related to the policies of Andrew Melville.

In the ecclesiastical field few held more advanced views at the dawn of the thirteenth century or were more effective agents in the cause of reform than Marsiglio of Padua,[16] and William of Occam. The principle work of the former, Defensor Pacis, (1324?), is a remarkable treatise, assured of public interest by the very nature of its contents. Briefly, the author advocates the complete authority of the civil power and the purely voluntary nature of the religious organization, the consequent iniquity of persecution by

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[16]Marsiglio of Padua was born about 1270, was Rector of the University of Paris in 1312, last heard of in 1336. His ally, and possibly his teacher, the English Franciscan, William of Occam. (James Bryce, The Holy Roman Empire, (London: MacMillan, 1921), p. 222; also footnote, pp. 520-521).

the church, and the original sovereignty of the people.[17]

It is obvious that such opinions struck at the root of the whole sacerdotal system, in effect advocating a thorough-going policy of liberation four and a half centuries in advance of John Locke. The importance of Marsiglio is further illustrated by the fact that from that time forward there is scarcely a papalist pamphleteer who does not take him as the fons et erigo of the anti-clerical theory of the state.[18]

William of Occam went a step further by demonstrating how such opinions might be applied in practice. Thus, the inhabitants of a parish might choose representatives to the diocese or larger territorial district. These in turn could select delegates to a general council. The resulting council would thus truly represent the whole church, superseding what in the past had been merely a select committee of the hierarchy.[19] Such a view is a remarkable forerunner of the system advocated by Andrew Melville in Scotland, and subsequently incorporated in the second Book of Discipline.

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[17] Ephraim Emerson, A Critical Study of Defensor Pacis of Marsiglio of Padua, (Harvard University Press: 1920), pp. 24-26.
Previte Orton, (Introduction, Defensor Pacis, Cambridge Press: 1928), describes Defensor Pacis as an anti-clerical ideal of a republic. "It is first and foremost an attempt to destroy what the author considers an abuse, - the papal supremacy as conceived by such popes as Boniface VIII, and the whole structure of ecclesiastical jurisdiction as set forth in canon law." p. xiii.

[18] Figgis, Studies in Pol. Thought, p. 26.

[19] E.F. Jacobs, "Some Notes on Occam as a Political Thinker", John Rylands Library Bulletin, Vol. 20, (Manchester: Manchester University Press, 1936), p. 57.

Political theorists of the fourteenth and fifteenth centuries eventually produced three principle schools of thought: the Huguenots, the Catholic Leaguists, and the Politiques.

The first of these was Protestant. It must be recognized that the Reformation, while it broke the power of the absolute pope, contributed at the same time to enhance the power of the absolute king. The pendulum, as it were, swung from one institution to the other, and all Europe was thus threatened with a princely despotism against which, it seemed, no further barrier remained. Happily, militant protestantism came to the fore to champion the rights of civil as well as religious liberty. The ranks of the Huguenots in particular furnished some of its most influential leaders. Of these, Frances Hotman and Hubert Languet were two who rendered invaluable service, especially through their writings.[20]

Hotman fled from his native land to Geneva following the wholesale massacre of the Huguenots in 1572. In 1574 he published his well known treatise, Franco-Gallia. In it he insisted that absolute monarchy has no foundation, not even in mediaeval French history. He pointed to a fundamental distinction between the king and the kingdom. The king, he explained, is a single person. The Kingdom is the whole body of the people for whose welfare he is

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[20]Melville attended Hotman's lectures on Roman Law while in Geneva; (Melville, Diary, p. 35). Languet, also a Frenchman, is regarded as the author of Vindicae Contra Tyrannos. In it he based his antagonism to absolute monarchy on Scriptural and theoretic rather than on historic grounds. His enlarged work, De la Puissance Legitime du Prince sur le Peuple, published in 1579, is said to have inspired Hooker and Locke. (MacKinnon, Hist. Mod. Lib., II, 199f).

instituted. The king is accidental, the kingdom is permanent.[21] Hotman's ideas on constitutional government, though mediaeval in character, created something of a sensation. His publication passed through three editions in as many years. That it was taken seriously by Roman Catholics and Protestants alike is indicated in the number of appeals to the Estates General on both sides.

Languet's method was to posit certain questions, and to answer them largely on the appeal to common sense. That his questions carried with them the seeds of controversy is evident in their very content: Are subjects bound to obey a king who commands what is contrary to the laws of God? He answered that sovereignty belongs to God alone. Kings, as well as vassals, are invested with their jurisdiction on certain grounds or conditions. They are kings by contract or covenant. May subjects resist a king who commands what is contrary to the law of God, and if so, how? May subjects resist a prince who opposes the interests of the state? May subjects call in the aid of foreign sovereigns for their deliverance from the tyranny or irreligion of the prince?

Languet's reasoning thus turns on the doctrine of contract which ascribes to the state a natural and not a supernatural origin. Kings, he maintained, derive their authority from God. They are His delegates or lieutenants, and their powers are limited by Him. He alone is absolute sovereign. He has never consented to share

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[21]Frances Hotman, Franco-Gallia, Tr. John Robinson, "An Account of Sueden", 2nd ed. (London: 1711), pp. 108-109.

His sovereignty with any mortal. Kings accordingly are his vassals, not sharers of His sovereign power, and as vassals are invested with their jurisdiction subject to certain conditions. They are kings by contract or covenant, and the contract or covenant is, according to Scripture, two-fold; first, between God and the king and the people, and secondly, between the people and the king. Resistence is thus involved in the contract. The people are bound to God for each other. If the king foresake God, the people must strive to win him from the evil of his ways. To make a contract with the people as one of the parties, and yet doom the people to bondage to the king's will, is both unscriptural and illogical. There can be no contract with a slave. The people are guardians of religion as well as of the peace.

So ran the argument of Languet. The startling effect produced by the publication of such opinions can be readily understood. In the hands of the Huguenots and similar protestant groups such reasoned statements were at once a defence, an apology, and an attack. They were taken up by the presbyterian leader, Thomas Cartwright, and by his puritan associates in England. They were likewise taken into careful consideration by Andrew Melville as he contemplated the structure of the Scottish kirk.[22]

Prominent among the ranks of the Leaguists was Dr. Jean Bouche. In his publication De Justa Henricii III Abdicatione, (1591),

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[22]Figgis, The Divine Right of Kings, 2nd ed. (Cambridge: 1922), p. 286; A.F. Scott Pearson, Church and State, Political Aspects of Sixteenth Century Puritanism, (Cambridge: 1928), pp. 25,41.

he upheld the view that the pope is king of kings, the successor of Gregory VII. There is no progress, he insisted, or indeed no liberty outside the church and the pope.

It must be conceded that the combative spirit is doubly present in the writings of both Protestant and Leaguist. The Protestant contended for toleration, but maintained at the same time that to suffer the existence of Roman Catholicism was to incur the guilt of conniving at idolatry. The Leaguist, even more aggressive because he greatly outnumbered the Protestant, insisted that outside the church there is no salvation, and not even existence. Both were persecutors. Unhappily for his opponent the Roman Catholic had the power as well as the will to persecute. The massacre of the Protestants on St. Bartholemew's Day in 1572 was simply one more incident in this brutality.

Between the Huguenots and the Leaguists stood the Politiques. They contended that the majority is not always right, the minority not always wrong. It was a party of expediency, and yet it was also a party of high principles. It gave practical recognition to the fact that public opinion cannot always be expected to agree on all points. Consequently, they maintained, it is the business of the government to rule the state and not the conscience. The party embraced adherents of both creeds, moderate Roman Catholics and moderate Protestants.

Among the leading exponents of the party were Michael L'Hospital, a Roman Catholic, and La Noue, a Protestant. Probably

best known of all is Jean Bodin. At one time he appears to have been a Huguenot, and still later a member of the League. His noted work, De La Republique, (1576), is still considered by many the first treatise on sovereignty in the strictest sense. Shortly after its publication it was used in the lecture rooms at Cambridge.

Bodin laid chief emphasis upon a doctrine of sovereignty. According to his views the sovereign power of the state must be absolute, and if this power is invested in a monarch no other body in the state has right of control over it.[23] For him democracy savoured of sedition.

It is a significant fact that a copy of Bodin's six Livres De La Republique was included in the library of the youthful King James VI, as early as 1577. The effective influence which its contents exercised upon him is revealed in the many similarities both in ideas and in phraseology manifested later in James' own political writings. The parallel is indeed so striking as to suggest that James took over bodily from Bodin his conception of sovereignty, and made it the basis of his whole idea of government.[24]

James thus early in life adopted the doctrine of Divine Right. It was a theory which sprang from an age when theology and politics were inextricably mixed, and when the ideal of the Holy Roman Empire, with Christ as its king, and two vice-regents on earth, was being challenged with increasing vigor. As an instrument of authority

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[23] Figgis, Studies in Pol. Thought, pp. 100, 110.

[24] Hearnshaw, Soc. and Pol. Ideas of the 16th and 17th Cent., p. 110. Cf, James VI, "The True Law of Free Monarchies", The Works of the Most High and Mighty Prince James, (London: 1616), pp. 198-207.

the theory of divine right was an invaluable aid to the pretensions of political ruler and pope alike, for each claimed to be head of something more than a temporal office from motives of convenience. Obviously the policies of Henry VIII required such a theory, and when in later years Elizabeth I was excommunicated by Pope Pius V it was more than ever necessary that the Queen should be defended on some such grounds.

James VI had reasons of his own for defending the same hypothesis in strict form. For one thing, his claim to the English throne was assailed by many Roman Catholic controversialists on both political and technical grounds. Moreover, it must have incensed him all the more to realize that the Presbyterians in Scotland were rapidly becoming a force of consequence in questioning many of his aspirations and methods.[25] South of the border the monarch was established as head of the church, and Elizabeth in turn constantly urged James to adopt a similar policy in Scotland. Thus, in a letter to James dated July 6th, 1590, she warned him against the threat to monarchy which she believed to be inherent in the claims of the Presbyterians in both realms.[26] It can scarcely be doubted that she had reasonable cause for some uneasiness when we

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[25]"... some fiery spirited men in the ministry get such a following of the people at the time of the Confession, they begin to apply to themselves a democratic form of Government. Take heed to such puritans, very pests in church and commonwealth." James VI, "Basilikon Doron", The Works of the Most High and Mighty Prince James, (London: 1616), p. 160.

[26]Letters of Queen Elizabeth to King James, Cambridge Society, XLVI (1849), p. 63.

consider the vigorous challenge offered by Thomas Cartwright and other presbyterian leaders to established religion within her own land. Cartwright's statements contained in The Second Admonition to Parliament, in November, 1572, were both bold and assertive.[27]

4. The Genevan School in its Relevancy to Scottish Presbyterianism

Shortly after the beginning of the sixteenth century the Protestant reform movement got under way and made rapid progress. Ecclesiastical Europe was thenceforth split into two irreconcilably hostile camps. Protestantism came into being vitalized by a new spirit, but it was more or less inchoate both with regard to organization and to doctrine. There was no co-ordination of party, no accepted creed, and no model of ecclesiastical structure. Obviously it could not continue as a miscellaneous collection of ideas and views. Luther had cleared the ground, but there was need of an architect to complete the design. That lack was provided in the person of John Calvin. His Institutes of the Christian Religion, first published in 1536, was a momentous undertaking. It was remarkable in at least three particulars.

First, in its theory of relationship between church and state. Calvin defined the local church as consisting of the whole body of clergy and laity who are of the same faith on fundamental points. Wherever the Word of God is sincerely preached and heard, and the sacraments duly administered according to the institution of Christ,

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[27] P. M. Dawley, Whitgift and the English Reformation, Hale Lectures, 1935, (New York: Scribner's, 1954), p. 82. The First Admonition was issued by the Puritan reformers in June, 1572.

there without doubt is the Church of God.[28]

To come to a sympathetic understanding of Calvin's views on church and state it is necessary to bear in mind that he had to contend on the one hand with civil powers determined to control the church, and on the other with Libertines and Anabaptists who rejected absolutely any connection between church and state. A substantial part of his arguments were therefore marshalled in defence of the claim that the church has the right and the calling to exercise discipline, and that along with it, it is the responsibility of civil government to enforce justice and equity. On the surface such a view seems to provide for the subordination of civil power to ecclesiastical control, but this is not born out in a true understanding of the subject.[29]

Second, in its theory of local church government. In the Genevan system there were four classes of ecclesiastical offices: (1) ministers or preachers elected by the college of ministers, the people having in theory at least the right to object; (2) elders, chosen as above, to watch over the morals of all classes, and to act as members of a consistory appointed to exercise discipline; (3) deacons, to administer the church charities and to look after the sick; and, (4) teachers and doctors to instruct students for the

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[28]John Calvin, Institutes of the Christian Religion, Book IV, Chap. I, Sec. 9, ed. Henry Beveridge, (London: Clarke, 1953), Vol. II, 407.

[29]"Its object is ... that no idolatry, no blasphemy against the name of God, no calumnies against his truth, nor offences to religion, break out and be disseminated among the people ...; in short, that a public form of religion may exist among christians, and humanity among men." (Ibid, IV, XX, Sec. 3).

ministry in Greek and Hebrew and other branches of learning. The over-all government of the church was thus vested in a council composed of ministers and elders. It is not difficult to recognize in these characteristics of the Genevan system the germ ideas which later found expression in the government of the Scottish national church, - lay representation, free assembly, moral and spiritual and academic well-being.

In the third place, Geneva was a training academy. Of particular interest to us is the fact that three outstanding personalities, John Knox and Andrew Melville of Scotland, and Thomas Cartwright of England, were residents of Geneva for a time, and that each in turn exercised a powerful influence on the progress of the Reformed faith in his native land. Melville's personal relationship to Geneva and to Calvin will be discussed more fully in Chapter II.

3. The Presbyterian Development in England

The church inaugurated by Henry VIII was not protestant in the Lutheran, Zwinglian, or Calvinistic sense. There had been no popular up-rising in England such as had taken place in Germany or in Bohemia. There had long been a dislike of papal supremacy on national grounds, but legislation such as that contained in the Statutes of Provisors and Praemunire permitted some measure of public satisfaction.[30] What King Henry succeeded in doing was to constitute

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[30] "The Statutes of Provisors and Praemunire have been properly regarded as signs of England's growing feeling of independence in ecclesiastical matters. They are to be seen as the forerunners of the religious reformation forced upon the country by Henry VIII.

a national church differing from the Roman Catholic Church on point of supremacy, and on that point alone. The control of the English church was transferred forthwith from the pope in Rome to the prince of the realm. Henry's success in this political and anti-papal venture was indeed extraordinary. However, even he soon realized the need for substantial support against his enemies, and recognized that this support could only come from the rapidly growing protestant section. His government and the protestant faction had one important feature in common - their dislike of papal power. As a consequence, even in Henry's period, and in spite of wide-spread persecution, protestantism continued to grow in strength and to demand as it saw fit some further measure of ecclesiastical reform.

Ann Boleyn, we may point out, was probably at heart and by interest a protestant. She owed her queenship to the anti-papal policy. Nevertheless, protestantism as such cannot be said to have become the state religion in England until the accession of Edward VI in 1547. By this time Archbishop Cranmer was substantially a Calvinist. He kept up a close correspondence with John Calvin, as did the King and other high ranking members of the nobility.[31]

Thus, for a short time protestantism enjoyed governmental protection in its endeavour to reform still further the doctrines

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Thus an understanding of these laws restraining papal powers in England is necessary for an appreciation of the back-ground of the English Reformation." (W.S. Reid, "The Origins of Anti-papal Legislation in the Fifteenth Century in Scotland", The Catholic Historical Review, XXIX, No. 4, January 1944, p. 3).

[31] Newman, Hist. of Christianity, II, 263.

and practices of the church, as well as its institution. It was at this time, and while Knox was exercising his unique ministry in the North of England, that John á Lasco, a Polish nobleman, accepted an invitation from Cranmer to come to London. While there he established a new congregation which resembled in form and in government that of later presbyterian churches in Scotland.[32] The affairs of the congregation were managed jointly by the minister, ruling elders, and the deacons. Indeed, so far had continental Reformed church opinions permeated the English church at this point that Scriptural authority for the validity of bishops as an instrument of church government was called into question by such leading churchmen as Archbishop Cranmer, Bishop Hooper, and the bishops of Ely, Rochester, Lincoln, and a number of others. In fact, there was a growing tendency during the reign of Edward VI to discontinue the title of bishop in common speech, and to adopt the term of superintendent in its place.[33]

It was, however, the Elizabethan period which saw the rise of presbyterianism. The progress of the English Reformation thus far was directly or indirectly largely inspired from Strassburg, Zurich, and Geneva. The death of Edward and the advent of Mary in 1553 put a summary end for the time being to this stimulation under foreign auspices. Those who had taken an active part in the reform movement either fled to the Continent or remained to suffer

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[32] M'Crie, Life of Knox, 6th ed. (Edinburgh: Blackwood, 1839), footnote S, on John á Lasco, pp. 411-412.

[33] Ibid, Note R. p. 339.

persecution. When Elizabeth came to power her initial settlement, provided in the Act of Supremacy, 1559, was generally regarded as both tentative and transitory.[34] Deeply affected by their contacts with calvinistic protestant churches during their years of Marian exile many English churchmen were now earnestly and impatiently eager to carry the reformation of their own church to the conclusions reached at Geneva and in the Rhineland. Leading ecclesiastical dignitaries such as Parker, Grindal, and Parkhurst, were decidedly in favour of a nearer affinity in worship and polity to other Reformed churches.[35]

The accession of Elizabeth to the throne in 1558 was hailed throughout England with popular enthusiasm. That she was generally favourable to the Reformation cannot be questioned. Nevertheless, under the adopted title "Supreme Governor of the Church of England" she soon revealed a tendency to repress all attempts at further changes in ecclesiastical polity. It should be remembered, however, that a large percentage of her subjects, possibly as much as one half, were still adherents of the Roman Catholic faith.[36] What she did then, in the interests of strong government, was to play on the general principle of compromise. With such a policy written into the statute books it soon became evident that there were two distinct parties in process of development within the English church.

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[34] Dawley, Whitgift and the Eng. Ref., p. 61f.

[35] M'Crie, Annals of English Presbytery, (London: James Nesbit, 1872), p. 91.

[36] Hearnshaw, Soc. and Pol. Ideas, 16th and 17th Cents., p. 23.

conformist, and non-conformist. The first was obviously satisfied to continue with the outward forms of the church; the second, generally classed as Puritan, challenged the lawfulness of the Act of Uniformity, and in due course suffered persecution for their opposition to it.

English puritanism likewise passed through a period of internal difficulty during the sixteenth century. When Elizabeth sought stricter observance of her religious policies in 1564-1565, it was discovered that puritanism itself was divided into two distinct groups: (1) those whose interests lay chiefly in bringing about some measure of reform in the outward rites of the church, as exemplified in the Vestiarian Controversy of 1565;[37] and (2) those who attacked the constitution of the church, and objected to the names and functions of archbishops, archdeacons, bishops, and similar ranks in the Elizabethan established church.[38]

It was this latter party which, having gained remarkable influence both in parliament and in the leading universities, proceeded to lay plans for a completely reformed church in England. Thomas Cartwright, Lady Margaret Professor of Divinity at Cambridge,[39]

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[37] Dawley, Whitgift and the Eng. Ref., p. 61

[38] M'Crie, Annals of Eng. Pres., pp. 95-97.

[39] Charles Borgeaud in his History of the University of Geneva points out that Cartwright began a course of studies at Geneva in January, 1571, where Andrew Melville was already established, (Vol. I, Geneva: 1900, 107-108). In an article, "Cartwright and Melville at Geneva" published in the American Historical Review, Vol. V, (New York: 1899-1900), 284-286, he said, "The records of the academy show a substantial proof of the Genevan origin of the ecclesiastical system of the Puritans. For in that year, 1572, on his

was their acknowledged leader. On his return from Geneva in 1572 he announced his intention[40] "to overthrow all ecclesiastical and civil government that now is, and to institute a new found policy." In the eyes of Elizabeth, of course, such a declaration, however intended, was little less than a summons to insurrection on a wide scale. Yet, it was uttered not without some hope of success, especially at a time when the English parliament leaned heavily in its sympathies toward the Calvinistic school of reform. At any rate, Cartwright made it clear that it was his ambition to see the church of England reformed according to the model of the apostolic church as he then interpreted it. He envisioned a presbyterian order patterned on a system of courts, - a parochial consistory, a conference (presumably the forerunner of modern presbytery), and provincial and national synods.[41]

Cartwright's energies in this direction were so far successful that the first step in the organization of English presbyterianism was taken on November 20th, 1572, with the erection of the so-called Presbytery of Wandsworth. While it must be admitted that

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return from Geneva Cartwright drew up his famous Admonitions to Parliament, one of the first manifestoes launched at the Church of Elizabeth."

[40]In a letter dated June 11th, 1570, William Chaderton wrote to Secretary of State Cecil requesting "that some effectual means be taken for a reformation of the disorders in the University of Cambridge encouraged by the evil doctrines and conduct of Mr. Cartwright." Calendar of State Papers, Domestic, Elizabeth, 1547-1580, Vol. I, ed. R. Lemon, (London: 1856), 381.

[41]A. F. Scott Pearson, Thomas Cartwright and English Puritanism, 1535-1603, (Cambridge: University Press, 1925), p. 73f.

this was scarcely a presbytery in the modern understanding of the term, yet it was an experiment in ecclesiastical reform which must have been followed with keen and sympathetic interest by his close friend and associate, Andrew Melville, at Geneva. Moreover, as an attempt to advance the cause of the Reformed faith in England, it was a kind of parallel movement to the progress of presbyterianism in Scotland. There was undoubtedly considerable intercourse to and fro across the boundary, and Melville tried without success to have Cartwright appointed to a university chair at St. Andrews in 1580-1582.[42] This is in itself an illustration of the reality of the bond that united the northern and southern seekers for a similar form of ecclesiastical government.

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[42] Ibid, p. 190

Melville and others fled to England when Scottish presbyterianism was in abeyance during the years 1582-1585. There they found a refuge among the puritans and became intimately acquainted with their leaders. English non-conformists were similarly befriended in Scotland. Melville remained in England from February 1584 to November 1585.

CHAPTER II

MELVILLE'S SPIRITUAL AND ACADEMIC PREPARATION

1. Personal and Family Life

Andrew Melville was a member of a family said to have migrated from Normandy to Scotland early in the twelfth century. Though none was raised to the peerage until a later period, they long held a distinguished place among the lesser barons and were allied by intermarriage to the principal families of the kingdom. The Melvilles also claimed affinity to the royal family. Apart from other evidence available, this is certified in a letter written by Andrew Melville from his seclusion in Sedan in 1614.[1]

Richard Melville, father of Andrew, was proprietor of an estate located near Montrose. Andrew was the youngest of nine sons, and was born in August, 1545.[2] Two years later his father was killed at the battle of Pinkie. The care of Andrew Melville thus devolved upon his oldest brother Richard. The latter, recognizing the limited physical stamina of his young brother, and noting at the same time his keen intellect and taste for learning, proceeded to make available every opportunity to further his education. Accordingly, he first placed him in the grammar school at Montrose under

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[1] The letter written to one Dr. John Forbes of Corse contained a copy of verses which he had sent to King James from the Tower. He stated that both he and Forbes derived their extraction from John of Gaunt. (M'Crie, Melville, I, footnote A, 414).

[2] Ibid, I, 2f.

the care of Mr. Thomas Anderson. The school in itself bears some distinction in that it appears to have been the first in Scotland to include in its curriculum a study of the Greek language. Chief credit for the arrangement belongs to John Erskine of Dun[3] who as early as 1543 procured a teacher from France to encourage training in this branch of learning. Thus, although the system of education employed in the Scottish schools shows little outward indication of being affected by the revolutionary forces then spreading thoughout Germany and other parts of the Continent, the fact that classical Greek was taught in one of its institutions was in itself an indication of a changing attitude of mind toward older systems of dogmatic reasoning. Of particular note is the fact that many of the distinguished masters of schools at the time were secretly attached to the doctrines of the Protestant Reformation. In due

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[3] Ibid, I, 27.

Erskine of Dun, (1508-1591), was a man who held a place of prominence in politics and even of high diplomacy. As early as 1540 he was widely recognized as a convert to protestantism. When Knox visited Scotland in 1555-1556 he was pursuaded by Erskine to accompany him to his family seat in the Shire of Angus. Knox did much of his preaching at that time from the relative security of Erskine's house. As the Reformation progressed Erskine devoted himself more and more to the service of the church. He was elected to be superintendent of Mearns and Angus early in 1562, an office which he held with distinction. To him is attributed the statement: "I understand that a bishop and a superintendent to be but one office, and where the one is, the other is." (David Calderwood, Hist. Kirk of Scotland, Wodrow Society, III, 160). Nevertheless, Calderwood leaves room for the impression that Erskine modified his opinions somewhat with regard to the expediency of appointing bishops, and as a result of his discussions with Morton in 1571-1572. This opinion is borne out to some degree in the fact that he was a prominent figure in the Leith Convention of 1572. (Ibid, III, 171f).

course a substantial number of them became ministers of the Reformed church.[4] Thomas Anderson of Montrose was one of them.

These religious tendencies trace their origin, as indicated in the previous chapter, to periods earlier than the ministry and martyrdom of Patrick Hamilton. Victims of the Wyclifian persecutions in 1384 found a place of relative sympathy for their opinions in Scotland, especially within the districts of Ayrshire and Fife. In consequence, their missionary zeal slowly predisposed the minds of many to protestant doctrines. The Melvilles of Fife were among the early converts to this new spiritual alignment. It is not surprising, therefore, to learn that Richard Melville, the older brother of Andrew, travelled extensively on the Continent with Erskine of Dun in the interests of a fuller knowledge of the Reformed faith. Thus, the houses of Dun and Baldovy - the latter the home of the Melvilles - became known as the resort of friends of religion and letters, and were recognized later as the regular congregating places of those holding similar enlightened views. When Knox preached at Dun in 1555 it is said that his sermons were listened to by most of the young gentlemen of the neighborhood.[5]

2. His Academic Career

In 1559 Andrew Melville entered St. Mary's College of St. Andrews University, and there obtained his Master's degree.[6]

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[4] M'Crie, Melville, I, 7.

[5] ---------, Knox, p. 106, 108f.

[6] Melville, Diary, p. 30.

At the same time he made such advances in learning that his alma mater classified him as "the best philosopher, poet, and Grecian, of any master in the field."[7]

Having explored all the branches of learning which his native country afforded it was a natural consequence that Melville should proceed to the Continent. In 1564, at nineteen years of age, he set out for France with the University of Paris as his immediate objective. Two circumstances related to the University of Paris during the period of Melville's residence there are deserving of our attention. One of these was the rapid progress of protestant opinions permitted for a time to permeate that institution. Such a state of affairs was not allowed to continue indefinitely, but in the meantime, a number of the faculty members and some heads of colleges were strongly suspected of entertaining positive protestant sympathies.[8]

Of equal importance was the establishment of a Jesuit college in Paris at that time, obviously intended as a check to prevailing heresies. At its head was Edmund Hay, formerly a regent at St. Andrews, Scotland. The anti-protestant policies put into effect at this new institution were soon manifest, and Melville with many of his colleagues withdrew shortly thereafter in the interests of personal safety. The strong antipathy which Melville later exhibited toward the Jesuits in Scotland appears to have

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[7] M'Crie, Melville, I, 14.

[8] In 1568 a number were dismissed from their offices, being rated as Huguenots. (Ibid, I, footnote, 27).

had its origin in the knowledge of their tactics which he acquired at that time in Paris. It may well have furnished the motive which prompted him in later years to exert himself in placing the universities of Scotland on such a footing that no energetic student in search of further academic advancement need look to the Continent where there existed the dangers of Jesuit and other anti-protestant influences. That these hazards were real enough is shown by the fact that by the year 1594 the University of Paris was all but depopulated of those opposed to Roman Catholic opinions.[9]

A logical sequence to Melville's course of studies would have been a career in the practice of Law. However, his aim was to broaden his education as far as opportunity afforded. Accordingly, he left Paris for Poitiers in 1566. There, on the basis of his reputation now established at only twenty years of age, he was made regent. He remained in this situation for three years, pursuing at the same time the study of jurisprudence.[10] It is a matter of some interest to note that there had been a Reformed church in Poitiers for some years, and that in 1559 its minister sat in the first National Synod of the Protestants of France. In 1560 the second National Synod met at Poitiers.[11]

A new turn of events took place, however, in 1567-1568, when Poitiers came under heavy seige at the hands of Roman Catholic forces. Melville's own religious views were not altogether un-

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[9] Ibid, I, 27, foot note.

[10] Melville, Diary, p. 40. [11] M'Crie, Melville, I, 29.

recognized, and when other Roman Catholic agencies began again to lay about him the net of public suspicion he resolved to quit France. In order to pursue further his interests in the field of theology he made Geneva his next objective.

During the ten years which had elapsed since its erection the university of Geneva, or Academy as it was commonly called,[13] flourished under the combined management of the magistrates and the ministers of the city. Yet, the republic as such was comparatively new, and much of the so-called liberty with which Geneva is popularly given credit was a far cry from modern conceptions of either civil or religious liberty. Nevertheless, in view of prevailing political conditions on all sides, the Academy must have been keenly alive to most important and delicate questions respecting government, the origins of legislative power, the best system for conveying it, its just limits, and the rights of subjects to resist in cases of manifest injustice. There can be little doubt that these and similar questions were discussed with a boldness which could only have been tolerated at that time in a republican state. It can also be taken for granted that Melville took stock of the many limitations and weaknesses of the Genevan ecclesiastical and political administration. For Geneva,[13] though a "School of Christ", was still but an elementary one. His agitation of mind

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[12] "The magistrates of Geneva having applied to the king of France to obtain the privileges of a university to their academy, His Majesty, after consultation, refused the request upon the ground that the universities were found to be nurseries of heresy." (M'Crie, Melville, I, 32).

[13] The Academy at Geneva was opened in 1559.

concerning such questions has been preserved for us in the lines of a number of poems which he composed while still in Geneva.[14]

3. Melville's Genevan Roots

It was late in the year 1568, four years after the death of Calvin, that Melville arrived in Geneva.[15] There he experienced first hand the breath of that political and spiritual independence which Europe had already learned to respect, if not to imitate, contained in the principles initiated by Zwingli,[16] emphasised by Farel and Viret, and finally systematized by John Calvin.

Few people have so stamped their name upon the world as has been the lot of Calvin. Even in his own day the theological and ecclesiastical system with which he was identified received the distinctive name of Calvinism. And now, to trace the course of liberty among the modern nations would surely prove in part at least to be a study of the history of that system. Unlike Lutheranism, its missionary and aggressive spirit did not spend itself in a brief spurt of proselytism. It lived as a religious and political force through defeat and triumph alike to mould the destinies of kingdoms. Geneva itself, only a diminutive city state made up of some one hundred and nine square miles, in a few years became the

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[14] Ibid, I, 51. [15] According to James Melville he remained in Geneva for a period of five years. (Melville, Diary, p. 24).

[16] ..... Kurtz, Church History, Tr. John MacPherson, ed. W. Robertson Nicholl, Foreign Bible Library, (New York: Funk & Wagnalls, 1889), II, 262f. Kurtz points out that Zwingli was in fact attacking the sale of indulgences and other current abuses from his pulpit at Einsiedeln in Schwyz at the time that Luther was attacking the same practices in Germany.

stronghold of protestants, not only in Switzerland, but for all Europe.

Calvin's Institutes of the Christian Religion, first published in 1536 and later amplified, furnished protestants with an adequate statement and defence of their own religious doctrines. By 1555, and only after a hard struggle with secular, anarchial, and divisive forces, Calvin became master of Geneva. He then established an administrative system, bound to his ecclesiastical ordinances,[17] but on the whole sufficiently strong to resist the dangers of Roman Catholic aggression and other aberrations.[18] It is a fairly safe assumption that it was Knox's discovery of these conditions at Geneva which inspired his comment,"I neither fear nor shame to say ... it is the most perfect school of Christ that ever was on earth since the days of the Apostles. In other places I confess Christ truly to be preached; but manners and religion so sincerely reformed I have not yet seen in any other place."[19]

An important quality of Calvin often overlooked is the fact that he was a man given to liberal opinions. Staunch and intolerant as he was in many ways, he was nevertheless no narrow partisan. In 1548 Cranmer issued a general letter advocating a union of all the protestant churches "on the basis of one common confession and harmony of faith and doctrine drawn up out of the pure word of God

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[17] T. M. Lindsay, A History of the Reformation, (Edinburgh: Clarke, 1934), II, 128.

[18] A. R. MacEwen, Hist. Ch. in Scot., (London: Hodder & Stoughton, 1913), II, 15.

[19] Laing, Works of Knox, IV, 240, (Excerpts from a letter which Knox sent to Mrs. Locke from Geneva, January 9th, 1556).

which all men might own and agree on." Calvin received this missive and replied with cordiality, urging Cranmer to call together leading ministers for discussion without delay. For his part, he said, he was "willing to cross ten seas" to be present at such a conference.[20]

When Andrew Melville arrived in Geneva from Poitiers he was admitted almost immediately to the teaching staff, and was assigned a chair in the Humanities. It was a position which he valued highly since, apart from the general satisfaction which he found in teaching, it gave him the opportunity to avail himself of the fellowship of other men of renowned ability in the further pursuit of his studies.

It was largely as a result of Calvin's great care to advance the cause of learning that Geneva was at that time furnished with some of the most competent teachers to be found in any university in Europe.[21] It was at this period also that Melville made that further progress in oriental languages for which he was afterwards so highly distinguished. His professor in Hebrew, only recently added to the faculty, was Cornelius Bertramus.[22] This man of noted ability instructed him further in Greek, and schooled him in the Aramaic and Syriac languages. The Greek chair in the Academy headed by Franciscus Portus, a Greek patriot, who always

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[20] M'Crie, Annals of Eng. Pres., p. 67, (quoting Strype's Cranmer, pp. 407-409).

[21] ---------, Melville, I, 33.

[22] Bertramus was the editor of the noted Polyglot (3 Vol.) edition of the Bible.

spoke enthusiastically of Melville's proficiency in languages.[23]

Among his other associates were; Joseph Scaliger, a refugee from France and a man of rare genius, called by some the first scholar of his age; Theodore Beza, of whom more will be said later; Francis Hotman, or Hottoman, who lectured in Roman law, and whose classes Melville assiduously attended;[24] and Henry Bonnefoy, noted lecturer in oriental jurisprudence. There was also present as a faculty associate one other Scotsman named Henry Scrimger, with whom he shared accommodation for a time, and for whose virtues and talents he retained a deep admiration.[25] Scrimger was Melville's uncle, related on his mother's side.

The massacre of the Huguenots which was loosed at Paris on St. Bartholomew's Day in 1572, and which wrought such woe to France, inadvertantly brought Melville into acquaintance with many more learned men of his age. Those who escaped the dagger in many cases sought refuge in Geneva. It is said that one hundred and twenty ministers were within the city at one time. The Academy itself overflowed with students.[26]

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[23]It is reported that in a classroom discussion related to the proper pronunciation of the Greek language and power of the accents Melville happened one day to push his arguments rather freely, whereupon the jealous Portus grew warm and testily exclaimed, "You Scots, you barbarians, will teach us Greeks how to pronounce our own language, forsooth!" (Melville, Diary, p. 42). "Even at Paris during the last year of his time there he grew so expert in Greek that he declaimed and taught lessons uttering never a word but Greek with such readiness and plenty as was marvellous to his hearers." (Ibid, p. 40).

[24]Ibid, p. 42.

[25]M'Crie, Melville, I, 41.

[26]Ibid, I, 42.

But the person to whom Melville felt the strongest attraction at Geneva was the celebrated Beza, who in addition to his post as Professor of Divinity in the Academy also held office as minister of the city. Besides attending the sermons and classes of this eminent person, Melville had the privilege of being admitted freely to his private society.

Following the death of Calvin, Beza was unquestionably recognized as one of the very ablest champions of the Reformation, and a leading defender of Calvin's system of theology.[27] He succeeded to the high position which Calvin long held, not only in Geneva, but also in the protestant world. It was a position of influence which continued for the next forty years among the Reformed churches, but in none with greater effect than that of Scotland. He advised and encouraged John Knox, and in the whole of Knox's arduous struggle with Roman Catholicism he exhorted him to take care that Scotland should be delivered from prelacy as well as from papacy.[28] He did much to form the character and to direct the views of Andrew Melville. In later years Melville carried on an intimate correspondence with Beza, a practice which continued during the whole of his struggle in his native land against prelatic and erastian usurpation.

Erastianism as an expedient of political self-interest was, of course, a point of controversy many years in advance of the

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[27] W. Cunningham, The Reformers and the Theology of the Reformation, 2nd ed. (Edinburgh: T.T. Clarke, 1866), p. 346.

[28] Ibid, p. 346.

actual employment of the term. Thus, Lindsay refers to the difficulties which even Zwingli experienced with the "erastians".[29] At any rate, it was inevitable that the problems which the latter encountered in Schwyz, far from having been resolved during his lifetime, should reappear on the Scottish scene. In its semi-doctrinal form the erastian controversy turned largely on the question of whether or not Christ appointed in His church a government distinct and independent of, and in its own providence not subordinate to, civil magistracy. In short, and in so far as it affected the interests of the Scottish church, it pertained to the troublesome question of jurisdiction, ecclesiastical and civil.

The subject of prelacy was even more fully discussed than that of erastianism, mainly because the church of England, differing in form from almost all other Reformed churches, adopted a prelatic constitution. Beza entertained very strong and decided views on the question. His two books, the one De Triplici Episcopatu (1580?), and the other, a reply to Hadrian Savarius, Treatise de Ministorum Evangelii Gradibus (1592), are still important and valuable works on the contest between presbytery and prelacy. It is strange that controversialists have continued even to the present day to produce garbled and mutilated extracts from Beza as well as from Calvin to prove that they were both favourable to prelatic forms of church government. Savarius, who knew the English church very well, and who at the same time enjoyed the acquaintance of Beza though he

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[29]Lindsay, Hist. of the Ref., II, 123-129.

often opposed his views, held no such opinion. The truth is that he gave Beza the exclusive credit for preventing the adoption of prelacy among the Reformed churches.[30]

As a final conclusion it probably does Beza far too much honor, for we may confidently believe that Andrew Melville would have kept prelacy out of Scotland at least, even if Beza had been tempted to abandon the cause of presbytery. It is however, a fine tribute to the important and extensive influence which Beza exerted in maintaining the protestant churches in that form of government "which has the full sanction of apostolic practice as set before us in the New Testament, confirmed by the testimony of its followers Clement and Polycarp, and decidedly approved by the great body of the Reformers."[31]

4. Melville's Scottish Forerunner, John Knox.

It is a convenient and common enough opinion that the Scottish Reformed Church was founded on principles imported directly from Geneva, and that John Knox was their chief, if not exclusive agent. Neither belief is wholly justified. Scottish presbyterianism freely acknowledges its indebtedness to the Zwinglian reform movement as the primary source from which it drew

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[30] Cunningham, The Theology of the Ref., p. 351, "Nam hoc audes affirmare, si unus D. Beza episcopos retinere ecclesiae judicasset utile, nullae ab iis abhorrerent Reformatae ecclesiae quae hodie episcopos nullos admittere primum reformationis essie caput aestmant." (Quoting Hadrian Savaria, Prologus ad Eamen Tractatus de Triplici Episcopatu).

[31] Ibid, p. 351.

its distinctive spiritual characteristics. But the recognized line of communication which carried them from Switzerland to Scotland involved not one road but two. True, their courses were somewhat parallel, but they were not identical. In a unique sense they were drawn together in the Scots Confession of 1560, and were finally conjoined in Andrew Melville's second Book of Discipline in 1578.

The first route followed the course of Farel, Viret, Calvin, Beza, and Andrew Melville, and for that reason may be regarded as more directly Genevan in character. The second, often overlooked, is one which proceeded from Zwingli and Bullinger, through English and Scottish contacts. It is identified with George Wishart, John Rough, Thomas Guilliame, George Buchanan, and John Knox, and in some degree with the earlier John Major. Geneva as the "Protestant Rome" scarcely existed at the time of Wishart's martyrdom or during the early preaching missions of Rough and Guilliame. Moreover, Knox was a recognized preacher of Reform doctrines some years in advance of his first visit to Geneva.[32] He and his early associates of the time, Wishart and Buchanan, drew their inspiration not so much from Geneva as from the earlier influence of Zwingli. Wishart, for example, spent some time in Zurich, Basel, and Strassburg. It was as a result of his experiences there that he was led to prepare an English translation of the first Helvetic Confession, and to carry it with him to Corpus Christi College, Cambridge, in

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[32]Note the substance of Knox's first public statement issued in 1547, shortly after Wishart's death. (M'Crie, Knox, pp. 62, 81).

in 1542.[33] He scarcely could have failed to discuss its substance with his loyal follower, John Knox, during the trying interval of 1544-1546.

Thus, Knox received his first instruction not in Europe, but in Scotland. He was a priest serving as a notary when he first heard the evangelical discourses of the two converted friars, Rough and Guilliame, lately appointed to the service of the regent, Arran. The latter at that time gave substantial support to the protestant reform movement. Knox testified that it was then that he himself first received "taste" and a "lively impression of the truth." He also gave John Rough credit for being the first to direct his mind to the ministry of the Reformed faith as his life work.[34] Further, it is plainly evident that there was much truth in the statement that the martyrdom of Wishart was the call of Knox.

The years 1549-1559 may be said to represent the period of Knox's early ministry. It was with great reluctance that Knox accepted John Rough's personal challenge to align himself with the preachers of the Reformed doctrines.[35] When he finally did so it was with all the ardour of youth and all the firmness of a cultivated mind. Shortly thereafter he was taken captive at St. Andrews and sent to the French galleys. When he regained his liberty in

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[35] MacEwen, Hist. Ch. of Scot., I, 473.

[34] These chaplains, Rough and Guilliame, were not mere court officials, but were zealous evangelists who preached in Edinburgh and throughout the surrounding districts. (Calderwood, Hist. Kirk. Scot., I, 156), Knox, Hist. of Ref., I, 42ff.

[35] Ibid, I, 83.

February, 1549, he repaired to England and remained there until the death of Edward VI in 1553. It is of more than passing interest and significance that in common with all the reformers he seems to have rejected any suggestion of further episcopal ordination as totally unnecessary and unauthorized by the laws of Christ. Nor does it seem that he regarded the laying on of hands of presbyters as a rite essential to the validity of orders.[36] Furthermore, there is no indication that his claim of right to officiate within the ranks of the English church was ever questioned.

Knox's experience as a preacher of Reformed doctrines must have been limited enough before coming to England. Nevertheless, his reputation and proof of ability was such that he quickly gained the attention of the higher ecclesiastical authorities. During the next five years, 1549-1554, he held pastorates at Berwick, Newcastle, and in London. He was appointed to be one of the chaplains to Edward VI, and was offered the bishopric of Rochester. At the same time it is evident that he must be regarded as one of the leaders in the agitation for further reform in religion. His denunciation of the practice of kneeling at Communion, his preference and use of common bread and wine in the dispensation of the Sacrament, has led to the conclusion that John Knox may be regarded as the father and founder of English as well as Scottish puritanism.[37] That he held views that leaned more toward the Reformed faith than

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[36] Knox, History of Ref., II, 284f; M'Crie, Knox, p. 34.

[37] Peter Lorimer, John Knox and the Church of England, (London: Henry King & Co., 1875), pp. 31, 224.

to the episcopal Church of England at that time is indicated both in the conduct of his pastoral office and in his independent attitude toward established ecclesiastical procedure.

Later, in the reign of Edward VI Knox was employed, as far as his pastoral duties permitted, in revising the Articles of Faith in preparation for their ratification in parliament.[38] His activity in this direction, however, was brought to an abrupt halt when Mary succeeded to the throne of Edward VI. Parliament, thereupon, finding itself obliged to agree to her demand for a reversal of policy, quickly repealed all laws in favour of protestantism, and the Roman Catholic religion was restored. Knox, recognizing the increasing danger to his own personal safety, fled to France in January, 1554.

It was during the period of 1554-1559 that Knox made his first and only personal contacts with Geneva. His time, even then, was divided between Dieppe, Frankfort, Geneva, and Scotland. It has been pointed out that his residence in Geneva was at best but of an intermittent nature encompassing a total of not more than thirty two months.[39] Nevertheless, it was an important period, both in the development of puritan principles at large and in the further maturing of these in Knox's own mind. Non-conformity, it has been said, was conceived in the days of Edward VI, was born beyond the seas at Frankfort, and was nourished and weaned under the administration

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[38] M'Crie, Knox, pp. 53, 54.

[39] Eustace Percy, John Knox, Religious Book Club, (London: Hodder and Stoughton, 1937), p. 120.

of Elizabeth.[40]

It is difficult to classify Knox's doctrinal position at the time of his departure from England. Eustace Percy claims that "at this time (Knox) was no Calvinistic disciplinarian, but a Free Church congregationalist."[41] While such a statement must be treated with considerable reserve, as a conclusion it is not an altogether illogical one, and it probably does contain a substantial measure of truth.

On reaching the Continent in February, 1554, Knox first identified himself with the congregation of exiles at Dieppe. In September of the same year he was invited to become minister of another congregation made up of French and English exiles at Frankfort. His venture there, however, was doomed to failure almost from the start. He had scarcely taken up his duties than a fresh contingent of English exiles joined his congregation, the majority of whom were partial to anglican customs and procedures. Their spokesman was one Dr. Richard Cox, a former chancellor of Oxford, and himself a refugee. Cox at once took exception to the modified Genevan Order of Service used by Knox, and insisted on a return to the liturgical observances prescribed by the Book of Common Order of Edward VI. Knox fought the issue for a time, but he was forced to withdraw from Frankfort when Cox and his associates, determined to win their case, laid a fraudulent charge of treasonable conduct against him and succeeded at the same time in enlisting the backing of the civil

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[40] Ibid, p. 129

[41] Ibid, p. 199.

authorities. As a result of this experience it is scarcely surprising, as now seems the case, that Knox thereafter abandoned any tolerance he previously held for the revised Prayer Book of Edward VI.[42] At any rate, the troubles at Frankfort have been regarded by many as a forecast in miniature of that cleavage in English protestantism which resulted later in bitter hostility between puritanism and anglicanism.[43]

The years 1554-1556, in particular, appear to mark a turning point in the progress and development of the Reformed faith. It was at least a vitally important period for all those of the reforming spirit. For example, it was only in 1555 that Calvin gained undisputed control in Geneva, and, therefore, only from that date that he was able to test his own theories in actual practice. As for Knox, his difficulties in Frankfort, coupled with his concern for the changing scene in Scotland, urged him to undertake with other investigators of the time a searching re-examination of ecclesiastical polity in accordance with New Testament principles. The results inclined toward a fairly common basis of agreement. A substantial number of the reformers thenceforth concluded that a presbyterian polity, or one similar to it, was closer than any other to the New Testament ideal.[44]

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[42] MacEwen, Hist. Ch. Scot., II, 67.

[43] Henry Cowan, John Knox, (New York & London: Putnam's, 1905), p. 126.

[44] The example of the Reformed Church (Lutheran) in Denmark furnishes a very good illustration. The Danish leaders in time produced an ecclesiastical discipline which in content bears a remark-

Knox, of course, was quite capable of reaching his own conclusions and of choosing his own course of action. On leaving Frankfort in 1555 he published a revised version of the Order of Geneva.[45] M'Crie is of the opinion that Knox either sent or carried copies of it to Scotland at the time of his visit there in 1555-1556, and that he recommended it as a replacement for the Prayer Book of Edward VI. M'Crie also concludes that although Edward's Prayer Book had been distributed in parts of Scotland, the tendency among the reforming groups was to treat it with reserve. Thus, it seems, that, while the Book may have been in nominal use among a number of congregations, in actual truth they used it only in part. Whole sections of it deemed either doctrinally or liturgically unsatisfactory were simply spurned or quietly disregarded.[46]

At any rate, it is certain that the Order of Geneva was introduced among the Scottish protestants even before the Reformation of 1560, and that it became the generally accepted form of worship in the Scottish churches as soon as sufficient copies of it could be procured. The first Book of Discipline, framed in August, 1560,

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able resemblance to the second Book of Discipline adopted in Scotland. Yet, there can be no serious justification for believing that the compilers in either organization worked in collaboration. The explanation seems to be that each drew from common sources, and that these sources were in fact strongly influenced by the Calvinistic school, so-called, in Geneva. (See, Gordon Donaldson, "The Example of Denmark in the Scottish Reformation", The Scottish Historical Review, Vol. 27, Edinburgh: Nelson, 1947, pp. 57-64).

[45]Knox certainly studied the liturgies of Zwingli and others. A.F. Mitchell, The Scottish Reformation, (Edinburgh: Blackwood, 1900, p. 124).

[46]M'Crie, Knox, Appendix, Note DD, p. 426-427.

expressly approved the Order of Geneva, which it called "Our Book of Common Order", and indicated that it was "used in some of our churches" prior to that period.[47]

It is generally agreed that the Reformed church founded and established as a result of Knox's leadership in 1560 was from the beginning presbyterian in design, even though it lacked as yet the distinguishing feature of a presbytery.[48] What is not so clear to our knowledge is the stage at which Knox the puritan more definitely identified himself as the advocate of presbyterianism. He did not find its principles fully defined for him in Geneva. And yet, it is in that direction that we must seek an answer, for it was at Geneva that the presbyterian theory of ecclesiastical government found its earliest expression.[49]

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[47]First Book of Discipline, Chap II, Sec 2. See also, M'Crie, Knox, p. 141, and appendix, Note DD, p. 426f.

[48]Knox's system in Scotland did provide for what was known as the Exercise, a weekly conference of neighbouring ministers; (Book of Discipline, Chapter XII). Such a meeting was not altogether unique among continental branches of the Reformed faith. Similar meetings within the National Synod of France were called Colloquies. In Holland they were called Classes. The antecedent of all seems to have been the Conferences des Pasteurs, held after 1542 in Geneva. It, too, took the form of a weekly conference of ministers, somewhat in the nature of a consistory.

[49]Although Knox was obviously pleased with what he saw at Geneva this does not mean that he confined his attentions to Calvin alone. The indications are that they discussed a wide variety of subjects, but the truth is that Calvin was only one of many of the Swiss Reformers with whom Knox exchanged opinions. Thus, M'Crie states that Knox wrote in a letter dated May 10, 1554 "My own estate is this: ... I have travelled throughout all the congregations of Helvetia and have reasoned with all the pastors and many other excellent and learned men upon such matters I cannot commit to writing." (M'Crie, Knox, footnote, p. 81, quoting Knox's MS. Letters, p. 313).

Attention has already been drawn to the fact that it was only in 1555 that Calvin gained control in Geneva. He found the administration there already organized along conciliar lines. It thus appears that by natural process he transferred to his own congregation a similar principle whereby his church was governed by a consistory composed of both ministerial and lay elements.[50]

On the assumption that "the essential elements of presbyterian polity are the co-operation of the presbyter and even of the laity in church government in the ordination and election of ministers in ecclesiastical legislation", here was the beginning of a Presbyterian order.[51]

Knox undoubtedly studied this principle and carried it with him to Scotland. It was accepted by his associates, incorporated in the Confession of Faith of 1560, and reaffirmed in the first Book of Discipline. Both statements were believed to be in harmony with

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[50] Newman, Man. of Ch. Hist., II, 218.

Lindsay also comments that Calvin was never able to see his idea of ecclesiastical government or organization wholly carried out in the city of his adoption. "One must go to the Protestant Church of France to see Calvin's idea completely realized." (Lindsay, Hist. of the Ref., II, 127-128.

[51] MacKinnon, Hist. Mod. Lib., II, 391.

It is well to keep in mind that Calvin's influence on religious matters during this period reached a distinctly low ebb. Within the minds of many of the populace and of the surrounding cities of Switzerland he stood condemned for the brutal sentence he had imposed on Severetus the previous October.

Thus, while Knox discussed many matters with Calvin, it is also true that he was deeply interested in the views held by Bullinger, the leader of Swiss protestantism after Zwingli's death in 1531. (Cowan, Knox, 121).

the best interpretation of Holy Scripture. Both were obviously designed as a defence against Roman Catholicism and fanatical sectarianism alike. The same form with various additions, including Calvin's Catechism and the Psalms in English metre, was received and adopted by the Church of Scotland in 1564.[52]

The growing conflict between the awakening religious conscience and the authority of the civil magistrate raised questions which were not the problem of Knox alone. Under stress of persecution in France, Calvin, who certainly held civil authority in high regard, began at the same time to evolve his doctrine of lesser authorities. He had already written that he preferred the rule of aristocracy to that of a monarchy.[53] Moreover, he discovered that it was in the minor courts of the day that his teaching found audience, and his followers a refuge. To carry the lesson further, might not the struggling Huguenot congregations legitimately place themselves under the protection of local magistrates? And, if a people's natural leaders failed them, was God's choice limited to the aristocracy? Despite the evident dangers inherent in such a theory, Knox saw in it a solution for his own doctrinal difficulties, especially as they might then be applied to the rule of the Guises in Scotland, and at a later date to the policies of Mary Stuart.[54] Thus, in his Appellation to the nobility and

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[52]Lorimer, Knox and the Ch. of Eng., p. 212.

[53]Calvin, Institutes, II, Bk. IV, Chap. XX, Sec. 8, 656-657.

[54]"It was not in the region of Calvinistic domination that any theory of the right of rebellion was wanted, and it was not

estates of Scotland in 1559 he wrote, "True it is, God hath commanded kings to be obeyed, but like true it is, that in things which they commit against his glory, or when cruelly without cause they wage war against their brethren, the members of Christ's body, he hath commanded no obedience, but rather hath he approved, yes, and greatly rewarded such as have opponed themselves to their ungodly commandments and blind rage."[55] His language was equally to the point in his debate with Queen Mary at Lochleven in 1563. "Will ye," said she, "allow that they shall take my sword in their hands?" "The sword of justice," said he, "madam, is God's, and is given to princes and rulers for an end, which, if they transgress, sparing the wicked, and oppressing the innocents, they, that in the fear of God execute judgement, where God has commanded, offend not God, although kings do it not; neither yet sin they that bridle kings to strike innocent men in their rage. The examples are evident; for Samuel feared not to slay Agag, ..."[56]

Obviously, from the basis of such reasoning it was but a

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there that it developed, but in Scotland in 1558, and in France later, where the Calvinistic party with its allies had been strong enough to take forceful action against a hostile government ... In Scotland, Knox and his followers adhered to the Genevan ideal of state organization, and argued from it to a positive obligation to depose idolatrous princes. It was the view of Knox rather than that of Calvin that tended to prevail among Calvinists after 1560." (J. W. Allen, A History of Political Thought in the 16th and 17th Centuries, London: Methuen, 1928), p. 106-107).

[55] "The Appellation to the Nobility and states of Scotland", Laing, Works of Knox, Vol. IV, 496.

[56] Ibid, II, 372.

short passage to the doctrinal view of the spiritual independence of the church as maintained by Andrew Melville, and as incorporated in the second Book of Discipline.[57]

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[57]Second Book of Discipline, Chap. I & II.

CHAPTER III

THE BEGINNINGS OF THE CONFLICT

The year 1560 marks the date of the actual establishment of the reformed Church of Scotland. In the mid-summer of that year a statement of faith was prepared and read before parliament. It was accepted as the religious creed of the kingdom. Further legislation denied all authority of the Pope within the realm. All celebration of the Mass was forbidden. Protestantism became the official religion in Scotland.[1]

Shortly thereafter, the same men who had prepared the Confession were called upon to formulate a book of discipline.[2] When completed it too was submitted for parliamentary approval in 1561. Although it failed to gain the seal of governmental ratification at the time it did contain the views of Knox and his associates, and it was in general accepted by the nation. The church thus constituted consisted of a loose federation of self-governing congregations, permitted to elect their own elders and deacons, and to choose their own ministers subject only to the advice of other learned members of the clergy. It recognized ten federal units, roughly corresponding to the former provincial synods. It undertook to appoint superintendents over these to act

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[1] Knox, Hist. of Ref., I, 331

[2] Winram, Spottiswood, Willock, Row, Douglas, and Knox.

in the capacity of itinerent ministers.[3]

In some respects here was the framework for a Church which as yet scarcely existed, and on a national scale for which there was no actual precedent. The basic design was Genevan, but Geneva was but a city state of some twenty thousand inhabitants.[4] It was inevitable that points of difficulty, doctrinal, administrative, and constitutional, should arise before any such scheme should be fitted to the turbulent and loosely knit society which then made up the realm of Scotland.

The bitter controversies which afflicted the peace of Scotland during the next one hundred years, and which beset the leaderships of both Knox and Melville almost from the beginning, may be traced to two primary sources: (1) The conflict between kirk and kirk, or the threat of Roman Catholic resurgence; and (2) The conflict between kirk and state. The latter in turn resulted from disputes over three important issues: the disposition of the patrimony of the church, the intrusion of episcopal government on the church, and respective claims of jurisdiction. Here, then, were four major points of controversy.

1. The Threat of Roman Catholic Resurgence

Roman Catholicism, though suppressed by Acts of parliament in 1560, was by no means destroyed. On the contrary, its adherents

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[3]First Book of Discipline, Chap. V, Sec. 3; Chap. VI.

[4]The land area measured no more than one hundred and nine square miles. (Newman, Man. of Ch. Hist., II, 206).

continued to labour for its restoration and to hinder as far as possible the progress of the Reformed faith. This threat to the security of the newly established kirk was no minor affair to the minds of either Knox or Melville. There were times when it assumed proportions of ominous danger to the welfare of both church and nation, and when the General Assembly felt obliged to issue an appropriate warning. It is true that protestant preachers occupied the churches, expounded the Scriptures, and dispensed the sacraments. But even after 1560, Roman ecclesiastics still lived in many of the manses, cultivated the glebes, lifted the tithes, and sat in the Council.[5] The Mass was still celebrated in many parish churches; where it could not be conducted openly it was performed privately in gentlemen's houses. Large districts of the land remained attached to the ancient forms and practices. In 1565 the general assembly of the church found it necessary to re-affirm strict laws against parents who persisted in taking their children to priests for baptism.[6] Even on a population balance Roman Catholicism was a force to be reckoned with. The calculation is that as late as 1590 Scotland was still only one half protestant.[7]

One of the great difficulties in the way of protestant growth lay in the fact that it had not a sufficient number of trained and reliable ministers to man the newly constituted church. The

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[5] Book of the Univ. Kirk, Bannatyne Club, (Edinburgh), p. 13.
[6] Ibid, p. 41,42; Calderwood, Hist. Kirk Scot., II, 300.
[7] Cunningham, Ch. Hist. Scot., I, 349.

preachers meeting in July, 1560, could appoint only five superintendents. These with eight appointed ministers formed the first staff of the Reformed Church in Scotland.[8] Even the Bible as a source book was not as yet available to all classes. Obviously, it was difficult under such circumstances for the laity not otherwise instructed to learn the principles of the protestant faith.

Roman Catholic resurgence as applied to the period was not limited to Scotland. It was everywhere on the march in Europe. The massacre of the French protestants in 1572, the constant foreign and domestic calumny levelled at Queen Elizabeth, and the threatening policies of Spain, all point to the desperate measures then employed to restore Roman Catholic domination. When Queen Mary arrived in Scotland in 1561 she was already under commission to use her powers to accomplish the same purpose. Within her kingdom a section of the nobility, including the Earls of Huntley and Ross, backed every intention in this regard,[9] and, it may be added, with considerable popular support. Such interference in domestic and parliamentary life was bound to be a source of irritation to all protestant leaders.[10]

It is a matter of record that Knox at first entertained ideas that Mary might be converted to protestantism. In his view it was intolerable that a protestant nation should be ruled by a Roman

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[8] Knox, Hist. of Ref., I, 334.

[9] Patrick Tytler, History of Scotland, IX, (Edinburgh: 1842-1843), 14f.

[10] The progress of the Reformed Church in Scotland was reduced to its lowest ebb in 1565-1567. (Row, Hist. of the Kirk, p. 27; Cowan, Knox, p. 304).

Catholic sovereign. What he failed to realize for a time was that Mary's claim to the English crown was both encouraged and supported by the papal authorities.[11] As for Elizabeth, she was well aware that the religious settlement in her own land was not entirely safe from the dangers inherent in this complex situation.

These religious conflicts were no less acute during the reign of James VI. It was his aim to succeed to the throne of Elizabeth, but it was an aim hedged about with considerable difficulty. Consequently, as late as 1591 there were fears that James might change his religious alliance, if for no other reason than to avenge the death of his mother.[12] But beyond that it has been observed that the key to James' policy lay in his uncertainty as to whether protestantism or Roman Catholicism would eventually prevail in England.[13] Taking advantage of this indecision, the Roman Catholics held high hopes that James would become a communicant member if they in turn supported his claim to the English crown.[14]

The records of James' secret diplomacy, domestic and foreign, covering the two decades before 1600 provide an interesting study. Broadly speaking, he endeavoured while posing as a protestant advocate at home to commend himself to the Roman Catholic powers abroad. That Clement VIII was led to hope for his conversion is certain. That James encouraged that hope while officially the

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[11] Hume Brown, Hist. of Scot., II, 78, 79f.

[12] Calendar of State Papers, Domestic, England, III, 1591-1594, 16.

[13] Hume Brown, loc. cit., II, 191f.

[14] State Papers, loc. cit., 258-259.

candidate for the protestant party in England, is also certain.[15] As early as 1584 James committed himself to Pope Gregory XIII so far as to say " I hope to be able to satisfy your holiness on all other points, especially if I am aided in my great need by your holiness."[16] That James served unashamedly at cross purposes is indicated in the remark attributed to him following his accession in 1603, "No, No, good faith, I need not the papists now."[17]

While the presbyterian ministers may not have had at hand the full facts of James' intrigues in this regard, they did know enough of his general behaviour to treat him with suspicion.[18] The frequent demands of the ministers in successive Assemblies for stricter control of what they considered to be Roman Catholic aggression, their common criticism of James' tolerant attitude toward Roman Catholicism in general, and above all for his reputed conduct in the royal household, are all striking proof of the fear they felt for the security of their own Scottish church.[19] Thus, while militant Roman Catholicism was not the major source of conflict during this period, it did pose a constant threat to the peace and security of the Reformed church.

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[15] J.D. Mackie, "The Secret Diplomacy of James VI in Italy prior to his Accession to the English Throne", Scot. Hist. Rev., 21, 271.

[16] Cal. State Papers, Spanish, III, 519, Feb. 19, 1594.

[17] Mackie, loc. cit., 21, 271.

[18] M'Crie, Melville, I, 389.

[19] D.H. Willson, James VI and I, (London: Alden Press, 1956), p. 122; Register, Privy Council of Scotland, III, 289.

2. The Dispostion of the Patrimony of the Church

The differences of opinion which arose over the ultimate distribution of the patrimony of the church is considered to have been the very germ of that later conflict between the interests of church and state. To the Reform leaders the withholding of these revenues was interpreted as a denial of the rights of the newly established church. While plausable arguments were advanced on both sides of the question, it was in the main a conflict between the keen desire of mercenary-minded members of the nobility to further their own aggrandizement, and the determination of the Reformers to provide for national welfare.[20] There is no hint that the ministers sought to indulge their own comfort.

The circumstances which gave rise to this controversy developed over a period of years. It has been conservatively estimated that at the time of the Reformation at least one half of all taxable land in Scotland was the legal property of the church.[21] Yet, as the day of the Reformation dawned only a limited portion of it actually remained in the hands of its former owners. Many of the religious orders recognized long before 1560 that the days of monasticism in Scotland were numbered. Consequently, in order to make the best possible provision for their own uncertain future, they transferred the use of their lands to the nobility.[22]

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[20] Provision for national religion, popular education, and relief of the sick and poor.

[21] MacEwen, Hist. Ch. Scot., II, 174.

[22] Ibid, II, 37.

Thus, for example, between 1550 and 1560 five communities of Grey Friars divested themselves of their lands in favour of friendly barons or burghs on condition that they should restore them to the title holders when troublous times were over.[23] A similar sense of apprehension was likewise manifest among the bishops as they recognized the rising spirit of protest among the common people, and realized the dangers to the security of their own holdings. In many cases they too transmitted their lands to the care of the laity. Technically, the titles in each case remained in the hands of the original owners. This was an important point to both parties of the agreement. From the standpoint of the new administrators it was obviously necessary to retain some form of episcopal office as legal guardian, or run the risk that the revenues as well as the titles would revert to the state. The state, in fact, was most anxious to share in the resources which these benefices would provide.[24]

Matters came to a head in 1560 with the disestablishment of the pre-Reformation church. Knox and his associates pressed the claim of the Reformed church, as spiritual successor to the ancient order, for a substantial part, if not all, of this revenue. Such a claim is clearly stated in the articles of the first Book of Discipline. In fact, the failure of this Discipline ever to gain state

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[23] MacEwen, Hist. Ch. Scot., II, 37.

[24] James MacKinnon, Constitutional History of Scotland, (London: Longman's, 1924), p. 329.

[25] First Book of Discipline, Chap. XVII, "The whole rents of the kirk abused in papistry, shall be referred again to the kirk, that the ministry, the schools, the poor, may be maintained ...."

approval was in large measure due to the inclusion of this demand.[26] While the majority of the new tenants were emphatically protestant in doctrine and practice, their protestantism cooled to a low degree when it came to a question of this nature. It was not in the nature of things that they should dispossess themselves of the spoils already in their keeping, or to give any countenance to a conduct which would endanger the provisions by which they received them. Besides, in the peculiar circumstances of the time they had the additional support of the Queen. It is not difficult to understand her reluctance, being Roman Catholic, to comply with a measure designed for the further annexation of the property claimed by her own church.

Knox, forced to admit the mercenary motives of a portion of those who had zealously joined in the attack on the old ecclesiastical regime, commented "Some approved ... others, perceiving their carnal liberty, grudged in so much that the name of the book of discipline became odious to them, ... some were licentious, some had greedily gripped the possessions of the kirk."[27]

From one standpoint, the question of the patrimony of the church was settled as early as 1561-1562 by Acts of State stipulating that two thirds of the revenues should remain in the hands of "the old possessors", and that the remaining third should be set aside, partly to provide stipends for the Reformed clergy, and

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[26] Book of the Universal Kirk, p. 34.

[27] Knox, Hist. of Ref., I, 335.

partly for crown purposes.[28] It was this arrangement which led Knox to comment, "Two parts freely given to the devil, and the third ... divided between God and the devil."[29] Throughout the following years, as manifest in the records of the Assemblies, the ministers continued to complain of the inadequacy of such treatment. They scarcely existed on the slender pittances allocated to them. In some parts of the country during times of political tension even this was withheld, or otherwise unsatisfactorily distributed.[30]

It was in 1572, at a time of increasing friction over such matters, that Morton took a step of serious consequence for the history of Scotland. His appointment to the regency earlier in the year provided him with the opportunity to begin that policy towards the church which, continued by James and his successors, divided the church against itself. It was his initial strategy to link the question of the division of the patrimony with a scheme for the alteration of the polity of the church. In short, he aimed at the return of an episcopacy.

It is well to remember that a proposal for the return of an episcopal government to the Scottish church had its advocates from the beginning of the revolution of 1560. For one thing, many of the ministers, including those who were converts from Roman Catholicism, were not familiar with any other governing scheme.

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[28] Reg. Priv. Council, Scot., III, footnote, 31.

[29] Knox, Hist. of Ref., II, 29-30.

[30] (James) Aikman, History of Scotland, (Glasgow: Blackie, 1853), III, 9.

Furthermore, it was greatly favoured by Queen Elizabeth. And there can be little doubt that to some of the leading nobles in Scotland the introduction of a modified episcopacy recommended itself on grounds of political expediency, and as a desirable assumption of the Scottish kirk to the neighbouring church of England.

During the years 1571-1572 Morton pushed the scheme with new vigor. At that time, one or two of the surviving bishops of the pre-Reformation church having died or having incurred forfeiture by reason of their Marian partisanship, it was a question of what should be done to safeguard the disposition of revenues bound to their titular offices. Since no provision had been made for the continuance of such prelacies beyond the incumbent's own life term, some action became necessary lest their benefices revert to the Crown. Or would it not be more expedient, for so argued the land-holding nobility, to preserve these prelacies in the manner of an attachment to the Reformed church, with special arrangements for future benefits? Since Morton had gained some of the richest of these benefits to his own advantage following the death of the aged Archbishop Hamilton of the See of St. Andrews,[31] it is understandable that his rapacious disposition should lead him to urge the latter course. He proceeded, therefore, without further warrant to appoint an aged and infirm minister, named John Douglas, to perform the duties customary to the bishop's office in St. Andrews, while

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[31]Calderwood, Hist. Kirk. Scot., III, 68.

retaining in his own hand the main part of its revenues.[32]

Nevertheless, Morton was adroit enought to relate to question of revenues to that of a restored episcopacy in such a way as to offer a plausable advantage to the kirk.[33] The introduction of the so-called tulchan episcopacy in 1572 was largely the result of this artifice on the part of Morton. What he said in effect was that without bishops the kirk could expect little of the patrimony.

The ministry along with the church as a whole, while by no means enamoured with episcopacy, were not committed at that time to any disbelief in its lawfulness. To many it may have seemed a matter of minor importance to permit the application of such terminology in order to gain the financial advantages at last about to break in their favour. Furthermore, it is difficult to say to what extent such ideas may have had an earlier origin. It is reported that Archbishop Hamilton of St. Andrews, conceding the ultimate defeat of his own Roman Catholic party, sent a message to John Knox urging him, while he changed the doctrines of the church, to maintain its ancient polity, since only in that way could he hope to preserve its property.[34] The Reformed church learned in time by hard experience the truth of that prediction. Even when it won its charter by parliamentary sanction in 1592 it never was granted any substantial or satisfactory part of the ancient revenues. Thus, the issue, while not the primary one in that later struggle which

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[32] William Scot, Narration, (Wodrow Society, 1846), p. 25.

[33] Cowan, John Knox, p. 353. [34] Cunningham, Ch. Hist. Scot., I, 370.

developed between church and state, it remained a subject of bitter comment in the deliberations of succeeding assemblies.

3. The Intrusion of Episcopal Government

In order to gain a satisfactory estimate of the points here at issue during Melville's period certain factors related to the controversy must be kept in mind, viz.; the nature of the religious settlement of 1560; the circumstances which permitted the introduction of the tulchan episcopacy of 1572; and Knox's personal attitude to prelacy as applied to the Scottish kirk.

While Knox did not truly initiate the Scottish Reformation, and while the model which gave specific character to the Scottish church was actually introduced by another,[35] Knox was destined in his own right to exercise a profound influence on the shaping of the ecclesiastical system known as Scottish Presbyterianism. For one thing, he had a chief part in drawing up the Confession of Faith in 1560. It was submitted to parliament after only four days of deliberation at the hands of a committee of six, and we are informed that it was based on Knox's Order of Geneva.[36]

The general spirit of unanimity with which the protestant leaders reached agreement in this regard is a matter of considerable importance. Apart from a small minority, who for a variety of

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[35]George Wishart, whose religious emphasis was predominantly on a return to Scripture for doctrine, government, and worship, as well as a rejection of all not sanctioned by Holy Scripture. (W.D. Niven, John Knox and the Scottish Reformation), p. 6.

[36]Scot, Narration, p. 3.

reasons were inclined toward an anglican polity, the common aim of those seeking a reformation of religion was the re-establishment of a national church henceforth distinguished by its adherence to Reformed doctrines. Existing records contain no sign of serious conflict in this regard. In fact, there seems to have been no thought among the reformers of any other type of church than that envisaged in the doctrinal statements advocated by Knox.

These statements of faith were not slavish reproductions of Genevan polity or discipline. A free use was made of the ecclesiastical enactments of the continental reformers, including those of John á Lasco, John Calvin, and Herman of Cologne,[37] but this was in matters of detail rather than in principle. John Row, the noted church historian, commented "they took not their pattern from any kirk in the world, no, not from Geneva itself, but, laying God's word before them made Reformation according thereunto, both in doctrine first and then in discipline."[38] The truth of this statement, in so far as it may be related to Knox, lies in the fact that he accepted nothing merely because Geneva or any other Reformed church had adopted it.

It is recognized that there were those from the beginning who favoured an episcopacy. There is no proof that at the first they formed an episcopal party, but before the ministry of Knox

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[37] MacEwen, Hist. Ch. Scot., II, footnote 2.

[38] John Row, History of the Kirk of Scotland, (Wodrow Society, 1842), p. 12. (Morton referred to the whole Scottish church polity as Genevan, Melville, Diary, p. 68).

came to an end, and certainly during the period of Andrew Melville, they combined to form a force of growing opposition to the existing ecclesiastical order. It was a force in which monarchist elements on both sides of the border played a direct part. To those sympathetic to the Elizabethan Acts of Uniformity and Supremacy, and to those generally partisan to theories of absolute monarchy, episcopacy appealed as a most necessary and effective weapon for control of the church and as a support for royal prerogative. That Elizabeth desired no other ecclesiastical system north of her borders is amply illustrated throughout her diplomatic exchanges,[39] and in her later directives to King James advising him to bring the Scottish church into conformity with her own.[40]

The root idea of a restored episcopacy in Scotland was Regent Morton's. It was at his instance that a convention of the church was held at Leith in January, 1572, to devise some scheme "for the peace and order of the spiritual estate."[41] His immediate

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[39]During the early days of the religious reformation in Scotland "Cecil evidently wished that the Church of Scotland should be uniform with the Church of England, and had instructed Randolph to press this question of uniformity." (Lindsay, Hist. of the Ref., II, 301). See further, Calendar of State Papers relating to Scotand Mary Queen of Scots, I, 471, 472.

[40]"Let me warn you that there is risen up both in your realm and in mine, a sect of perilous consequence such as would have no kings, but a presbytery, and to take our place while they enjoy our privilege with a shade of God's word, which none is judged to follow right without by their censure they be so deemed. Yea, look ye well unto them." (Letters of Queen Elizabeth to James VI, King of Scotland, ed. John Bruce, (Camden Society: 1849), July 6, 1590, p. 63).

[41]Hume Brown, Hist. of Scot., II, 154. Cowan, Knox, p. 131. M'Crie, Melville, I, 95.

concern was to safeguard the technicality under which he and others of the nobility continued to draw their revenues from their ecclesiastical holdings. It was clearly necessary, according to his reasoning, to establish some form of episcopacy, even if only a nominal one. The "tulchan" episcopacy of 1572 was designed accordingly to meet that requirement.[42] To appease the ministers and the laity of the established church Morton offered assurances that all newly appointed bishops would hold office in name only, with no further jurisdiction in spiritual function than that formerly exercised by the superintendents. The resultant tendency of most of the ministers was to accept as best they could a terminology which it would be difficult to avoid.

The first Book of Discipline entrusted the government of the church to superintendents, ministers, deacons, and doctors or teachers. A superintendent resembled a bishop in office only in so far as he exercised territorial supervision. He differed on fundamental points. The laity had a responsible part in his election, and even in the determination of his appointment. He was not consecrated, but was a minister as his brethren were. He was subject to discipline by his fellow ministers and elders, and likewise to the jurisdiction of the General Assembly.[43] Moreover, the language of the first Book of Discipline implies that the office of

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[42]Tytler, Hist. of Scot., VII, 337.

[43]First Book of Discipline, Chap. VI, Sec. 3. For further commentary see M'Crie, Knox, Note NN, "Of Superintendents", p. 438-439. M'Crie states that superintendents were selected and admitted in the same manner as pastors, (p. 439).

superintendent was considered a temporary expedient to meet the exigencies of a country suddenly deprived of its ancient priesthood. The second Book of Discipline made no provision for its continuance,[44] and no successors were appointed. Moreover, the second Book of Discipline expressly maintains that bishops, except as understood in the language of the New Testament, have no place in the functions of the church.[45]

Bearing in mind that John Knox was the immediate antecedent of Andrew Melville, it is pertinent at this point to review Knox's attitude toward episcopacy, especially in relation to the Scottish national church. How did he regard the estate of bishops? Did he finally subscribe to a change in ecclesiastical polity in 1571-1572? These are questions of particular importance when considered in relation to the fierce battles waged later between Andrew Melville and James VI over the whole subject of ecclesiastical polity.

Strangely enough, with one noted exception,[46] these questions do not seem to have been raised during the lifetime of Knox, or, in fact, within the period of his immediate followers. The obvious conclusion is that his policies with regard to episcopacy were

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[44] Second Book of Discipline, Chap. IX, Sec. 7. Compare with Bk. of Univ. Kirk, January, 1571.

[45] Ibid, Chap. IX, Sec. 7.

[46] Archbishop Spottiswoode, whose bias in favour of episcopacy was recognized from the beginning. Dr. M'Crie charges that Spottiswoode, in his History of the Reformation, both misquoted and deliberately omitted passages belonging to Knox's first Book of Discipline in order to convey a different impression or interpretation of Knox's intention with regard to the appointment of superintendents. (M'Crie, Knox, Note NN, "Superintendents", p. 438f).

sufficiently manifest and sufficiently understood to leave no doubt in the minds of all concerned as to their intention. As far as can be determined it remained to a much later date for inquirers to advance the view that Knox's own inclinations were not wholly unfavourable to those who desired a return to some form of episcopal polity in the Scottish church.

Evidence offered in support of such a view appears to be largely circumstantial, and may be summed up as follows: (1) that there is no reason for believing that Knox entertained any serious antipathy to episcopal forms, since as a preacher of note within the ranks of the Anglican clergy he had generally subscribed to them; (2) that while in the church of England, 1549-1554, his close identity with its affairs as revealed in the prominent interest he displayed in the preparation of the Prayer Book of Edward VI, his acceptance of a chaplaincy to the king, and, finally, his preferment to a bishopric, all indicate concurrence with regard to the actual validity of an episcopal order; (3) that Knox did not at any later period condemn the office of bishop as unscriptural under certain conditions, nor did he openly protest against episcopacy in itself; (4) that in common with John Calvin he held tolerant views with respect to episcopal government, sharing in the hope then entertained by many protestant leaders for "one common confession and harmony of faith and doctrine drawn out of the pure Word of God, which all might own and agree in";[47] (5) that there is more than passing

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[47] M'Crie, Annals of Eng. Pres., p. 66f.

significance in the fact that his two sons trained in England to become priests in the Anglican communion;[48] and (6) that in 1572 Knox did acquiesce in favour of the appointment of bishops to the Scottish church, in proof of which he later wrote of "bishops lawfully elected according to the said order taken at Leith."[49]

It is agreed that as a preacher of distinction Knox served in the established church of England for a time without sign of serious hostility to its system of government. Yet, it is a significant fact that he identified himself at the same time with that Calvinistic section of it which endeavoured to bring about a further reformation within the English church, and which shared with Bishop Ponet and others the opinion that the word bishop "should be abandoned to the papists, and that the chief officers of the purified church should be called superintendents."[50] The fact that Knox was offered the Bishopric of Rochester in 1554 has been used as an indication of Knox's personal regard, if not of sympathy, for an ecclesiastical hierarchy. His latter course of action does not bear that interpretation. He rejected that preferment at the risk of

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[48]----------, Knox, p. 368.

[49]Joseph Parker Lawson, The Scottish Episcopal Church, (Edinburgh: Gallie, 1844), p. 118.

[50]John Strype, Memorials of the Reformation, Vo. II, Pt. II, (Oxford: 1822), 444-445.

M'Crie has discussed this subject at some length, Life of Knox, Note R, "Sentiments of the English Reformers respecting the government and worship of the Church", p. 408-410. His conclusion is that the title "bishop" was generally disused in common speech during the reign of Edward VI, in deference to the term "superintendent".

royal disfavour, with little or no hesitation, and apparently without regret. The style of his reply to some of his critics who were unkind enough to suggest that he was jealous of the appointment of John Douglas to the Bishopric of St. Andrews in 1572 indicates that the office had no appeal to him from the beginning.[51]

When Knox withdrew from England following the succession of Mary to the throne of Edward VI, he severed at the same time his ties with the government and liturgical practices of the English church. The so-called troubles at Frankfort in 1555 developed mainly as a result of Knox's refusal to comply with the demands of the English exiles to adopt the use of Edward VI's Book of Common Order.[52] The original Frankfort congregation supported Knox in his adherence to a version of the Order of the Genevan Church. There were a number of reasons why Knox was not at liberty to meet their demands, but basic to the whole conflict was the dispute over the choice of Genevan or Anglican practices. Knox was no longer an episcopalian even in a modified sense. He was a man whose spiritual sympathies were already strongly attached to the Reformed doctrines of Calvin.[53]

On turning to the Scottish scene, it is difficult to arrive

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[51]"I have refused a greater bishopric nor ever it was, which I might have had with the favour of greater men than he hath this. I did, and do repine for the discharge of my conscience, that the Church of Scotland be not subject to that order." (Scot, Narration, p. 26).

[52]M'Crie, Knox, pp. 86-89.

[53]Supra, Chap. II, 43f.

at any other conclusion than that Knox was determined from the beginning of his leadership in Scotland to establish a non-episcopal polity. English interests had predominated in the Assembly of Estates in Scotland as the Reformation became an accomplishment,[54] and there were those with an influential hand in Scottish affairs who urged the adoption of Elizabeth's ecclesiastical settlement. Yet, in spite of this weight of influence, Elizabeth's Scottish ambassador, Randolph, admitted to Secretary of State Cecil in London, August 25th, 1560, "I have lately talked with all (the Reformers) to search their opinion how uniformity might be had in religion in both realms ... I see little hope there."[55] Since Knox was much in the lead among the Reformers it can safely be assumed that he was one of the stumbling blocks to such a proposal. Elsewhere Randolph more clearly identified Knox as one of the chief opponents to such a scheme. On March 5th, 1561, he wrote to Secretary Cecil as follows: "The Communion was administered here last Sunday with very great decency and with very good order. There were none admitted but such as made open protestation of their belief, being examined and admitted by the ministers and deacons to the number of 1300 and odd. On Sunday the next day they chose in divers places for all the shires, superintendents, known and learned men. Mr. Knox thinks his estate honorable enough if God gives him strength to persist in that vocation that He hath placed him in, and will

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[54] Tytler, Hist. of Scot., VI, 92

[55] Cal. of State Papers Relating to Scotland and Queen Mary, I, 471-474.

receive no other."[56]

Randolph must have slowly realized that Knox no less than the ministers of the Scottish church regarded the prelacy of England as little better than the papacy of Rome. On February 12th, 1562, he reported again to Cecil; "The preachers to be plain with your honor be more vehement than discreet and learned. The little bruit that hath been here of late, that this Queen is advised by the Cardinal to embrace the religion of England, maketh them now almost wild, of which they both say and preach that it is little better than it was at the worste. I have not so amply conferred with Mr. Knox in these matters as shortly I must, who upon Sunday last gave the cross and the candle such a wipe, that as wise and learned as himself wished him to have held his peace."[57]

The first Book of Discipline in letter and in spirit bears out these conclusions. The superintendents were not bishops, and certainly did not hold office in any way which even remotely suggests such an interpretation. Prelacy, it should be noted, was not expressly condemned in the Book of Common Order, or in the Book of Discipline, or in the Confession of Faith, but no room was left for it. As one of the bishops remarked, it was simply "shouldered out".[58]

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[56] Ibid, I, 523.

[57] Ibid, I, 603.

[58] "It has been suggested that, although the office of superintendent was proposed only as a temporary expedient, there may have been an intention from the start to develop it into that of a

Knox's sentiments were not more favourable to diocesan episcopacy in his later days than they had been at an earlier period. In his correspondence with Beza he described the government established in the Scottish church. Shortly thereafter he received a letter from Beza in which he was congratulated for having banished the whole idea of bishops. He further admonished Knox and his colleagues to "beware of suffering it to re-enter under the deceitful pretext of preserving unity."[59] John Row, the historian, furnishes similar evidence, " ... I need to speak little here of Mr. Knox, ... he continually at all opportune occasions inveighed against the authority and ambition of bishops, both before, and especially after that Mr. Beza had written that letter to him concerning bishops."[60]

Knox's contemporaries of the period of 1571-1572 offer similar testimony. Thus, James Melville wrote, "There, among other things was motioned the making of bishops, to which Mr. Knox opponed himself directly and zealously."[61] Hume of Godscroft reporting on the same matter, one which had to do with the formal installation of Morton's nominee to the See of St. Andrews in February, 1572, stated that "Master Knox preached against it (bishops) pronouncing anathema

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hierarchial bishop. The suggestion would have been more plausable if there had not been bishops in the church that was overthrown. In the Book of Common Order the office of doctor is recognized as Scriptural, but the duties as therein defined are not prelatic." (Fleming, The Reformation in Scotland, p. 275).

[59] M'Crie, Knox, p. 329, also Note TT, p. 448. The letter here quoted seems to have been written, June 3rd, 1569.

[60] Row, Hist.of the Kirk, p. 414.

[61] Melville, Diary, p. 31.

on one who gave, and one who took."[62] As a mark of his further protest to this transaction Knox refused an invitation to participate in the service of installation.

It does seem strange that the church which placed its seal of approval on the Book of Discipline, and thereby banished bishops from its constitution, should thereafter give even a reluctant consent to the Concordat of Leith in 1572. Yet, it must not be assumed that such a turn of events represented any modification in Knox's attitude toward episcopal government. It was a time of serious stress to the whole national structure. Civil war was in progress. The church itself was far from a position of security. It had attempted without success to get its ecclesiastical polity ratified by parliament; it argued in vain for the final dissolution of the bishoprics and abbacies, and for what it considered to be a just distribution of the clerical revenues. To all such pleas the greedy nobles replied in effect; no bishops, no revenues. Under such circumstances, and on the understanding that the term bishop as introduced in the tulchan episcopacy of 1572 meant no more than another term for pastor or presbyter according to New Testament interpretation, neither Knox or any other might haggle unduly over a point of terminology.

It was to such a state of affairs in the church that Andrew Melville returned from Geneva in 1574. One of the first questions which came up for debate in the Assembly of that year

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[62]Hume, David, of Godscroft, History of the Houses of Douglas and Angus, (Edinburgh: 1644), p. 321.

was, "Whether bishops as they are now in Scotland have their functions in the Word of God or not."[63]

4. Claims of Jurisdiction, Church and State

It was at a comparatively late date that the full tide of the Protestant Reformation reached Scotland. Nevertheless, it carried with it, still unresolved, the problem of the relative jurisdictions of church and state in organized society. It was a subject which had long occupied the serious attention of many qualified theorists of all ranks, as we have seen.[64] However, since only the most limited understanding of the principles of toleration and democracy existed anywhere, whether in church or in state, and since it was only with the greatest of hesitation that either authority was inclined to test them in practice, the road to agreement was bound to be difficult. With the development of Scottish Presbyterianism and its intrinsic leaning toward democratic forms of church government, a satisfactory reconciliation between church and state was in time realized to a remarkable degree. It was not achieved, however, apart from a long and bitter contest waged between king and kirk.

It is readily understood that presbyterianism had much to learn in Scotland when it assumed responsibility for the conduct of a national church. By virtue of its very heritage, its aims,

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[63]Melville, Diary, p. 53.

[64]Supra, Chapter I, p. 7, "Ecclesiastical, Political, and Monarchial Theories".

and its lack of experience anywhere on such a broad scale, it was inevitable that its policies should often appear in conflict with those of established governmental practice. Calvinism, it has been charged, was the creed of rebels.[63] Yet, we are not to assume that its adherents were political revolutionaries. Knox himself, while openly determined to effect a transformation in the ancient religious system in Scotland, neither resorted to nor encouraged in others the overthrow of civil authority. His chief concern was for the right of freedom of faith, and the wording of the first Book of Discipline scarcely varies from that interpretation.

The Reformers recognized the divine ordinance of the state, the duty of rendering to rulers and judges alike due obedience. But they did insist on the responsibility of the state to provide assistance where required in the exercise of ecclesiastical discipline, and in Scotland to maintain the Reformed faith as the "true religion."[66] They were also in agreement on one other important qualification. The church of Scotland claimed a certain priority of right, as custodian of men's spiritual interests, to override in case of conflict the division between the secular and the religious emphasis as they saw it. It must be admitted that here was an obvious threat to the authority of the civil magistrate. But, before the Reformation Scotland had been ruled by two papal principles - the absolute despotism of the Pope, and the absolute

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[65] Hearnshaw, Soc. and Pol. Ideas, p. 14.

[66] Acts, Parl. Scot., II, 533-534.

obedience of the people. The result was a form of spiritual and political slavery. Knox, in turn, confronted and overthrew papal domination in Scotland with two anti-papal principles, submission of the individual conscience to the will of God as interpreted in Holy Writ, and submission to civil government only in so far as it conformed to that will. Yet, for all his courage, Knox was not able to prevent the slow progress of the crown party within the church toward erastianism and its consequent threat to the spiritual independence of the church at large.

It was at that stage that Andrew Melville made his appearance, not only to challenge the policy of the Leith convention, but to take up the fight against royal supremacy just as Knox had fought against papal supremacy. He challenged James' doctrine of the Divine Right of Kings at every point of interference with the decisions of the General Assembly, and, indeed, did not hesitate at personal encounter. Thus, plucking the sleeve of King James in 1596 he sharply reminded him that he was "God's silly vassal."[67] Deeply as James must have resented such a statement, he cannot have been unfamiliar with the principle of restricted monarchy which it implied, and its corollary, the right of rebellion. Major, Buchanan, and Knox, had each in turn declared a similar view.[68]

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[67] In modern language, "simply God's vassal".

[68] Note the comparison:

John Major: "It is plain that kings are instituted for the good of the people, as its chief ruler of the whole body, and not conversely. In the second place it follows that the whole people is above the king, ... the king hath not that free power

Such a demand for spiritual independence was disturbing enough when restricted mainly to statements of polity, but they were looked upon as exceedingly dangerous when their proponents carried them into other lines of political interference. The General Assembly from the beginning exercised a profound influence, if indirectly, upon public policy, but as it gained in strength it did not hesitate to address vigorous remonstrances to the government.[68] For example, in 1565, it urged upon Queen Mary the abolition of the Mass, not only as applied to her subjects, but also as it pertained to her own personal liberty.[70] In 1567, it drew up a recommendation for the ensuing parliaments and appointed a standing committee of representatives to confer with the Privy Council, or

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in his kingdom that I have over my books. A free people confers authority upon its just king, and his power is dependent on the whole people. A people may deprive their king and his posterity of all authority when the king's worthlessness calls for such a course." (History of Greater Britain, pp. 158, 213-214).

George Buchanan: "Kings were set up to preserve justice. Arrogance of kings made laws necessary. For this reason, therefore, laws were devised by the people. Kings were forced to employ the legal authority conferred upon them by the people, and not their arbitrary wills, in deciding cases. The people had been taught by long experience that it is better to trust their liberty to laws than to kings, for the latter may be drawn away from justice by a variety of forces, but the former being deaf to both entreaties and to theorists, pursues the one unbroken course." (De Jure Regni Apud Scotos, p. 57-58).

John Knox, in conversation with Queen Mary, May, 1561: "But think ye", said Mary, "that subjects having the power may resist princes?" Knox replied, "If princes exceed their bounds and do against that wherefore they should be obeyed, there is no doubt they should be resisted with power." (Hist. of Ref., II, 16).

[69] Not confined to any one Assembly.

[70] Row, Hist. of the Kirk, p. 27.

regent, or king, as the case may be.[71] Before James formally assumed office it intervened in matters which naturally belonged to the Executive, and it attacked the government in the manner of a parliamentary opposition. On at least two occasions, in 1582-1583, the Assembly attempted to influence foreign policy by protesting against an alliance with France, or any other "foreign papist power."[72]

These claims for freedom of action, coupled with a demand for a free Assembly, were looked upon with gravest suspicion by the governing powers on both sides of the border. The dreadful excesses practiced by the Anabaptists during the fanatical regime of the Munster kingdom in 1534 were still fresh in the minds of all civil administrators, and were recalled from time to time as a warning especially pertinent to the dangers inherent in all similar lawless tendencies.[73] Moreover, during the period of Knox's leadership in Scotland militant puritanism was still in the ascendency in England. The influence of Thomas Cartwright, the generally acknowledged leader of Presbyterianism in England, was increasingly manifest and was interpreted by many as a serious threat to existing established law and order.[74] His bitter opponent Archbishop Whitgift, vice chancellor of Cambridge, publicly declared

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[71] Bk. of Univ. Kirk, p. 81.

[72] Ibid, pp. 267, 280.

[73] Pearson, Church and State, p. 3; M'Crie, Knox, p. 102.

[74] -------, Elizabethan Puritanism, p. 127.

the presbyterian principles to be not only anti-episcopal, but anti-monarchial.[75]

Under these circumstances it is not surprising that the Scottish Reformed Church which from the beginning furnished strong evidence of its independent nature should often have found its way made difficult. The refusal of Queen Mary and of succeeding parliaments to ratify the first Book of Discipline, the withholding of a larger share of the patrimony of the church, and Morton's introduction of the so-called tulchan episcopacy in 1572, were all part of a policy of opposition. In many ways these policies were a reflection of the policies of Elizabeth wherein she demonstrated her determination to exercise her sovereign jurisdiction over both church and state.[76] Thus, there was a manifest tendency in Scotland as well as in England to treat the church as a department of state. The imposition of some form of episcopal government may have seemed at that time all that was necessary for the accomplishment of that purpose, but it was soon realized that more than a system of bishops engrafted to the church was necessary to ensure crown supremacy. Even Morton in 1574 seems to have been dissatisfied with the general result.[77] He ceased his attendance at Assembly on the excuse that he was too busy, and that the ministers were guilty of seditious and treasonable speeches.

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[75] ---------, Church and State, p. 126.

[76] Dawley, Whitgift and the English Ref., pp. 14, 61ff.

[77] Bk. of Univ. Kirk, p. 168; M'Crie, Melville, I, 107.

In the course of time one of the chief defences of the state was its adherence to the doctrine of the divine right of kings. Under the administration of Elizabeth, where it was exercised as an instrument of administration with considerable restraint, it seems to have served some useful purpose.[78] It was a different story in Scotland where it became in the hands of a pedantic and ambitious James a weapon of monarchial despotism. Throughout the course of his reign the church, and liberal government itself, suffered greatly from its employment.

Thus were the lines of battle drawn between the representatives of church and state, and in the main between the personalities of Andrew Melville and King James VI. In his treatise, The True Law of Free Monarchies, James boldly claimed for the monarch, free reign of power, and for the subject, passive obedience.[79] His first attempt to translate the theory into practice was in the ecclesiastical sphere under the motto, "No bishop, no king." Melville provided his answer in the terms of the second Book of Discipline, and in his assertion of the doctrine of the divine right of Presbytery. Through that medium he traced the essential lines of distinction between civil and ecclesiastical power.

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[78] Figgis, Divine Right of Kings, p. 98f.

[79] James VI, "True Law of Free Monarchies", Works of the Most High Prince, p. 195, 198.

CHAPTER IV

MELVILLE'S TEMPORARY TRIUMPH, 1572-1592

Andrew Melville's public career in Scotland lasted from 1574 until 1606. He reached his greatest personal triumph in 1592 when government of the church by assemblies, synods, presbyteries, and kirk sessions, was finally ratified by act of parliament.

The period of 1572-1592 was the beginning of one of the stormiest in the church's history. It was a time when there was little or no unity of rule or of administration in the country. The church, slowly formulating its system of government, found itself constantly hindered in its progress, first, by the schemes of one regent after another, and later, by the policies of a king obsessed with ideas of divine right and royal prerogative.

Just as there were three major shifts in administration during those years, namely, the regency of Morton (1572-1581), the administration of Arran (1581-1584), and, the personal rule of James VI after 1584,[1] so we may distinguish three corresponding periods of development within the kirk: (1) Tulchan bishops to the second Book of Discipline, 1572-1581; (2) the second Book of Discipline to the Black Acts, 1581-1584; and (3) the Black Acts to Presbyterianism ratified by law, 1584-1592.

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[1] While James did not attain his majority until 1587, his voice was heard more directly in the course of public affairs following the flight of Arran in 1584.

1. From Tulchan Bishops to the Second Book of Discipline, 1572-1580

The death of Knox in 1572 left the Reformed church temporarily bereft of that quality of leadership so necessary to the demands of the time. No doubt the church could count within its ranks a considerable number of excellent men sincerely attached to the principles upon which the Reformation had been established in Scotland, and not incapable of defending them. But there was wanting an individual of unquestioned integrity, capable of giving an impulse and a voice to public sentiment, and who could systematize the church's polity. Such a man was eventually found in the person of Andrew Melville. That his capabilities were anticipated by no less than Morton himself is shown in the haste with which the latter endeavoured to relegate his talents to a position of lesser consequence.[2] It was Melville's refusal to be so distracted which greatly enhanced his influence in the church.

Melville returned to Scotland in 1574 with the primary purpose of devoting himself to the revival of learning for the benefit of his own country. It appears from the account provided by his newphew, James Melville, that Andrew Melville felt some guilt that he had been so long employed elsewhere.[3] His first interest, accordingly, was in the field of scholarship. It was only after

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[2] It was Morton's scheme to engage Andrew Melville as an instructor for his own children and as a chaplain to his own household. According to James Melville, it was a common practice of the regent to so divert the attention of those who were otherwise not conformable to serve his purpose to advance the cause of episcopacy. (Melville, Diary, pp. 45, 54).

[3] Ibid, p. 92

his arrival in Scotland that he saw the urgent necessity of some further organization of the church, and that he felt drawn to accomplish what he could in that direction.

It was pointed out in Chapter III that the sharply divided contest between the interests of church and state involved three important issues, issues which at this stage occupied the attention of the kirkmen with increasing concern, viz., the question of primacy of so-called bishops above other ministers, secular invasions of the ecclesiastical revenues of the church, and, alleged encroachments of the civil magistrates on the authority of the church. While these questions were generally understood to be separate from one another, the last two were deeply involved in the first. It was by setting up bishops, and by the share which they would have in the admission of other ministers that the civil court expected chiefly to succeed in its aim to control the patrimony of the church. Moreover, the great reason which induced rulers to prefer an episcopacy over any alternate system was the superior facility with which it enabled them to exert an unlimited sway over the clergy, and through them over the sentiments and will of the people. This was the light in which Andrew Melville viewed the general situation.[4]

For a time it appeared possible that the kirk might be reconciled to an order of bishops holding titular preferment, but devoid of actual episcopal powers. That the church did homologate the proceedings of the Convention of Leith, in 1572, and succumb

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[4]Melville, Diary, p. 61.

to a species of episcopacy, it were idle to deny. In the sederunts of Assemblies after August 1572 the bishops were mentioned immediately before the names of regular superintendents. The Assembly of 1574 petitioned the regent to provide qualified persons to fill vacant bishoprics. The Glasgow Assembly of 1575 elected James Boyd, Bishop of Glasgow, to the moderator's chair.[5]

But a wave of reaction set in that same year as Andrew Melville began to participate in the Assembly debates. When the subject of ecclesiastical polity came up for discussion it was freely stated that great inconvenience had already arisen and was likely to continue and increase from want of a clearly defined system of government in the church. A committee was therefore appointed at the March meeting of the year 1575, to consist of laymen and ministers, for the purpose of drawing up an ecclesiastical polity "agreeable to the Word of God and adapted to the state of the country."[6] Melville's abilities were so far recognized and respected that he was appointed to this and all other succeeding committees of major importance nominated to deal with the matter.[7]

The August Assembly of 1575 raised another question of national importance, "whether bishops as they are now in the church of Scotland have their function grounded upon the Word of God or not; or if the chapters for creation of them ought to be tolerated

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[5] Bk. of Univ. Kirk, March, 1575, p. 146.

[6] Acts, Parl. Scot., Bannatyne Club, 1866, Vol. III, 89.

[7] Melville, Diary, p. 52.

in the Reformed kirk."[8] At this stage Melville delivered his sentiments in a speech which produced a profound impression on the Assembly. "He was satisfied", he said, "that prelacy had no foundation in the Scriptures, and that viewed as a human expedient its tendency was extremely doubtful if not necessarily hurtful to the interests of religion". The words bishop and presbyter, he maintained, were interchangeably used in the New Testament, and the most popular arguments for the divine origin of episcopacy were founded on ignorance of the original language of Scripture.[9] Such a statement was no idle talk on the part of Melville, for in a test of scholarship of this nature he was at a distinct advantage. His superior knowledge and use of the original languages of Scripture appears to have been unrivalled among his opponents.

These two questions thus occupied the centre of attention in succeeding Assemblies for many years. Archbishop Spottiswoode later observed, "In this Church this year (1575) began the innovations to break forth that to this day have kept it in continual unquietness."[10]

With regard to the first question, have bishops as they are now in Scotland their authority from the Word of God or not, the finding was that if any bishop had not the qualities required by the Word of God he should be tried by the General Assembly and

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[8] Bk. of Univ. Kirk, p. 151; Calderwood, Hist. Kirk. Scot., III, 355.

[9] Ibid, III, 200, 201.

[10] Spottiswoode, History of the Church of Scotland, (Edinburgh, Spottiswoode Society, 1847-1851), II, 200.

deposed from his place.[11] The Assembly of 1578 agreed that for the future bishops should be addressed as other ministers, and that in the case of a vacany occurring in any bishopric, chapters should be debarred from proceeding to a new election before the meeting of the Assembly.[12] It was not until 1580, however, that the Assembly voted to abolish all ecclesiastical distinctions. In that year "the whole Assembly of the national kirk in one voice" found and declared the pretended office of bishop to be unlawful "having neither foundation, ground, nor warrant, within the Word of God." Furthermore, it ordered all such persons who held such titles to demit them as an office to which they were not called of God, and to cease from teaching or administering the sacraments until they should be admitted anew by the General Assembly, under pain of excommunion.[13] The ruling of the Assembly in this matter proved so far effective that before its next meeting all the bishops with the exception of five sent in their submissions.[14]

The second major question, a satisfactory government of the kirk, received careful attention along with the procedure to abolish episcopacy. The result was the elaboration of the famous second Book of Discipline. It was first submitted to the General Assembly in March, 1578, at which time Andrew Melville was the presiding moderator. It was adopted in its final form by the Glasgow

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[11] Row, Hist. of the Kirk, p. 62.

[12] Bk. of the Univ. Kirk, pp. 172, 175.

[13] Calderwood, Hist. Kirk Scot., III, 469, 470.

[14] Bk. of the Univ. Kirk, p. 195.

Assembly of April, 1581.[15]

This document formulated in a more systematic manner than the first Book of Discipline had done the specific principles of Scottish presbyterianism. It was a reversion to the polity of 1560, but it went further. Whereas Knox under stress of circumstance yielded some ground to episcopacy by treating it as a lawful form of government, though in his interests not expedient, Melville declared it to be both unscriptural and undesirable.[16] On the basis of this latter interpretation even those who held the office of superintendent came under the range of suspicion. To avoid ambiguity the appellation of Visitor was preferred instead.

The first Book of Discipline, though an admirable production for the time, was hastily compiled to meet the emergency caused by the sudden triumph of protestantism over the mediaeval hierarchy. It could scarcely be regarded as final. The second Book of Discipline in comparison was drawn up with greatest care and deliberation through successive committees and with the advice of Assemblies, and by persons who had studied the matter with much attention. It agreed with the earlier Discipline by laying claim to the entire patrimony of the church.[17] It was at one also with this earlier document, and with the whole spirit and practice of Knox, in vindicating for the clergy the right of free speech.[18] It claimed the right of spiritual

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[15] Row, Hist. of the Kirk, p. 74; Bk. of Univ. Kirk, p. 218f.

[16] Cunningham, Ch. Hist. of Scot., I, 439.

[17] Second Book of Discipline, Chap. IX, Sec. 1.

[18] Ibid., Chap. IV, Sec. 12.

jurisdiction and censure over all ranks and persons whatsoever.[19] It propounded this right most definitely in the form of the theoretical distinctions in every state between the civil power and the ecclesiastical power, the power of the sword and the power of the keys.[20] On the other hand, it reversed the earlier document in some respects and addressed itself more directly to the points that had come to be considered more vital. It rejected the offices of superintendents and readers from those necessary in the church, reducing the authorized officers to those of pastors, doctors, elders, and deacons. It recognized the name of bishop in the primitive church as another name for pastor or minister, and denied the lawfulness of bishops with diocesan jurisdiction.[21] It implied that the name had better be given up altogether.

It also contained a very important suggestion towards the completion of the presbyterian system of organization. Hitherto, the courts or collective agencies heard of had been the general assembly and the provincial synods. But now they moved toward the establishment of more local assemblies to be known as presbyteries. There were to be fifty "or thereabout" to account for six hundred kirks.[22]

It is not historically correct to ascribe to Andrew Melville exclusive credit for the overthrow of episcopacy and the introduction

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[19] Second Book of Discipline, Chap. VII, espec., sec. 9, 11, 14, and 16.

[20] Ibid, Chap. I, sec. 9. [21] Ibid, Chap. XI, sec. 9-17.

[22] Row, Hist. of the Kirk, p. 83.

of presbyteries. Yet he undoubtedly laid the foundations for that transformation. He was on all committees employed in collecting materials on polity and reducing them into form. He was present at most of the conferences on the subject held with the Privy Council and parliament.[23] He took an active part in all the discussions and debates that occurred in private and in public on the articles which were most keenly disputed and opposed. Moreover, he subjected himself to greatest personal inconvenience during the series of years which were spent in completing the book of polity and procuring its reception.[24]

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[23] M'Crie, Melville, I, 125.

[24] Melville, Diary, p. 52.

Andrew Melville's place of prominence and leadership in the Scottish church seems to have been generally acknowledged almost from the beginning. Thus, James Melville states that when John Row, who died in 1590, presented the heads of the second Book of Discipline on the floor of the Assembly of June, 1578, he was governed in his conduct by the advice he received from Andrew Melville. (Melville, Diary, pp. 76, 85). Spottiswoode testified that "During these contentions with the state, Mr. Andrew Melville held the church busied with the matter of policy". (Quoted by M'Crie, Melville, I, 152). Even King James admitted to Archbishop Spottiswoode in 1610, while discussing a proposal to release Melville from his confinement in London, "My Lord, ye will be well quit of him, he is the greatest, if not the only, stickler against your estate in Scotland." (Row, Hist. of the Kirk, p. 298).

Strangely enough, Row gives Melville little place in his noted History. Even at the close where he has appended a brief sketch of "Witnesses to the truth", (Ibid p. 414f), he made no mention whatever of Melville. One can only assume that Row had some personal reason for the omission, although no hint of this has been discovered throughout his text.

The fact remains, that as a mark of their confidence in his leadership the commissioners of the General Assembly elected Melville five times to the moderator's chair; March, 1578; April, 1582; June, 1582; June, 1587; and May, 1594.

3. The Second Book of Discipline to the Black Acts, 1581-1584

The history of the kirk during the years 1578 to 1584 represents two stages of development. It includes a period when the kirk experienced a gradual movement towards its goal, and a similar period of retrogression. The line of demarkation is coincident with the arrivals from France in 1579 of Esme Stewart and his associate Captain James Stewart.

Until 1579 the clergy seem to have entertained considerable hope of ultimate success in gaining parliamentary sanction for their proposed ecclesiastical polity, and to have retained much confidence in the king personally. Matters took a new turn, however, when the parliament of October, 1579, once more shelved the whole question by referring it to another committee. That the clergy were angered and made impatient over such delays is evident from the tone and substance of the Assembly debates. The Dundee Assembly of July, 1580, took matters in its own hands by giving assent to an Act condemning without reserve "the office of bishop as it is now used", and by instituting proceedings for the abolition of the tulchan bishops by the kirk itself.[25] There was an air of evident independence in such a move, but it was not an altogether precipitate one. That the forceful debates of the preceding Assemblies had not been without effect is inferred from the conciliatory manner with with the king and the council expressed their judgement in a number of cases. For example, the wording of an Act of Council, September

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[25]Scot, Narration, p. 38; Melville, Diary, p. 82-83.

16th, 1578, contains a studied recognition of the perpetual claims of the kirk in the appointment of the thirds of the benefices.[26] In 1578-1579 archbishops Adamson and Boyd laid formal charges of personal injustice against the Assembly, but in each case their claim was simply referred to a later parliament.[27] Further, when the great abbacies of Arbroath and Paisley became vacant, the petition of the clergy that the king and council suspend all gifts and promises attached to them "which might hinder and prejudice the dissolution of the same" was heeded, and received the approbation of the council.[28] This was one of the greatest concessions yet made to the Presbyterian demands.

From the records of these and other memorials it is clear that the interests of the ministers of the kirk encompassed many fields. Thus, in a communication dated February 9, 1580, they demanded "a more strict kirk order and discipline in his Majesty's household."[29] This action was hastened by the general feeling of anxiety over the religious leaning of both Esme Stewart and Captain James Stewart. There were a number of reasons for believing that the two were in reality papist agents. Finally, when this suspicion reached a stage of public discontent which even the king could not disregard, he directed the veteran minister, John Craig, in January, 1581, to draw up a Confession of Faith. What it amounted to was a

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[26] Reg. Priv. Council, III, 29. [27] Ibid, 99-100.
[28] Ibid, 176-177.
[29] Ibid, 264.

covenant condemnatory of the most obnoxious tenets of the Roman Catholic faith. It was signed by the king and his household, and afterwards by all persons of all ranks throughout the realm.[30] To a large degree the whole procedure appears to have been but a gesture on the part of the king, for shortly after their arrival from France both Esme Stewart and Captain James Stewart were elevated to high rank among the nobility, as Duke of Lennox and Earl of Arran, respectively.

The transformation wrought in the youthful sovereign as a result of the influence of these new associates soon became apparent. His religious alliance remained the same, but his political ideas underwent a profound change, manifest in a revolt from the democratic principles of Buchanan to a viewpoint more in sympathy with the theories of Jean Bodin.[31] Obviously, he intended to adopt the doctrine of divine right, and to include in his over-all authority mastery of both church and state.

However, James proceeded with caution.[32] Hence, in the General Assembly of April, 1581, he permitted no sign of rupture between the kirk and the court. Much of the activity of the Assembly was taken up at this time with the business of marking the boundaries of the proposed presbyteries. In fact, the remarks of the Privy Council in relation to kirk matters indicate that the

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[30] Row, Hist. of the Kirk, p. 78. [31] Supra, Chap. I, p. 16f.

[32] The caution in this case was dictated principally from south of the border, for Elizabeth had made the deposed Morton's case her own while she lived. (Reg. Priv. Council, III, 348, 350, 355, 360, 365, 377-378, 387-389).

good understanding continued until July of that year.[33]

There can be little doubt that public subscription to Craig's Confession or National Covenant as it was sometimes called, had a powerful influence in riveting the attachment of the nation to the protestant religion at that time,[34] but it did not prevent those allied to royal favour from prosecuting the design which they had formed. The independent spirit of the presbyteries, reflecting as they so often did the democratic principles advocated by their founder, Andrew Melville, was an aggravation to would-be despotism. That the preachers were outspoken from their pulpits is beyond doubt. Freedom of the kirk in this regard was one of the primary liberties for which Melville contended. It was a principle of freedom demanded by its advocates much as modern society insists on freedom of the Press. It was of necessity obnoxious to all who wished to trample on the rights and liberties of the people. Nevertheless, it was on these and similar points of friction that the struggle between the forces of episcopacy and presbyterianism daily assumed a more determined and uncompromising form. The youthful king with his ministers, and his favourites Lennox and Arran, and a large portion of the higher nobility, favoured episcopacy. The ministers of the kirk, the great body of the burghers and the middle and lower classes, were all just as zealously attached to the presbyterian model.[35]

The first major rupture in relations between the ministers

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[34] M'Crie, Melville, I, 175.

[35] Reg. Priv. Council, III, footnote, 427.

of the kirk and the king's party took place following the death of Archbishop Boyd of Glasgow in 1581. Boyd was appointed one of the tulchan bishops in 1572, but his title was never regarded as more than nominal by his fellow ministers, and they hoped that both title and office would lapse at the termination of his office. However, Lennox and his associates had other plans. They were resolved on restoring episcopacy to a more effective place in the government of the church, and on filling the bishoprics as vacancies occurred with nominees of their own choosing. The first such appointment was the Reverent Robert Montgomery, minister of Stirling. The Assembly of 1581 retaliated by placing Montgomery on trial for allowing himself to become party to such a scheme. King James promptly intervened in his defence, and let it be known that in deference to his authority the Assembly had no right to prosecute Montgomery for accepting the office.[36] Nevertheless, the Assembly of 1582 continued to deal with Montgomery's case. Andrew Melville, who was elected Moderator in 1582, took the stand as his accuser. The court in its final judgement found Montgomery guilty of libel, and threatened him with excommunication. He only escaped further censure by submitting to the will of the Assembly. Obviously, this in itself was a sharp rebuke to the advocates of episcopacy.

It was at this point when Melville's courage was put to

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[36] James Melville claims that it was Captain James Stewart (Lennox) "who put the opinion of absolute power in his majesty's head." (Melville, Diary, p. 119). He probably did give impulse to the ideas which James had already absorbed from the writings of Jean Bodin. (Compare Supra, p. 14).

the test that he exhibited some of his greatest qualities as chief defender of the Reformed faith. He set the stage, as it were, in a remarkable sermon in which he described the weapon raised against the church as the "bloody gully" of absolute power. He charged that the forces of opposition to the Reformed church in Scotland had their origin in the machinations and ambitions of those who desired a restoration of the ancient prelatic church.[37] This was no extravagent statement.[38] There was at the time a constant traffic of Roman agents from Europe into Scotland, and even at this early stage it is scarcely likely that the scheming policies of James in this matter were beyond the knowledge of the keenly observant Melville.

The Assembly of June, 1582, upheld all the legislation enacted by its previous courts. Resolving to lay its "griefs" before the king in the form of a Remonstrance, it charged that the monarch, under the influence of his evil counsellors, had taken upon himself that spiritual authority which belongs to Christ alone as King and Head of the Church.[39] Accordingly, Andrew Melville was appointed with a number of others to go to Perth to present the document to His Majesty in person. When Captain James Stewart in a threatening manner in the presence of the king challenged, "Who dares subscrive

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[37] Calderwood, Hist. Kirk Scot., III, 622; Melville, Diary, p. 128; Row, Hist. of the Kirk, p. 92f.

[38] As late as 1591 the Earl of Huntley reported to the Duke of Parma that King James was willing to join Spain against England, ... "the king liking to change the religion to avenge his mother's death." (Calendar of State Papers, Spanish, III, 1580-1586, London: 1892, 161). Note also, J.D. Mackie, "The Secret Diplomacy of King James VI in Italy prior to his Accession to the English Throne", Scottish Historical Review, 21, 1923-1924, 207.

[39] Reg. Priv. Council, III, 489-490.

these treasonable articles?" Melville promptly answered, "We dare, and will subscrive them, and give our lives in their cause." Advancing to the table, he took the pen from the clerk and signed his name. The other commissioners immediately followed his example.[40] Both Lennox and Arran were intimidated by this unexpected display of courage. The king was silent for a time, but after a brief conference dismissed the ministers in peace.

In all these conferences the ministers of the church received little or no support from the nobility. The ministers acted solely from their own sense of duty, and without any assurances of protection from the rage of those whom they offended. Nevertheless, it is evident that their resistence contributed greatly to check the career of the king's favourites, and in time aroused the nation to assert its liberties. Had they acted in as passive a manner as the nobility had hitherto displayed a despotism might have been established in the country which only a national convulsion could have overturned.

At this juncture there occurred the so-called Ruthven Raid.[41]

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[40] Melville, Diary, p. 133-134; M'Crie, Melville, I, 185f.

[41] The arbitrary procedure of the king's favourites at length exhausted the patience of the nobles, who thereafter resolved to free themselves and the country from a disgraceful state of affairs. The course which they took to accomplish this purpose was very different from the open and regular resistence maintained by the assemblies of the church. They took possession of the King's person by surprise, and having compelled Lennox to leave the kingdom and Arran to confine himself to his own lodgings, they took over the direction of Public affairs. The King was retained in the castle at Ruthven from August 1582 until he made his escape in July, 1583.

The first effect was the separation of the youthful sovereign from his friends, Lennox and Arran. In the meantime he was also prevented from attending meetings of the Council, and from interference in the activity of the church. Thus, the next Assembly was allowed to meet freely in Edinburgh in October to proceed to its regular business, including such legislative action against bishops as seemed necessary. Nevertheless, after James' release he soon made it evident that he was bent upon destroying a form of ecclesiastical government which he imagined to be inconsistent with his own kingly prerogatives.[42] Arran, the bitter enemy of the presbyteries, was given increased power, and he proceeded to use it. Patrick Adamson, titular archbishop of St. Andrews, assisted the intentions of both by advancing the claim that the king to maintain his power must rule the church, and that to rule the church he must have bishops to rule under him. He held that the assimilation of the Scottish Church to the English Church, both in government and in liturgy, was a necessary step toward a satisfactory political union.[43]

The following months were a time of increasing difficulty for the church. A parliament summoned in May, 1584, ended temporarily the presbyterian system in Scotland. It passed a series of Acts which in effect almost entirely revoked the rights hitherto enjoyed by the church.[44] These were the so-called Black Acts.

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[42] Melville, Diary, p. 141.

[43] Willson, James VI and I, p. 49.

[44] Reg. Priv. Council, III, 684-685.

By one of these, the ancient jurisdiction of the Three Estates was ratified, and to speak evil of any one of them was to be guilty of treason. By another, the king was declared to be supreme in all causes and over all purposes, and to decline his judgement was again declared to be an act of treason. A third regulation declared all convocations unlawful except those specifically licensed by the king. Finally, the chief jurisdiction of the church was lodged in the hands of an episcopal body to undertake through its bishops such duties as had hitherto belonged to the assemblies and the presbyteries. Thus were the courts of the church shorn of power, and the plans of Andrew Melville for spiritual independence brought to a halt.

The next move was to destroy the effectiveness of the leaders themselves. John Durie and James Lawson, both prominent and highly respected ministers of the church, were brought before the Council and banished from Edinburgh to Montrose.[45] As for Melville, despite the fact that he had made a brilliant defense of the church and of his own conduct within the trial courts, he was found guilty of having uttered seditious and treasonable speeches, and was condemned to imprisonment at the king's pleasure.[46] Faced with these

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[45] Reg. Priv. Council, III, 617.

[46] Melville was summoned to appear before the Lords of the Council to answer for some speeches uttered by him in a sermon . When he met the Council he resolutely denied their right of jurisdiction in the case. He affirmed that he was answerable only to his presbytery, or for that matter to his own university, for anything delivered from the pulpit. When the king attempted to convince him of the contrary, Melville charged him with having perverted the laws of both God and man. (Calderwood, Hist. Kirk, Scot., IV, 3-14, 151).

new circumstances, and on the insistent advice of his friends, he used the few hours of his liberty to retire by night from Edinburgh and to make his way to Berwick. That his escape was none too soon is evident from that fact that Arran and his friends had already ordered a company of horsemen to conduct him to the fortress of Blackness.[47] Thus were the fortunes of presbyterianism in the Scottish Church brought to a low ebb.

3. Black Acts to Presbyterianism Ratified by Law, 1584-1596

Although the Black Acts, as the Presbyterians called them, must have brought great satisfaction to the king at the moment, he was quickly disillusioned by the flight from his domain of so many ministers, and by the uncomplimentary things they said of him in England. It was shattering to his pride when some of these criticisms not only raised serious questions as to his loyalty to the protestant faith, but engendered further inquiries respecting the legitimacy of his birth.[48] Moreover, the course of events produced an unexpected reaction in London. Elizabeth sent her top ambassador, Walsingham, a Puritan in sympathy, to Scotland bearing a letter of sharp rebuke to be read in the ears of James.[49] James' reply was that he said only in jollity that he was an absolute king. Nevertheless, he was advised to take all steps necessary to regain the friendship of Elizabeth. It was a bitter pill for James

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[47] Ibid, IV, 12.

[48] Willson, James VI and I, p. 50. [49] Calendar of State Papers Relating to Scotland and Mary Queen of Scots, VI, 603.

who at this stage was becoming the more deeply absorbed in the subject of his succession to the English throne. It came at a time, too, when a Spanish invasion, coupled as it was with the Roman Catholic faith, was an increasing threat to the peace of the realm.

To meet this latest danger the two countries, England and Scotland, signed an agreement for the conclusion of a league both offensive and defensive which would unite the two kingdoms henceforth against all schemes of the confederate Roman Catholic powers.[50] This turn of events forced Arran from office in November, 1585, and compelled the king to set up a more tolerant advisory council. These transactions raised hopes for a reversal of policy which would eventually remove from the statute books all the late Acts in favour of episcopacy and royal prerogative in ecclesiastical affairs, and which would thus permit the kirk to return to the strict presbyterian discipline laid down by Andrew Melville and his colleagues. These expectations, however, were not at once fulfilled.[51]

The main obstacle to a reconsideration of the pro-episcopal policies lay with the king himself. He still harboured a keen resentment against the clergy for their out-spoken utterances relative to his own person, and the determination with which they followed Melville's lead in demanding spiritual independence in ecclesiastical polity. It was in vain that the two Melvilles,

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[50] Reg. Priv. Council, III, 748-762.

[51] Ibid, footnote, IV, 36.

Andrew, and his nephew James who likewise took an active part in the conduct of the church at this time, and other clerical leaders, sought to direct the king to his administrative responsibilities in the cause of the Reformed faith.[52] Matters were further complicated by the fact that divisions had developed among the ministers themselves. These divergencies followed three main points of view; those against the king's authority, those willing to support it, and those who avoided all or nearly all expressions of opinion.[53] There can be little doubt that James encouraged these differences, not only in general but also within the court of the Assembly.[54]

Melville returned to Scotland in November 1585, after an absence of twenty months. He had now been identified with the Scottish Reformed Church for a period of ten years, not as a member of the clergy, but as a university doctor. He was principal at Glasgow until November 1580, when at the request of the king, and with the consent of the General Assembly, he was installed as principal at New College, St. Andrews. Apart from the many changes in administration which he introduced at St. Andrews, his lectures excited new interest, so much so that they were attended by several of the masters of other colleges who were keenly aware of their own deficiencies.[55] Such contacts obviously added greatly to the range of Melville's influence throughout the realm. At the same time

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[52] Reg. Priv. Council, IV, 37 [53] Ibid, IV, 37.

[54] R. Rait, Parl. of Scot., (Glasgow: Maclehose, 1924), p. 56.

[55] M'Crie, Melville, I, 166.

he was constantly summoned to defend the liberties of the church, and in so doing to inspire his fellow men the ministers and elders of the church who made up its most active court - the presbytery.

Nevertheless, when Melville returned to Scotland he quickly realized that despite the disqualifying conditions under which the late parliamentary laws against the church had been procured, any action tending toward their abrogation would encounter the stiffest opposition, and that he would find weak and unreliable adherents among those who had previously given promise of support. Some pleaded that since the king was at the moment in an inflexible mood over the question of episcopacy it were well to humor him for a time in order to gain his affection.

Accordingly, Melville next bent his attentions to the task of healing the differences existing among his own brethren. Travelling through the country he urged the necessity of a common agreement at such a time, and prevailed on the subscribers of the late bond[56] to co-operate with their brethren in petitioning for the repeal of the offensive laws. In May, 1586, the Assembly met in Edinburgh and gave first place to business regarding the spiritual order. James had already called together certain ministers whom he judged to be more moderate than the rest, to confer on ecclesiastical polity. In so doing, and by their compliance, he laid

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[56]All ministers and masters of colleges were required (1584) to subscribe to a bond in which they engaged to obey the late Acts of Parliament, and to acknowledge their superiors under pain of being deprived of their benefices and salaries. (Act Parl. Scot., III, 347).

the foundation for a species of episcopacy.[57] When the Assembly next met it endeavoured to make the best of a difficult circumstance by resolving, first, that by bishops should be meant as before only such bishops as were described by Saint Paul in the New Testament, second, that such bishops must be appointed by the General Assembly to visit bounds assigned to them, and further, that in their visitation they remain subject to the advice of the provincial synod. Finally, they insisted that bishops remain answerable to the General Assembly.[58] Thus did the church give consent, however grudgingly, to a modified form of episcopacy. Both the king and the ministers of the church must have recognized that neither episcopacy or presbyterianism could be imposed for the time being in its entirety.

However, the Assembly proceeded, however cautiously, to deal with matters affecting the church's polity. It agreed henceforth to meet once a year. More important still, it formulated a scheme for the re-establishment of presbyteries, and a carefully detailed statement of the respective jurisdictions of kirk sessions, presbyteries, and synods.[59] Upon the whole, the proceedings of the Assembly of May, 1586, were somewhat at variance with the former acts of the church, yet the approbation given them unquestionably paved the way for an early downfall of the bishops and the restoration of presbytery to its true function.[60]

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[57] Calderwood, Hist. Kirk Scot., IV, 260.

[58] Bk. of Univ. Kirk, May, 1586, p. 294.

[59] Row, Hist. of the Kirk, p. 110.

[60] M'Crie, Melville, I, 279.

In the beginning of 1588 Melville took an active part in arousing the nation to a sense of its danger from the threat of the Spanish Armada. King James had around him a strong faction of those devoted to Rome and to Spain, and who in Scotland laboured in the interests of both. Plans reached a stage in some quarters where it was proposed to banish or massacre all protestant statesmen.[61] The immediate reaction to such news when it became known was contained in a royal proclamation issued in August, 1588, charging all Jesuits and seminary priests to leave the country within the space of a month, under penalty of death.[62] It must be admitted, however, that papal activity in Scotland continued, and as an ever present source of irritation to succeeding Assemblies.[63] Be that as it may, the conduct of the Presbyterians and their representatives during the whole of this period of national emergency encouraged James to believe that despite the persecutions which they had received at his direction they were still among his most loyal subjects.

4. The Triumph of 1592

James was absent from Scotland from October 1589 until May 1591 by reason of his marriage to Anne of Denmark. On his return he exhibited a determination to assert his jurisdiction over the presbyterian clergy, but it was also manifest that he was in a mood for more friendly relations with the kirk. This is shown in the

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[61] Ibid., I, 291.

[62] Reg. Priv. Council, IV, 300.

[63] Ibid., footnote, 352, 358-359.

disposition of the king and his councillors to avail themselves of the kirk courts and the presbyterian discipline for purposes of social order.[64] It seems that the growth of lawlessness in the land hastened James' decision to come to terms with the kirk. A number of the nobles, including Francis Stewart, Earl of Bothwell, committed a series of crimes at this time which amounted to open defiance of established law and order. Against this group no class of persons spoke out their opinions more earnestly than the presbyterian clergymen. They openly blamed the king and his administration, pointing to his laxity in dealing with such nobles as Huntley, and in his seeming indifference to other Roman Catholic acts of aggression. Andrew Melville took the lead among his brethren in claiming that the only cure for these wide-spread disorders lay in bringing the whole matter of national lawlessness to summary judgement. It gives one a very good idea of the qualities of the man Melville, and the fiery eloquence of the time, to read the report of a sermon preached by him before the Assembly of August, 1590.[65]

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[64] Ibid, IV, footnote, 522-523; "The King on return to Scotland had been castigated about his careless habits with regard to religion." Nevertheless, the Register credits him with more conformity to the discipline of the church, a better attitude exercised toward the Assembly, and an unusual pronouncement .... 'praising God that he was born at such a time of the light of the Gospel, ... his good fortune to be king of such a kirk, the sincerest in the world."

[65] "Are we the true kirk? Are we the lawful ministry? Have we the authority and power of the sceptre? Have we the fire that devoureth the adversary? That hammer that breaketh the rocks? Have we the sharp two-edged sword? Or is it sharp only against the poor and meaner sort, and not potent in God for over-throwing of

One should not assume that James in thus modifying his attitude to the church had in reality changed his views with regard to a preference for episcopal government. But he was surrounded with many difficulties both at home and abroad, and the only source of help that remained was the friendship of the church and the affection of his people. The clergy, headed by capable, persevering, and zealous leaders, saw their opportunity and were resolved to improve it. At the meeting of the General Assembly in May, 1592, which was held immediately before the opening of parliament, it was decided to petition for a legal settlement in favour of the presbyterian form of government, and for a repeal of all those acts which had proscribed the liberty of the church.[66] These demands were presented under four heads:[67] (1) That the acts of parliament made in the year 1584 against the discipline and liberty of the kirk be repealed, and that the present Book of Discipline be ratified; (2) That the Act of Annexation be abolished, and the patrimony of the church be restored; (3) That all prelates, etc., pretending to ecclesiastical authority and giving of their votes in matters without delegation from the kirk hereafter be denied right of vote in parliament or other convocation; and (4) That the land which was polluted by fearful idolatry

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holds .... for chastening of people, tending of kings in chains and the most humble of princes in errors?" (Cunningham, Hist. of the Church, I, 476). Melville's direct language no doubt often offended James and his associates, yet, such was their regard for his ability that they invited him to be present at the ceremony of the Queen's Coronation, May, 1590.

[66] Bk. of Univ. Kirk, p. 346.

[67] Calderwood, Hist. Kirk, Scot., V. 267-268.

and bloodshed be purged.

The final parliamentary sanction granted to these demands in 1592 under the title "Act for the abolishing of Acts Contrary to the Christian Religion"[68] was the most comprehensive and sweeping that had yet been passed by a Scottish parliament in support of the presbyterian system. It ratified all acts in favour of that system; it rescinded and repealed all acts remaining on the statute books of a papal tinge or capable of popish construction. It guaranteed the future government of the kirk forever by strict presbyterian method of general assembly, provincial synod, district courts of presbytery, and of kirk session.[69] It was tantamount to the entire dismission of the episcopal polity and the reestablishment of the national church upon a presbyterian basis.[70]

The church of Scotland did not regard the present or any other parliamentary grant as the basis for her religious constitution. That had already been laid down on the basis of Scriptural authority in her books of discipline. What she then obtained was a legal recognition of those powers which she had long claimed as belonging to her by Scriptural institution. She gained a right by human as well as by divine law to hold her assemblies for worship and discipline, and to transact all business competent to her as an ecclesiastical society without being exposed to any external interruption

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[68] Acts Parl. Scot., III, 541-542.

[69] Reg. Priv. Council, IV, 748-750.

[70] Cunningham, Ch. Hist. of Scot., I, 476.

or hindrance whatsoever, either from individuals or from executive government.[71]

Melville must have been highly gratified with this Act of legislation. He had succeeded in procuring the sanction of the state as well as of the church to an ecclesiastical polity which he had so carefully supervised in course of preparation, and which he regarded as agreeable to Scripture and eminently conducive to the spiritual and temporal welfare of the nation. The principles, for the advocation of which he had so often been branded as seditious and a traitor, were now pronounced "most just, lawful, and godly", by the highest authority of the law. It was the triumph of that cause which had cost him so much labour and anxiety during the past eighteen years. He could now cherish the hope of being permitted to apply himself with less interruption to his studies and other academic pursuits.

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[71] M'Crie, Melville, I, 322.

CHAPTER V

THE RISE OF PARLIAMENTARY EPISCOPACY, 1595-1610

It is evident from the very beginning of this period that James made rapid progress in adapting himself to the arts of government. Frivolous, capricious, and undignified he may have been, but as king, he was authoritative and autocratic. Moreover, as Elizabeth advanced in age he fixed his eye the more steadily on the English crown, and bent all his energies to gain it for himself. His fairest chance of success, he seems to have concluded, lay in his ability to demonstrate to the English people that he knew how to govern his own unruly subjects. The effect of such a policy was exemplified in his rigorous determination to restrain by every possible means the power of the greater nobility, and at the same time to bridle the disposition of the kirk to oppose his so-called monarchial prerogatives and to interfere in matters which strictly speaking belonged to the jurisdiction of the civil government.

It must be recognized, however, that James had his own difficulties in reaching a satisfactory agreement with the kirk leaders on matters of jurisdiction. The latter may not have admitted any claim to right of interference in state administration, but the fact remained that there was a growing difference of opinion between the king and the kirk over civil and spiritual interests. The borders of their respective jurisdictions had never

been clearly defined, and it is quite probable that James took considerable advantage of that fact in order to accomplish his own political aims. Certainly, his method of procedure did much to quicken the spirit of open hostility between church and state.

1. The Beginnings of Anti-Presbyterian Policy, 1595-1597

The parliamentary Act of 1592, which has often been called the charter of the liberties of the Scottish kirk, embodied most of the proposals contained in the second Book of Discipline; and although there were defects in it from the standpoint of the perfect presbyterian theory,[1] yet it has been accepted by most Presbyterians who have studied the circumstances of the time as perhaps the utmost that could have been achieved. The period thus began with all appearances of amicable relationship between the monarch and the kirk.

This new harmony came to an end, however, when it appeared that James was directly involved in a species of plots to restore the exiled Roman Catholic Lords.[2] It is quite probable that James' past record in this regard, and the consequent criticism often levelled against him by the kirk leaders, rendered him highly sensitive on this point. At any rate, when the Reverend David Black, one of the staunchest leaders in the church, commenced a process in 1595 against one William Balfour for having retained for himself a house which

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[1] For example, it asserted the erastian principle which allowed the king or his commissioner the privilege of appointing the time and place of General Assemblies. It also made allowance for lay patronage in livings. (Acts Parl. Scot., III, 541-542).

[2] Melville, Diary, p. 310f. Tytler, Hist. of Scot., IX, 163-201. There were six lords in particular.

had been assigned as a manse, Balfour, in order to divert attention from his own conduct, cited portions from Black's sermons which seemed critical of the Queen, and thereupon charged him with treasonable conduct. Black was promptly placed on trial before the king at Falkland. Andrew Melville hurried to his defense, and declared that Black's offence, if indeed it should be classified as such, was not a matter for the civil magistrate. He maintained that it belonged fundamentally to the courts of the church. In the proceedings which followed Melville handled his case with such effect that Black was released.[3] Though thoroughly defeated on the manoeuver James strangely enough adopted a conciliatory attitude, and shortly thereafter appeared before the Assembly of 1596. To the amazement of all he produced one of his most laudatory orations.

It was one of the perplexing characteristics of James that he could thus present himself in the most convincing manner as one whose true sympathies lay with the presbyterian interests. The truth is, that at that very time he was deeply involved in a scheme to restore the Catholic lords. Within a matter of weeks the presbyterian body learned to its dismay that these lords had already been admitted, and that James had thereby committed an act in direct defiance of the will of the church and of all other assurances given. When the ministers discovered shortly thereafter that the administrative council of the royal household, labelled as the Octavians, were mostly Roman Catholics,[4] they were all the more convinced of

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[3]Melville, Diary, p. 323f. [4]Ibid, p. 330.

the necessity of regarding James with gravest suspicion in all his undertakings.

The year 1596 proved to be a memorable one in the history of the kirk. It brought about the realization that the king was determined to modify the government of the church to suit his own aims, but it also brought Andrew Melville into even greater prominence as spokesman for the presbyterian party. To Melville, liberty of speech was a cardinal right of an autonomous church whether in daily operation or in formal assembly. Consequently, he did not wait beyond this early period of renewed friction to seek an audience with James to lecture him on the protestant theory of limited state government as he understood it. This interview, which raised the whole question of jurisdiction, church and state, culminated in Melville's famous elaboration of the "Two Kingdom" theory of government. It is best expressed in his own words.[5]

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[5]" ... And therefore, Sir, as divers times before, so now again I must tell you, that there are two kings in Scotland. There is Jesus Christ the King, and His kingdom the Kirk, whose subject James VI is, and of whose kingdom, not a king, nor a lord, nor a head, but a member. And they whom Christ has called and commanded to watch over His church and govern His spiritual kingdom have sufficient power of Him and authority to do so, both together and severally, which no king should control or discharge, but fortify and assist. ... As to the wisdom of your counsel, which I call devilish and pernicious, it is this, that you must be served by all sorts of men to come to your purpose and grandeur, Jew and Gentile, Papist and Protestant, but because the ministers and the Protestants of Scotland are too strong and control the king, they must be weakened and brought low by stirring up a party opposed to them. And the king, being equal and indifferent, both shall fain to fly at him, so shall he be well served. But, Sir, if God's wisdom be the only true wisdom, this will prove to be mere and mad folly, for His His curse can but light upon it." (Melville, Diary, p. 370-371).

It is said that the king was so completely overwhelmed by the violence of Melville's attack on this occasion that he was glad to lay aside his testiness and to affect to look pleased. At any rate, the rebuke in itself presented a fairly clear statement of the viewpoint then held by Melville and the main body off the presbyterians on respective rights of jurisdiction. It was a long way from being final in form or method of application, but Melville's statement of the Two Kingdom theory was a formula which was a departure from theocratic rule, per se, and civil despotism alike. It was a way to the solution of a problem scarcely raised by Knox, and never really clarified in the second Book of Discipline. It was no less worthy as a principle because James refused to recognize its underlying wisdom, or because the church itself in its zeal too often transgressed the limits of its proper boundaries.

From the standpoint of the king and his council such an assertion was looked upon as a form of rebellion requiring sterner measures. James' first act of retaliation was to declare a series of formidable regulations which would curtail the activities of all future conventions of the clergy, whether arranged by private or presbyterial authority.[6] The consequent agitation aroused by these restrictions provided a strong undercurrent for the events which led to the so-called "tumult" of December 29th, 1596.[7] This was a

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[6] Reg. Priv. Council, V, 332-335.

[7] A day of strange unrest in the streets of Edinburgh which, according to the feeling of some, may have been inspired by James himself. It must be admitted that there has not been found any concrete evidence to support such a theory. But James did unquest-

day specially memorable in Scottish ecclesiastical history, and one described by James Melville on the presbyterian side as "that cursed, wrackful day to the kirk and commonwealth of Scotland." When James did enter the city a few weeks later in January, 1597, it was as an absolute conqueror, gaining the obedience of the magistrates and a fitting submission from the clergy. The course of events as revealed in succeeding years indicate that at this time James came to a final decision to re-introduce an episcopal polity into the church, and that he then felt himself in strong enough position to make the attempt. In the riot itself James suddenly realized that a powerful weapon had fallen into his hands. He at once exploited his opportunities to the full, charging the clergy with being the agents of treason. He advertised the incident as convincing proof of the inherent evil tendencies of a church cast loose from all civil authority. Some of the ministers fled into exile, some were required to subscribe to humiliating promises of good behaviour, and the city

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ionably use the disturbance to greatest advantage as a basis for future charges of misconduct against the church and its ministers. (Ibid), V, 347-350.

The real secret of James' antipathy to presbyterianism, as exemplified on this occasion, was his ambition to be regarded as head of the church. Earlier in December, 1596, the commissioners of the kirk held a series of meetings with the king on the subject of established religion. They and the Edinburgh populace became increasingly agitated by reports of undue activity among recognized Roman Catholic leaders. It appears that their investigations only provoked James to the opinion that this was an encroachment on the privacy of his own royal prerogative, even though the discussions pertained almost exclusively to matters of religion. Accordingly, he cleverly turned the local disturbance to his own account by maintaining that it was a riot excited by the kirk leaders to oppose his own sovereign authority.

itself was fined. Thus did James demonstrate his claim to royal supremacy.

2. The King Gains Control of the General Assembly, 1597-1604

It is not surprising that the critical statements of the more zealous of the clergy should make the deepest impression on the king so that he longed to see "a decent order established in the kirk."[8] The disturbing feature of this state of affairs lies in the fact that within the mind of James this desired order inclined to some form of episcopal polity. Hence, while still capitalizing on the advantages he gained through his handling of the disturbances of December, 1596, James next summoned the Assembly to meet in Perth, in February, 1597. The location was fixed to meet his own strategy. It was closer to the northern areas where presbyterian sentiment was less militant than that of the Lothians and Fife, and where, due to the travelling distances involved, fewer commissioners from the south and the west could be in attendance.[9] Melville himself was not present because of other commitments at the college of St. Andrews.

One of the first items of business before this Assembly was the question of its own lawfulness, and, since James had called it on his own authority, its competence to deal with matters presented to it. This was a subject of grave importance to representatives

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[8] Spottiswoode, Hist. of the Ch. in Scot., p. 433.

[9] "We found ministers of the north convened in such numbers as was not wont to be seen at our assemblies, flocks of ministers going in and out of the king's palace, late at night and early in the morning." (Melville, Diary, p. 403).

of both church and state, since it involved again the question of royal prerogative in the right of calling the Assembly. The debate was keen, but in the end the king won his point.[10] In an understandable sense the northern ministers, being pleased with the new prominence given them in the voice of the Assembly, and probably not a little jealous for some years past of the powers and privileges enjoyed by their southern neighbours, henceforth became the willing tools employed as James saw fit for the furtherance of his own ecclesiastical policies. Thus, was the church of itself induced to legislate away its own freedom.

The next move of James was to obtain from the Assembly a standing council of fourteen members, nominally for the purpose of advising him in all affairs pertaining to the welfare of the church.[11] This was not an entirely new scheme. In 1594, James presented a similar plan to the Edinburgh Assembly, pointing out that since to the clergy belonged the third estate in parliament they ought to have a vote in parliament. It was needful, he said, that he have "the advice of some of the wisest and discreetest of the ministry in sundry particulars." The Assembly of that year considered his proposal with some favour and nominated twenty four ministers, called Commissioners of the General Assembly, giving to any nine of them the power of commission to confer with the king.[12] This

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[10] Melville, Diary, p. 403-404; Bk. of Univ. Kirk, p. 439.

[11] Scot, Narration, p. 94; Melville, Diary, p. 529.

[12] Row, Hist. of the Kirk, p. 162.

course of action on the part of the Assembly was seriously questioned by many of its members at the time, but the commission itself was renewed at successive Assemblies in spite of the fact that it does not seem to have served in any important capacity.

The advantage which James sought in this new approach was one of control. In practice it would mean that all matters coming before the Assembly would in fact be subject to the scrutiny of the court. In principle the commission thus appointed would constitute a kind of college of cardinals from which future bishops might be made available for office. James Melville made the observation that these fourteen "were the very needle to draw the episcopal thread."[13]

It was evident to Andrew Melville at this stage that nothing would satisfy the king but the overthrow of the presbyterian constitution, and that he must do his best to defeat such a purpose at all cost. With this in mind he joined with some of his brethren in keeping the original date fixed for the holding of the Dundee Assembly, in May, 1597,[14] one which the king endeavoured to by-pass. While they agreed to dismiss immediately after the meeting was formally constituted, they believed that by taking this step they reserved to the church the right to call its own assemblies as provided by parliamentary sanction. Nevertheless, it was an act in direct defiance of the will of James. For the time being, it seems that James decided that his best countermove was to seek some complaint against

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[13] Melville, Diary, p. 529.

[14] M'Crie, Melville, II, 21; Calderwood, Hist. Kirk Scot., V, 24.

Melville's teaching or administration at St. Andrews. When this scheme failed for want of evidence he then deprived him of his office of rector. The effect of this procedure was that it left the way open for the appointment of a commission to rule the church, and a council to rule the university, until he should be able to place a bishop over each. There is no doubt that this commission, or court of inquiry as it was sometimes called, was anxious to get rid of Melville's opposition to its legislative measures in the church judiciaries. To that end the council further rules that office holders such as Melville, not being pastors in the church, were no longer entitled to sit in the courts of the church, its kirk sessions, presbyteries, synods, or even its General Assemblies.[13]

The radical changes which in time undermined the constitution of the church did not take place, therefore, as a result of decisions put into effect directly at the Council board, but in negotiations instituted between the king and the clergy themselves. It was the so-called commission of the Assembly, having been led to believe that it was acting for the good of the kirk, which laid before parliament as one of its requisitions "that ministers, as representing the Church and the Third Estate of the kingdom, might be admitted to have a voice in parliament."[16] They had no commission to petition any such thing either from the kirk in general or for the ministry in particular. Andrew Melville warned them of the dangers they had created,[17] but

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[15] Scot, Narration, p. 96.

[16] Reg. Priv. Council, V, 449, 473; Bk. of Univ. Kirk, p. 474.

[17] Scot, Narration, pp. 96-99.

it was not till later that they realized they had been led into a trap so artfully managed as to relieve the council of responsibility in the matter. It was in effect a step toward the restoration of the order of bishops. The king, in fact, did not deny it. His actual language was beguiling enough, but his intentions were plain. Thus he said, "I mind not to bring in episcopacy but only the wisest and the best."[18] Yet, he "introduced that it was necessary and expedient for the well-being of the kirk that the ministry, as the third estate of the realm in the name of the kirk, have vote in parliament."[19] In introducing such a measure James knew that he could count on the support of a strong following in the Assembly.

The Assembly of March, 1597-1598, held at Dundee, was one of stormy debate. Andrew Melville came as a lawfully appointed commissioner, but when his name was called James challenged it, by stating that he could not agree to the admission of one whom he had already prohibited from attending church courts. Melville openly defended his rights. His Majesty's prohibition, he said, might extend to his place and emoluments in the university, but it did not extend to his doctoral office which was purely ecclesiastical. He explained that he had a commission from his presbytery, and was resolved on his part not to betray it. His associate Davidson supported his claim, and reminded James that he was present as a Christian, and not as a president of the Assembly.[20]

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[18] Ibid, p. 102; Melville, Diary, p. 531.

[19] Reg. Priv. Council, V, 449.

[20] M'Crie, Melville, II, 43.

By this time the king was aware that he could command a majority in the Assembly to pass his episcopal measures, but such was his regard for Melville's influence that he could not bring forward his motion, or submit it to a vote, so long as Melville remained within the precincts of the town in which the Assembly was held.[21] Accordingly, he directed him to leave the city.

Eventually the Assembly voted by a majority of ten that it was expedient for the good of the kirk that the ministers have a vote in parliament through their representatives, being that of "bishops, abbots, and priors, that had been wont to sit in parliament in old time of the papistical kirk; namely, fifty one in the whole, and that these fifty one should be chosen partly by the kirk, and partly by his majesty."[22] Thus, a fundamental change was adopted in the polity of the church, though the actual settlement of an episcopal form was delayed until March, in the year 1600. On that occasion it was decided that the king should choose each bishop for every place that was to be filled from a leet of six, selected and made available to the kirk.[23]

It is strange that the church, which not many months earlier had defied the king and his council, should so soon at the royal bidding yield some of its most cherished principles. The truth is that the church found itself involved in tensions which were proving a decided hindrance to its own welfare. Some of these difficulties

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[21] Ibid, II, 45. [22] Calderwood, Hist. Kirk Scot., V, 420f.
[23] Bk. of Univ. Kirk, IX, 240.

arose from circumstances familiar to congregational life, but in the main they had their origin in the basic conflicts discussed in Chapter III. Moreover, just as during the critical period of 1581-1584 when Andrew Melville came to the fore as chief advocate on behalf of the spiritual liberties of the church, so again in 1596 the demand for independence, not only renewed the issue as between church and state, but in the nature of affairs often assumed the character of a personal contest between Melville and King James.

The church on its side was kept in a state of constant agitation over the personal leniency with which James administered the laws with respect to Roman Catholics. Even Elizabeth was disturbed to the degree that she felt it necessary to write to James warning him of the dangers of his policy in this regard.[24] James Melville probably summed up the consensus of opinion among the leaders of the kirk when he said that "if the ills (with regard to papists) were taken away, all would be well."[25]

Questions regarding jurisdiction between church and state likewise remained a source of friction in public life. At the trial of the Reverend David Black in 1584 Melville won his case on the argument of ecclesiastical prerogative. But when Mr. Black was once more apprehended, in 1597, and arraigned on a similar charge, while it furnished Andrew Melville with the opportunity to lecture James on his conduct, it did not prevent the king from bringing forward

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[24]Spottiswoode, Hist. of the Ref., p. 432-434.

[25]Melville, Diary, p. 316.

more specific demands affecting the conduct of the clergy. Accordingly he directed the Assembly to see to it, (1) that preachers desist from discussing matters of state in their sermons, (2) that the general assembly be not convened without his authority and special command, and, (3) that nothing be done in it which should be held valid until ratified by him in the same manner as acts of parliament.[25]

These incidents in themselves testify to the stern discipline often employed by the church under the banner of spiritual independence. It is obvious from the accounts handed down to us that James' personal feelings were often treated lightly, and at times directly injured. The Assembly, for example, went so far as to investigate the conduct of worship as practiced or neglected in the royal household. Later, it laid down a set of rules which among other things cautioned the king against conversation during public worship.[26] The ministers also exercised such liberty in their pulpits that James was led to request them to refrain from open and personal attacks.[27] In private conversation on more than one occasion Andrew Melville took him to task in the most direct language.[28] It is little wonder, then, that under these circumstances James came to the conclusion "that he could not find the friendliness he craved in the church."[29]

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[25] M'Crie, Melville, I, 395.

[26] Row, Hist. of the Kirk, p. 171; Bk. of Univ. Kirk, p. 433.

[27] Tytler, Hist. of Scot., IX, 242.

[28] Melville, Diary, p. 313.

[29] Ibid, p. 316.

While all this does not justify James in his chosen course of action to change the polity of the church, it does help us to realize that the ministers were not altogether blameless for the turn of events.

In fairness to the men of the kirk, it should be pointed out that their action in seeking a vote in parliament was not intended primarily as a means toward the promotion of an episcopal order. Its main purpose was to rectify what they considered to be a long standing evil in administration. The Assembly had complained from year to year that men sat and voted in parliament in the name of the kirk who bore no office in the kirk, nor held commission therefrom. Moreover, it seems to have been a common complaint that those who did thus vote in the name of the church were more often than not the opponents of its better interests.[30]

The first open indication of James' further design in ecclesiastical control was published in his book, Basilikon Doron.[31] In the midst of a furious passage denouncing those whom he considered to be zealots in the kirk he declares that one of their weapons is the parity of ministers whereby the ignorant are emboldened to cry down their betters. This book was written in secret in 1598, but Andrew Melville managed to procure a copy of it, and to take note of its anglo-episcopal and imperious conclusions. However, despite all the opposition he could muster against its threatening doctrines, he was not able to prevent James from proceeding on his own authority

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[30] Ibid., p. 435.

[31] James VI, Basilikon Doron, p. 160.

in October, 1600, to appoint three diocesan bishops, respectively, to the Sees of Caithness, Ross, and Aberdeen. These were the only ones remaining not held by laymen, and where, in fact, pre-Reformation Romanism had not been greatly disturbed. Furthermore, he won approval for his actions in the Assembly held at Montrose in 1602. However, these new bishops, though they sat and voted in parliament, had as yet no defined functions in the government of the church. In essence they formed little more than an alien and extraneous addition to a system thoroughly presbyterian at heart.[32]

During this period James was involved in yet another plot which he exploited to fullest advantage. This was the famous Gowrie conspiracy of August, 1600, an event which, according to his account was no less than an attempt on his own life. Whatever of truth belonged to the story has never been satisfactorily explained, but in a skirmish which took place at the Gowrie House the Earl of Gowrie and his younger brother were killed. The Earl, who was only twenty one years of age at the time, was a highly talented person known for his loyalty to the Reformed faith and especially to the presbyterian form of it. It was generally believed that he would play an important role in civil affairs and in support of presbyterian polity. For the details of the plot we have only the narrative which James alone gave to the world and insisted that his subjects should accept. His story at the time was regarded as highly inconsistent, much of it highly improbable, and some of it palpably false.

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[32]Calderwood, Hist. Kirk Scot., V, 394, 625.

Whatever the truth may be,[33] James turned the incident to his own advantage with astonishing speed and success. He commanded the ministers of Edinburgh to summon their congregations in order to relate to them his story of the events and to return public thanks for his deliverance from mortal danger. When some of the ministers, being deeply suspicious of the whole account, refused to do so, James called them to trial. He was clearly determined to make belief in his story a test of clerical loyalty among his Scottish subjects. When five of the clergy failed to comply with his demands they were

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[33]The Earl of Gowrie was a descendent of the House of Ruthven which had already played a notable part in Scottish history. The Earl's grandfather, Lord Ruthven, was accounted one of the assassins of Rizzio. His father, the first Earl of Gowrie, was the main author of the Ruthven Raid, an affair which eventually brought him to the scaffold. The second Earl was a young man possessed of outstanding gifts, both in learning and in appearance, and highly regarded by all. He had just returned from the Continent after having spent some time at Geneva in company with Beza. He enjoyed the confidence of Queen Elizabeth at a time when James and Queen Elizabeth were on the worst of terms with each other. He was sharply opposed to James' policies with regard to Roman Catholics. He was a staunch supporter of the Reformed church doctrines. Obviously, his whole bearing placed him within the ranks of factions opposed to the king. Furthermore, James did not rule out the possibility that Gowrie might supplant him as heir to the English crown.

According to the narrative which James gave to the world, he was on a hunting trip near Falkland on the morning of August 5th, 1600, when he was induced to visit the Gowrie House at Perth. When he arrived at an upper room he was confronted with a man holding a dagger. After a brief struggle, James managed to reach a window to call for help. In the resulting affray, both Gowrie and his younger brother were killed. The king escaped unharmed. Such was the gist of the story, but it was one which was received with a smile of incredulity alike in Scotland, in England, and on the Continent. The circumstances rendered it highly improbable that two youths, the oldest only twenty one, should have conceived so wild a scheme as James attributed to them - the possession of his person and the overthrow of the government. (Calderwood, Hist. of the Kirk, VI, 27-55).

promptly suspended from their duties and banished from the city.[34] Those remaining were forced into submission. Just as the tumult of December, 1596, enabled him to humiliate the clergy, so the Gowrie Conspiracy of August, 1600, enabled him to deject them still further and to compel them to new concessions for the restoration of episcopacy.

In his struggle against the claims of the monarch Melville could not count on the undivided support of his own brethren at all times. From James' standpoint Melville and his associates were little better than extremists and seditionists. But it is also clear from the records of the church courts that there were others who in effect became the willing agents of James to modify the church's polity.[35] Between these two there was also a third section, sometimes referred to as the Moderate Party, which, while not necessarily in opposition to Melville, yet for the sake of peace often advocated policies of compromise. Among their number was John Craig, the early associate of John Knox, and a man who from time to time showed symptoms of leaning toward neutrality.[36] There is no sound reason for believing that this party ever truly represented the main body

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[34] Reg. Priv. Council, VI, 148-149.

[35] For example, the ease with which the king gained his way at the Perth Assembly of 1597.

[36] Calderwood, Hist. Kirk Scot., III, It cannot be denied that John Craig was a man of recognized ability. He was one of the early superintendents of the church, and was always a member of the General Assembly. He was born about 1512, hence he was not a man who relished any active part in the conflict which developed after 1596. He died in 1600. Apart from the Confession which bears his name, so far as is known he left no written memorials of his life.

of presbyterianism in Scotland, or even that it exercised any great influence within the church. During the next few years the course of events clearly demonstrated that the presbyterian policies of Andrew Melville more truly represented the will of the kirk.[37]

James, however, was determined at this time to be master of his kingdom and all classes within it. He now set forth his ideas of divine right in the highly practical decision to teach his people the nature of their duty to the king, the religious obligation of obedience, and the wickedness of revolt. His words on the subject were clear enough, "to kings can subjects offer no resistence save by tears and sobs to God, ... It may be argued that men should remove a tyrannical king; but evil kings as well as good ones come from God, and men may not remove the curse which God has placed upon them. There is no compact with his people in the king's coronation. If a king breaks promise, who is to judge? No one, but God."[38] On the basis of this philosophy it is scarcely surprising that James opposed the opinions of Andrew Melville, and that at the Hampton Court Conferences held in London in 1604 he stormed aloud at the mention of presbyterianism, "Scottish presbytery agreeth as well with monarchy as God and the devil."[39]

The last General Assembly held before the king's departure for England was convened at Holyrood House in 1602. The location

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[37]Cunningham, Ch. Hist. of Scot., I, 75. This was the party which retained the respect and the confidence of Beza.

[38]James VI, "True Law of Free Monarchies", pp. 197, 201, 207-208.

[39]Hume Brown, Hist. of Scot., II, 242.

was unusual, and considered by many of the ministers to be out of place.[40] James Melville objected to the arrangement in the presence of the king, but, obviously, it was a setting distinctly to James' advantage. The final outcome was a confirmation of his kirk policy so far as he desired to reveal it, and of his claim to kingship over the kirk as well as the state. In April, 1603, two days before he departed for London, he expressed his thanks that he had settled both the kirk and the kingdom "in that style which he minded not to alter in any ways, his subjects living in peace."[41]

Of Andrew Melville during the period of 1601-1604 we have but an indistinct glimpse. As early as 1600 James vetoed Melville's right to sit in the Assembly. Nevertheless, he did attend the Montrose Assembly of the same year as a regularly appointed delegate of the presbytery of St. Andrews. When James demanded an explanation for his presence Melville briskly replied that he had a commission from the church which he was bound to discharge, lest he suffer the disfavour of one greater than any earthly monarch. Thoroughly aroused, he added, "Sir, is it this (putting his hand to his head) you would have? You shall have it before I betray the cause of Christ."[42] Melville was not allowed to take his seat in this or any succeeding Assembly, but he did attend when possible to assist his brethren with his advice. In 1602 a new charge was laid against him on the basis of opinions he expressed in the weekly Exercise, a study group which he conducted with his fellow presbyters at

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[41] Ibid, p. 124.

[42] Melville, Diary, p. 542.

St. Andrews. As a result he was ordered to contain himself within a six-mile radius of the city. The ministers residing outside that area countered by holding their meetings in St. Andrews.[43]

Melville was not a man to be stilled. Despite the fact that the king contrived to limit his activities in his own land, his reputation abroad continued to grow. Some of the most distinguished scholars courted his friendship by letter.[44] Moreover, not even in Scotland where the forthcoming union of the two countries was the over-all topic of the day could it be said that Melville's voice was altogether silent. James' rebuff to the puritans of England who sought some further measures of reform in religion was in itself a warning to the ministers of Scotland as to their own position in the new alignment. Nevertheless, Melville favoured the scheme for legislative union, and he joined with several of his countrymen in setting forth the advantages which both kingdoms would derive from it.[45] It was the mark of the man that he encouraged such a union even though there were substantial reasons for believing that presbyterianism would suffer much disadvantage as a result.

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[43] Reg. Priv. Council, VI, 409.

[44] M'Crie, Melville, II, 99.
(Among these was Isaac Casaubon, prominent in literary circles in Paris and among the notables in the court of Henry IV. One other was Du Plessis-Mornay, an outstanding scholar, statesman, soldier, and Christian, among the protestants of France).

[45] Ibid, II, 107.

3. Efforts to Enforce Uniformity in Religion, 1604-1607

During the years 1604-1605, believing that the Assembly constituted the church's first line of defense in its struggle to maintain spiritual independence, Melville endeavoured in every way possible to give it his support. Serious inroads had already been made upon its autonomy. The terms of the religious settlement of 1592 guaranteed to the church the right of an annual meeting of its representatives, but James blocked this procedure in 1599, and revealed a disposition to continue to do so. The commissioners to the Assembly held at Holyrood House in 1602 reminded James of the original statute in this regard and passed a resolution requesting a return to its mandate.[46] They also recommended that the next meeting be held in Aberdeen in July, 1604. James granted his consent, but when the time came he prorogued it on the ground that the proceedings would interfere with other meetings which he must hold in the interests of the new political union. He made no mention of an alternative date.

In protest, a number of commissioners led by the synod of Fife took matters in their own hands in 1604, and arranged to hold a court of the church at Perth in October of the same year. The meeting in fact did take place, but little business was transacted beyond a formal opening, the preparation of a list of grievances, and a further petition to the king for permission to hold an Assembly in Aberdeen in July, 1605.[47]

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[46] Bk. of Univ. Kirk, p. 514f.

[47] Scot, Narration, p. 127; Melville, Diary, p. 560f.

All these proceedings were duly noted by the proponents of episcopacy. Archbishop Gladstones, recently appointed to the See of St. Andrews, complained forthwith to the king that it was Andrew Melville and his nephew James who were primarily responsible for these acts of independence. Shortly thereafter King James issued an order for their imprisonment, but the Scottish council, rendered more cautious of public opinion, declined so to act.

The year 1605 witnessed many signs of marked vitality in presbyterian sentiment. This is evident, for example, in the decision of the presbyteries and synods to follow the advice of the Perth conference to hold an assembly at Aberdeen, with or without royal warrant. From James' standpoint any procedure of this nature was an act of insubordination. In alarm, his council sent a letter of warning to all delegates reminding them of the impropriety of attending such a meeting. The implied threat was serious enough, and in this case proved so far effective that the result was confusion among the ministers and commissioners.[48] Most of them cautiously remained at home, but nineteen of them did gather at Aberdeen as appointed. They formally opened and closed the meeting, but not, however, before announcing as a matter of constitutional right the place and date of the next meeting. Public indignation at the king's record of interference ran so high at this time that James found it necessary to issue a proclamation setting forth that, although it was desirable that as much uniformity as possible should exist

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[48] John Forbes, Records, (Edinburgh: Wodrow Society, 1846), p. 380f.

between the united kingdoms, he did not intend to make any sudden innovations in the civil and ecclesiastical institutions of Scotland.[49] Nevertheless, the nineteen ministers who met in Aberdeen were called before the Privy Council, and of their number fourteen were imprisoned.[50] The severities with which they were subsequently treated only increased the nation's aversion to episcopacy, and its dislike for the bishops who were universally believed to have incensed his majesty against the men who in the past opposed their elevation.[51] Moreover, the people contrasted this harsh treatment of their ministers with the obvious leniency shown to Roman Catholics.

Melville took an active part in the defence of his fellow ministers at this time, both in support of their action in holding the Aberdeen Assembly and in their refusal to acknowledge the judgement of the council. He furnished them with his advice on the day of their trial in Linlithgow and accompanied them to their place of confinement.[52] The whole proceeding was undoubtedly arbitrary, offensive, and unjust, but in the end the king's will prevailed over all others.[53]

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[49] Ibid, p. 383f. [50] Reg. Priv. Council, VII, 134-137.

[51] M'Crie, Melville, II, 122. [52] Ibid, II, 124.

[53] Judge Advocate, Sir Thomas Hamilton, wrote a letter to the king on the day on which sentences were passed on the fourteen ministers, in which he mentions the infamous methods he was obliged to employ to procure condemnation, and in which he expressed the hope that he would have no more such work to do. "We all hear the prime minister, in order to obtain a sentence agreeable to the king, address the judge with promises and threats, pack the jury, and then deal with them without scruple and without mercy." (Cunningham, Ch. Hist. of Scot., II, footnote, 8; also Forbes, Records, p. 474f, and footnote, p. 498).

In the course of this latest contest with the commissioners the king added greatly to his control over the courts of the church. The ministers became subject to new measures of discipline, and the interests of episcopacy were further advanced. On the assumption that the proceedings employed in the trial of the ministers must have subdued all and sundry, James with the backing of his advisors deemed the present a favourable time for taking another step toward his ecclesiastical objective. Hence, the parliament which met at Perth in 1606 proceeded as its chief business to set up an order of bishops in the church, with all its ancient privileges, and to elevate a number of prelacies to temporal lordships.[54]

Melville was delegated by the presbytery of St. Andrews to attend the parliament of that year, and to co-operate with the brethren of other presbyteries in seeing to it that the rights of the church suffered no injury at the hands of the legislators.[55] He did gain admission to the floor of the house, but no sooner did he endeavour to speak than an order was issued for his eviction. The order was put into effect, but not before he managed to express his own judgement on the proposed changes. He warned them that the measures now taken, if adopted, would overthrow that discipline under which the Reformed doctrines had flourished so many years in Scotland. He cautioned them once more against creating a hierarchy which had been abjured by the nation, and which in itself was a

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[54]Scot, Narration, p. 157; Melville, Diary, p. 637.

[55]Melville, loc. cit., p. 638.

system contrary to the advice of the Scriptures, the opinions of the Fathers, the doctrines and the constitution of the Church of Scotland, the laws of the realm, and the welfare and honor of the king, his parliament, and his subjects.[56]

Nevertheless, the parliament held at Perth in the year 1606 passed two acts of legislation of foremost significance affecting the welfare of the church. The first was titled, "Anent the King's Majesties Prerogative." According to its terms the principle of royal supremacy was upheld and established "forever in Scotland ... over all estates, persons, and causes, whatsoever." The second, "Anent the Restitution of the Estate of Bishops", declared the determination of parliament "to reform, ... restore, the said estate of bishops to their ancient lands, accustomed honor, dignities, etc."[57] The over-all effect of this legislation was to advance the position of episcopacy in Scotland by a very considerable degree. It greatly increased the social importance of those clergymen, ten in number, who were already in effect titular Scottish bishops.

Melville's appearance before parliament at Perth was his last public appearance in his native land. His removal from Scotland had been determined as a necessary step according to the designs of the civil court. It was recognized that episcopacy stood condemned by the church, and that such bishops as existed

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[56] M'Crie, Melville, II, 128, (quoting, History of Calderwood, pp. 527-531).

[57] Reg. Priv. Council, VII, 227.

were bishops in name only. Moreover, the state of public sentiment was in such a mood that any further attempt to confer spiritual power by mere civil authority might prove exceedingly dangerous. The one road to final accomplishment of his aim, as James conceived it, lay in obtaining by carefully chosen methods the consent of the church courts to varying degrees of an episcopal order.

The first move, then, was to free himself of a number of the ministers who were still sharply opposed to episcopacy, and who were still at large. Accordingly, at the end of May, 1606, letters from the king were delivered to Andrew Melville and his nephew James, and to six others, advising them to repair to London. The excuse given to Melville was "that His Majesty might treat with him and others ... concerning such things as would tend to settle the peace of the church."[58] It is probable that Melville and his colleagues intended to return to Scotland within the space of a month or two, but matters turned out very differently. Neither he, nor his nephew were ever permitted to return to Scotland again. They had, in fact, been lured to England to be detained subject to the king's pleasure, and as men whose return to the Scottish church was considered, for the present at least, to be dangerous.

Andrew Melville spent the next four years as a prisoner in the Tower of London, and at times in actual danger of the scaffold. The nominal charges laid against him, largely at the behest of the notorious Archbishop Bancroft, were ridiculous and trivial enough.

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[58] Ibid, VII, footnote, 220.

The real purpose back of his long detention lay in the fact that he was regarded as the foremost opponent of the king's policy in Scotland, and that in a sense he held office as the chief advocate of presbyterian principles on both sides of the border.[59]

4. Permanent Moderatorships of Synods and Presbyteries, 1607-1610

No sooner had the conferences with Melville and his associates in Scotland been brought to an end than the king took the affairs of the kirk into his own hands. Sensing little hope of success for his objectives through the agency of the General Assembly as presently established, he turned his attention to the possibility of a substitute in the form of a clerical convention of deputies nominated by himself.[60] This he proceeded to elaborate.

The first meeting was held in December, 1606, with one hundred and thirty ministers present. It was dexteriously managed so as to place in the forefront a topic of general interest to all, namely, ways and means to suppress Roman Catholicism. The result was as James had anticipated, less opposition than otherwise might have been expected to his own scheme to set up constant moderatorships. The plan was to place a permanent presiding officer over each of the fifty three presbyteries in Scotland. In effect each would hold office as a bishop. The explanation put forward for the proposal was, "that the increase of papists in the land was due to the fact that the moderators of presbyteries were too often

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[59] Masson, Reg. Priv. Council, VII, lix.

[60] Ibid, footnote, 280-282, 284.

altered, and that processes against papists and other vicious persons, were thus deserted."[61] Be that as it may, it was a proposal striking at the very heart of the presbyterian principle of parity among ministers. It undoubtedly caused considerable consternation among the assembled ministers, but under pressure of circumstance they allowed the measures to pass.

At the close of the year 1607 the Scottish episcopate was formally attached to something resembling regular dioceses. There was thus distributed throughout the country in the dignity of the constant moderatorships of presbyteries a number of chosen clergymen who might succeed to the bishoprics as they became vacant, and who had therefore an understandable interest in lending their support to the new episcopal alignment. By this time the presbyterian chiefs and standard bearers of the nation had already been struck down or cleared out of the field. As a result, much of the continued battle was left to the exertions of hitherto obscure men, and those largely devoid of gifts of leadership. In time, these too were called to account and summarily dealt with. With their loss the increase of power in the hands of the new bishops in the Scottish body-politic became obvious.[62] Through successive Assemblies these new office-holders consolidated their position both in the kirk and in parliament. By act of parliament in 1609 the archbishops and bishops were restored to much of their former "authority, dignity,

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[61] Row, Hist. of the Kirk, p. 241.

[62] Ibid, p. 249f.

prerogatives, privileges, and jurisdictions ... in all spiritual and ecclesiastical causes."[63]

What was the secret of James' success? In addition to the activity of the bishops within their own dioceses, or in the performance of special commissions, there were at least four principle methods by which the king made his advances toward the completion of his scheme for bringing the ecclesiastical system into conformity with that of England: (1) By ordinary exercise of the authority of the Privy Council: For a long time it had been the custom of the Council to interfere, whether on their own motion or on appeal of aggrieved persons or parties, with presbyteries and other courts of the kirk when they appeared to have overstepped legitimate bounds.[64] (2) By parliamentary statutes: In this respect the parliamentary session of 1609 is of particular note, since its legislation of that year on matters of religion made the archbishops and bishops more powerful persons than they had been before. Among its enactments was one designated "Anent giving command to send names of excommunicant persons to the treasurer and the directory of the chancellor."[65] Another was entitled, "Acts of the Commissions and Jurisdiction given to Archbishops." By the former every bishop received unequivocal powers over all persons within his diocese. The latter Act transferred jurisdiction in Will cases, divorces, and the like

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[63] Calderwood, Hist. Kirk Scot., VII, 43f.

[64] Reg. Priv. Council, VIII, 62, 82, 328, 381, 425, et al.

[65] Ibid, VIII, 304-307.

to the hands of archbishops and bishops.[66] (3) By the direct exercise of His Majesty's own prerogative: The examples of his conduct in this regard are numerous, extending over a wide field of daily interest. For example, a royal letter of October 8th, 1609, gave notice of the appointment of five members of the Scottish Privy Council to be a commission of inquiry into the state of all the bishoprics in respect of their property, their rights, and their endowments.[67] (4) By action within the church itself: James consistently used the strategy of taking the clergy along with him while carrying out his purposes forcibly by parliamentary sanction. Consequently, he was careful in his method of operation to follow the principle of having his ecclesiastical policies substantially adopted and confirmed by the General Assembly of the church. He recognized its importance as the court which his countrymen still fondly regarded as their national organ and voice in all that pertained to religion.

Thus, step by step over a period of years the Scottish Reformed church was subverted to an episcopal order.

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[66] Calderwood, Hist. Kirk Scot., VII, 38f; Scot, Narration, pp. 215-216.

[67] Reg. Priv. Council, VIII, 600.

CHAPTER VI

THE TEMPORARY TRIUMPH OF ROYAL SUPREMACY, 1610-1618

1. The Glasgow Assembly of 1610

The Assembly which met in Glasgow in 1610 was one of particular importance in that it marked a significant step in the king's persistent policy to supplant presbyterianism with a restored genuine episcopacy. It was made up of thirty members of the nobility, selected lay dignitaries, and one hundred and thirty eight ministers. There were no ruling elders.[1] In order that such measures that the king had determined on should gain acceptance, the advantages of bribery were not overlooked.[2] But, whether facilitated by money or otherwise, the acts and proceedings of this Assembly were of the most sweeping character. The members bound themselves by oath thenceforth to acknowledge royal supremacy over the Church as well as over the state. The right to convene the Assembly, both as to time and place, was relinquished entirely to the king's pleasure.[3] The half-yearly provincial synods of the clergy were thereafter denominated episcopal diocesan synods, and although the Assembly shrank

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[1] Acts of Gen. Ass. of the Ch. of Scot., 1638-1649, p. 11.

[2] Ibid, p. 12. The king advised the Earl of Dunbar to come provided with 10,000 merks, Scots, "to be divided and dealt among such persons as you shall hold fitting by the advice of the Archbishops of St. Andrews and Glasgow."

[3] Row, Hist. of the Kirk, p. 276.

from any action to abrogate the inferior judiciaries called presbyteries, the ruling had the effect of virtual abolition of them by the deliberate exclusion of the word presbytery from the language of Assembly documents.[4] Finally, the Glasgow Assembly of 1610 passed two Acts, one of which forbade the re-opening of any of the questions settled by the preceding Assemblies, and another which required all clergy to submit to the conclusions arrived at without further protest, under pain of deprivation.[5] That the king was highly pleased with the progress of his policies is indicated in the proclamation of June 10, 1610, in which he congratulated his Scottish subjects in their great harmony and unity of mind.[6] Thus was presbytery, "thing and name" voted to an inferior position in Scotland. Monarchial episcopacy replaced the parliamentary episcopacy of the past decade.

However, the Scottish church yet exhibited many shortcomings of the anglican system of church government which James adopted as his model. The chief points of limitation were these: (1) The episcopacy established in Scotland, so far as it received the sanction of the Church itself, was still a limited episcopacy inasmuch as the bishops were still subject to examination by the whole body of the

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[4] Scot, Narration, p. 225.

[5] Row, Hist. of the Kirk, p. 280.

[6] Reg. Priv. Council, VIII, 472-473.

Note: The Assemblies after 1638 referred to the Assemblies of Linlithgow of 1606 and 1608, of Glasgow of 1610, of Aberdeen in 1616, of St. Andrews in 1617, and of Perth in 1618 as "pretended" Assemblies, "every one unfree, unlawful, and never having any ecclesiastical authority." (Acts Gen. Ass. Ch. of Scot., 1638-49), p. 9.

General Assembly.[7] According to existing statutory law they were required to act in their several dioceses in accordance with the councils of presbyteries. The presbyteries, in fact, though robbed of much of their executive function, lived on in name and in spirit. Thus, the provincial synod of Fife refused to appoint Archbishop Gladstones, minister of St. Andrews, to be moderator of the synod even though his name was on the leet, and although it was recommended that only a bishop was eligible for the moderatorial office.[8] (2) The ritual of the Scottish church was still of the old calvinistic and presbyterian sort. (3) The Scottish bishops were not yet recognized as legitimate bishops by the high episcopal party in England, since their ordination was presbyterian only. The first of these defects, it was believed, would gradually disappear as the bishops learned with the aid of the civil authorities how to administer their offices. The second would be corrected in time. The third was about to be rectified in keeping with plans already in course of preparation.

The episcopacy thus established in 1610 was but a kind of voted or enacted episcopacy, an episcopacy of convenience such as might have satisfied some of the older divines of the church of England. But it was far from fulfilling the prevailing anglican theory of High Episcopacy. The Scottish bishops were no bishops at all in the eyes of those who belonged to such a school of thought.

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[7] Row, Hist. of the Kirk, p. 279.

[8] Ibid, p. 290.

They were but presbyters ordained by presbyters. Though nominally styled bishops, yet, by the very flaw of their ordination the whole fabric of the Church over which they presided was regarded ipso facto as corrupt. Admittedly, some of the less extreme Anglican divines, even of the High Church party, appear to have hesitated about going so far in their criticism. The majority seem to have concluded that the episcopacy which Scotland worked out for herself might answer well enough for Scotland.[9] As matters stood in 1610, the General Assembly could choose its own moderator notwithstanding the Acts of Glasgow, for that convention did not yet appropriate the moderatorship of the General Assembly to a bishop.[10] To bishops were given no authority to suspend or deprive ministers; but presbyteries, though curtailed, were still in a position to censor them on matters of life, conversation, office, or benefits, and presbyteries could still name their own moderators according to the law of the church. Only on matters of doctrine were bishops allowed to moderate. By the Act of Glasgow the word bishop did not pertain to bishop in office, but to bishop as minister.[11] Yet, in 1610, so great was the persistence of some of the bishops for positions of seniority that when Gladstones, Bishop of St. Andrews, held a diocesan synod in Fife he was determined to act as moderator in spite of the will of the court. He declared that such a right of office was fully provided for and intended in the deliberations at Glasgow. Having

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[9] Calderwood, Hist. Kirk Scot., VII, 108f.

[10] Ibid, 108.

[11] Ibid, 115.

gained some advantage in this regard, it is interesting to read a comment of his to the king at this time in which he confessed "that if Mr. Andrew Melville had been in the country and at liberty ... it had not been possible to get that turn done which he did."[12]

The new bishops may have been generally satisfied with the level of prominence provided for them at Glasgow, but James had more ambitious plans. Having resolved to bring the Scottish episcopacy more into conformity with its anglican counter-part, he directed the Scottish bishops to send representatives to England to receive traditional rites of consecration. Those selected were Archbishop Spottiswoode of Glasgow, Bishop Andrew Lamb of Brechin, and Bishop Gavin Hamilton of Galloway. They arrived in London in September, 1610, participated in a solemn ceremony, and received consecration at the hands of the Bishop of London.[13] Back in Scotland the new virtue was thence imparted to all brother bishops of the various Scottish dioceses. The process was completed in the early months of the year 1611.

2. The Parliamentary Act of 1612

The vast majority of the Scottish clergy were by this time either reconciled to some form of episcopacy or were forced to accept it. An estate of bishops had been imposed on the General Assembly. The ministers were now in effect partakers of the resulting episcopal order.

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[12] Ibid, p. 292.

[13] Calderwood, Hist. Kirk Scot., VII, 150.

Nevertheless, even at this stage the bishops had no legal standing in the nation. The plain fact was that the Act of 1592, the Magna Charta of presbyterianism in Scotland, stood unrepealed on the statute books. This defect was recognized, and later rectified by the parliament which sat in October, 1612. At that time all the acts which had been passed by the Assembly of 1610, with some additional alterations which tended to elevate the bishops still higher above their brethren, were ratified.[14] These, and similar regulations, were meant to ensure that whatever of real presbyterian feeling remained among the clergy or among the people should diminish and die.

They did have a telling effect. Experiences of the king's unflinching cruelty practiced over the past against almost every expression of presbyterianism, by banishments, imprisonments, convictions of treason, coupled with the knowledge of his shameful treatment of Andrew Melville, effectively convinced all but a minority that further resistance for the time being was all but useless.

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[14]Calderwood maintains that the episcopacy decreed by the parliament of 1612 was an advance upon the episcopacy that the clergy voted in the Assembly of 1610, that there were omissions, additions, and modifications, all tending to an extension of the episcopal system and the powers of the bishops, beyond even the broad concessions that had been granted by the Assembly. In particular, he points out that though the Assembly of 1610 had renewed to future Assemblies the power of censure over bishops, the provision was omitted in the parliamentary ratification of 1612. He says, that though June, 1610, is the date of full establishment of episcopacy in Scotland by clerical vote, the fuller establishment of statutory episcopacy, as it was stretched to the king's mind, dates from October, 1612. (Calderwood, Hist. Kirk Scot., VII, 166-168, 175). See also, Reg. Priv. Council, IX, 475.

Indeed, there is much evidence that many were ready for any concessions not altogether dishonorable which would restore to them their ordinary comforts for the rest of their lives. There were indications, also, that the king was willing in his victory to be clement in all cases of offered submission.[15]

The Scottish episcopacy as confirmed in 1612 must be accepted as a restored genuine episcopacy as compared with the mere parliamentary or titular episcopacy, or mongrel mixture of episcopacy with presbyterianism, which had served Scotland since the year 1600. Many inheritances of the former presbyterian system continued in effect, recognized, for example, in the simplicity of ritual and in the regular practice of the parish clergy to meet under the innocent name of Brethren of the Exercise. These must have seemed imperfections and crudities in the eyes of James and his anglican critics, but, according to their judgement this simply meant that all could not be corrected at once.

In the main, presbyterianism, though not dead in Scotland, scarcely dared make a sign. The voice of Andrew Melville had long ago been effectively eliminated from the range of public debate. Other banished ministers were scattered over the Continent. Some who had been tried on lesser charges were compelled to remain in dispersed seclusion over Scotland. The leaders thus driven out or subdued, it was an easy matter for the government and the bishops to maintain the established episcopal order amongst remaining members of the

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[15] Reg. Priv. Council, IX, 36, 652, 664.

clergy.[16]

There is little evidence of unusual disturbance in ecclesiastical affairs during the years 1613-1616 beyond some minor interventions of the council. The council, for example, took steps necessary to ensure that in the future Holy Communion should be celebrated in every parish in Scotland at least once a year; that all lieges should attend observance of Communion at least once a year; and finally, that the sacrament of Holy Communion should be observed everywhere in the year 1614 on Easter Sunday.[17] This act of legislation is found repeated year after year, thus fixing Easter Sunday as an established occasion for such observances.[18] There is on record the solemn oath of allegiance and homage taken by the archbishops Spottiswoode and Law together in Holyrood Palace in November, 1615. It committed them to the doctrines of the absolute supremacy of the king in matters ecclesiastical as well as in matters civil.[19] A semi-ecclesiastical incident took place at the University of St.Andrews

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[16] An attempt was made to procure a license for Melville's return to Scotland in 1611. Even Archbishop Spottiswoode seems to have felt some remorse over the treatment meted out to Melville in London, and to have proposed his return to the University of Glasgow. James, of course, scorned the whole idea. (Row, Hist.of the Kirk, p. 298-299).

The proposal was manifestly absurd. It is doubtful that Melville could have done anything in Scotland, as Scotland then was. Either, he would have ceased to be Andrew Melville - which was impossible, or he would have been summarily dealt with by the processes of the law. Even for his nephew James, who more often enjoyed the confidence of James, there could be no return.

[17] Calderwood, Hist. of the Ch. of Scot., VII, 197.

[18] Reg. Priv. Council, X, 316-317.

[19] Calderwood, loc. cit., VII, 588.

on July 26, 1616, when eight ministers were admitted to the degree of Doctor of Divinity. Calderwood and others were perturbed by this novelty since they considered it one more evidence of the hopeless lapse of Scotland into prelacy.[20] The incident in itself might seem to be a matter of minor importance, but when considered in relation to a number of similar happenings it was not without significance in judging the trend of religion in the Scottish kirk at that time.

3. Revival of Presbyterian Sentiment, 1616

It must have come as a very great surprise to all concerned when the king announced that a meeting of the General Assembly would be held in August, 1616. The Assembly had not met for the past six years, but to further the interests of the restored episcopacy such a convention was considered necessary. Strangely enough, the Assembly was still the only agency through which the last remnants of presbyterianism might be removed, and those other improvements which the king desired could be carried out in any effective manner. Accordingly, the commissioners representing the General Assembly were summoned to meet in Aberdeen.

The fact that Aberdeen was chosen as the place of meeting was not without significance. Previous experience had shown that Aberdeen would be the better location for the meeting and the business at hand since it represented the capital of that region where presbyterian sympathies were most restrained.[21] That the

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[20] Ibid, 222; Reg. Priv. Council, X, 588.

[21] Calderwood, loc. cit., 221.

so-called Assembly was largely a farce was indicated from the start. Calderwood states that "the pretended bishop of St. Andrews usurped the moderatorship even in another's parish."[22] The meeting continued for five days only. During the whole of that period much of the time was occupied to little account. There were three sermons the first day, with little or no time left for public affairs. The main business of the Assembly was conducted in the privy conferences. The agenda furnished the Assembly at large covered only minor affairs leading to little or no conclusion. Many of the ministers, as a result, being wearied with the deliberations in which they had no employment, simply left the city. Row, the historian, states that "they spoke somewhat of taking order with papists, ... but long ere now that pretext is become threadbare." He adds, "This is now the fourth null Assembly."[23]

Nevertheless, the Assembly had been called for specific purposes of far-reaching consequences. James was determined to initiate some further consitutional changes in ecclesiastical polity. These were five in number: (1) A new Confession of Faith: This was to be a true and simple confession of faith to which all should swear before they were admitted to any office in the kirk or commonwealth, and to all students in colleges. It was meant to supercede the older Scottish Confessions, and to be a more convenient formula for the kirk in its de-presbyterianized condition.[24]

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[22] Calderwood, loc. cit., VII, 222.

[23] Row, Hist. Kirk Scot., p. 306. [24] Calderwood, loc. cit., VII, 220-242; Reg. Priv. Council, X, footnote, 599.

(2) A New Catechism: A special committee was appointed to draw up this section. Meanwhile it obligated all children to have and to learn by heart the catechism called God and the King, which by Act of Council was already ordained to be read and taught in all schools. This had been devised under the larger title, "God and the King, or a dialogue showing that His Majesty being immediate under God within his dominions doth rightly and lawfully claim whatever is required by the oath of allegiance to be taught to all ministers and school teachers, and made available to all families."[25] (3) A new Liturgy: This was to be read in every church, and prior to preaching every sabbath, "that the people may learn it, and by custom serve God rightly." (4) A Book of Ecclesiastical Cannons. It was the intention here to provide a uniformity of discipline. It included fifteen canons or directives. (5) Regulations Anent Baptism, Confirmation, and Holy Communion: It stipulated that all children having reached the age of six years must be presented periodically to the bishop to give profession of their faith, to engage in further examinations every two or three years, to be admitted to Holy Communion at the age of fourteen years if they give proof of having attained sufficient knowledge.

Strangely enough, it was at this period, 1616-1617, when it appeared that the will of the kirk leaders had been reduced beyond all hope of effective resistance, that there emerged within the

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[25] Calderwood, loc. cit., VII, 229.
Reg. Priv. Council, X, 534.

kirk itself that new determination which, gaining strength, challenged episcopacy in all its powers during the next half century, and did not diminish in vigor until presbyterianism was fully restored to the Scottish church.

One of the ablest defenders of presbyterian polity at this time was the Reverend David Calderwood, the celebrated historian of the Church of Scotland, "Who cared not, notwithstanding all former repulses and discouragements, to use all the means he could for libertie."[26] Calderwood was not alone in this regard, but he was singled out as the energetic leader of the opposition to episcopacy on the occasion of the king's visit to Scotland in 1617. The direct participation of Andrew Melville in the affairs of the church had ceased more than a decade earlier, and Calderwood belonged to a much younger generation. But the words he uttered in his defence have the ring of Andrew Melville at his best. The drift of the interrogation which Calderwood received at the hands of King James and some of the bishops of the High Commission[27] is indicative of the fear, if not of the reverence, which these protagonists of episcopacy retained for the opinions and leadership of Andrew Melville or any other who should defend the same.

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[26] Calderwood's trial is recorded at length in his History of the Kirk of Scotland, Vol. VII, 261-285.

[27] In February, 1610, James imposed on Scotland two courts of High Commission to mete out punishment for ecclesiastical offences. They were united in 1615. The Court of High Commission was presided over by an archbishop. It held vaguely defined powers and therefore almost unlimited powers. Under the circumstances its actions became arbitrary, and its name a byword for tyrannous oppression.

After suffering much from vicious accusation and abuse, Calderwood was banished from the land as the only effective means of destroying his influence. Nevertheless, the resistance which he and a number of others provided at that time proved so effective that when the Assembly met again in November, 1617, it proved to be unmanageable. It is said that the king returned to England much disappointed that he had not achieved his will in church matters as he had planned. Nevertheless, he reasserted his doctrine of royal prerogative in ecclesiastical affairs. "It is a power innated" he said, "a spiritual prerogative which we that are christian kings have, to order and dispose of external things in the policy of the church, as we, by the advice of our bishops, shall find most fitting; and as for your approving or disapproving, deceive not yourselves, I will never regard it, unless you can bring me a reason that I cannot answer ... the bishops must rule the ministers, and the king both, in things indifferent and not repugnant to the Word of God, ... to have matters ruled as they have been in your General Assemblies, I will never agree."[28]

4. The Assembly of Perth, 1618

It was the failure of the episcopal party to gain sufficient popular support in 1617 which led to the necessity of calling the Perth Assembly in 1618. There were rumors that the liberty provided in the holding of a General Assembly would not again be granted, but the clerical convention held in St. Andrews advised James that only

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[28]Cunningham, Ch. Hist. of Scot., II, 34.

A General Assembly was truly competent to legislate in the interest of the proposed changes. To this end a public announcement was issued on August 3, 1618, to the effect that a meeting of the General Assembly would be held at Perth on August 25th.

Since this was a location in Archbishop Spottiswoode's own diocese, the management of affairs fell the more readily within the scope of his own control. He occupied the office of moderator without recourse to election. In the calling of commissioners he endeavoured to make sure of his purpose by canvassing the members previous to the meeting, even to the extent of reminding them that the modification of their stipends might depend on the disposition of their votes. The final aggregate of the Assembly was not made up of commissioners sent as qualified representatives from presbyteries, but of bishops, doctors, deans, and such ministers who so far as possible were regarded as the bishops' followers. In addition to these, the king had his own appointees made up of sundry noblemen and gentlemen.[29] Furthermore, many commissioners sent from presbyteries were not acknowledged, and were therefore deprived of the right to vote. From certain other presbyteries more commissioners were in attendance than their past representation allowed. As in the case of the Glasgow Assembly of 1610, threats and bribes were freely employed to influence the votes of the members. Even debate was restricted or ruled out of order on issues where it appeared that the opposition might exercise considerable sway. They were determined

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[29]Row, Hist. of the Kirk, p. 315.

at all costs to impress upon the Scottish Church the stamp of episcopacy, its ritual and its observances, as well as its government, to the exclusion of all others. Thus, the great business at hand was carried through in flagrant disregard for the traditional rules of the house.[30] Its purpose was contained in what was afterwards familiarly known as the Five Articles of Perth.

This is not to conclude that the king's party had matters all its own way. The presbyterian defendents mustered so strong an opposition that the commissioners were at first extremely doubtful of the result. The town was crowded with men of the Melville stamp. Lord Binning wrote to the king at the time, that in coming to town he found so many presbyteries, especially those of Fife and the Lothians, had sent such precise and wilful Puritans that he was by no means sure of the issue.[31]

Within the Assembly itself the ministers endeavoured to have every subject discussed in open debate, and to have the so-called Five Articles voted separately. They accordingly drew up four proposals, each one of which was intrinsically an assertion of recognized presbyterian principles: (1) That none be admitted to vote but such as were authorized by lawful commission. Spottiswoode replied that they were chosen by the king; (2) That the liberty of the church should not be violated in the election of a moderator. Spottiswoode again answered by pointing out that since the Assembly was called to

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[30] Calderwood, Hist. Kirk Scot., VII, 320; Scot, Narration, p. 258.

[31] Cunningham, Ch. Hist. of Scot., II, 37, footnote.

meet in his diocese he considered that he alone had the right to occupy the moderator's chair; (3) That the articles for discussion be stated in simpler form for the better understanding of their meaning, and the better exercise of debate. This recommendation was ignored completely; (4) That there be more provision for free discussion, pro and con. This too was rejected.

When at length the vote was taken, and after repeated readings and references to the king's letter in which he demanded unqualified acceptance, and after every man had been warned that his conduct would be reported to the king,[32] a total of eighty six allowed the Articles, forty nine refused them and three refrained from voting. Shortly thereafter the Privy Council passed an Act confirming the procedure of the Assembly and enjoining compliance upon both ministers and people. The ministers in turn prepared a remonstrance, but they were prevented from making it public.

The Five Articles of Perth thus became part of the ecclesiastical law of the realm. The gist of them is as follows:[33]

1. Holy Communion shall be received kneeling.
2. Holy Communion shall be made available privately to the sick.
3. Baptism may be administered in the home in cases where the infant cannot conveniently be brought into church.
4. All children eight years of age shall be brought to the bishop on his visitation to be questioned as to their religious knowledge, and to receive his blessing.

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[32] Ibid, 37.

[33] Calderwood, op. cit., VII, 324f.

5. The days in commemoration of Christ's birth, passion, resurrection, and ascension, and of the Holy Ghost's descent, shall be devoutly observed as holy days.

The last constitutional act was taken in July 1621, when a parliament was summoned for the purpose of ratifying the Five Articles, since they still awaited the highest sanction of the law. Once again the Articles were passed, but again by majority vote only. Calderwood maintains that the majority of the burghs were in opposition, that the sheriffdoms were divided, and that it was only by the votes of the bishops and the higher nobility that the obnoxious Acts were passed.[34]

Thus by means which cannot be justified James extinguished government by presbytery and set up an episcopacy in its place. But, in insisting on changes of ritual as well as polity, he unwittingly evoked forces which imperilled the very work which he dreamed to be his main achievement as King of Scots. Blind to his own imperious folly he and the court of High Commission persisted in enjoining obedience to their tyrannical decrees.

In summing up, from the Presbyterian standpoint four main steps mark the declining fortunes of the Scottish church before 1625: (1) Beginning with 1597, when the ministers accepted the right of vote in parliament. Andrew Melville joined with his nephew James at that time to forewarn the commissioners of the dangers inherent in the adoption of any such practice.[35] (2) In 1606, when permanent

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[34] Ibid, VII, 490f.

[35] Scot, Narration, p. 99.

moderators were imposed on synods and presbyteries. The ruling denied to the church the right of free choice in its own elections, and at the same time transgressed the principle of parity among ministers. (3) In 1610-1612, when the General Assembly was superceded by the court of High Commission. Under its terms of procedure one archbishop with any four others whom he chose to associate with him could, and did, exercise almost unlimited power over their fellowmen. (4) In 1618, when the Articles of Perth were imposed on the church. In this final act, James formally took unto himself the headship of the church, and thereby triumphed in his ambition to establish a monarchial episcopacy in Scotland.

CHAPTER VII

MELVILLE'S ULTIMATE TRIUMPH: HIS LEGACY

Neither Andrew Melville nor his nephew James lived to see the final triumph of their labours. When they arrived in London in 1606 they quickly learned that their movements were restricted, and that they were in fact being detained at the king's pleasure. The truth is that James had no intention of allowing them to return to Scotland. Andrew Melville was banished to France in 1610-1611, after suffering four years of mental and physical anguish largely at the hands of the anglican bishops. For most of this period he was confined to the Tower of London. Shortly after his arrival in France he was appointed to the faculty of the Huguenot university at Sedan. His death occurred there in 1621, or in 1622.[1] James Melville died in England in 1614.

While in France Andrew Melville followed with deep concern the progress of James' episcopal policies in Scotland. Yet, if he read the signs aright he must have found considerable ground for encouragement. In spite of all that had taken place in the fortunes of the Scottish Church it became increasingly clear that presbyterianism, though trampled down, was by no means destroyed. Its principles were more deeply entrenched in the heart of the Scottish

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[1] Row, Hist. of the Kirk, p. 300; cf M'Crie, Melville, II, 322.

Church and the Scottish character than was generally realized.

Melville's ultimate triumph thus lies in the fact that the presbyterianism for which he contended did survive, and survived to grow into maturity. In time it challenged James and his successors at every point, and ultimately became the established polity of the national church of Scotland. It was a triumph distinguished in at least four principle features.

1. James' Failure to win Popular Support for his Episcopal Policies

It does not appear that Andrew Melville, even in exile, permitted himself to become entirely overwhelmed by the turn of events within the Scottish kirk, nor to give way to natural feelings of serious doubt as to the ultimate vindication of the principles laid down in the second Book of Discipline.[2] Hence, it was only in keeping with that confidence that an increasing number of his

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[2]Some indication of Melville's native confidence and character is reflected in a reply he made to the Earl of Morton in 1578. Morton, having failed to win Melville by cajolery and flattery to his way of thinking, tried to silence him by intimidation, "and after long discussion upon the quietness of the country, peace of the kirk, and advancement of the king's majestie's estate, he (Morton) broke in upon such as were disturbers thereof by their conceits and overseas dreams, imitation of Genevan discipline and laws; and, after some reasoning and grounds of God's Word alleged, which irritated the Regent, he broke out in choler and boasting: 'There will never be quietness in this country till half a dozen of you be hanged or banished from the country!' Melville replied, 'Tush! sir, ... the earth is the Lord's; my fatherland is wherever well-doing is. I have been ready to give my life where it was not half so well expended at the service of God. I have lived out of your country ten years as well as in it. Let God be glorified, it will not lie in your power to hang or exile the truth." (Melville, Diary, p. 68).

spiritual followers in Scotland likewise refused to believe in the futility of their efforts to restore the so-called liberties of the kirk. During the years of his absence Melville maintained close contact with them through the medium of correspondence, and encouraged them in every way possible in their adherence to presbyterian policies.[3]

The indications are that at the first James was highly gratified with the results he achieved in the Perth Assembly of 1618. The Scottish Church, according to his thinking, was now episcopal in worship as well as in government. Nevertheless, it soon became apparent that in this case it was much easier to make laws than to execute them. The church which had achieved its great charter in 1592, and for which Andrew Melville had so stoutly contended through varying fortunes, could not at this stage be so readily stripped of its protagonists. The Five Articles of Perth were generally despised, and to a degree that conformity to them on a national scale was never fully realized. The course of events eventually proved the impracticability of such a policy.

Resistance was especially fierce and obstinate to that Article which enjoined kneeling at Communion. For the majority of Scottish communicants to kneel for the reception of the sacrament was to acknowledge a supernatural change in the elements, and thus was looked upon as the grossest superstition of Rome. Knox himself set the example when he sharply opposed the practice during his

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[3]Row, Hist. of the Kirk, p. 300; M'Crie, Melville, I, 308f.

incumbancy as a minister within the English Church. It was mainly as a result of his persistent objection to it that the "Black Rubric" was finally inserted in the Prayer Book of Edward VI.[4] From one of its greatest founders, therefore, the Scottish Church inherited its repugnance to the Article in question. Andrew Melville, no less than Knox, spurned the practice, as testified throughout in the spirit and general practice of his policies. The whole tenor of the second Book of Discipline is in complete harmony with this sentiment.

The greatest opposition to the episcopal measures occurred not in obscure areas, but at the heart of the Church in Edinburgh. Citizens assembled in conventicles, or flocked to neighboring ministers who were more in harmony with their way of thinking. Shopkeepers in Edinburgh kept their booths open during the Christmas festival and again at Easter, instead of going to church. Many of the elders and deacons refused to officiate in the new religious order.[5] From Edinburgh antipathy to the anglican rites spread to other districts and became almost universal. Even the two-fold sanction of parliament and the Assembly could not reconcile the mass of the people to James' ecclesiastical novelties or force them to pay deference to them. It was in vain that ministers were ordered to read the Five Articles from their pulpits; for many, risking the severest of penalties for non-compliance, refused to do so.

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[4]As a concession, the Black Rubric maintained that by kneeling "no adoration was intended either of the sacramental bread, or of Christ's natural flesh and blood." (Cowan, Knox, p. 110).

[5]Calderwood, Hist. Kirk Scot., VII, 348.

The inescapable conclusion is that episcopacy as an ecclesiastical institution was neither wanted nor deemed tolerable to the Scottish communion. Indeed, so determined was the opposition enjoined by both ministers and people that a number of the bishops, including Archbishop Spottiswoode, exhibited doubt as to the wisdom of further enforcement of the ecclesiastical innovations.[6] Even among that section of the ministers which had hitherto conformed for the sake of peace many gave second thought to the whole procedure, and, in spite of the royal bluster of 1617, either refused to commit themselves or joined others in seeking a free discussion of these matters in a truly representative Assembly. As to the ministers whom James had leagued together in the Assembly of 1618, the marvel is that in spite of threats, royal invective, improper selection of commissions, manipulation of ballots, open bribery, and similar tactics, the Articles of Perth received approval only on the basis of a comparatively slim majority. The fact remained that the episcopal system imposed on the Scottish kirk was "contrary to the will of the generality of the people."

2. Mounting Determination to Regain the Spiritual Liberties of the Church.

Andrew Melville's struggle for what he considered to be the spiritual liberties of the church was not an altogether unique objective among the Reformed leaders of the time. Individual emphasis varied considerably, even between Melville and Knox.

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[6] Ibid, VII, 547; Mackinnon, Hist. Mod. Lib., III, 218.

Thus, while Knox strove for liberty of faith, Melville contended for liberty of worship - the spiritual independence of the church as opposed to temporal interference. As a concept it formed the basis for his stern objection to episcopacy from the beginning. It was one of the factors which determined to large extent the character of the second Book of Discipline. Its acceptance as a vital principle of religious freedom was one of the outstanding acknowledgements preserved in the parliamentary Act of 1592.

Thus, the great debates of 1616-1618, and of the years of controversy which followed, were not so much over questions of conformity per se. Sharp as these issues may have been, the fundamental question was one which engaged the attention of both king James and Andrew Melville at an earlier period; Can the church claim the right and liberty to choose its own form of government, in this case presbyterian, and the consequent right to conduct its own church courts, its assemblies, its synods, and its presbyteries, free from the dictates of royal prerogative? James' own theory of ecclesiastical government was diametrically opposed to any such principle of freedom, and in his opposition to it he endeavoured to destroy the influence of its greatest protagonist.

But a new generation came into being after 1606. Thus, whereas it was no longer possible for Andrew Melville to exercise his own personal leadership in defence of religious liberty, in a very real way his voice found expression through the instrumentality of others, younger men who asserted them with scarcely less courage and vigor. The Reverend David Calderwood, was one

of these,[7] but he was only one of a number who served with distinction during the troubles of 1616-1618, and later on. A list would include such names as Robert Bruce, Robert Rollock, John Davidson, Patrick Simpson, David Black, William Struthers, Richard Dickson, and William Scot. These were indeed worthy successors to Melville in the affairs of the kirk. Some of them, in fact, were former students of his from his classrooms at St. Andrews.[8] In any case, these were the men who in a sense thenceforth spoke in Melville's name.

The bitterest opposition employed against non-conformity was exercised through the courts of High Commission. There can be little doubt that the rising tide of public indignation, inspired by James' own high-handed measures, was intensified by the unsparing cruelties with which the High Commission applied its assumed powers to a mounting degree of ferocity. The day was dawning when the populace would take matters into its own hands.

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[7] One time minister of Crailing, near Jedburgh. He was at first sentenced to banishment, later confined strictly to his own parish. An extended account of his trial is contained in his History of the Kirk of Scotland, (See VII, 257ff).

[8] Robert Bruce, later, minister of St. Giles, Edinburgh. Sometimes spoken of as the man who bridged the interval between Andrew Melville and Alexander Henderson. He was an intimate friend of James Melville. (D. C. MacNichol, Robert Bruce, p. 28). He studied theology in company with Andrew Melville at St. Andrews. (Melville, Diary, p. 147). After Melville's removal from Scotland Bruce also became involved in the conflict between king and kirk, "proving himself unshakable to the very end."

Alexander Henderson, moderator of the Assembly in 1638, studied at St. Andrews before the year 1600, and obtained his Master's degree there in 1603. It is scarcely conceivable that he did not feel the impact of Melville's reputation in that university. It is quite probable that he attended some of Melville's lectures in theology. (Marcus L. Loane, Makers of Religious Freedom, Intervarsity Fellowship, London: 1960, p. 12).

In the meantime, acts of unlawfully called Assemblies were arbitrarily put into execution. Ministers were suspended or were deprived of their stipends on charges of non-conformity or lack of obedience to the legislative demands. The regulations of the "pretended" Assemblies were thus obtruded upon the kirk by a judiciary which was not a kirk judiciary, nor yet one approved by the laws of the realm. When Spottiswoode took to himself the moderator's chair in 1616 his conduct was simply regarded as one more violation of the lawfully established rights of the Assembly. The mounting spirit of resentment to this and other high-handed actions showed itself in the proceedings of the convention of 1617. In that year "the brethren of the ministry came to Edinburgh ... seeing that they got not a free Assembly, a good number of them (about forty) convened with the ministers in Edinburgh."[9] While there, they prepared a supplication for presentation to the king when he should visit Scotland later in the year. The main articles of this petition are worthy of particular attention inasmuch as they express the mind of the kirk leaders as in full agreement with earlier presbyterian polity.[10] although the petition makes no direct reference to the

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[9]Row, Hist. of the Kirk, p. 307; Calderwood, Hist. Kirk Scot., VII, 254f.

[10]The Supplication, so-called, was drawn up in four paragraphs, and may be stated briefly as follows:

1. We plead reformation and purity of our kirk in doctrine, administration of the sacraments, discipline, and all convenient order with the best reformed kirks of Europe, and that it may stand out as hath ever been acknowledged rather as a pattern to be followed by others, than that we should seek reformation from any that never attained to that perfection.

formal Discipline of the church, it is in essence a reasonable argument for the restoration of the liberties sanctioned by the Acts of 1592.

Such were the views expressed by a substantial number of the presbyterian clergy of the time. They were not the opinions of a minority faction. The probability is that few throughout the rank and file of the church would have opposed them. The chief exceptions were those whose "commissions had been procured, or were the king's pensioners, or looked for some benefice, or promise of augmentation, or were otherwise afraid to vote negative."[11]

The fact that those loyal to the principles of presbyterian polity suffered defeat in the Assembly of 1618 was not interpreted

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2. We plead the liberties of our kirk, which by the laws of your Majesty's Kingdom, and by divers Acts of Parliament given forth in favour of the same is established, with power of public meetings and General Assemblies, and allowance to make such canons and institutions as we may serve for comely order and decency of same.

3. We plead for peace and tranquility of our Kirk, that being nearest the divine and apostolic institution, hath lived without schism and rending itself: but by introduction of any novelty not orderly, now as pertains, it may be miserably rent, and our peace broken.

4. We have been at divers times sufficiently secured from all suspicions of innovation, as by your Majesty's letter .... as also by that proclamation given forth the 26th day of September, 1605 ....

(Calderwood, Hist. Kirk, Scot., VII, 254f.; Row, Hist. of the Kirk, p. 308f).

[11] Scot, Narration, p. 263f.

by them as final proof that further efforts on their behalf would prove to be futile. Indeed, the issue was a live one before the parliament of 1621. When the Articles of Perth were then presented for parliamentary sanction, once more a number of ministers were on hand to present an "Information", basing their argument on the following grounds:[12] (1) The Perth Assembly, (a) was against the established order of the kirk, (b) was contrary to the whole policy of the church established since the Reformation, (c) its proceedings and Acts are repugnant to Reformed faith and doctrine as recognized during the past sixty years; (2) Any such ratification would cross and directly prejudice the Acts of parliament of 1592, the provisions expressed in the end of the Act of 1597, and all other and similar legislation favouring the jurisdiction of the kirk, its liberty, its assemblies, and its discipline; (3) The Reformers of the kirk "laid a sure foundation and builded upon the same without error, notwithstanding of difficult times. It is our wisdom to go forward and not backward, to strength and not to weakness;" and (4) Scripture enjoins us to stand fast in the faith, "Stand fast in the liberty wherewith Christ hath made you free, and be not entangled again with the yoke of bondage."

These are not the actual words of Andrew Melville, it is true. But they did uphold his faith, his spiritual aims, and his determination, declared this time through the medium of his followers.

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[12] Ibid, p. 285f.

3. The Settlement of 1638: The Second Reformation

Presbyterians in general have often pointed to the year 1638 as the date of the second Reformation in Scotland. Ever since the beginning of the unlucky riots in Edinburgh in 1596 the cause of Scottish presbyterianism had gone back. The year 1638 marks the date of its restoration. Here the views of Andrew Melville reached their final triumph.

In many ways the covenanting movement which led to the Assembly of 1638 was but a product of the presbyterian opposition to James' episcopal policies of 1616-1618. Over the intervening years episcopacy had received a fair chance, and had failed. It had not gained a hold on the clergy nor over the Scottish laity, even with the help of the king and the High Commission.[13]

The documentary basis for the National Covenant drawn up in 1637 was the Negative Confession of Faith which had been prepared by order of James VI in 1581 at a time when there was a specially acute alarm at the activity of the papists.[14] The choice of this Confession, rather than that of Knox, was a dextrous stroke of

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[13] "Many who had formerly given way and practiced these (Articles of Perth) began now to detest them and to suspect that the former course was but a preparation for this, as the Book is for papacy itself, ... the daily growing detestation of the Book (Book of Canons and Common Prayer) and of the bishops inbringers of it, and many other evils, the general resentments thereof, the disposition of many people increasingly in a desire of greater knowledge than they aimed at before, and some growth of Christian affection amongst neighbours, may prove that this cord is to be twisted by a hand from above." (John Rothes, A Relation of Proceedings Concerning the Affairs of the Kirk of Scotland from August 1637 - July 1638, ed. J. Nairne, Bannantyne Club, (Edinburgh: 1830), pp. 3, 19).

[14] Also known as the National Covenant, or the King's Confession. It was drawn up by John Craig, (Supra, p. 91).

policy, for what his father had approved and signed Charles I could not with good grace regard with disfavour. Still, in his eyes the League and Covenant as presented to him was a revolutionary document. He had been taught by precept and example that the General Assembly may only meet by royal consent and that in so doing it must concur dutifully in all royal commands. The stern Covenanters denied all such claims of monarchial prerogative as applied to the kirk. To them the right of summoning assemblies on whatever level belonged to the jurisdiction of the kirk itself, and they let it be known that they had enjoyed that right till James had unconstitutionally taken it from them. Hence, taking matters into their own hands, and at a time when ministers and nobility were united in a common bond to overcome evidences of increasing autocracy in civil administration, the Assembly of 1638 was appointed to meet in Glasgow with careful regard to just representation from all presbyteries.

The first test came in the election of a moderator. In place of the King's Commissioner, who in terms of recent practice would normally preside, the Assembly proceeded to elect the Reverend Alexander Henderson, a man who had opposed the Perth Articles, and one described by Baillie as "incomparably the ablest man of us all for all things."[15] The clerk appointed was also a man of their own choice.

By the twentieth of December, 1638, when it arose, the

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[15]Robert Baillie, Letters and Journals, Bannatyne Club, (Edinburgh: 1841), p. 121.

Assembly with deliberate determination proceeded to settle accounts with the bishops who were accused inter alia of having broken the caveats of 1600.[16] The Assembly not only deprived them of holding further office, but excommunicated the two archbishops and six of their fellow prelates. It abjured episcopacy, and banned it from the church. It annulled the proceedings of the previous Assemblies from the year 1600 onwards, condemned the Service Book, the Canons, the Five Articles, and the High Commission. It re-instated the victims of the Commission, re-established the presbyterian constitution according to the second Book of Discipline, confirmed the Covenant with suitable additions, and finally, supplicated the king to ratify these proceedings when Parliament should meet thereafter in May.

Under the circumstances perhaps no one believed this to be the end of the matter, but there can be little doubt that they all concurred heartily in the sentiment expressed in the words of Henderson on the closing day of the Assembly, "We have thrown down the walls of Jericho, let him that buildeth thereon beware the curse of Hiel, the Bethelite."

Thus did the Scottish Reformed Church declare against the place and name of bishops within its ranks, or as sharers in any way of its ecclesiastical polity. This was the direct and final answer to the question raised in the Assembly at Edinburgh in 1575, "Whether bishops as they are now in Scotland have their function

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[16] Regulations governing those who shall sit in parliament in the name of the kirk. (Row, Hist. of the Kirk, p. 200f).

in the word of God, or not, or if the chapters appointed for creating of bishops ought to be tolerated in the Reformed Kirk?" Andrew Melville maintained at the time that they had no lawful function, just as he continued later to declare against their continued recognition and employment. The Assembly of 1638 re-affirmed his opinion, and thus exemplified the triumph of his labours in this regard.

It was also a vindication of his demand for a free Assembly. The Assembly of Glasgow in declaring against any recognition of the "pretended" Assemblies of Linlithgow in 1606 and 1608, of Glasgow in 1610, of Aberdeen in 1616, of St. Andrews in 1617, and of Perth in 1618, stated, "Every one of them from the beginning being unfree, unlawful, and null Assemblies, and never to have had, nor hereafter to have, any ecclesiastical authority, and their conclusions to have been and to be of no force, vigor, nor efficacy."[17]

4. Melville's Contribution to the Development of Democratic Government and Civil Liberty in Scotland

The achievement of liberty was one of the prominent aims of the many-sided movement which we call the Reformation. The advance of education, the widening of human experience, the rise of the burghs and the merchant class, all made possible a new individualism which in turn challenged the older systems and authorities. Before God all alike were human beings with rights, the right to seek and to have justice. All classes were involved, and all races.

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[17] Acts of Gen. Assemblies, Ch. of Scot., 1639-1649, p. 9.

Yet, while great indeed were the achievements of the sixteenth and seventeenth centuries towards political, religious and intellectual emancipation, there is much to be said for the view that "it was only in England and Scotland that the battle for political liberty which began with parliamentary opposition to James I, ... was fought out to the bitter end."[18] In the case of Scotland in particular it would seem to be true that civil liberty was the child of religious liberty, and that the struggle to achieve this liberty had its origin in the bitter competitions waged between king and kirk during the days of Andrew Melville. For, in the struggle for spiritual independence of the church it can scarcely be denied that Melville and his supporters were at the same time the advocates of civil liberty. When the parliaments were the mere puppets of the courts, and the courts of law - for they could hardly be called courts of justice - were subservient to the nod of the king or his favourites, the Church of Scotland maintained the only spirit of independence in the land.[19]

To this, it appears, more than to their religious tenets was owing the implacable animosity of James. The fixed determination with which he proceeded from the year 1600 to procure the subversion of presbytery in favour of an episcopacy had its origin, not so much from any pious regard which he held for the latter as a

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[18] MacKinnon, Hist. Mod. Lib., III, v.

[19] P. Hume Brown, "Moulding of the Scottish Nation", Scot. Hist. Review, 1903-1904, Vol. I, 214ff.

religious institution, but in a pious regard for despotic power. He took stock of the ease with which the English clergy was managed by virtue of the very dependence which that body had upon the authority of the king as head of the church.

Andrew Melville must be acknowledged as the key figure in opposition to James' autocratic policies. The system of ecclesiastical government which he envisioned in the second Book of Discipline was fundamentally democratic in character, and was so to a degree scarcely contemplated elsewhere. Of prime importance was the fact that it brought the laity into the sphere of administration. Elders did "represent the people" on a level that had no parallel in the pre-Reformation church. The discipline of the people was in the hands, not of the clergy, but of a kirk session consisting of ministers and elders, the latter being of the people, knowing them personally, and understanding their point of view and the circumstances of their life. Elders were obviously much in the majority over ministers, but the vote of each counted as much as that of any minister. Under the circumstances session discipline was a democratic procedure.

The important point, however, lay in the fact that it was a significant step toward democratic government in the state. Melville's system which provided a national assembly, a provincial synod, a presbytery, and a kirk session, not only made possible but did provide a forum of public opinion. Thus, in an age when autocracy was the general rule in civil administration the pulpits

in the time of Andrew Melville were places, indeed the only places in the realm, where was liberty and independence. It was not possible thereafter that this acquaintance with spiritual freedom should be contained within the confines of ecclesiastical jurisdiction.

From the point of view of James there were serious dangers inherent in presbyterianism. No doubt he realized that if the principles of presbyterian government were next applied to the civil order, a limited monarchy would be the inevitable result, representative local government would develop, and that his dream of centralization coupled with an absolute state would be destroyed. Obviously the public mind would not long continue to hold two diverse or contradictory sets of governing principles.

These political dangers were probably quite real to James and to other monarchies attached to the theory of the divine right of kings, but it does not follow that presbyterianism as such was politically pernicious. Indeed, the principles for which Melville contended in the conduct of ecclesiastical government have been largely incorporated in the modern State. His assertion of the Two Kingdom theory of government has been fulfilled in constitutional monarchy. There may be an element of extravagance in the statement "the modern state has in many respects become presbyterianized,"[19] but it can be applied with considerable readiness to Scottish national administration. Melville's Book of Discipline, coupled with his diligent service on behalf of the Reformed faith, did

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[19]Pearson, Pol. Aspects of 16th Cent. Puritanism, p. 130.

provide for an over-centralized yet laxly administered country, a whole machinery of local self government. This must be recognized as no small part of Melville's ultimate triumph in the development and destiny of the Scottish Reformed Church.

Thus, it can be said with more than little emphasis that Scotland owes her church, her national individuality, and her character, to the men who fought for religious liberty against the monarchic despotism which had subdued, first by force, then by bribery, the bulk of the feudal nobility into becoming the mere tools of the Crown. Among those leaders in the church who contributed to the defeat of these practices, linked as they so often were to questions of ecclesiastical polity, to no one does the Scottish Reformed Church owe a greater debt of gratitude than to the person of Andrew Melville.

He arrived in Scotland at a most critical period in the development of the Scottish church. He has been variously described as choleric, wanting in humor, and uncompromising. But no one of true insight questions his integrity, his scholarship, his courage, or his outstanding ability. Less observant writers have dubbed his actions, along with those of other kirk leaders of the time, as "Hildebrandian." But it may be added with all confidence and no little satisfaction, that between the Church of Hildebrand and the Church of Andrew Melville there was all the difference that exists between autocracy and democracy.

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